

**EXECUTIVE OFFICER'S AGENDA REPORT  
FEBRUARY 24, 2021**

**TO: LAFCO Commissioners**

**FROM: Javier Camarena, Assistant Executive Officer**

**SUBJECT: MSR No. 2021-01 & SOI No. 2021-01: Draft 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**

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.

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 No. 2021-02 which:

1. Determines 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. Makes determinations as required by Government Code Section 56430; and,
3. Determines 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:** 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

Resolution No. 2021-02 – Eastin, El Solyo, Del Puerto, and Oak Flat Water Districts; and Patterson and West Stanislaus Irrigation Districts