

**EXECUTIVE OFFICER'S AGENDA REPORT
JULY 22, 2009**

TO: LAFCO Commissioners

FROM: Sara Lytle-Pinhey, Assistant Executive Officer

SUBJECT: MSR No. 09-03, SOI Update 2009-03: Service Review and Sphere of Influence Updates for the Eastin, El Solyo, Del Puerto, and Oak Flat Water Districts and the Patterson and West Stanislaus Irrigation Districts

INTRODUCTION

This proposal was initiated by the Local Agency Formation Commission in response to State mandates, which require the Commission to conduct Service Reviews and Sphere of Influence updates for all cities and special districts at least once every five years. The current review covers six special districts that provide irrigation water to agricultural lands in the western portion of Stanislaus County. These include the Eastin, El Solyo, Del Puerto, and Oak Flat Water Districts, and the Patterson and West Stanislaus Irrigation Districts.

Water districts are formed for purposes such as to: produce, store and distribute water for irrigation, domestic, industrial and municipal uses; drain and reclaim lands; collect, treat and dispose of sewage, waste and storm water; generate hydroelectric power; allocate water to crops and acreage; and protect groundwater from contamination.

The purposes of irrigation districts are to: furnish water for, and put water to any beneficial use; provide drainage; develop and distribute electric power; allocate water according to crops and acreage; sewage disposal (upon approval); and protect groundwater from contamination.

DISCUSSION

The Service Review and Sphere of Influence Update process provides an opportunity for each district to share accurate and current data, accomplishments and information regarding the services they provide. LAFCO Staff sent the previously approved Service Review and Sphere of Influence document to each of the districts for their comments, revisions and updated information. Once this data was collected, a revised Service Review and Sphere of Influence Update document was drafted. During this process, Staff also created new, electronic versions of each district's Sphere of Influence on the County's Geographical Information Systems (GIS).

The proposed Service Review and Sphere of Influence document is attached to this report as Exhibit 1. The relevant factors and determinations as put forth by the Cortese-Knox-Hertzberg Act are discussed for each District. No changes are being proposed for the districts' Spheres of Influence.

ENVIRONMENTAL REVIEW RECOMMENDATIONS

The California Environmental Quality Act requires that an environmental review be undertaken and completed for the Sphere of Influence study. The Municipal Service Review and Sphere of Influence Updates qualify for a General Exemption from further CEQA review based upon CEQA Regulation §15061(b)(3), which states:

The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be

seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Since there are no land use changes or environmental impacts, as no suggested boundary changes are associated with this document, a Notice of Exemption is the appropriate environmental document.

ALTERNATIVES FOR COMMISSION ACTION

After consideration of this report and any testimony or additional materials that are submitted, the Commission should consider choosing one of the following options:

- Option 1:** APPROVE the Service Review and Sphere of Influence Updates for the Eastin, El Solyo, Del Puerto, and Oak Flat Water Districts, and the Patterson and West Stanislaus Irrigation Districts.
- Option 2:** DENY one or more of the updates.
- Option 3:** If the Commission needs more information, it should CONTINUE this matter to a future meeting (maximum 70 days).

RECOMMENDED ACTION

Approve Option 1. Based on the information presented, Staff recommends approval of Service Review and Sphere of Influence Updates for the Eastin, El Solyo, Del Puerto, and Oak Flat Water Districts, and the Patterson and West Stanislaus Irrigation Districts. Therefore, Staff recommends that the Commission adopt Resolution Nos. 2009-13, 14, 15, 16, 17, and 18 which:

1. Determine that the Sphere of Influence Updates qualify for a General Exemption from further California Environmental Quality Act (CEQA) review based on CEQA Regulation §15061(b)(3);
2. Make determinations related to the Service Reviews required by Government Code Section 56430; and,
3. Determine that the Spheres of Influence for the Eastin, El Solyo, Del Puerto, and Oak Flat Water Districts, and the Patterson and West Stanislaus Irrigation Districts should be affirmed as they currently exist.

Attachments:

Exhibit 1 - Service Review and Sphere of Influence Updates for the Eastin, El Solyo, Del Puerto, and Oak Flat Water Districts, and the Patterson and West Stanislaus Irrigation Districts

Exhibit 2 - Resolution No. 2009-13 - Eastin Water District
Resolution No. 2009-14 - El Solyo Water District
Resolution No. 2009-15 - Del Puerto Water District
Resolution No. 2009-16 - Oak Flat Water District
Resolution No. 2009-17 - Patterson Irrigation District
Resolution No. 2009-18 - West Stanislaus Irrigation District

EXHIBIT 1:

MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATES

**Eastin, El Solyo, Del Puerto, and Oak Flat
Water Districts**

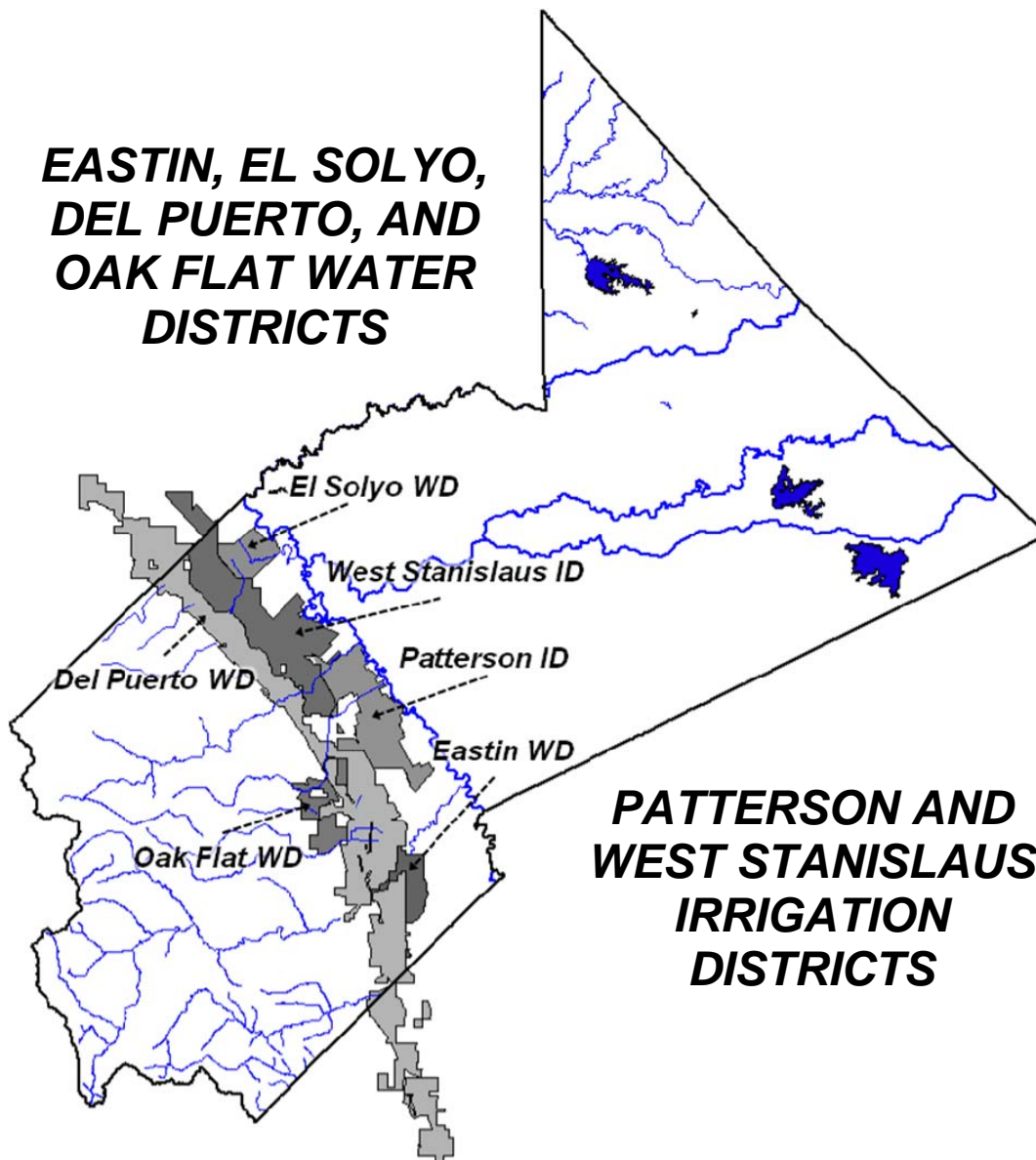
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**Patterson and West Stanislaus
Irrigation Districts**

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**MUNICIPAL SERVICE REVIEW AND
SPHERE OF INFLUENCE UPDATES FOR:**

**EASTIN, EL SOLYO,
DEL PUERTO, AND
OAK FLAT WATER
DISTRICTS**



**PATTERSON AND
WEST STANISLAUS
IRRIGATION
DISTRICTS**

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Adopted: _____, 2009

STANISLAUS

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Municipal Service Review and Sphere of Influence Updates For the Eastin, El Solyo, Del Puerto, and Oak Flat Water Districts; and the Patterson and West Stanislaus Irrigation Districts

Introduction

The Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000 Act (CKH Act) requires the Local Agency Formation Commission (LAFCO) to update the Spheres of Influence (SOI) for all applicable jurisdictions in the County. A Sphere of Influence is defined by Government Code 56076 as "...a plan for the probable physical boundary and service area of a local agency, as determined by the Commission." The Act further requires that a Municipal Service Review (MSR) be conducted prior to or, in conjunction with, the update of a Sphere of Influence (SOI).

The legislative authority for conducting Service Reviews is provided in Government Code Section 56430 of the CKH Act. The Act states, that "in order to prepare and to update spheres of influence in accordance with Section 56425, the commission shall conduct a service review of the municipal services provided in the county or other appropriate area..." A Service Review must have written determinations that address the following factors:

Service Review Factors to be Addressed

1. Growth and Population Projections for the Affected Area
2. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs or Deficiencies
3. Financial Ability of Agencies to Provide Services
4. Status of, and Opportunities for, Shared Facilities
5. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies
6. Any Other Matter Related to Effective or Efficient Service Delivery, as Required by Commission Policy

State Guidelines and Commission policies encourage cooperation among a variety of stakeholders involved in the preparation of a Service Review. This Service Review will analyze the existing and future services for several water/irrigation districts, all of which are located on the west side of the County. The Service Review will also provide a basis for each of the Districts and LAFCO to evaluate, and if appropriate, make changes to the Sphere of Influence.

Sphere of Influence Update Process

A special district is a government agency that is required to have an adopted and updated Sphere of Influence. Section 56425(g) of the CKH Act calls for Spheres of Influence to be reviewed and updated every five years, as necessary. Stanislaus LAFCO processes the Service Review and Sphere of Influence Updates concurrently to ensure efficient use of

resources. For rural special districts, which do not have the typical municipal level services to review, this Service Review will be used to determine what type of services each district is expected to provide and the extent to which they are actually able to do so. For these special districts, the spheres will delineate the service capability and expansion capacity of the agency, if applicable.

Background

Throughout the years, water and California have been linked. No resource is more vital to California than water, from the agricultural areas, urban centers, and industrial plants, to open space and recreational areas, the distribution of water has been critical to all land uses.

In California, there are hundreds of special districts with a great diversity of purposes, governance structures, and financing mechanisms. Some districts are responsible for one type of specific duty, as in the case of the water and irrigation districts reviewed in this report, while other districts provide a wide range of public services.

Authority

This review will cover the following “single purpose” water and irrigation districts, each of which are geographically located on the western portion of Stanislaus County: Eastin, El Solyo, Oak Flat and the Del Puerto Water Districts; and the Patterson and West Stanislaus Irrigation Districts. The four water districts are organized under the California Water Code, Division 13, §34000-38501, while the two irrigation districts are organized under Division 11, §20500-29978 of the California Water Code.

In addition, the water districts are “landowner voter districts”, as their board members are elected by landowners within the respective district’s boundaries. The irrigation districts are “registered voter districts” with board members elected by the registered voters within the respective district’s boundaries.

Purpose

Water districts are formed for purposes such as to: produce, store and distribute water for irrigation, domestic, industrial and municipal uses; drain and reclaim lands; collect, treat and dispose of sewage, waste and storm water; generate hydroelectric power; allocate water to crops and acreage; and protect groundwater from contamination.

The purposes of irrigation districts are to: furnish water for, and put water to any beneficial use; provide drainage; develop and distribute electric power; allocate water according to crops and acreage; sewage disposal (upon approval); and protect groundwater from contamination.

Classification of Services

This Service Review includes a listing of services provided within each of the Districts boundaries. The water and irrigation districts are authorized to provide the functions or classes of services (e.g. irrigation water) as identified in this report. Due to recent changes in the Cortese-Knox-Hertzberg Act, the Districts would have to seek LAFCO approval to exercise other latent powers not currently provided.

Service Review – Del Puerto Water District

Formation

The Del Puerto Water District was originally formed on March 24, 1947 and included only about 3,500 acres. The District was reorganized on January 20, 1995 to include ten other local districts with similar water contracts with the U.S. Bureau of Reclamation for their water supply. The reorganization provided an increased level of service to the properties within the new district boundaries and reduced the duplication of effort by the participating districts.

Location and Size

The District's boundary currently encompasses approximately 54,000 acres (44,000 irrigable), located on the western most edge of the San Joaquin River Basin, running parallel with Interstate 5 (I-5) and stretching approximately 50 miles in length between the City of Tracy to the north, and the Santa Nella (I-5) Interchange to the south. While the District's boundaries are within three counties (Merced, Stanislaus and San Joaquin), the majority of the territory is located in Stanislaus County.

Sphere of Influence

The District's Sphere of Influence is coterminous with its current boundaries.

Governance

A seven member Board of Directors governs the District. Board Members must be District landowners and are elected by landowners from divisions located within District boundaries. Meetings are held on the third Wednesday of each month at 8:30 a.m., at the District office located at 17840 Ward Avenue, Patterson, and are open to the public.

Mission Statement

The District has adopted a mission statement which states that it "is dedicated to providing its customers with an adequate, reliable and affordable water supply".

Personnel

There are four full-time, one 2/3-time, and one part-time employees of the District.

Services

Under a contract with the United States Department of Interior - Bureau of Reclamation (USBR), the District provides agricultural water to landowners within its boundaries. Water is provided by way of the Delta-Mendota Canal, a feature of the Central Valley Project, and is delivered to its customers "canal side" through turnouts licensed to the District by the federal government. The District's contract provides for the delivery of up to 140,210 acre-feet of water annually. District lands have produced more than 30 different crops over the years, including almonds, tomatoes, apricots, dry beans, walnuts, alfalfa, grains, melons, cherries, broccoli, cauliflower and bell peppers.

Due to recent drought conditions and on-going Delta water pumping restrictions, the District no

longer anticipates receipt of its full contract supply. During the 2008-2009 water year, the District received about 40 percent of its contracted water supply. For the 2009-2010 year, the allocation is not expected to exceed 10 percent of its contract quantity.

The District actively engages in local, regional, and statewide efforts to secure additional water supplies as needed to help meet customer demand. These supplies, when available, are purchased by the District, marketed and delivered at rates intended to recoup District costs.

Support Agencies

The District maintains positive and collaborative relationships with other agencies, authorities, and associations, such as neighboring irrigation districts, including Patterson, West Stanislaus, and Central California Irrigation Districts, the Oak Flat Water District, as well as the Delta-Mendota Canal Contractors Authority, the San Luis and Delta-Mendota Water Authority, the San Joaquin Valley Drainage Authority, the Central Valley Project Water Association, the Association of California Water Agencies, and the U.S. Bureau of Reclamation.

Funding Sources

The District recovers its administrative expenses through an annual acreage assessment on irrigable lands within the District, designated as a Water Availability Charge. The volumetric Water Rate charged to users is effectively a pass-through charge intended to recoup the various rates and charges the District must pay for each unit of water it delivers. The District does not collect any share of County property tax revenues.

Programs

The District administers several programs to assist its customers in meeting agricultural conservation and drainage requirements, including the State Revolving Fund Loan Program and the Agricultural Drainage Loan Program, which provide low-interest money for high-efficiency irrigation system improvements which also serve to reduce irrigation drainage.

Service Review Determinations

The following provides an analysis of the six categories or components required by Section 56430 for a Service Review for the Del Puerto Water District:

1. Growth and Population Projections for the Affected Area

The District serves an area that is unincorporated and agricultural, lying on the western portion of Stanislaus County and portions of San Joaquin and Merced counties. The area is designated as Agriculture on the respective county general plans and, while certain areas within the District are being looked at for their development potential, the District does not expect any significant population growth during the five-year timeframe of the current service review. The District currently serves 147 retail customers with irrigation water for agricultural purposes. Certain lands within the District's boundaries are also within the City of Patterson's city limits and Sphere of Influence. Upon submittal of specific development plans, these lands will be detached from the District and the water supply previously allocated to serve these lands will revert to the District for redistribution to remaining District lands.

2. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs or Deficiencies

Irrigation water is provided from the Delta-Mendota Canal and delivered “canal side” from turnouts. In recognition of long-term water supply shortages associated with the District’s contract water supplies, the District has agreed to participate in the financing of certain Statewide and regional infrastructure improvement projects including the Delta-Mendota Canal/California Aqueduct Intertie project and the Delta Habitat Conservation and Conveyance Plan. It has also initiated discussions with neighboring agencies aimed at identifying and developing integrated resource management opportunities that may exist. Certain of these opportunities may require new or improved water-related infrastructure including local and regional water conveyance and delivery systems.

3. Financial Ability of Agencies to Provide Services

The District is in sound financial shape and has the necessary financial resources to fund its current level of service to its customers. Rates and fees for services are developed during the District’s annual budget review and adoption process, and are designed to be sufficient to recover all costs.

4. Status of, and Opportunities for, Shared Facilities

The District shares a reservoir for drainage water recapture with the Patterson Irrigation District and Central California Irrigation District. Another possible opportunity for a shared facility would be District participation in the construction of a pipeline capable of bringing Patterson Irrigation District’s conserved pre-1914 water rights water into the District.

5. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

The District is governed by a seven-member Board of Directors. Board members must be District landowners and are elected by landowners from divisions within District boundaries. The Board conforms to the provisions of the Brown Act Open Meeting Law and the Public Service Ethics Education requirements of AB1234. The District operates in an efficient and professional manner. Though dependent upon the economic viability of its agricultural customer base, it is reasonable to conclude that the District can adequately serve the territory under its jurisdiction.

6. Any Other Matter Related to Effective or Efficient Service Delivery, as Required by Commission Policy

In 2009, the State Water Resources Control Board approved a temporary consolidation of State Water Project (SWP) and Central Valley Project (CVP) places of use. While this consolidation could be seen as facilitating the transfer of available water supplies between the Del Puerto District (a CVP contractor) and the Oak Flat Water District (a SWP contractor) other constraints continue to limit the benefits that might accrue to the District from the increased efficiency and flexibility in the source of water supplies and/or points of delivery.

Other constraints also threaten to limit the District’s ability to provide reliable service to the landscape feature at Villa del Lago. On February 8, 2005, an area known as the West Patterson Business Park Reorganization was annexed into the City of Patterson. This area

included Villa del Lago, a 50-acre commercial development. As part of this action, the Villa del Lago area was not detached from the District and continues to receive water for landscape purposes. The District reports that in March 2009, a combination of court-ordered pumping restrictions and drought conditions resulted in a zero-percent allocation for the beginning of the Districts' 2009 water year. During that time, the only water available under the Districts' long-term Bureau contract was the prior year's "rescheduled" water, which per Bureau policy was only available for delivery to agricultural or life-health and safety uses. Being neither, the landscape feature was temporarily denied water service. Since then, the District states that it has been able to resume service through a temporary program but cannot guarantee future service will be available to the area.

Service Review – Eastin Water District

Formation

The Eastin Water District was formed by LAFCO on August 25, 1999.

Location and Size

The District encompasses approximately 3,430 acres, and is comprised of two separate areas, generally located east of Interstate 5 and west of State Highway 33, between Pete Miller Road and Crow Creek, in western Stanislaus County.

Sphere of Influence

The District's Sphere of Influence is coterminous with its current boundaries.

Governance

The governing Board consists of three members elected by the landowners within the District.

Personnel

The District does not employ any personnel at this time.

Services

The District is still in the process of establishing contracts with other water providers in order to deliver irrigation water to the agricultural landowners within the District. The District is also in the process of preparing a master plan outlining any necessary infrastructure and improvements needed to provide water to its customers.

Support Agencies

The District maintains positive collaborative relationship with other agencies, such as the: Central California Irrigation District.

Funding Sources

Once the District has secured the water needed for its future customers, fees and/or

assessments will be applied to the individual landowner, based upon the cost of delivering irrigation water. The District does not collect any share of the county property taxes.

Service Review Determinations

Based upon the Service Review as conducted above, and in accordance with the six categories or components required by Section 56430, it can be determined that the Eastin Water District is still in the process of securing the necessary water sources to begin providing irrigation water to its customers.

Service Review – El Solyo Water District

Formation

The El Solyo Water District was formed on August 17, 1959.

Location and Size

The District encompasses approximately 3,781 acres and is located south of State Highway 132, east of McCracken Road, north of Gaffery Road and west of the San Joaquin River, near the unincorporated community of Vernalis.

Sphere of Influence

The District's Sphere of Influence is coterminous with its current boundaries.

Governance

Five Board members, elected by the landowners within the District boundaries, govern the District. Meetings are held on the third Wednesday each month at 10:00 a.m. at the District Office located at 542 Center Road, Vernalis, CA, and are open to the public.

Personnel

The District employs 2 full-time persons.

Services

Under a pre-1914 water rights contract, the District distributes irrigation water to its customers via the San Joaquin River.

Support Agencies

The District maintains a positive collaborative relationship with other agencies, as necessary. These agencies include the San Joaquin Valley Drainage Authority, State Department of Water Resources, and the State Water Quality Control Board.

Funding Sources

The District's source of revenue is based upon water rate charges, or "user fees", which are

collected based upon the cost of the water and its delivery to landowners within the District boundaries.

Service Review Determinations

The following provides an analysis of the six categories or components required by Section 56430 for a Service Review for the El Solyo Water District:

1. Growth and Population Projections for the Affected Area

The District serves a rural area in the northwesterly portion of Stanislaus County. The area is designated as Agriculture on the County's General Plan and does not expect any significant population growth. The District currently serves 12 retail customers with irrigation water for agricultural purposes.

2. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs or Deficiencies

The District has both the ability and the capacity to serve its service area and has no unmet infrastructure needs or deficiencies.

3. Financial Ability of Agencies to Provide Services

At present time, the District appears to have the necessary financial resources to fund adequate levels of service within its boundaries. There is no overlapping or duplication of services within the District boundaries. The District maintains its rate schedule with the intent to charge the minimum fees as possible.

4. Status of, and Opportunities for, Shared Facilities

At this time, the District does not share any facilities with other agencies or Districts.

5. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

A five member Board of Directors, elected by the landowners, governs the District. The Board conforms to the provisions of the Brown Act requiring open meetings. It is reasonable to conclude that the District can adequately serve the territory under its jurisdiction. The District has a small, yet adequate staff to provide the necessary services to its customers.

6. Any Other Matter Related to Effective or Efficient Service Delivery, as Required by Commission Policy

None.

Service Review – Oak Flat Water District

Formation

The Oak Flat Water District was formed on October 13, 1964.

Location and Size

The District encompasses approximately 4,537 acres (2,158 irrigable acres), and is located south of the City of Patterson and east of the Crows Landing Naval Air Station, in the western portion of Stanislaus County.

Sphere of Influence

The District's Sphere of Influence is coterminous with its current boundaries.

Governance

A five member Board of Directors governs the District. Directors must be landowners within the District and are elected by landowners. Meetings are held on the fourth Wednesday of the month at 8:30 am, at the Del Puerto Water District office, located at 17840 Ward Avenue, Patterson, and are open to the public.

Personnel

The District contracts with an independent contractor to perform the necessary management, administrative and operational duties for the District. It also contracts with an individual to perform certain accounting functions.

Services

The District, under the terms of its water supply contract with the State Water Project, delivers up to 5,700 acre feet of irrigation water to its agricultural customers from the California Aqueduct. The District is subject to reduced allocations based on drought conditions and pumping restrictions. For example, in the 2009 season, the Department of Water Resources stated that it will provide only a 40% contract supply allocation to the District from the State Water Project.

Support Agencies

The District maintains positive collaborative relationships with other agencies including the Del Puerto Water District, the San Joaquin Valley Drainage Authority, the State Water Contractors Association, and the California Department of Water Resources (DWR).

Funding Sources

The District receives assessments and water rate charges for providing agricultural irrigation water to its customers.

Service Review Determinations

The following provides an analysis of the six categories or components required by Section 56430 for a Service Review for the Oak Flat Water District:

1. Growth and Population Projections for the Affected Area

The District serves an area that is unincorporated and agricultural on the westerly portion of Stanislaus County. The area is designated as Agriculture on the County's General Plan and, while certain areas within the District are being looked at for their development potential, the District does not expect any significant population growth during the five-year timeframe of this current service review. The District currently serves seven (7) retail customers with irrigation water for agricultural purposes.

2. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs or Deficiencies

At the present time, the District has both the ability and the capacity to serve its service area and has no unmet infrastructure needs or deficiencies.

3. Financial Ability of Agencies to Provide Services

At present time, the District appears to have the necessary financial resources to fund adequate levels of service within the District's boundaries. There is no overlapping or duplication of services within the District boundaries. The District sets its assessments and water rates to recover its costs.

4. Status of, and Opportunities for, Shared Facilities

At this time, the District does not share any facilities with other Districts or agencies.

5. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

A five member Board of Directors, elected by the landowners, governs the District. The Board conforms to the provisions of the Brown Act requiring open meetings. Additionally the District conforms to State Law AB1234 requiring biennial mandatory ethic training and the Political Reform Act by adopting, maintaining and biennially reviewing a Conflict-of-Interest Code for board members. It is reasonable to conclude that the District can adequately serve the areas under its jurisdiction. The District does not have a traditional management structure as they do not employ full-time personnel. They do, however, employ a Secretary/Manager on a contractual basis to perform the necessary administrative and operational duties for the District. It also contracts with an individual to perform certain accounting functions.

6. Any Other Matter Related to Effective or Efficient Service Delivery, as Required by Commission Policy

In 2009, the State Water Resources Control Board approved consolidation of State Water Project (SWP) and Central Valley Project (CVP) places of use. While this consolidation could be seen as facilitating the transfer of available water supplies between the Del Puerto

District (a CVP contractor) and the Oak Flat Water District (a SWP contractor) other constraints continue to limit the benefits that might accrue to the District from the increased efficiency and flexibility in the source of water supplies and/or points of delivery.

Service Review – Patterson Irrigation District

Formation

On March 16, 1999, the Patterson Irrigation District (PID) was reorganized from the Patterson Water District for the purposes of continuing to provide agricultural irrigation water to lands within the District, and also to allow the District the ability to provide electrical power supplies both within and outside its boundaries.

Location and Size

The District is approximately 13,150 acres and is generally located east of the City of Patterson and Highway 33, south of Del Puerto Creek and west of the San Joaquin River, in the western portion of Stanislaus County.

Sphere of Influence

The District's Sphere of Influence is coterminous with its current boundaries, with the exception of approximately 110 acres adjacent to the northeast portion of the District. Portions of the District's Sphere of Influence are located within the City of Patterson's Sphere.

Governance

A five member Board of Directors, elected by the registered voters within the District boundaries, governs the District. Meetings are held on the second Wednesday of each month at 1:00 p.m., at the District office, located at 948 Orange Avenue, Patterson. The Board also conforms to the provisions of the Brown Act requiring open meetings.

Personnel

The District employs 15 employees (11 full-time and 4 part-time).

Services

The District currently provides agricultural irrigation water to its customers. The District is able to provide irrigation water supplies to its customers via several sources including the following:

- Importing water from the Delta Mendota Canal (Central Valley Project)
- Reclaiming agricultural surface drainage
- Groundwater from deep wells within the District boundaries
- Surface water from the San Joaquin River (Pre-1914 Water Rights Permit)

Support Agencies

The District maintains positive and collaborative relationships with other agencies, such as the: Central California Irrigation District (CCID), Del Puerto Water District, West Stanislaus Irrigation

District (WSID), Turlock Irrigation District (TID), Twin Oaks Irrigation Water Company, Regional Water Quality Control Board (RWQCB), Association of California Water Agencies (ACWA), and the US Bureau of Reclamation.

Funding Sources

Funding for the District is derived from water assessments and fees collected from its customers.

Programs

The District operates the following programs:

- In cooperation with the West Stanislaus and Central California Irrigation Districts, the District has received combined grants from Cal-Fed under the Water Use Efficiency Program and the State Water Resources Control Board to design and construct a surface drainage recovery reservoir on the north side of the District beginning in 2009. Once completed, the project will serve as a water conservation project, improve customer and irrigation service within the District and will also help improve targeted benefits to the San Joaquin River by reducing salt, pesticides, sediment, and native constituents from entering the river system.
- The District has embarked on a canal improvement project (on Lateral 3-south). The purpose of this project is to: increase canal capacity and operational safety; incorporate the reservoir project into the canal system for both water supply outputs from the canal to the reservoir.
- The District is in the process of pursuing State and Federal funding, along with local funding contributions, to construct the Patterson Irrigation District Fish Screen & Pumping Plant Project. The project will replace the existing Patterson Irrigation District San Joaquin River Pumping Plant which is currently an un-screened diversion. The completed project will protect fish species in the San Joaquin River including fall-run Chinook Salmon and Steelhead while protecting the District's pre-1914 water rights and right to operate the pumping plant.
- In addition, the District offers programs to assist water users with water and energy conservation and management including pump testing, irrigation system evaluations, irrigation scheduling and cost sharing on water conserving pipeline projects.

Service Review Determinations

The following provides an analysis of the six categories or components required by Section 56430 for a Service Review for the Patterson Irrigation District:

1. Growth and Population Projections for the Affected Area

The District serves an area that is unincorporated and agricultural, near the City of Patterson. Portions of the District's boundaries currently overlap with the City of Patterson's Sphere of Influence. As development occurs with annexation to the City, the territory is detached from the District. The District currently serves 725 retail customers with irrigation water for agricultural purposes.

2. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs or Deficiencies

At the present time, the District has both the ability and the capacity to serve its service area and has no unmet infrastructure needs or deficiencies.

3. Financial Ability of Agencies to Provide Services

At present time, the District appears to be in sound financial shape and has the necessary financial resources to fund sufficient levels of service. A base budget is submitted to the Board of Directors for review and approval. The District's budgeting process is designed to screen out unnecessary costs by placing resources where they are most needed. There is no overlapping or duplication of services within the District boundaries. The District, on an annual basis, reviews its rate and fee schedule and attempts to keep the rates and fees as minimum as possible, while maintaining a high level of customer service and water supply reliability.

4. Status of, and Opportunities for, Shared Facilities

The District shares facilities when necessary, especially in times of emergency situations. The District also assists its customers with a cost-sharing program for water conservation projects.

5. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

A five member Board of Directors, elected by the registered voters within the District boundaries, govern the District. The Board conforms to the provisions of the Brown Act requiring open meetings. Additionally the district conforms to State Law AB1234 requiring biennial mandatory ethics training and the Political Reform Act by adopting, maintaining and biennially reviewing a Conflict-of-Interest Code for board members. It is reasonable to conclude that the District can adequately serve the areas under its jurisdiction. The District has the necessary resources and staffing levels to operate in a cost-efficient and professional manner.

6. Any Other Matter Related to Effective or Efficient Service Delivery, as Required by Commission Policy

The District operates a variety of programs including a water conservation project, a canal improvement project, and the fish screening and pumping project.

Service Review – West Stanislaus Irrigation District (WSID)

Formation

The West Stanislaus Irrigation District was formed on November 29, 1920.

Location and Size

The District is located west of the San Joaquin River, northwest of the City of Patterson, and

includes the unincorporated communities of Westley, Grayson and Vernalis. The District's boundaries encompass approximately 21,676 acres.

Sphere of Influence

The District's Sphere of Influence is coterminous with its current boundaries.

Governance

A five member Board of Directors, elected by the registered voters within the District boundaries, governs the District. Meetings are held on the second Tuesday of each month at 2:00 p.m. at the District office located at 116 "E" Street, Westley. The Board also conforms to the provisions of the Brown Act requiring open meetings.

Personnel

There are 19 persons (18 full-time and 1 part-time) employed by WSID.

Services

The District provides irrigation water for agricultural purposes to its customers. The District is able to provide irrigation water supplies to its customers via several sources including the following:

- Surface water from the Tuolumne and San Joaquin Rivers
- Groundwater from four deep wells within the District boundaries
- Importing water from the Delta Mendota Canal, as part of the Central Valley Project

The District, under a water rights agreement, also sells irrigation water to 13 landowners, which includes approximately 2,203 irrigable acres outside its Sphere of Influence in the "White Lake" area (north of the unincorporated community of Grayson). This agreement was part of an original pumping rights contract from the 1920's.

In addition, since 1936, the District has operated an official weather station for the U.S. Department of Agriculture Weather Bureau.

Support Agencies

The District maintains a positive collaborative relationship with other agencies, such as: neighboring water and irrigation districts, county public works departments (Stanislaus and San Joaquin), California Special Districts Association, Department of Water Resources, State Water Quality Control Board, and the US Department of Agriculture Weather Bureau.

Funding Sources

WSID receives the majority (95%) of its funding from water sales and assessments. In addition, as the District is a "multi-county agency", it also receives a very small portion (5%) of its revenue from property tax collected from Stanislaus and San Joaquin counties.

Service Review Determinations

The following provides an analysis of the six categories or components required by Section 56430 for a Service Review for the West Stanislaus Irrigation District:

1. Growth and Population Projections for the Affected Area

The District serves an area that is unincorporated and agricultural, located west of the San Joaquin River, northwest of the City of Patterson, and includes the unincorporated communities of Westley, Grayson and Vernalis. A small portion of the district extends into San Joaquin County. Significant population growth is not expected. The District currently serves 150 retail customers within its boundaries, and 13 customers outside its boundaries in the “White Lake” area, with irrigation water for agricultural purposes.

2. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs or Deficiencies

The District currently has both the ability and the capacity to serve its service area and has no unmet infrastructure needs or deficiencies.

3. Financial Ability of Agencies to Provide Services

At present time, the District appears to be in sound financial condition and has the necessary financial resources to fund sufficient levels of service to its customers. There is no overlapping or duplication of services within the District boundaries. The District prepares an annual budget, which includes a review of the rates and fees assessed for the delivery of irrigation water to its customers. The budget is submitted to the District Board for review and approval.

4. Status of, and Opportunities for, Shared Facilities

The District shares facilities with other agencies as necessary and continually reviews new opportunities to continue these efforts. For example, the District has offered conference room space to the neighboring West Stanislaus Fire Protection District. In addition, the District has shared its facilities and equipment with other agencies, on an as-needed basis (e.g., flood emergencies).

5. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

A five member Board of Directors, elected by the registered voters within the District, governs the District. The Board conforms to the provisions of the Brown Act requiring open meetings. It is reasonable to conclude that the District can adequately serve the areas under its jurisdiction. The District has the necessary resources and staffing levels to operate in a cost-efficient and professional manner.

6. Any Other Matter Related to Effective or Efficient Service Delivery, as Required by Commission Policy

None.

Sphere of Influence Updates

In determining the Sphere of Influence (SOI) of each local agency, the Commission shall consider and prepare determinations with respect to each of the following factors:

1. The present and planned land uses in the area, including agricultural and open space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides, or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the Commission determines they are relevant.

This document proposes no changes to the Districts' existing spheres of influence. Rather, it serves to reaffirm the existing SOI boundaries. As part of this process, Staff researched the history of the establishment of each District's SOI. Previous approvals of the SOIs included maps that were outdated and/or hand-drawn. These have since been updated and converted to electronic format along with the current District boundary maps (in most cases, the boundaries and SOIs are coterminous). Maps of each District are attached in Appendix "A".

SOI Update – Del Puerto Water District

The following determinations for the Del Puerto Water District's Sphere of Influence update and are made in conformance with Government Code Section 56425 and local Commission policy.

Determinations:

1. Present and Planned Land Uses

The Del Puerto Water District's Sphere of Influence (SOI) includes approximately 54,000 acres. Territory within and outside the District boundaries consists of agricultural and rural residential land use areas. These uses are not expected to change. In addition, the District does not have the authority to make land use decisions, nor does it have authority over present or planned land uses within its boundaries. The responsibility for land use decisions within the District boundaries is retained by the counties of Stanislaus, San Joaquin, and Merced.

2. Present and Probable Need for Public Facilities and Services in the Area

The need for irrigation water to agricultural lands within the District is not expected to change, however, with the conversion of more District acreage to high-value, permanent cropping patterns, demand has become less variable.

3. Present Capacity of Public Facilities and Adequacy of Public Services Provided

The District currently has the necessary contract for the provision of agricultural water service to areas within its existing Sphere of Influence. However, under the terms and

conditions of its recently renewed, long-term Bureau contract and due to recent court decisions and the publication of a revised Operating Criteria & Plan (OCAP) that the Bureau must adhere to, the District has stated that it may not have the capability to provide reliable service to the landscape feature at Villa del Lago. The District strongly advises that the Villa del Lago development seek an alternative source for landscape water (e.g. City of Patterson).

4. Communities of Interest in the Area

The City of Patterson can be categorized as a community of interest as a portion of the District overlaps into the City's current limits and Sphere of Influence. Upon submittal of specific development plans, these lands will be requested to detach from the District and the water supply previously allocated to serve these lands will revert to the District for redistribution to remaining District lands.

SOI Update – Eastin Water District

The following determinations for the Eastin Water District's Sphere of Influence update are made in conformance with Government Code Section 56425 and local Commission policy.

Determinations:

1. Present and Planned Land Uses

The Eastin Water District's Sphere of Influence (SOI) includes approximately 3,520 acres. Territory within the District boundaries consists of agricultural and rural residential land use areas. These uses are not expected to change. In addition, the District does not have the authority to make land use decisions, nor does it have authority over present or planned land uses within its boundaries. The responsibility for land use decisions within the District boundaries is retained by the County.

2. Present and Probable Need for Public Facilities and Services in the Area

The District was recently formed in 1999 and has not yet begun to provide services.

3. Present Capacity of Public Facilities and Adequacy of Public Services Provided

The District is still in the process of establishing contracts with other water providers in order to deliver irrigation water to the landowners within the District.

4. Communities of Interest in the Area

There are no communities of interest within the District boundaries.

SOI Update – El Solyo Water District

The following determinations for the El Solyo Water District's Sphere of Influence update are made in conformance with Government Code Section 56425 and local Commission policy.

Determinations:

1. Present and Planned Land Uses

The El Solyo Water District's Sphere of Influence (SOI) includes approximately 3,781 acres. Territory within the District boundaries consists of agricultural and rural residential land use areas. These uses are not expected to change. In addition, the District does not have the authority to make land use decisions, nor does it have authority over present or planned land uses within its boundaries. The responsibility for land use decisions within the District boundaries is retained by the County.

2. Present and Probable Need for Public Facilities and Services in the Area

The El Solyo Water District is presently meeting the needs of its agricultural water customers. The future need of irrigation water to agricultural lands within the District is not expected to diminish.

3. Present Capacity of Public Facilities and Adequacy of Public Services Provided

The District currently has the capacity to provide irrigation water services to customers within its existing Sphere of Influence.

4. Communities of Interest in the Area

There are no communities of interest affecting the District's ability to provide services to the communities within the District boundaries.

SOI Update – Oak Flat Water District

The following determinations for the Oak Flat Water District's Sphere of Influence update are made in conformance with Government Code Section 56425 and local Commission policy.

Determinations:

1. Present and Planned Land Uses

The Oak Flat Water District's Sphere of Influence (SOI) includes approximately 4,537 gross acres, of that approximately 2,158 acres are irrigable lands. Territory within the District boundaries consists of agricultural and rural land use areas. These uses are not expected to change. In addition, the District does not have the authority to make land use decisions, nor does it have authority over present or planned land uses within its boundaries. The responsibility for land use decisions within the District boundaries is retained by the County.

2. Present and Probable Need for Public Facilities and Services in the Area

The need for irrigation water to agricultural lands within the District is not expected to change.

3. Present Capacity of Public Facilities and Adequacy of Public Services Provided

The District currently has the necessary contract for the provision of agricultural water service to areas within its existing Sphere of Influence.

4. Communities of Interest in the Area

There are no communities of interest affecting the District's ability to provide services to the communities within the District boundaries.

SOI Update – Patterson Irrigation District

The following determinations for the Patterson Irrigation District's Sphere of Influence update are made in conformance with Government Code Section 56425 and local Commission policy.

Determinations:

1. Present and Planned Land Uses

The Patterson Irrigation District's Sphere of Influence (SOI) includes approximately 13,260 acres, or 110 acres larger than its current boundary. Territory within the District boundaries consists of agricultural and rural residential land use areas. These uses are not expected to change, with the exception of those areas in the Sphere of Influence of the City of Patterson. In addition, the District does not have the authority to make land use decisions, nor does it have authority over present or planned land uses within its boundaries. The responsibility for land use decisions within the District boundaries is retained by the County and the City of Patterson.

2. Present and Probable Need for Public Facilities and Services in the Area

The probable need for the District's ability to continue to provide public facilities and services in the area is affected by the fact that the City of Patterson's Sphere of Influence overlaps into the District. The District has a diminishing sphere, in that as territory annexes to the City of Patterson, it detaches from the District.

3. Present Capacity of Public Facilities and Adequacy of Public Services Provided

The District currently has adequate capacity to provide irrigation water to areas within its existing Sphere of Influence in an efficient manner.

4. Communities of Interest in the Area

The City of Patterson can be categorized as a community of interest as the City's Sphere of Influence overlaps into the District's boundaries. As territory is annexed into the City, it detaches from the District.

SOI Update – West Stanislaus Irrigation District

The following determinations for the West Stanislaus Irrigation District's Sphere of Influence update are made in conformance with Government Code Section 56425 and local Commission policy.

Determinations:

1. Present and Planned Land Uses

The West Stanislaus Irrigation District's Sphere of Influence (SOI) includes approximately 21,676 acres. Territory within and outside the District boundaries consists of agricultural and rural residential land use areas. These uses are not expected to change. In addition, the District does not have the authority to make land use decisions, nor does it have authority over present or planned land uses within its boundaries. The responsibility for land use decisions within the District boundaries is retained by Stanislaus and San Joaquin Counties.

2. Present and Probable Need for Public Facilities and Services in the Area

The District is presently meeting the needs of its agricultural water customers. The future need of irrigation water to agricultural lands within the District is not expected to change.

3. Present Capacity of Public Facilities and Adequacy of Public Services Provided

The District currently has adequate capacity to provide irrigation water to areas within its existing Sphere of Influence in an efficient manner.

4. Communities of Interest in the Area

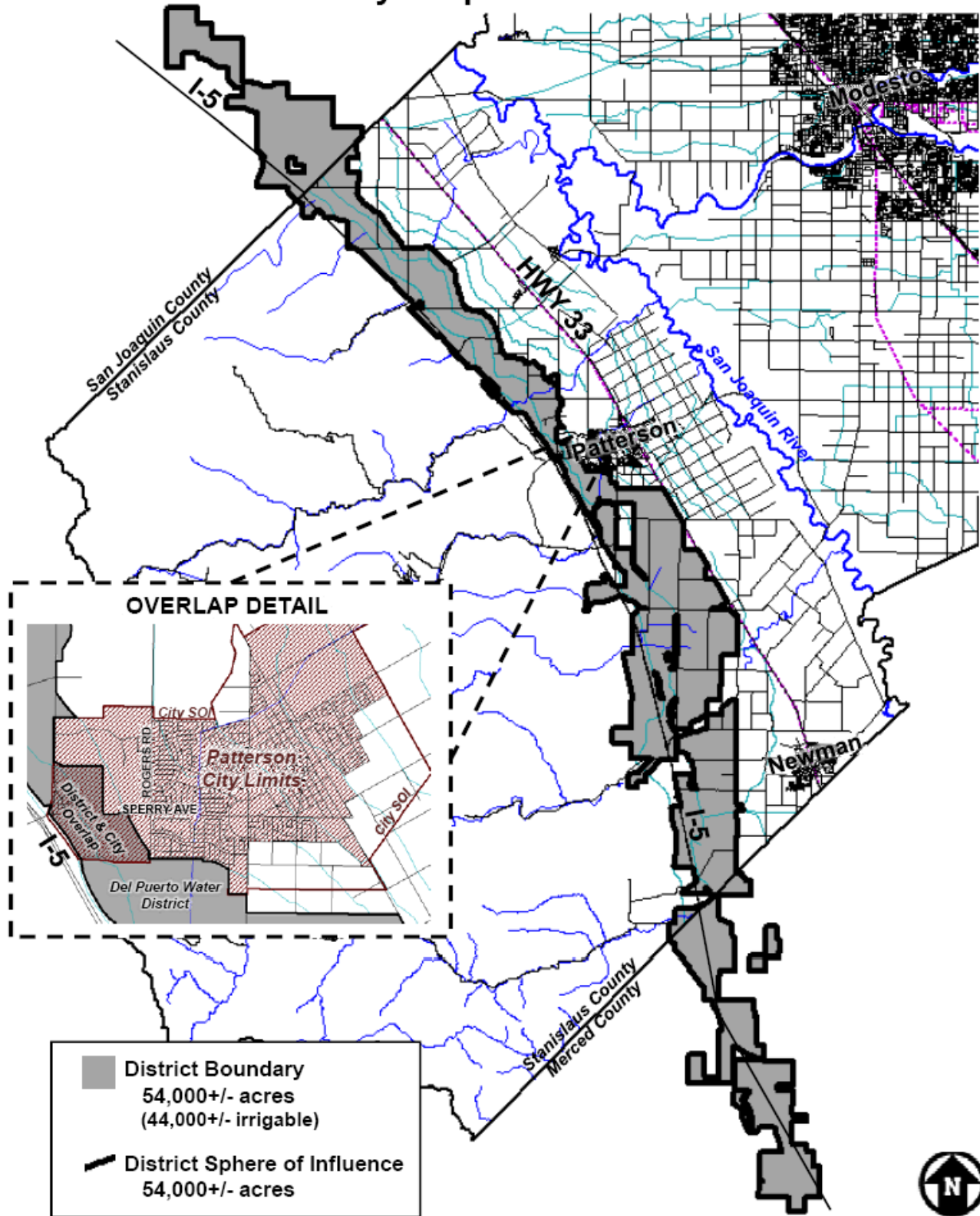
The City of Patterson can be categorized as a community of interest as the City's current boundary and Sphere of Influence are adjacent to the District's boundaries. Should the City propose to expand its Sphere, it would overlap into the District's boundary. In addition, the District serves the "White Lake" area, located outside of its boundaries, as a result of an original pumping rights agreement dating back to the 1920s.

**APPENDIX “A-1”
DISTRICT SUMMARY PROFILE**

District:	DEL PUERTO WATER DISTRICT
Location:	Along the westernmost edge of the San Joaquin River Basin, parallel to Interstate 5 (I-5) and stretching approximately 50 miles in length between the City of Tracy to the north, and the Santa Nella (I-5) Interchange to the South.
Service Area:	Approximately 54,000 acres (44,000 irrigable)
Population*:	771
Land Use:	Agricultural
Date of Formation:	March 24, 1947 (original formation), January 20, 1995 (reorganization to include 10 other districts)
Enabling Act:	California Water Code, Division 13, Section 34000 et. seq. (Water District Act)
Governing Body:	5 Directors (landowner election)
Administration:	4 full-time employees
District Services:	Distribution and administration of irrigation water
Total Operating Budget:	FY 2006-2007: \$4,666,598
Revenue Sources:	Water fees and assessments

*Source: 2000 Census

Del Puerto Water District Boundary & Sphere of Influence



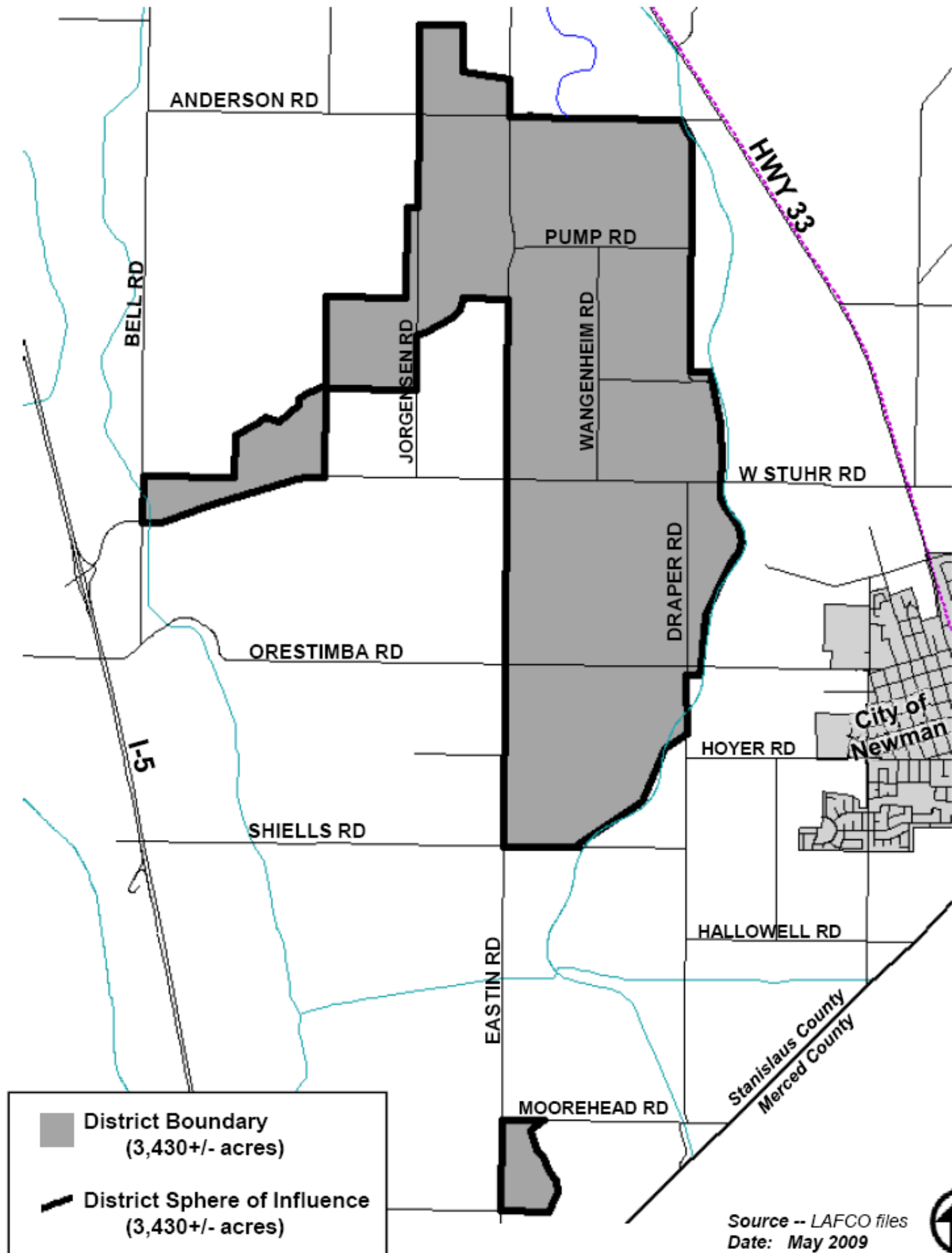
Source -- LAFCO files, July 2009

**APPENDIX “A-2”
DISTRICT SUMMARY PROFILE**

District:	EASTIN WATER DISTRICT
Location:	Two areas, east of Interstate 5, west of State Highway 33, between Pete Miller Road and Crow Creek.
Service Area:	Approximately 3,430 acres
Population*:	81
Land Use:	Agricultural
Date of Formation:	August 25, 1999
Enabling Act:	California Water Code, Division 13, Section 34000 et. seq. (Water District Act)
Governing Body:	3 Directors elected by the landowners within the District
Administration:	No employees
District Services:	None. The District is still in the process of securing water from other agencies. However, the District was formed to provide irrigation water to land within the District’s boundaries.
Total Operating Budget:	\$0
Revenue Sources:	None

*Source: 2000 Census

Eastin Water District Boundary & Sphere of Influence



**APPENDIX “A-3”
DISTRICT SUMMARY PROFILE**

District: **EL SOLYO WATER DISTRICT**

Location: South of State Highway 132, east of McCracken Road, north of Gaffery Road, and west of the San Joaquin River, near the unincorporated community of Vernalis.

Service Area: Approximately 3,781 acres

Population*: 129

Land Use: Agriculture

Date of Formation: August 17, 1959

Enabling Act: California Water Code, Division 13, Section 34000 et. seq. (Water District Act)

Governing Body: 5 Directors elected by the landowners within the District

Administration: 2 Full-time employees

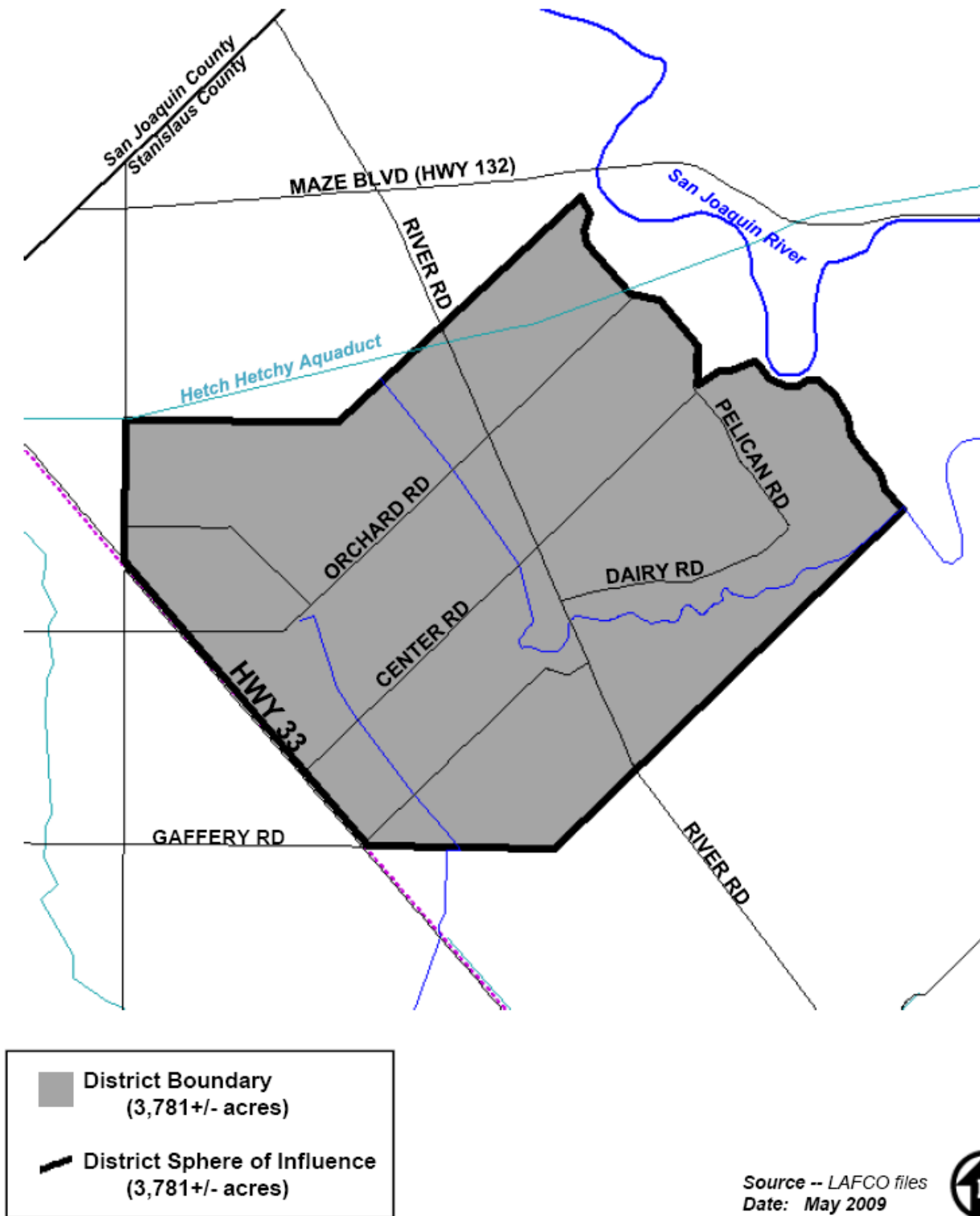
District Services: Distribution of irrigation water

Total Operating Budget: CY 2009: \$550,000

Primary Revenue Source: Water fees and services

**Source: 2000 Census*

El Solyo Water District Boundary & Sphere of Influence

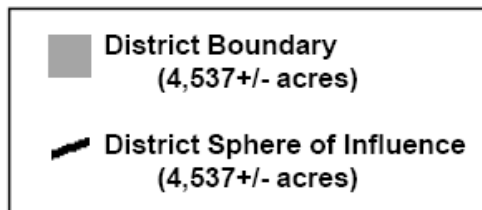
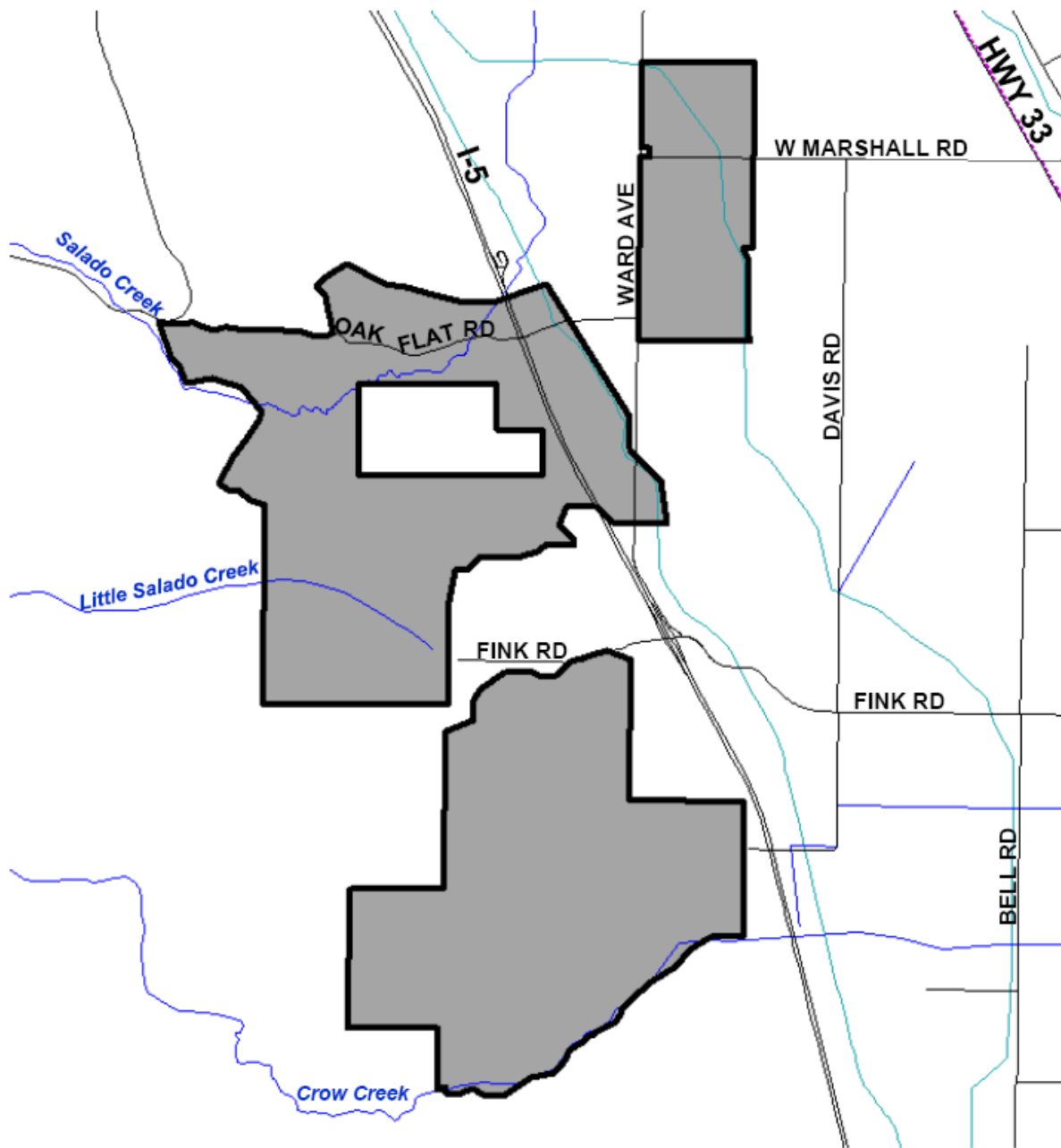


**APPENDIX “A-4”
DISTRICT SUMMARY PROFILE**

District:	OAK FLAT WATER DISTRICT
Location:	South of the City of Patterson and east of the former Crows Landing Naval Air Station.
Service Area:	Approximately 4,537 acres (2,158 acres are irrigable lands)
Population*:	26
Land Use:	Agricultural
Date of Formation:	October 13, 1964
Enabling Act:	California Water Code, Division 13, Section 34000 et. seq. (Water District Act)
Governing Body:	5 Directors, elected by landowners within District boundaries
Administration:	There are no employees paid by the District
District Services:	Contract and delivery of irrigation water
Total Operating Budget:	FY 2006-2007: \$293,453
Revenue Sources:	Water fees and assessments

*Source: 2000 Census

Oak Flat Water District Boundary & Sphere of Influence



Source -- LAFCO files
Date: May 2009

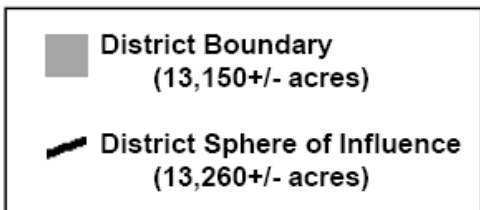
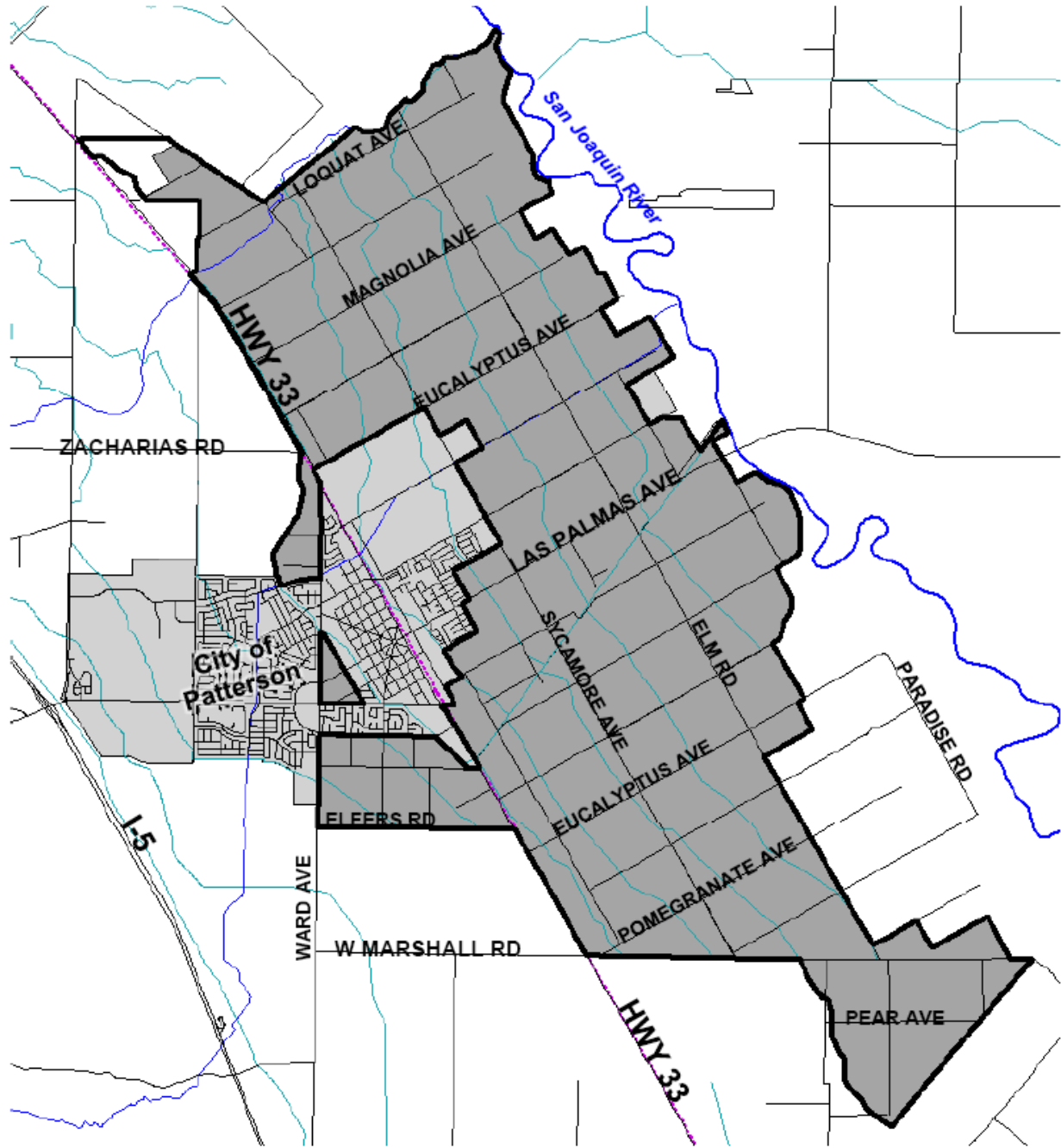


**APPENDIX “A-5”
DISTRICT SUMMARY PROFILE**

District:	PATTERSON IRRIGATION DISTRICT
Location:	East of the City of Patterson and Highway 33, south of Del Puerto Creek and west of the San Joaquin River.
Service Area:	Approximately 13,150 acres
Population*:	2,107
Land Use:	Agricultural
Date of Formation:	March 16, 1999 (Reorganization of the Patterson Water District)
Enabling Act:	California Water Code, Division 11, Section 20500 et. seq. (Irrigation District Law)
Governing Body:	5 Directors, elected by registered voters within the District boundaries
Administration:	15 employees (11 full time and 4 part time)
District Services:	Distribution of irrigation water
Total Operating Budget:	FY 2006-2007: \$3,069,396
Revenue Sources:	Water fees and assessments

*Source: 2000 Census

Patterson Irrigation District Boundary & Sphere of Influence



Source -- LAFCO files
Date: May 2009

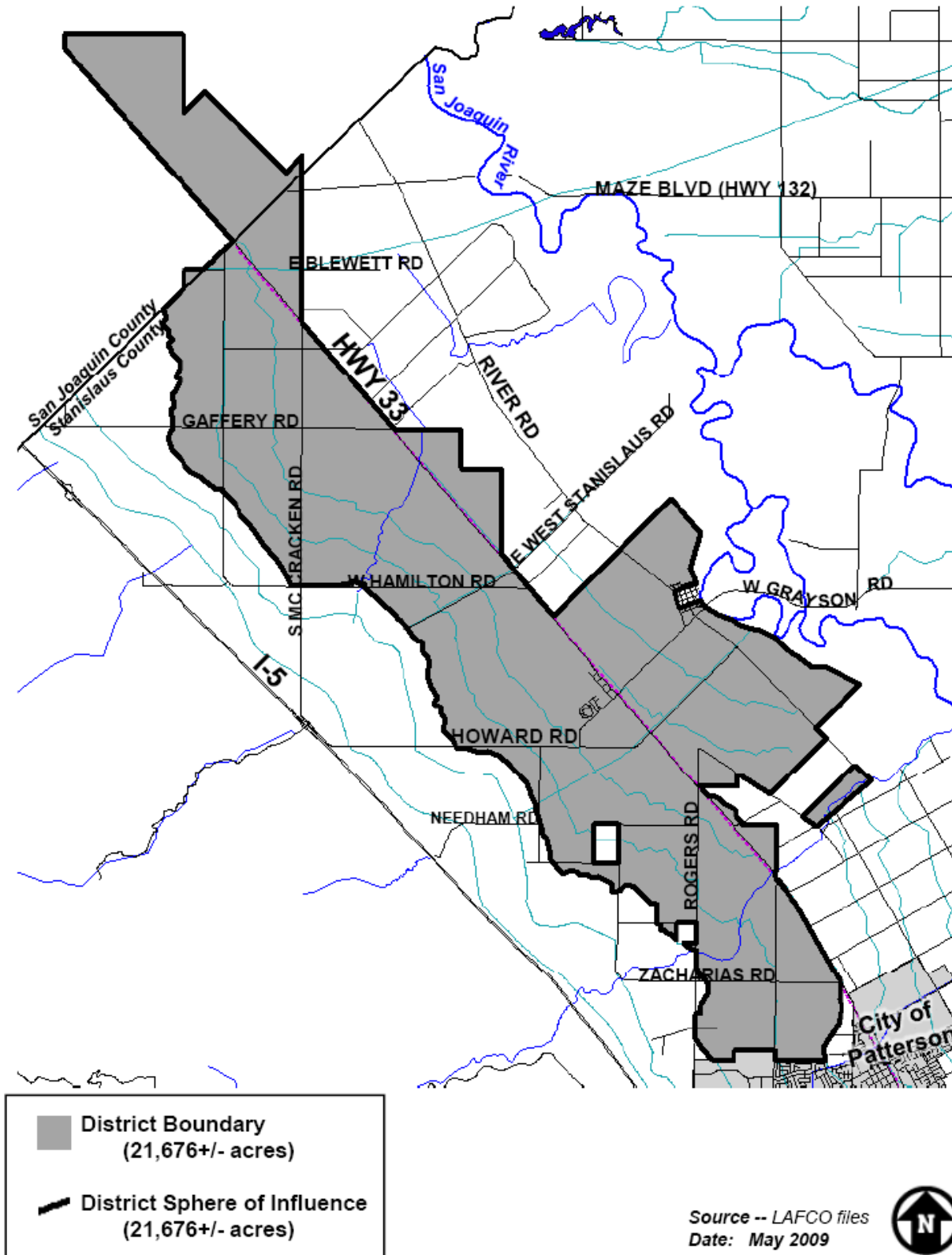


**APPENDIX “A-6”
DISTRICT SUMMARY PROFILE**

District:	WEST STANISLAUS IRRIGATION DISTRICT (WSID)
Location:	Northwest of the City of Patterson, including the unincorporated communities of Westley, Grayson, and Vernalis.
Service Area:	Approximately 21,676 acres
Population*:	1,678
Land Use:	Agriculture
Date of Formation:	May 20, 1920
Enabling Act:	California Water Code, Division 11, Section 20500 et. seq. (Irrigation District Act)
Governing Body:	5 Directors – elected by registered voters within the District boundaries
Administration:	19 employees (18 full-time and 1 part-time)
District Services:	Distribution of water for irrigation purposes
Total Operating Budget:	FY 2006-2007: \$3,859,385
Revenue Sources:	Water fees/assessments and property taxes

*Source: 2000 Census

West Stanislaus Irrigation District Boundary & Sphere of Influence



APPENDIX "B"
NOTICE OF EXEMPTION

TO: Lee Lundrigan – County Clerk-Recorder
1021 "I" Street
Modesto, CA 95354

FROM: Stanislaus LAFCO
1010 Tenth Street, 3rd Floor
Modesto, CA 95354
(209) 525-7660

Title: Municipal Service Review (MSR) and Sphere of Influence (SOI) Updates for the Eastin, El Solyo, Del Puerto, and Oak Flat Water Districts, and the Patterson and West Stanislaus Irrigation Districts

Description: The Stanislaus Local Agency Formation Commission has prepared a Municipal Service Review (MSR) and Sphere of Influence (SOI) Updates for the Eastin, El Solyo, Del Puerto, and Oak Flat Water Districts, and the Patterson and West Stanislaus Irrigation Districts. The Districts are legally authorized to provide irrigation water and as special districts they are required to have an adopted and updated SOI. The Cortese-Knox-Hertzberg Act of 2000 calls for the Service Review to be completed prior to or concurrent with the SOI Update. The Service Review evaluates the public services provided by the Districts and provides the information base for updating the Districts' Spheres of Influence. It is recommended that the SOI boundaries for the Districts reviewed remain unchanged.

Public Agency Approving Project: The Stanislaus Local Agency Formation Commission (LAFCO). The date of the LAFCO hearing on this proposal is scheduled for July 22, 2009
Contact Person: Sara Lytle-Pinhey, Assistant Executive Officer, (209) 525-7660.

Environmental Determination: The purpose of the environmental review process is to provide information about the environmental effects of the actions and decisions made by LAFCO and to comply with the California Environmental Quality Act (CEQA). In this case it has been determined that this project is exempt from CEQA pursuant to Section 15061 (b)(3) of the State Guidelines. The Stanislaus Local Agency Formation Commission will file this Notice of Exemption upon approval of the MSR and SOI Updates for the Districts.

Reasons for Exemption: It has been determined with certainty that there is no possibility that the project may have a significant effect on the environment and therefore it is found to be exempt from CEQA pursuant to Section 15061(b)(3) of the State Guidelines. The proposed Sphere of Influence Update and Municipal Services Review does not involve, authorize or permit the siting or construction of any facilities associated with the Districts. No change to the Spheres of Influence of either District is recommended.

Signature: *Sara Lytle-Pinhey*

Date: 5/8/09

Name & Title: Sara Lytle-Pinhey
Assistant Executive Officer

APPENDIX “C”

REFERENCES

1. CALFED Bay Delta Program Fact Sheet (website: www.calwater.ca.gov).
2. San Luis & Delta Mendota Water Authority, General Background Information Booklet (website: www.sldmwa.org).
3. Newspaper articles from the Patterson Irrigator dated June 14, July 30, 2008 and February 25, March 11, 2009 regarding the effects of drought conditions and severe reductions in water allocations on the Westside.
4. Department of Water Resources, “Notice to State Water Project Contractors,” May 20, 2009.
5. Department of Water Resources, “California’s Drought Update,” May 29, 2009.
6. California State Controllers Office, “Special Districts Annual Report,” October 30, 2008.
7. Stanislaus County Board of Supervisors “Triennial Update on the Status of Groundwater Conditions, Management, and Protection in Stanislaus County”, item dated December 18, 2007.
8. Association of California Water Agencies (ACWA) - Biweekly Newsletter, Volume 31, No. 15, July 28, 2003.
9. State of California Legislative Analyst’s Office Report – “Water Special Districts: A Look at Governance and Public Participation, March 2002”.
10. Department of Water Resources (website: www.dwr.water.ca.gov).
11. United States Department of the Interior Bureau of Reclamation – Mid-Pacific Region (website: www.usbr.gov/mp).
12. Water Resources Center Archives, University of California (website: www.lib.berkeley.edu.WCRA).
13. California Water Institute, CSU Fresno, Research Proposal - “Optimizing a Tailwater Return System to Improve Water Quality,” January 11, 2005.
14. Previous MSR/SOI Update for the Water and Irrigation Districts, Adopted October 22, 2003.

INDIVIDUALS AND AGENCIES CONTACTED

1. James Jasper, Director, Eastin Water District
2. Janice Trinkle, El Solyo Water District
3. William D. Harrison, Manager, Del Puerto Water District
4. Anthea G. Hansen, Assistant Manager, Del Puerto Water District
5. William D. Harrison, Secretary/Manager, Oak Flat Water District
6. John Sweigard, General Manager, Patterson Irrigation District
7. Robert Pierce, Manager, West Stanislaus Irrigation District

EXHIBIT 2:

LAFCO RESOLUTIONS

2009-13 - Eastin Water District

2009-14 - El Solyo Water District

2009-15 - Del Puerto Water District

2009-16 - Oak Flat Water District

2009-17 - Patterson Irrigation District

2009-18 - West Stanislaus Irrigation District

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**STANISLAUS COUNTY LOCAL AGENCY
FORMATION COMMISSION**

RESOLUTION

DATE: July 22, 2009

NO. 2009-13

SUBJECT: MSR No. 09-03 and SOI Update 2009-03 – Making Written Determination and Approving the Service Review and Sphere of Influence Update for the Eastin Water District

On the motion of Commissioner _____, seconded by Commissioner _____, and approved by the following vote:

Ayes: Commissioners:
Noes: Commissioners:
Absent: Commissioners:
Ineligible: Commissioners:
Disqualified: Commissioners:

THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, a Service Review mandated by California Government Code Section 56430 and a Sphere of Influence Update mandated by California Government Code Section 56425, has been conducted for the Eastin Water District, in accordance with the Cortese-Knox-Hertzberg Reorganization Act of 2000;

WHEREAS, at the time and in the form and manner provided by law, the Executive Officer has given notice of the July 22, 2009 public hearing by this Commission on this matter;

WHEREAS, the subject document is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines;

WHEREAS, Staff has reviewed all existing and available information from the District and has prepared a report including recommendations thereon, and related information as presented to and considered by this Commission;

WHEREAS, at the hearing, all persons present were given an opportunity to hear and be heard in respect to any matter in relation to the review, in evidence presented at the hearing;

WHEREAS, based upon the Service Review conducted on the Eastin Water District, and in accordance with Government Code Section 56430 and local Commission policy, it can be determined that the Eastin Water District is still in the process of securing the necessary water sources to begin providing irrigation water to its customers;

WHEREAS, the following determinations are made in conformance with Government Code Section 56425 and local Commission policy in determining a sphere of influence for the Eastin Water District:

1. Present and Planned Land Uses: The Eastin Water District's Sphere of Influence (SOI) includes approximately 3,520 acres. Territory within and outside the District boundaries consists mostly of agricultural and rural residential areas. These uses are not expected to change. In addition, the District does not have the authority to make land use decisions, nor does it have authority over present or planned land uses within its boundaries. The County retains the responsibility for land use decisions within the District boundaries.
2. Present and Probable Need for Public Facilities and Services in the Area: The District was recently formed in 1999 and has not yet begun to provide services in the area.
3. Present Capacity of Public Facilities and Adequacy of Public Services Provided: The District is still in the process of establishing contracts with other water providers in order to deliver irrigation water to the landowners within the District.
4. Communities of Interest in the Area: There are no communities of interest within the District boundaries.

WHEREAS, the Eastin Water District was established to provide irrigation water to agricultural lands within its boundaries, under the California Water Code, Division 13, Section 34000, et. al; and,

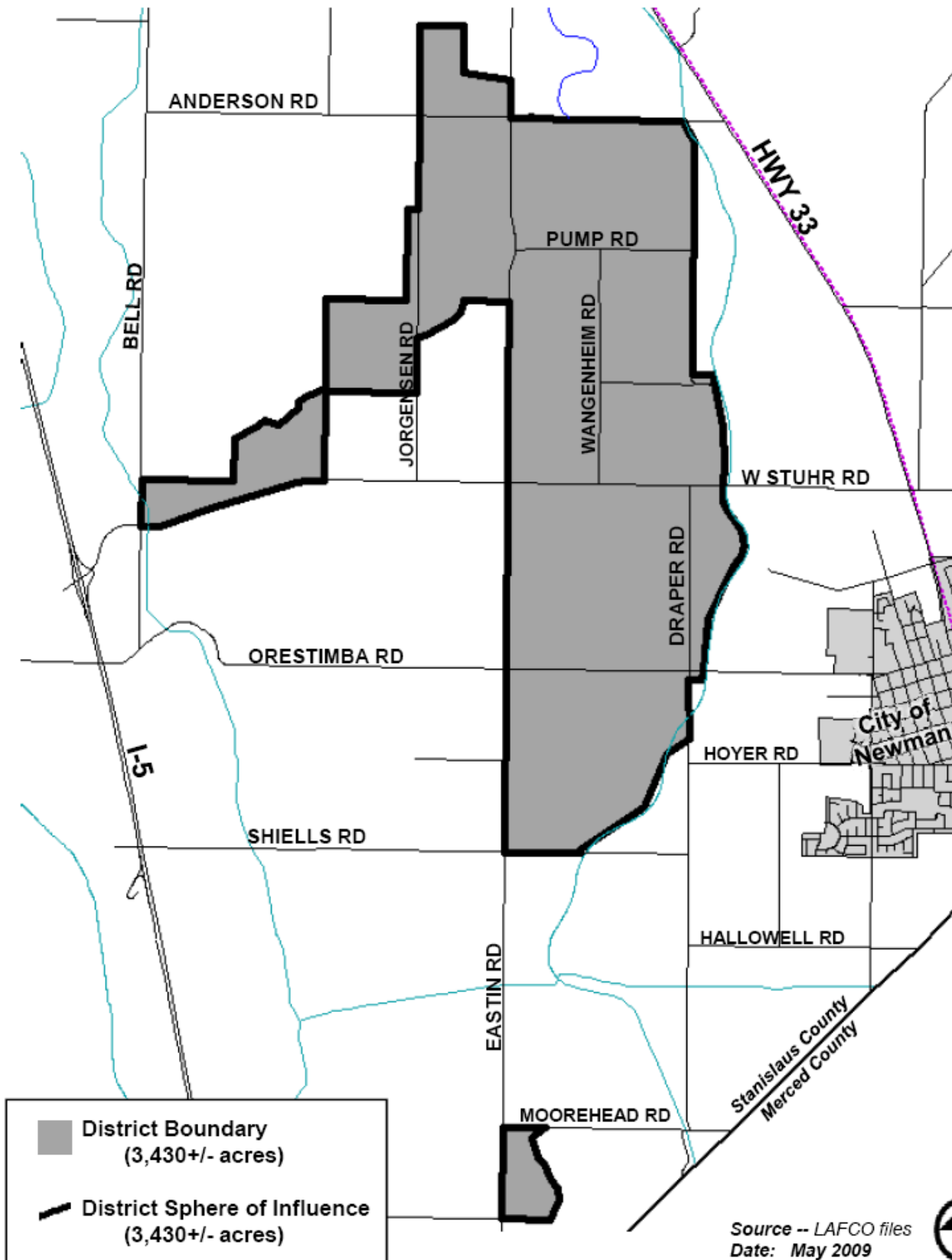
WHEREAS, no changes to the District's Sphere of Influence are proposed or contemplated through this review.

NOW, THEREFORE, BE IT RESOLVED by the Commission:

1. Certifies that the project is statutorily exempt under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines.
2. Approves the Service Review prepared in compliance with State law for the review and update of the Eastin Water District's Sphere of Influence, and written determinations prepared by the Staff and contained herein.
3. Determines that except as otherwise authorized, no new or different function or class of services shall be provided by the District, unless approved by the Commission.
4. Determines, based on presently existing evidence, facts, and circumstances filed and considered by the Commission, that the Sphere of Influence for the Eastin Water District should be affirmed as it currently exists, as more specifically described on the map contained within the Service Review document.
5. Directs the Executive Officer to circulate this resolution depicting the adopted Sphere of Influence Update to all affected agencies, including the Eastin Water District.

ATTEST: _____
Marjorie Blom
Executive Officer

Eastin Water District Boundary & Sphere of Influence



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**STANISLAUS COUNTY LOCAL AGENCY
FORMATION COMMISSION**

RESOLUTION

DATE: July 22, 2009

NO. 2009-14

SUBJECT: MSR No. 09-03 and SOI Update 2009-03 – Making Written Determinations and Approving the Service Review and Sphere of Influence Update for the El Solyo Water District

On the motion of Commissioner _____, seconded by Commissioner _____, and approved by the following vote:

Ayes: Commissioners:
Noes: Commissioners:
Absent: Commissioners:
Ineligible: Commissioners:
Disqualified: Commissioners:

THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, a Service Review mandated by California Government Code Section 56430 and a Sphere of Influence Update mandated by California Government Code Section 56425, has been conducted for the El Solyo Water District, in accordance with the Cortese-Knox-Hertzberg Reorganization Act of 2000;

WHEREAS, at the time and in the form and manner provided by law, the Executive Officer has given notice of the July 22, 2009 public hearing by this Commission on this matter;

WHEREAS, the subject document is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines;

WHEREAS, Staff has reviewed all existing and available information from the District and has prepared a report including recommendations thereon, and related information as presented to and considered by this Commission;

WHEREAS, at the hearing, all persons present were given an opportunity to hear and be heard in respect to any matter in relation to the review, in evidence presented at the hearing;

WHEREAS, the following determinations are made in conformance with Government Code Section 56430 and local Commission policy:

- 1. Growth and Population Projections for the Affected Area: The District serves a rural area in the northwesterly portion of Stanislaus County. The area is designated as Agriculture on the County’s General Plan and does not expect any significant population growth. The District currently serves 12 retail customers with irrigation water for agricultural purposes.

2. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs or Deficiencies: The District has both the ability and the capacity to serve its service area and has no unmet infrastructure needs or deficiencies.
3. Financial Ability of Agencies to Provide Services: At present time, the District appears to have the necessary financial resources to fund adequate levels of service within its boundaries. There is no overlapping or duplication of services within the District boundaries. The District maintains its rate schedule with the intent to charge the minimum fees as possible.
4. Status of, and Opportunities for, Shared Facilities: At this time, the District does not share any facilities with other agencies or Districts.
5. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies: A five member Board of Directors, elected by the landowners, governs the District. The Board conforms to the provisions of the Brown Act requiring open meetings. It is reasonable to conclude that the District can adequately serve the territory under its jurisdiction. The District has a small, yet adequate staff to provide the necessary services to its customers.
6. Any Other Matter Related to Effective or Efficient Service Delivery, as Required by Commission Policy: None.

WHEREAS, the following determinations are made in conformance with Government Code Section 56425 and local Commission policy in determining a sphere of influence for the El Solyo Water District:

1. Present and Planned Land Uses: The El Solyo Water District's Sphere of Influence (SOI) includes approximately 3,781 acres. Territory within the District boundaries consists of agricultural and rural residential land use areas. These uses are not expected to change. In addition, the District does not have the authority to make land use decisions, nor does it have authority over present or planned land uses within its boundaries. The responsibility for land use decisions within the District boundaries is retained by the County.
2. Present and Probable Need for Public Facilities and Services in the Area: The El Solyo Water District is presently meeting the needs of its agricultural water customers. The future need of irrigation water to agricultural lands within the District is not expected to diminish.
3. Present Capacity of Public Facilities and Adequacy of Public Services Provided: The District currently has the capacity to provide irrigation water services to customers within its existing Sphere of Influence.
4. Communities of Interest in the Area: There are no communities of interest affecting the District's ability to provide services to the communities within the District boundaries.

WHEREAS, the El Solyo Water District was established to provide irrigation water to agricultural lands within its boundaries, under the California Water Code, Division 13, Section 34000, et. al; and,

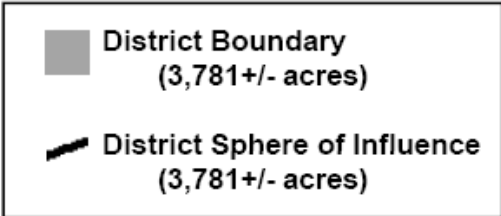
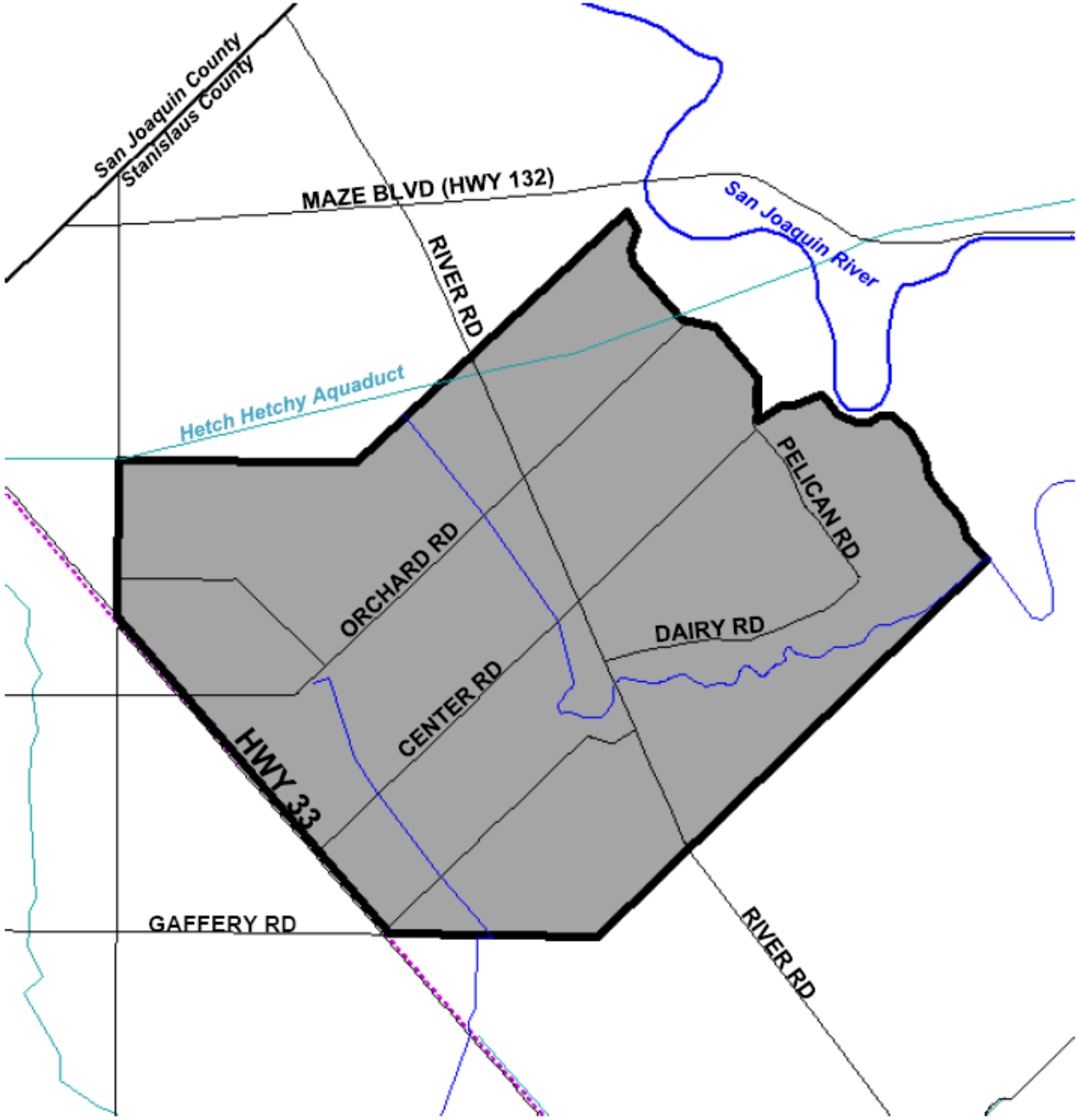
WHEREAS, no changes to the District's Sphere of Influence are proposed or contemplated through this review.

NOW, THEREFORE, BE IT RESOLVED by the Commission:

1. Certifies that the project is statutorily exempt under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines.
2. Approves the Service Review prepared in compliance with State law for the review and update of the El Solyo Water District's Sphere of Influence, and written determinations prepared by the Staff and contained herein.
3. Determines that except as otherwise authorized, no new or different function or class of services shall be provided by the District, unless approved by the Commission.
4. Determines, based on presently existing evidence, facts, and circumstances filed and considered by the Commission, that the Sphere of Influence for the El Solyo Water District should be affirmed as it currently exists, as more specifically described on the map contained within the Service Review document.
5. Directs the Executive Officer to circulate this resolution depicting the adopted Sphere of Influence Update to all affected agencies, including the El Solyo Water District.

ATTEST: _____
Marjorie Blom
Executive Officer

El Solyo Water District Boundary & Sphere of Influence



Source -- LAFCO files
Date: May 2009



DRAFT

**STANISLAUS COUNTY LOCAL AGENCY
FORMATION COMMISSION**

RESOLUTION

DATE: July 22, 2009

NO. 2009-15

SUBJECT: MSR No. 09-03 and SOI Update 2009-03 – Making Written Determinations and Approving the Service Review and Sphere of Influence Update for the Del Puerto Water District

On the motion of Commissioner _____, seconded by Commissioner _____, and approved by the following vote:

Ayes: Commissioners:
Noes: Commissioners:
Absent: Commissioners:
Ineligible: Commissioners:
Disqualified: Commissioners:

THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, a Service Review mandated by California Government Code Section 56430 and a Sphere of Influence Update mandated by California Government Code Section 56425, has been conducted for the Del Puerto Water District, in accordance with the Cortese-Knox-Hertzberg Reorganization Act of 2000;

WHEREAS, at the time and in the form and manner provided by law, the Executive Officer has given notice of the July 22, 2009 public hearing by this Commission on this matter;

WHEREAS, the subject document is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines;

WHEREAS, staff has reviewed all existing and available information from the District and has prepared a report including recommendations thereon, and related information as presented to and considered by this Commission;

WHEREAS, at the hearing, all persons present were given an opportunity to hear and be heard in respect to any matter in relation to the review, in evidence presented at the hearing;

WHEREAS, the following determinations are made in conformance with Government Code Section 56430 and local Commission policy:

1. Growth and Population Projections for the Affected Area: The District serves an area that is unincorporated and agricultural, lying on the western portion of Stanislaus County and portions of San Joaquin and Merced counties. The area is designated as Agriculture on the respective county general plans and, while certain areas within the District are being looked at for their development potential, the District does not expect any significant population growth during the five-year timeframe of the current service review. The District currently serves 147 retail customers with irrigation water for agricultural purposes. Certain lands within the District's boundaries are also within the City of Patterson's city limits and Sphere of Influence. Upon

submittal of specific development plans, these lands will be detached from the District and the water supply previously allocated to serve these lands will revert to the District for redistribution to remaining District lands.

2. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs or Deficiencies: Irrigation water is provided from the Delta-Mendota Canal and delivered “canal side” from turnouts. In recognition of long-term water supply shortages associated with the District’s contract water supplies, the District has agreed to participate in the financing of certain Statewide and regional infrastructure improvement projects including the Delta-Mendota Canal/California Aqueduct Intertie project and the Delta Habitat Conservation and Conveyance Plan. It has also initiated discussions with neighboring agencies aimed at identifying and developing integrated resource management opportunities that may exist. Certain of these opportunities may require new or improved water-related infrastructure including local and regional water conveyance and delivery systems.
3. Financial Ability of Agencies to Provide Services: The District is in sound financial shape and has the necessary financial resources to fund its current level of service to its customers. Rates and fees for services are developed during the District’s annual budget review and adoption process, and are designed to be sufficient to recover all costs.
4. Status of, and Opportunities for, Shared Facilities: The District shares a reservoir for drainage water recapture with the Patterson Irrigation District and Central California Irrigation District. Another possible opportunity for a shared facility would be District participation in the construction of a pipeline capable of bringing Patterson Irrigation District’s conserved pre-1914 water rights water into the District.
5. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies: The District is governed by a seven-member Board of Directors. Board members must be District landowners and are elected by landowners from divisions within District boundaries. The Board conforms to the provisions of the Brown Act Open Meeting Law and the Public Service Ethics Education requirements of AB1234. The District operates in an efficient and professional manner. Though dependent upon the economic viability of its agricultural customer base, it is reasonable to conclude that the District can adequately serve the territory under its jurisdiction.
6. Any Other Matter Related to Effective or Efficient Service Delivery, as Required by Commission Policy In 2009, the State Water Resources Control Board approved a temporary consolidation of State Water Project (SWP) and Central Valley Project (CVP) places of use. While this consolidation could be seen as facilitating the transfer of available water supplies between the Del Puerto District (a CVP contractor) and the Oak Flat Water District (a SWP contractor) other constraints continue to limit the benefits that might accrue to the District from the increased efficiency and flexibility in the source of water supplies and/or points of delivery. Other constraints also threaten to limit the District’s ability to provide reliable service to the landscape feature at Villa del Lago. On February 8, 2005, an area known as the West Patterson Business Park Reorganization was annexed into the City of Patterson. This area included a 50-acre commercial development known as Villa del Lago. As part of this action, the Villa del Lago area was not detached from the District and continues to receive water for landscape purposes. The District reports that in March 2009, a combination of court-ordered pumping restrictions and drought conditions resulted in a zero-percent allocation for the beginning of the Districts’ 2009 water year. During that time, the only water available under

the Districts' long-term Bureau contract was the prior year's "rescheduled" water, which per Bureau policy was only available for delivery to agricultural or life-health and safety uses. Being neither, the landscape feature was temporarily denied water service. Since then, the District states that it has been able to resume service through a temporary program but cannot guarantee future service will be available to the area.

WHEREAS, the following determinations are made in conformance with Government Code Section 56425 and local Commission policy in determining a sphere of influence for the Del Puerto Water District:

1. Present and Planned Land Uses: The Del Puerto Water District's Sphere of Influence (SOI) includes approximately 54,000 acres. Territory within and outside the District boundaries consists of agricultural and rural residential land use areas. These uses are not expected to change. In addition, the District does not have the authority to make land use decisions, nor does it have authority over present or planned land uses within its boundaries. The responsibility for land use decisions within the District boundaries is retained by the counties of Stanislaus, San Joaquin, and Merced.
2. Present and Probable Need for Public Facilities and Services in the Area: The need for irrigation water to agricultural lands within the District is not expected to change, however, with the conversion of more District acreage to high-value, permanent cropping patterns, demand has become less variable.
3. Present Capacity of Public Facilities and Adequacy of Public Services Provided: The District currently has the necessary contract for the provision of agricultural water service to areas within its existing Sphere of Influence. However, under the terms and conditions of its recently renewed, long-term Bureau contract and due to recent court decisions and the publication of a revised Operating Criteria & Plan (OCAP) that the Bureau must adhere to, the District has stated that it may not have the capability to provide reliable service to the landscape feature at Villa del Lago. The District strongly advises that the Villa del Lago development seek an alternative source for landscape water (e.g. City of Patterson).
4. Communities of Interest in the Area: The City of Patterson can be categorized as a community of interest as a portion of the District overlaps into the City's current limits and Sphere of Influence. Upon submittal of specific development plans, these lands will be requested to detach from the District and the water supply previously allocated to serve these lands will revert to the District for redistribution to remaining District lands.

WHEREAS, the Del Puerto Water District was established to provide irrigation water to agricultural lands within its boundaries, under the California Water Code, Division 13, Section 34000, et. al; and,

WHEREAS, no changes to the District's Sphere of Influence are proposed or contemplated through this review.

NOW, THEREFORE, BE IT RESOLVED by the Commission:

1. Certifies that the project is statutorily exempt under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

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