



SEASIDE COUNTY SANITATION DISTRICT

440 HARCOURT AVENUE SEASIDE, CA 93955

SPECIAL MEETING

Board of Directors

Thursday, April 18, 2019, 9:30 AM

City of Seaside Conference Room

1. **CALL TO ORDER**

2. **ROLL CALL**

BOARD OF DIRECTORS

Jerry Blackwelder

Pat Lintell

John Wizard

Chair

First Vice Chair

Second Vice Chair

3. **REVIEW OF AGENDA**

If there are any items that arose after the 72-hour posting deadline, this is the point in the meeting where a vote may be taken to add the item to the agenda. (A 2/3-majority vote is required).

4. **PUBLIC COMMENT**

Members of the public wishing to address the Seaside County Sanitation District on matters within the jurisdiction of the Board, but not on this agenda, may do so during Public Comment period for up to three minutes. Public Comments on specific agenda items are heard under that item. For the public record, please state your name.

5. **NEW BUSINESS**

A. MARINA COAST WATER DISTRICT - ORD COMMUNITY SPHERE OF INFLUENCE AMENDMENT AND ANNEXATION APPLICATION TO THE THE LOCAL AGENCY FORMATION COMMISSION (LAFCO) OF MONTEREY COUNTY

PURPOSE: The purpose of this item is to consider the Marina Coast Water District Ord Community Sphere of Influence Amendment and Annexation Application to the Local Agency Formation Commission (LAFCO) of Monterey County.

RECOMMENDATION: It is recommend that the Board accept MCWD's application to LAFCO.

Environmental Compliance: The proposed consideration by the Board

of MCWD's application to LAFCO is not a project under CEQA and therefore exempt.

6. STAFF REPORTS

Staff reports include items for which verbal reports/presentations will be provided. If a specific Seaside County Sanitation District presentation is planned, it will be listed and information included with the Agenda. Brief oral reports may be provided for items arising after the Agenda was prepared. The Board may wish to ask questions or discuss a staff report, but no action is appropriate other than referral to staff, or request that a matter be set as a future Agenda item.

7. BOARD MEMBERS COMMENTS

8. ADJOURNMENT

Next Regularly Scheduled Meeting:
May 14, 2019
Seaside City Hall
9:30 AM

In compliance with the Americans with Disabilities Act (ADA), the Seaside County Sanitation District (SCSD) does not discriminate against persons with disabilities. SCSD's meetings are held at an accessible facility. Any person with a disability who requires a modification or accommodation to be able to participate in this meeting is asked to contact the office of the District Clerk at cityclerk@ci.seaside.ca.us 831-899-6707, no fewer than two business days prior to the meeting to allow for reasonable arrangements. Agenda related writings or documents provided to the SCSD Board of Directors are available for public inspection during the meeting or may be requested from the office of the District Clerk. This agenda is posted in compliance with California Government Code Section 54954.2(a) or Section 54956. Agenda related writings or documents provided to the Board are available for public inspection during the meeting or may be requested from the office of the District Clerk.



**SEASIDE COUNTY SANITATION DISTRICT
STAFF REPORT**

Item No.: 5.A.

TO: City Council

FROM: Craig Malin, District Manager

BY: Richard Riedl, District Engineer

DATE: April 18, 2019

SUBJECT: MARINA COAST WATER DISTRICT - ORD COMMUNITY SPHERE OF INFLUENCE AMENDMENT AND ANNEXATION APPLICATION TO THE THE LOCAL AGENCY FORMATION COMMISSION (LAFCO) OF MONTEREY COUNTY

PURPOSE

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BACKGROUND

The Local Agency Formation Commission (LAFCO) of Monterey County has received an application from Marina Coast Water District (MCWD) for a sphere of influence amendment and annexation of approximately 5,000 acres (7.8 square miles), LAFCO File #18-03. On Monday, April 22, 2019, at 4:00 PM, LAFCO will hold a public hearing to consider the application.

The proposed project is the Marina Coast Water District's (MCWD or the District) Ord Community Sphere of Influence (SOI) Amendment and Annexation of territory into the District's service area. The District currently provides water, wastewater, and recycled

water service to the former Fort Ord (Ord Community; see Attachment 3D Figure 1 to MCWD's Application to LAFCO, attached). This will provide customers that are registered to vote within the MCWD boundary the ability to vote for, and run for office on, the MCWD Board of Directors (MCWD Board).

The proposal area primarily consists of certain lands within the former Fort Ord (Ord Community) that are in the City of Marina, City of Seaside, or the unincorporated County of Monterey, including East Garrison. Parcels within the proposal area already receive MCWD water and wastewater services pursuant to an existing contract with the Fort Ord Reuse Authority, or have City or County approvals for development projects that will receive MCWD services upon buildout. The proposal area also includes Olson Elementary School and Marina United Methodist Church in central Marina, and Seaside High School, all three of which currently receive MCWD services. The proposal by MCWD is attached and maps of the proposed annexation area are attached. Additional information will be available on LAFCO's web site, www.monterey.lafco.ca.gov/announcements

PROJECT BOUNDARY

The proposal would extend MCWD's southern boundary to meet the northern boundary of the Seaside County Sanitation District (SCSD) and the northern boundary of the California American Water Company (Cal Am). Therefore, there are no service area gaps for water and wastewater services along the southern boundary of MCWD's proposed annexation area.

The proposed project boundary is shown in Figure 1, "Overview Map" as "Proposed Annexation Area," (orange-shaded area on the map) and in detail in the appendices to MCWD's Application to LAFCO. The proposed boundaries follow existing political and legal boundaries, such as existing parcel boundaries and/or right-of-way limits, within the former Fort Ord. Per the Settlement Agreement, areas are excluded for parcels that are not currently served by MCWD. The project would annex territory currently within the boundaries of the City of Seaside with parcels either already developed or with existing CEQA or Specific Plans for development. Areas that are currently undeveloped or unoccupied and wanting to redevelop would need to annex to the MCWD, or other appropriate utility agency, for water, sewer, and/or other services. The annexation process would most likely be an application to LAFCO for annexation for service.

The previously proposed project boundary is shown in Figure 2, "Proposed Service Area and Sphere of Influence Annexation," as "Proposed Service Area Annexation" (green-shaded area on the map). Figure 2 differs from Figure 1 in that areas excluded in Figure 1 because the supporting CEQA documents do not support the annexation of undeveloped areas, such as Surplus II. The annexation of Surplus II and other similar undeveloped areas can be accomplished by the developer preparing supporting documents for MCWD's use to prepare an application to LAFCO.

The "Future Study Area" shown in both Figures 1 and 2 as pink-shaded areas on these

maps has no significance for this application. It may be marked as "Future Study Area" to indicate that additional studies and documentation would need to be completed prior to having LAFCO consider an application for annexation. An application to annex these areas can be submitted to LAFCO for consideration by any utility agency.

GOVERNANCE

The Project would provide a fair governance structure for those receiving water and wastewater service from the District with the Ord Community area. Customers within the Ord Community cannot vote for, or run for, the MCWD Board of Directors.

Representation on the MCWD Board for these customers is not direct. It is through their jurisdictional elected officials on the FORA Board which oversees the MCWD Board. The annexation of the Ord Community into the District's LAFCO Service Area will allow water and wastewater customers within the MCWD boundary the ability to vote for, and run for, the MCWD Board of Directors and vote on rate setting issues.

ECONOMICS

MCWD is funded by rates and fees charged to District customers. The annexation would allow property owners and rate payers to participate in the setting of fees and charges related to property ownership levied by the District.

The District does not collect property taxes and the proposed annexation would not divide any existing tax assessment parcels.

The Community Facilities District (CFD) that FORA maintains to generate revenue for a potential future water augmentation project is not affected by this application.

OPERATIONS & CAPITAL IMPROVEMENTS

The areas proposed for annexation under this submittal are already served by MCWD. The District currently provides water, wastewater and recycled water service to the former Fort Ord (Ord Community) under the Water/Wastewater Facilities Agreement with the Fort Ord Reuse Authority (FORA), dated March 13, 1998. The District has prepared and maintains a Water & Wastewater Master Plan, a Capital Improvement Program (CIP), and a Sewer System Management Plan (SSMP). The District also periodically prepares Urban Water Management Plans as required by law to address the District's water service planning and capacity.

The District holds title to all the public water, sewer and recycled water infrastructure within the Ord Community. The District interconnected the Marina and Ord Community water systems in 1998, and combined the water systems under a single SWRCB DDW System Permit in 2007. The intertie allows operational flexibility and ensures robustness in reliable water service to the Ord Community.

Starting in 2002, MCWD, in cooperation with FORA, initiated the Regional Urban Water Augmentation Program (RUWAP), to provide an additional 2,400 AFY of water supply to the Ord Community, a portion being potable supply from seawater desalination and a portion from recycled water. In 2007, FORA and MCWD adopted a modified Hybrid Alternative for the RUWAP, which would provide 1,427 AFY of recycled water to the Ord Community without the need for seasonal storage. This agreement in turn resulted in the FORA Board adopting Resolution No. 07-10 (May 2007), which allocated 1,427 AFY of RUWAP recycled water to its member agencies having land use jurisdiction. The first phase of RUWAP is being constructed in collaboration with Monterey One Water for their Pure Water Monterey Groundwater Replenishment (GWR) Project. The GWR is a water supply project that would serve northern Monterey County by providing: (1) purified recycled water for recharge of a groundwater basin that serves as drinking water supply; and (2) recycled water to augment the existing Castroville Seawater Intrusion Project's agricultural irrigation supply. MCWD's facilities for the GWR Project is the RUWAP pipeline that is being constructed to transport purified recycled water from a new Advanced Water Treatment Plant (AWT) at the regional treatment plant to new Injection Well Facilities overlying the Seaside Groundwater Basin and recycled water for irrigation.

OTHER CONSIDERATIONS

Both MCWD and SCSD provide wastewater collection services, conveying municipal wastewater to Monterey One Water for treatment. Both MCWD and SCSD have separately considered annexing overlapping areas of the former Fort Ord within the Seaside city limits. Upon subsequent discussions with special legal counsel to the SCSD and LAFCO staff, it became apparent that the current application by MCWD was superior to the application that SCSD was contemplating and SCSD did not proceed with an application at this time. That is, the areas omitted from MCWD proposal and designated "Future Study Areas" may be of continued interest for SCSD to potentially consider for a future application to LAFCO for service area annexation.

The MCWD holds title to wastewater treatment capacity credits at the regional treatment plant and rights to recycled water from the regional treatment plant by agreement with FORA and M1W (previously MRWPCA), respectively. The wastewater treatment capacity credits are given to development projects within the Ord Community to offset their need to pay M1W for treating wastewater from the development project. The rights to recycled water from the regional treatment plant are potentially useful for future projects within the Ord Community in that they may be used either as a non-potable water supply (e.g. irrigation) or feed water for a recycled potable water supply project, such GWR. The wastewater treatment capacity credits and the rights to recycled water from the regional treatment plant are held in benefit by MCWD for future development within the Ord Community and are may not be transferrable to other agencies.

ENVIRONMENTAL COMPLIANCE

As the lead agency under the California Environmental Quality Act (CEQA) guidelines, MCWD approved a Negative Declaration indicating no significant environmental impacts.

On February 20, 2018, the MCWD Board adopted Resolution No. 2018-09, adopting an Initial Study/Negative Declaration for the Ord Community Sphere of Influence Amendment and Annexation. The Draft and Final IS/ND and the Notice of Determination, filed on February 21, 2018 (State Clearinghouse Number 2011101074) are available online at http://mcwd.org/governance_annexation.html. The IS/ND certified by MCWD found that the proposed annexation was not a project subject to CEQA and was also exempt from CEQA. Subsequently, a Petition for Writ of Mandate in the Monterey County Superior Court was filed, challenging the Boards' action. A Settlement Agreement was then proposed that provides for the modification to the project (Modified Project) by excluding certain parcels and portions of certain parcels identified in the spreadsheet and maps (see Attachment 3D Figure 4 and Attachment 7D to MCWD's Application to LAFCO). On September 17, 2018, the MCWD Board approved Resolution No. 2018-19, which excludes all the parcels and portions of parcels set forth in the Settlement Agreement from the project, and rescinds the CEQA finding adopted in Resolution No. 2018-09 only as they relate to the parcels or portions of parcels listed in Resolution No. 2018-09 (Attachment 3D Figure 3 to MCWD's Application to LAFCO, attached). The MCWD Board determined that the Modified Project would not result in any potential environmental impacts beyond those analyzed in the Initial Study/Negative Declaration, and that none of the conditions in CEQA Guidelines Section 15162, "Subsequent EIRs and Negative Declarations," have occurred, and therefore, no additional environmental review is required under CEQA.

In the event that the LAFCO were to consider expanding the proposed annexation area beyond that being proposed by MCWD the following would need to occur;

1. The lead agency would need to amend and/or replace the IS/ND in accordance with CEQA Guidelines Section 15162, "Subsequent EIRs and Negative Declarations," and
2. The IS/ND would probably be insufficient to address the potential impacts associated with annexing undeveloped areas and an EIR would need to be prepared.

FISCAL IMPACT

There is no fiscal impact in considering this item.

ATTACHMENTS

1. MCWD Application
-

2. Fig 1 MCWD_overview (1)
 3. Fig 2 from MCWD Screencheck Draft IS NOV2017
-

Reviewed for Submission to the
City Council by:



Craig Malin, City Manager

KATE McKENNA, AICP
Executive Officer

APPLICATION FORM / JUSTIFICATION OF PROPOSAL

Marina Coast Water District Sphere of Influence & Annexation Proposal

Please provide the following information about your request. For those items that do not apply, indicate “not applicable” or “N.A.” Please use additional sheets if necessary.

This information will be used by LAFCO to understand the proposal and determine its consistency with State law and local policies, including the Cortese-Knox-Hertzberg Local Government Reorganization Act and LAFCO of Monterey County’s “Policies and Procedures Relating to Spheres of Influence and Changes of Organization and Reorganization.”

I. GENERAL INFORMATION

- a. Describe the proposed action (Annexation, Detachment, Sphere of Influence Amendment, formation, etc.) affecting a city or special district:

The proposed project is the Marina Coast Water District’s (MCWD or the District) Ord Community Sphere of Influence (SOI) Amendment and Annexation of territory into the District’s service area, which is proposed in accordance with relevant codes and ordinances of the District, local jurisdictions, and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The District currently provides water, wastewater, and recycled water service to the former Fort Ord (Ord Community; see Attachment 3D Figure 1) as outlined in the following the Water/Wastewater Facilities Agreement between FORA and MCWD (1998) and as further described in the Assignment of Easements on Former Fort Ord and Ord Military Community, County of Monterey, and Quitclaim Deed for Water and Wastewater Systems, between FORA and MCWD, dated October 24, 2001 (Appendix A of Attachment 7A Public Draft IS/ND).

The project is proposed to amend MCWD SOI and service area (see Attachment 3D Figure 2) to annex the currently served areas on the former Fort Ord (see Attachment 3D Figure 3). This will provide customers that are registered to vote within the MCWD boundary the ability to vote for, and run for office on, the MCWD Board of Directors (Board). In addition, a small area containing a school and a church that presently receive water from MCWD and are within MCWD’s Central Marina customer area will be added to MCWD’s service area to eliminate islands within the District that were inadvertently created during the last SA annexation of property north of Marina (see Attachment 3D Figure 3).

On February 20, 2018, the Board adopted Resolution No. 2018-09, adopting an Initial Study/Negative Declaration for the Ord Community Sphere of Influence Amendment and Annexation (See Attachment 7C Final IS/ND), finding that the Ord Community Sphere of Influence Amendment and Annexation was not a project subject to CEQA and was also exempt from CEQA, and directing District staff to file an application with the Local Agency Formation Commission (LAFCO) for the project to annex

properties into MCWD's service area. MCWD filed a Notice of Determination (NOD) and Notice of Exemption (NOE) within five days of the Board action.

Subsequently, a Petition for Writ of Mandate in the Monterey County Superior Court was filed, challenging the Boards' action. A Settlement Agreement was then proposed that provides for the modification to the project (Modified Project) by excluding certain parcels and portions of certain parcels identified in the spreadsheet and maps (see Attachment 3D Figure 4 and Attachment 7D).

On September 17, 2018, the Board approved the Settlement Agreement and found that, pursuant to the Settlement Agreement, the parcels and portions of parcels provided in the Settlement Agreement shall be excluded from the project application to LAFCO. The Board approved Resolution No. 2018-19, which excludes all the parcels and portions of parcels set forth in the Settlement Agreement from the project, and rescinds the CEQA finding adopted in Resolution No. 2018-09 only as they relate to the parcels or portions of parcels listed in Resolution No. 2018-09 (Attachment 3D Figure 3). The CEQA findings in Resolution No 2018-09 are to otherwise remain unchanged, and all other parcels are to remain in the LAFCO application unchanged. The excluded parcels are to be re-designated for future study area only. The Board determined that the modifications to the Ord Community Sphere of Influence Amendment and Annexation under the Modified Project would not result in any potential environmental impacts beyond those analyzed in the Initial Study/Negative Declaration, and that none of the conditions in CEQA Guidelines section 15162 have occurred, and therefore, no additional environmental review is required under CEQA (see Public Resources Code section 21166 and CEQA Guidelines sections 15162). MCWD filed a Notice of Determination (NOD) and Notice of Exemption (NOE) within five days of the Board action for the Modified Project (Attachments 7E and 7F).

b. Applicant (chief petitioner/contact person):

Name, Title (if applicable): Michael Wegley, District Engineer

Agency: Marina Coast Water District

Address: 11 Reservation Road, Marina, CA 93933

Phone Number: (831) 883-5925

Email Address: mwegley@mcwd.org

c. Describe the location of the subject territory, including Assessor Parcel Number(s):

MCWD is situated in the northwest corner of Monterey County, California (Attachment 3D Figures 1 and 2). The proposed project location includes the current service area and SOI Sphere of Influence of MCWD, known as Central Marina, and the Ord Community within the former Fort Ord. ~~Refer to Figure 1 of the Draft IS/ND.~~ (Attachment 3D Figure 3) and excludes parcels and portions of parcels set forth in the Settlement Agreement (Attachment 3D Figure 4).

d. Size (in acres) of the affected territory:

The proposed SOI amendment and annexation territory includes ~~5,347~~ 4,970 acres. MCWD has an existing service area of 1,658 acres and existing SOI of 3,116 acres, making the total new MCWD SOI and service area ~~8,463~~ 8,086 acres after project approval.

e. Population:

1) Estimated population in the subject area:

As discussed in the Draft IS/ND, MCWD estimates that its service population is approximately 32,375 people, of which an estimated 17,703 live within the boundaries of the City of Marina and 14,672 live in areas of the Ord Community, where MCWD is currently providing water and wastewater service.

Please also see answer 16.a below for more specific Census Tract data.

2) Proximity to other populated areas:

Within the jurisdictions of Monterey County, City of Marina, and City of Seaside. Other adjacent population areas include the City of Monterey and the City of Del Rey Oaks.

f. Why has the proposed action been requested?

The primary purpose of the project is to provide a fair governance structure for those receiving water and wastewater service from the District. The District currently provides service to this area. Customers within the Ord Community cannot vote for, or run for, the MCWD Board of Directors; their representation is through their jurisdictional elected officials hence through the FORA Board to the MCWD Board (twice removed). The annexation of the Ord Community into the Districts' LAFCO Service Area and amendment of the SOI will allow water and wastewater customers that are registered to vote within the MCWD boundary the ability to vote for, and run for, the MCWD Board of Directors. In addition, a small area containing a school and a church that presently receive water from MCWD and are within MCWD's Central Marina customer area will be added to MCWD's SA to eliminate islands within the District that were inadvertently created during the last SA annexation of property north of Marina.

g. List any conditions proposed as a part of the proposal.

No conditions have been assigned to this proposal.

h. Do you request that the proposed area be taxed for existing bonded indebtedness or contractual obligations? Yes _____ No X

If yes, please explain:

N/A

2. DETERMINATION OF BOUNDARIES

a. Do the proposal's boundaries follow existing political boundaries (such as property lines or jurisdictional lines) and/or physical features such as river, lakes, railroad tracks, and freeways? If not, please explain the reasons for nonconformance.

Yes, the project is contained within the boundaries of the former Fort Ord, and the annexation boundary follows existing parcel boundaries and/or right-of-way limits. Per the Settlement Agreement, some of the excluded areas include portions of parcels but these follow existing right-of-way limits or development limits. The project would annex territory currently within the boundaries of the City of Marina as far north as the current MCWD Service Area and SOI boundary, would extend east into the former Fort Ord and is bounded on the east by parcels either developed or with existing CEQA or Specific Plans for development, extends into the City of Seaside as far south as Seaside High School, and is bounded on the west by Highway 1. The existing water and wastewater systems cross jurisdictional boundaries due to the jurisdictional divisions of the former Fort Ord.

b. If the proposal's boundaries create an island, corridor, or strip either within the proposed territory or immediately adjacent to it, please explain why this is the case.

~~The proposal will not create an island, corridor, or strip either within the proposed territory or immediately adjacent to it.~~ The project is proposed in part to eliminate an island created inadvertently in the last MCWD annexation process, which includes two small properties located at Olson School and a small church property within Central Marina. Per the Settlement Agreement, certain parcels and portions of parcels have been excluded from the project; these parcels are to be re-designated for future study area only.

c. For annexations to a city or district, does the annexation include the adjacent streets and rights-of-way? Please describe how the proposal will conform to road right-of-way guidelines for proposals submitted to LAFCO. (LAFCO Policies and Procedures, Part D.II.7)

The annexation includes adjacent streets and rights-of-way and is consistent with LAFCO Policy D.II.7. The boundaries of the proposed project follow existing political boundaries, primarily the boundary follows existing parcel boundaries with some portions of parcels excluded which follow current right-of-way boundaries or development boundaries.

- d. Would the proposal divide any existing tax assessment parcels? If so, please explain why this is proposed.

The proposed annexation would not divide any existing tax assessment parcels. The District is funded only by rates and fees and does not collect property taxes.

- e. Would the proposal divide any existing identifiable community, commercial district, or any other area having social or economic homogeneity? If so, please explain why this is proposed.

As determined in Section 4.10 Land Use and Planning of the Draft IS/ND, the proposed annexation would not divide any existing identifiable community. Furthermore, the proposed project will not divide any existing commercial district, or any other area having social or economic homogeneity.

- f. Does the proposal include all territory that would reasonably benefit from agency services? If not, please explain why not.

The proposed annexation does not include all of the identified development parcels within the Fort Ord Reuse Plan. The 2011 Initial Study for the Ord Community SOI Amendment and Annexation Project considered amending the MCWD SOI and annexation area to request annexation of all former Fort Ord lands into the District's service area boundary, including open space land and all development parcels identified by plans for which no approved specific plan or CEQA documentation was finalized. The District revised and reduced its proposal after the 2011 review process was completed, and the 2017 Draft IS/ND reflected these requests. FORA has commented on the IS/ND and stated that "FORA supports MCWD's Ord Community Sphere of Influence Amendment and Annexation Project," indicating their support for future service of the entirety of the development parcels under the Fort Ord Reuse Plan.

In addition, as outlined above, during the adoption of the 2017 2018 Draft IS/ND, the MCWD Board further refined the proposal by reducing the areas approving Resolution No. 2018-19 which excludes all of annexation the parcels and portions of parcels set forth in the Settlement Agreement from the project; the excluded parcels are to be re-designated for future study area only.

3. DUPLICATION OF AUTHORITY TO PERFORM SIMILAR FUNCTIONS

- a. Would the proposal result in any duplication of authority? (i.e., two or more governmental agencies providing the same or similar types of services) If so, please justify the need for the duplication.

The proposal will not result in any overlap or duplication of authority. MCWD is currently the only agency providing water and wastewater services within the proposal area.

~~The proposal would extend MCWD's southern boundary to meet the northern boundary of the Seaside County Sanitation District (SCSD). Both of these agencies provide wastewater collection service, conveying municipal wastewater to Monterey One Water, the regional wastewater treatment authority. Seaside County Sanitation District (SCSD) has expressed interest in annexing Ord Community areas that are within the City of Seaside for wastewater service only, excluding the area of California State University Monterey Bay (CSUMB). They have not stated any objection to MCWD serving this area for water. If this SCSD annexation proposal were also submitted to LAFCO and approved, this would create an overlap area that includes lands between Military Avenue to the south and Divarty Street and Colonel Durham Road to the north. As proposed, MCWD would not create any overlap. This area is included in the current Proposed Project as (MIW), the regional wastewater treatment authority. Both MCWD and SCSD have separately considered annexing overlapping portions of the former Fort Ord. Recognizing this overlapping interest, MCWD and SCSD worked over several months to develop a draft agreement that would eliminate SCSD's interest in filing an overlapping application. Upon subsequent discussions, SCSD expressed that it would prefer a simpler~~

Memorandum Of Understanding (MOU) regarding key points of agreement to achieve the goal of eliminating the potential overlap versus completing a more complex agreement. MCWD and SCSD then finalized a simpler MOU document, and the MCWD Board approved the MOU on July 16, 2018 with expectation that SCSD would follow with its approval in July 2018 (see Attachment 7G). The MOU states that SCSD agrees that it will not object or oppose MCWD LAFCO proposal annexing any lands within MCWD's Ord Community service area into MCWD's jurisdiction boundaries for water, reclaimed water, and wastewater. Following MCWD Board approval of the MOU, at the request of the City of Seaside, SCSD tabled the MOU until the Cities of Seaside and Del Rey Oaks could first negotiate a more complex agreement. As a means to facilitate final agreement, on September 6, 2018, MCWD provided SCSD with yet another agreement, a draft Service Agreement, that comprehensively addresses water and wastewater service to their respective cities within the former Fort Ord for present day and for when the Fort Ord Reuse Authority sunsets. While there has been no response from SCSD to date on the draft Service Agreement, MCWD remains optimistic that an agreement can be reached, either by SCSD approval of the MOU already approved by the MCWD Board, or eventual approval of the draft Service Agreement which is more comprehensive, but still contains all the key points of agreement in the MOU. Therefore, as proposed, MCWD would not create any overlap. As a result, this area is included in the current proposed project because the area is already served by MCWD and MCWD owns and maintains the water and wastewater infrastructure in this the area. It is the intent of MCWD to continue serving their current customers, as it is consistent with relevant LAFCO policy, including policies pertaining to overlapping service areas. The project is consistent with all other LAFCO policies, as shown in Appendix B of the Draft IS/ND, and as presented below.

LAFCO Policy D.III.1: “Proposals, where feasible, should minimize the number of local agencies and promote the use of multi-purpose agencies (Sections 56668 b and c).”

LAFCO Policy D.III.2: “The effect of the approval of a proposal which would result in two or more districts or a city and a district possessing any common territory, the authority to perform the same or similar functions shall be considered by LAFCO. The views of the governing body of the city or special district possessing authority to perform the same or similar function in the subject territory should be made known to LAFCO. Proponents must justify the need for boundary change proposals which result in duplication of authority to perform similar functions. (Section 56668 b and c).”

Consistent. This SOI amendment and annexation proposes for a single provider for water and wastewater service to the Ord Community, including those areas currently served by MCWD for wastewater service within the City of Seaside. The District's objectives for the proposed project is to enable MCWD to maintain service to their current customers and provide a government structure for these customers to be properly represented.

Furthermore, to ensure that this proposal would not result in any duplication of authority, areas within the Former Fort Ord have been specifically excluded from the proposed project. These areas include future development parcels located in the Cities of Del Rey Oaks and Monterey, and areas east of General Jim Moore in the City of Seaside in the Ord Community. These areas were designated as a Future Study Area to avoid overlapping service jurisdictions in portions of these areas. Specifically, there are remaining development parcels in southern Fort Ord (south of Eucalyptus Road) which may be best served for wastewater collection by SCSD and/or the City of Monterey's wastewater collection system, because those lands would drain by gravity into those existing systems. MCWD would still be the water service provider for those areas, supplying Salinas Valley Groundwater under existing agreements. Because this would result in a different governance model than in the rest of the District, these areas are excluded from the current proposal.

4. CONFORMANCE WITH CITY OR COUNTY GENERAL AND SPECIFIC PLANS

- a. Indicate the existing land use (including residential density):

There are no special land use concerns related to the specified land uses above.

5. CONFORMANCE WITH SPHERES OF INFLUENCE

- a. Is the proposal consistent with the adopted Sphere of Influence for affected local agencies? If not, describe the inconsistency and any overriding considerations.

The project is consistent with the adopted SOI of affected local agencies. Agencies reviewed include: City of Marina, City of Seaside, City of Del Rey Oaks, City of Monterey, Seaside County Sanitation District, and MPWMD.

6. ENVIRONMENTAL IMPACT ASSESSMENT

- a. Has the proposal received CEQA clearance? If so, has the proposal undergone any revisions since CEQA clearance was granted?

Yes, the proposal has an approved CEQA document (IS/ND) ~~which has not undergone any revisions since CEQA clearance was granted.~~ The MCWD Board approved the Draft IS/ND on February 20, 2018 and filed the Notice of Determination on February 21, 2018 (State Clearinghouse Number 2011101074). CEQA documents are available online at http://mcwd.org/governance_annexation.html and are also attached to this application. The area included in this application is a reduced footprint from the area covered in the IS/ND. The removed areas are those without existing entitlements or approved specific plans. MCWD submitted a CEQA Notice of Exemption for the annexation of the application area (State Clearinghouse Number 2018028314).

As outlined above, subsequent MCWD approval of the project, a Petition for Writ of Mandate in the Monterey County Superior Court was filed, challenging the Boards' action. A settlement agreement was then proposed that provides for the modification to the project (Modified Project) by excluding certain parcels and portions of certain parcels identified in Attachment 3D Figure 4. Pursuant Resolution 2018-58 the Board determined that the modifications to the Ord Community Sphere of Influence Amendment and Annexation under the Modified Project would not result in any potential environmental impacts beyond those analyzed in the Initial Study/Negative Declaration and none of the conditions in CEQA Guidelines section 15162 have occurred, and therefore, no additional environmental review is required under CEQA (see Public Recourses Code section 21166 and CEQA Guidelines sections 15162).

On September 17, 2018, the Board approved the settlement agreement Resolution No. 2018-19 which excludes all the parcels and portions of parcels set forth in the Settlement Agreement from the project, and rescinds the CEQA finding adopted in Resolution No. 2018-09 only as they relate to the parcels or portions of parcels listed. The Board found that the CEQA findings in Resolution No 2018-09 are to remain otherwise unchanged, and all other parcels are to remain in the LAFCO application unchanged. The excluded parcels are to be re-designated for future study area only. The Board determined that the modifications to the Ord Community Sphere of Influence Amendment and Annexation under the Modified Project would not result in any potential environmental impacts beyond those analyzed in the Initial Study/Negative Declaration and none of the conditions in CEQA Guidelines section 15162 have occurred, and therefore, no additional environmental review is required under CEQA (see Public Recourses Code section 21166 and CEQA Guidelines sections 15162).

7. ECONOMICS, SERVICE DELIVERY, AND DEVELOPMENT PATTERNS

- For boundary changes: Please also submit a separate, detailed **Plan for Providing Services within the Affected Territory** (Attachment B to the application form).

- a. Please describe how the proposal will impact the ability of affected local agencies (cities, special districts and the County) to continue to provide their services. Include any potential fiscal impacts from the proposal on the affected agencies' revenues or expenditures.

As previously stated, the District currently provides service to this area, as outlined in the Water/Wastewater Facilities Agreement between FORA and MCWD (1998) as further described in

The proposed SOI amendment and annexation will result in inclusion of additional lands within the District's SOI and annexation of these areas into the MCWD. However, these areas are already served by MCWD and therefore no service extension or development is proposed.

- d. Please describe the capacity of the proposal's subject agency to provide such services.

The areas proposed for annexation under this submittal are already served by MCWD. Please refer to the District's 2016 Five-year Capital Improvement Program (CIP), MCWD 2017 Sewer System Management Plan (SSMP), and the 2015 Urban Water Management Plan addressing the District's service planning and capacity.

- e. Are there any factors (such as topography, isolation from existing developments, premature intrusion of urban-type developments into a predominantly agricultural area, or other pertinent economic or social reason) that may reduce the proposal's ability to serve the public interest? Please comment.

Not applicable; the area is already served by MCWD under agreements with FORA. As evaluated in the adopted IS/ND there are no other factors that may reduce the proposal's ability to serve the public interest.

- f. List any related public approvals required for the proposal, including those of local, State, and Federal agencies.

- Marina Coast Water District: Board approval of SOI Amendment and annexation, and Resolution to LAFCO for Application for the above. (COMPLETED)
- Local Agency Formation Commission of Monterey County: Processing a SOI amendment and annexation to the MCWD. Approval of an amendment of the SOI and approval of annexation proposed. (IN PROGRESS)

- g. Have affected local agencies been notified? If so, what was the response?

Local agencies receive agendas and notifications for all MCWD Board meetings. Meetings and coordination with SCSD is noted in Appendix C: Seaside County Sanitation District and Marina Coast Water District Coordination Timeline. Affected local agencies were sent a Notice of Intent (NOI) at the beginning of the Draft IS/ND comment period. Letters in response were received from Monterey County LAFCO, FORA, SCSD, and Monterey Peninsula College (MPC). Additionally, the FORA Water and Wastewater Committee heard this item in January 2018, FORA Board also in January 2018 and LAFCO on January 22, 2018.

- h. Have the property owners and registered voters within the subject area been contacted? If so, what was the response?

There have been numerous public and MCWD Board meetings on this proposed annexation and SOI proposal, all posted on the MCWD website. The NOI was posted at the MCWD facilities located at 11 Reservation Road, and on www.MCWD.org. Public hearings on the proposed annexation were held on January 23, 2018 and February 20, 2018. For a number of years, MCWD and LAFCO have received numerous requests for the annexation to be completed so that customers may have voting rights within the District.

- h. Do residents within the proposal area use facilities or programs provided by the local agency? Indicate the source of this information.

Yes, MCWD currently provides water and wastewater service to the Ord Community, the Ord Community project area, and to the school and church within the Central Marina customer area.

- i. Do residents within the proposal area travel to the city or boundaries of the special district for shopping, recreation, work, or other purposes? Indicate the source of this information.

Yes, per traffic impact studies from various jurisdictions and traffic volume maps contained in the FORA Fee Reallocation Study: Deficiency Analysis and Fee Reallocation, Fiscal Year 2016/2017 dated April 27, 2017.

- j. Do the city, or area served by the district, and proposal areas share the same mailing address and zip code?

Yes, zip codes 93933 and 93955.

- k. Briefly describe any other factors demonstrating interdependence of the city/district and proposal area.

- The District currently provides water, wastewater and recycled water service to the former Fort Ord (Ord Community) under the Water/Wastewater Facilities Agreement with the Fort Ord Reuse Authority (FORA), dated March 13, 1998.
- The District holds title to all the public water, sewer and recycled water infrastructure within the Ord Community;
- The District interconnected the Marina and Ord Community water systems in 1998, and combined the water systems under a single SWRCB DDW System Permit in 2007.
- The proposal is consistent with the MCWD 2015 UWMP, Water and Wastewater Master Plans, and MCWD CIP and FORA CIPs.
- The District has made significant investment in the Ord Community in the form of water, wastewater and recycled water infrastructure, addition of staff and equipment, adoption of redevelopment standards and procedures, and the preparation of master plans and water supply project studies;
- The District has been working with Monterey County LAFCO for over a decade on the proposal for annexation and Sphere of Influence amendment for the Ord Community; and,
- Area Planning and jurisdictions rely on the District for current and future service provision.

8. PHASING

- a. Does this proposal include any multi-step, incremental phasing of annexation or other LAFCO approvals? If so, please describe the phasing component in relation to LAFCO of Monterey County's adopted policies for phasing (LAFCO Policies and Procedures, Part D.VIII).

Phasing of annexation areas is not currently proposed, as the proposal only includes areas currently served by MCWD. A "Future Study Area" designation is identified in the adopted IS/ND to identify these areas; these areas or a portion of them may be considered for future annexations.

9. OPEN SPACE AND AGRICULTURAL LAND - (not applicable)

10. GROUNDWATER STANDARDS

- a. Did the proposal's CEQA clearance determine that the proposal may significantly impact the groundwater basin? Yes ____ No X

- If yes, additional information regarding this impact and potential mitigation measures must be submitted (LAFCO Policies and Procedures, Section D.X)

Please describe how the proposal conforms to each of the following adopted LAFCO policy statements regarding groundwater.

- b. LAFCO will encourage boundary change proposals involving projects that use reclaimed wastewater, minimize nitrate contamination, and provide beneficial use of storm waters.

The MCWD Board of Directors has taken a series of actions accepting responsibility for the provision of water, wastewater, and recycled water service within their service area and to the Ord Community. Key actions addressing service provision and related governance are summarized below and are outlined in Appendix B of the IS/ND.

Starting in 2002, MCWD, in cooperation with FORA, initiated the Regional Urban Water Augmentation Program (RUWAP), to provide an additional 2,400 AFY of water supply to the Ord Community, a portion being potable supply from seawater desalination and a portion from recycled water. In October 2004, the MCWD Board of Directors certified the EIR for the RUWAP. In October 2006, Addendum No. 1 was adopted to address changes in the project's pipeline alignment, and in February 2007, Addendum No. 2 was adopted to address changes to maximize the use of recycled water within MCWD's service areas. In 2007, FORA and MCWD adopted a modified Hybrid Alternative for the RUWAP, which would provide 1,427 AFY of recycled water to the Ord Community without the need for seasonal storage. This agreement in turn resulted in the FORA Board adopting Resolution No. 07-10 (May 2007), which allocated 1,427 AFY of RUWAP recycled water to its member agencies having land use jurisdiction. Additionally, the Pure Water Monterey Groundwater Replenishment (PWM/GWR) Project is a water supply project that would serve northern Monterey County by providing: (1) purified recycled water for recharge of a groundwater basin that serves as drinking water supply; and (2) recycled water to augment the existing Castroville Seawater Intrusion Project's agricultural irrigation supply. The PWM/GWR Project is a combined effort of Monterey One Water and the MPWMD and includes the RUWAP pipeline alignment (identified as the Product Water Conveyance Pipeline in the PWM/GWR EIR) to transport purified recycled water from a new Advanced Water Treatment Plant (AWT) at MRWPCA's Regional Treatment Plant to new Injection Well Facilities overlying the Seaside Groundwater Basin.

- c. LAFCO will encourage proposals which have incorporated water conservation measures. Water conservation measures include drought tolerant landscaping, water-saving irrigation systems, installation of low-flow plumbing fixtures, retrofitting of plumbing fixtures with low-flow devices, and compliance with local ordinances.

The MCWD has an active water conservation program. Under MCWD's water conservation ordinance, all new construction is required to incorporate water saving devices over and above the State building code requirements. Requirements for new construction include the installation of zero water use urinals, high-efficiency toilets; high-efficiency clothes washers, water-efficient landscaping, and ET-based irrigation controls. Additionally, the MCWD has adopted the State's Model Water Efficient Landscape Ordinance. The MCWD requires that developers install water conservation fixtures during construction, discourages landscapes that require high irrigation, and currently implements a tiered water rate structure that discourages water waste. The MCWD offers rebate incentives to replace less efficient water fixtures and also started a rebate program for smart irrigation controllers. MCWD is also a signatory of the California Urban Water Conservation Council's Memorandum of Understanding and is fully compliant with AB 1420.

- d. LAFCO will encourage those proposals which comply with adopted water allocation plans as established by applicable cities or water management agencies.

The MCWD Board does not allocate water supply to projects, but instead advises customer land use jurisdictions as to the current and historic water use within their boundaries and the estimated remaining supply available for new developments. Within the Ord Community, the FORA Board has managed the allocation of Salinas Valley groundwater supplies among the seven land use jurisdictions, and they, in turn, sub-allocate water supply to specific projects. FORA has an adopted water allocation program to restrict water use and development. Tables 5 and 6 of the IS/ND show that the groundwater allocation for the project area and Central Marina is sufficient to meet projected water demands through 2035.

- e. LAFCO will encourage those proposals where the affected jurisdiction has achieved water savings or new water sources elsewhere that will off-set increases in water use in the project site that would be caused by the proposal.

As discussed in detail in the adopted IS/ND, under Section 4.9 Hydrology and Water Quality including Tables 5 and 6, water supply in the project area is limited, resulting in an increased need for conservation and proper planning. The MCWD is working towards developing new sources of water to meet projected demand increases due to redevelopment within the Ord Community Service Area, as well as taking actions to address groundwater wells impacted by saltwater intrusion. See response below. The region as a whole is investigating several options for additional supplies and reduction of seawater intrusion. The District's UWMP addresses additional supplies and the projects and District planning for them. The District has a major recycled water project under construction (RUWAP) which would provide up to 1,427 AFY of recycled water to offset potable supplies. The District fully complies with conservation regulations and has achieved conservation reductions through a conservation campaign as presented in the UWMP and the District website (mcwd.org). Also, the Pure Water Monterey/Groundwater Replenishment Project (PWM/GWR) regional water supply project is addressed below and presents a regional water supply project using various source supplies of wastewater and water that would otherwise go into the ocean outfall or to the bay. Also see 10.c above.

- f. LAFCO will discourage those proposals which contribute to the cumulative adverse impact on the groundwater basin unless it can be found that the proposal promotes the planned and orderly development of the area.

Please note that the Proposal allows for continued provision of existing water and wastewater service in an area where such service is already provided. The District works closely with the entities responsible for groundwater management as identified in the IS/ND. MCWD has been granted Groundwater Sustainability Agency (GSA) status within its jurisdictional boundaries within the Monterey Subbasin and the 180/400 Subbasin, and is moving forward on developing a Groundwater Sustainability Plan (GSP) in coordination with the Salinas Valley Basin GSA to protect/create sustainable groundwater. Further, the MCWRA and its agency partners, including Monterey One Water (formerly the MRWPCA) have two major capital projects that are operated and managed to provide improvements to groundwater quality and address the long-term trend of seawater intrusion and groundwater level declines in the Salinas Valley Groundwater Basin (SVGB). They include the Castroville Seawater Intrusion Project (CSIP) and the Salinas Valley Water Project. The Salinas Valley Water Project included reoperation of the Nacimiento and San Antonio reservoirs and construction and operation of a new seasonal diversion facility called the Salinas River Diversion Facility (or rubber dam) has been providing river water for irrigation since 2010. The CSIP provides treated (recycled) wastewater from the Regional Treatment Plant to agricultural growers in the unincorporated Castroville area of Monterey County. Most recently, the District has combined shared pipeline conveyance facilities for the RUWAP Project and the PWM/GWR Project. The PWM/GWR Project once implemented will provide approximately 4,000 – 5,000 AFY of recycled water for irrigation in the CSIP area, reducing the need for pumping in this area of the SVGB by approximately 4,000 – 5,000 AFY.

- g. LAFCO will discourage those boundary change proposals which, when considered individually and after taking into account all mitigation measures to be implemented with the project, still cause a significant adverse impact on the groundwater basin.

The proposed project does not include annexation of areas that are not already served or approved or planned for redevelopment and thus included in the water allocation, approved Water Supply Assessments and Verification of Water Supply Reports. As documented in the UWMP, sufficient water supplies are currently available to serve the proposed project from existing entitlements and resources. Per the UWMP (Section 4), MCWD included recycled water in RUWAP with completed project design and CEQA documentation. On April 8, 2016, MCWD and Monterey One Water entered into the Pure Water Delivery and Supply Project Agreement, wherein the District will receive up to

1,427 acre feet per year (AFY) of advanced treated recycled water from the Pure Water Monterey Project. The project is expected to provide 600 AFY in 2020, and increase to 1,359 AFY in 2025 (2015 UWMP). As noted above, and outlined in the adopted IS/ND, inclusion into the District's SOI and future annexation into the District would not change the provision of water. Water would be supplied to annexation areas under existing contracts and agreements. The proposed annexation does not change land uses or policies and will not result in development not already planned or considered in area plans and EIRs. Any future development projects will be subject to site-specific environmental review. Further, the majority of the areas proposed for annexation and SOI amendment are already currently served or approved for planned and entitled development projects. Cumulative as well as project-level, indirect as well as direct, impacts of these approved projects have been adequately analyzed in earlier EIRs or negative declarations.

11. INCORPORATION GUIDELINES - (not applicable)

12. REGIONAL TRAFFIC IMPACTS - (not applicable)

13. EFFICIENT URBAN DEVELOPMENT PATTERNS - (not applicable)

14. DISADVANTAGED UNINCORPORATED COMMUNITIES ADJACENT TO CITIES- (not applicable)

15. CONTRACT / SERVICE EXTENSION AGREEMENT - (not applicable)

16. ENVIRONMENTAL JUSTICE

LAFCOs are required to consider the extent to which a proposal will promote environmental justice. As defined by statute, environmental justice means “the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.”

- a. Please provide information on the demographics of the proposal area, including ethnicity and income.

The census tracts located within the proposed project area with the corresponding ethnicity and income information are provided below. Please note that Census Tract 141.04 only includes student dormitories within CSUMB.

Census Track	Location	Population	Race and Ethnicity	Per Capita Income	Median Household Income
141.02	Fort Ord	2,268	36.7% white, 20.1% black, 0% native, 10.3% Asian, 2.7% Islander, 0% Other, 6% Two+, 24.2% Hispanic	\$20,207	\$51,042
141.04	Fort Ord	1,874	50% White, 5% Black, 0% Native, 8% Asian, 0% Islander, 0% Other, 6% Two+, 31% Hispanic	\$3,484	N/A
141.05	Fort Ord	3,035	56% White, 5% Black, 0% Native, 8% Asian, 0% Islander, 0% Other, 7% Two+, 23% Hispanic	\$27,311	\$65,133
141.07	Fort Ord	7,806	47% White, 4% Black, 1% Native, 9% Asian, 1% Islander, 0% Other, 8% Two+, 30% Hispanic	\$24,559	\$65,224
142.01	Central Marina	5,811	32% White, 4% Black, 1% Native, 17% Asian, 3% Islander, 0% Other, 8% Two+, 36% Hispanic	\$24,798	\$57,400

Census Track	Location	Population	Race and Ethnicity	Per Capita Income	Median Household Income
142.02	Central Marina	4,393	36% White, 6% Black, 0% Native, 19% Asian, 5% Islander, 0% Other, 11% Two+, 23% Hispanic	\$21,785	\$46,281
143.01	Central Marina	3,352	44% White, 4% Black, 0% Native, 25% Asian, 1% Islander, 0% Other, 5% Two+, 19% Hispanic	\$38,370	\$66,250
Source: Census data: ACS 2016 5-year					

- b. Will all residents have access to the facilities or services requested by this application?

Yes, the area is already served by MCWD. Connection fees are required for new customers, and that policy will not change as a result of this action.

- c. Will the projected cost of such services be appropriate to the income levels of the area's population? If so, are the service costs likely to be held to this level for the long-term?

Water service rates in the Ord Community are comparable to the surrounding area (higher than in Central Marina or Salinas, but lower than in Seaside or Monterey). Wastewater collection service rates in the Ord Community are higher than in the surrounding area because the cost of operating numerous sewer lift stations is spread across a limited number of customers. Rates are projected to increase annually to cover the increasing costs of energy and labor, and the cost of planned capital improvements to the system. Rate increases are published and adopted following the Proposition 218 process. Note that the proposed action will not affect how the rates are established in the Ord Community.

- d. What measures have been taken to solicit public comment on the proposal?

There have been numerous public and MCWD Board meetings on this proposed annexation and SOI proposal, all posted on the MCWD website at http://mcwd.org/governance_meetings.html. The NOI was posted at the MCWD facilities located at 11 Reservation Road, and on http://mcwd.org/governance_annexation.html. The Notice of Intent (NOI) to adopt the Draft IS/ND was published on December 30, 2017 in the Monterey Herald, and the NOI was posted with the Monterey County Clerk, the State Clearinghouse, and the Monterey, Seaside, and Marina Public Libraries. The Draft IS/ND was distributed for a 30-day public review period. MCWD held a public hearing on the proposed annexation on January 23, 2018 and adopted the project and IS/ND on February 20, 2018. For a number of years, MCWD and LAFCO have received numerous requests for the annexation to be completed so that customers may have voting rights within the District.

- e. Would this proposal result in inferior public services being provided to an area where there is a concentration of low-income or ethnic groups?

No. Existing service is already provided. All customers in the proposal area would have access to the facilities and services.

- f. Are there any adjacent neighborhoods that might benefit from the agency's services that could be included in the proposal? If so, what are the demographics for this area and why were they excluded?

The proposal excludes the neighboring protected open space areas of the former military base, per LAFCO request during the 2011 MCWD Draft IS/ND public comment period. Additionally, neighboring areas that are not currently approved for development or currently entitled are not included in the proposed SOI and annexation. The proposal also designates a "Future Study Area" including future development parcels located in the Cities of Del Rey Oaks, Monterey, and Seaside, unincorporated Monterey County, and in the Ord Community. While the Future Study Area includes areas identified for future development under the Fort Ord Reuse Plan, development of these areas is

not anticipated in the near term. Other areas in the Future Study Area are included because there may be uncertainty regarding service providers or overlapping service jurisdictions in portions of these areas. Specifically, the former Fort Ord area within the City of Del Rey Oaks is within the SCSD service area for wastewater collection service. Further study would need to be completed prior to changing existing or proposed service providers under approved LAFCO designations and thus this designation provides for review and agreement by MCWD, SCSD, affected jurisdictions and LAFCO.

- g. Please provide a listing of the members of the City Council or District Board of Directors for the subject agency, and include the gender and ethnicity of each member.

District Board Member	Gender	Ethnicity
Howard Gustafson	Male	Ethnicity Not Stated
Dr. Thomas D. Moore	Male	Ethnicity Not Stated
William Lee	Male	Ethnicity Not Stated
Jan Shriner	Female	Ethnicity Not Stated
Herbert Cortez	Male	Ethnicity Not Stated

- h. Are members elected or appointed? If elected, please note whether elections are by district or at-large.

The District is governed by a five-member Board of Directors who are elected at-large by the voters to serve four-year terms.

- h. How long is the term of office?

4 years

- i. How will the voting rights of persons in the affected territory be affected?

The proposed project will provide customers that are registered to vote within the MCWD boundary the ability to vote for, and run for, the MCWD Board of Directors. In general, voting rights will be gained by the annexation, and denying the application will reduce voting rights for the persons within the District who are not now allowed to vote for representation on the Board or to run for office at the MCWD District.

ADDITIONAL INFORMATION

Any further information, comments, or justification you wish to make that may be helpful in the Commission's review of the proposal:

Prepared by:

Title:

Signed: _____

Date:

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Attachment 3A
Responses to Sphere of Influence Policies and Criteria

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KATE McKENNA, AICP
Executive Officer

Application Attachment A:
Responses to Sphere of Influence Policies and Criteria
(LAFCO Policies and Procedures, Part C)

CONFORMANCE TO LAFCO LEGISLATIVE REQUIREMENTS AND POLICY GUIDELINES

1. Please provide proposal-related information corresponding to the following legally mandated elements of a LAFCO's written determinations for Spheres of Influence (*California Government Code Section 56425(e)* and *LAFCO Policies and Procedures, Part C.1.3*)

- a. The present and planned land uses in the area, including agricultural and open space lands.

There are a number of area plans, general plans, and zoning designations that identify present and planned land uses in the proposal area. As stated in the adopted IS/ND, the 1997 Fort Ord Reuse Plan is the guiding document which governs the redevelopment of the former Fort Ord. However, three local jurisdictions also have general plans with policies and designations over the subject territory. These include the County of Monterey, and the cities of Marina and Seaside. The Fort Ord Reuse Plan and the area jurisdictions' planning documents provide land use designations and zoning. These planning documents identify the range of land use categories, density standards, and permitted uses for land within the boundaries of the former Fort Ord within the proposal area.

Applicable land use designations include residential use designations, mixed use and commercial designations, retail uses, visitor serving/open space/recreation/habitat management, institutional and public facilities, and community right-of-ways. No changes to land uses are proposed as MCWD has no authority over land uses. Figure 4 of the adopted IS/ND contains an updated land use map per the 1997 Fort Ord Reuse Plan.

Figure 5 of the adopted IS/ND provides a graphical depiction of major developments within the former Fort Ord. Furthermore, existing operations and future plans for additional infrastructure and water service to the District's service areas, including the proposed service area expansion areas, are described and considered in the following documents:

- Fort Ord Reuse Plan (Reuse Plan) Environmental Impact Report (EIR) (FORA, 1997), and 2012 Reuse Plan Reassessment.
- Wastewater Master Plans: Ord Wastewater System Master Plan and Marina Wastewater System Master Plan (February 2005), MCWD Sewer System Management Plan (SSMP) (February 2017).
- Water Master Plans: Marina Water Systems Master Plan (February 2007).
- RUWAP EIR (MCWD, 2004, as amended in 2006, 2007 and 2016).

- PWM/GWR Project EIR (MRWPCA 2015).
- 2015 Urban Water Management Plan (MCWD, June 2016).
- MCWD Five Year Capital Improvement Plan (CIP) (June 2017) and FORA CIP (2017).
- Water Supply Assessments prepared for Ord Community Projects and adopted by the MCWD Board in compliance with the Water Code.

b. The present and probable need for public facilities and services in the area.

As described in the adopted IS/ND, MCWD already serves the Ord Community as outlined in the Water/Wastewater Facilities Agreement between FORA and MCWD (1998) as further described in the Assignment of Easements on Former Fort Ord and Ord Military Community, County of Monterey, and Quitclaim Deed for Water and Wastewater Systems, between FORA and MCWD, dated October 24, 2001. The Proposed Project will provide customers that are registered to vote within the MCWD boundary the ability to vote for, and run for, the MCWD Board of Directors.

c. The present capacity of public facilities and the adequacy of public services which the agency provides or is authorized to provide.

As outlined in the adopted IS/ND, the MCWD has detailed reports outlining its adequate capacity to meet existing and project future water and wastewater needs for its services in the proposed areas. The MCWD's 2015 Urban Water Management Plan (UWMP), Water and Wastewater Master Plans, 2016 Five-year Capital Improvement Program (CIP), MCWD 2017 Sewer System Management Plan (SSMP), provides an overview of system management. The CIP/Master Plan and District budgets provide documentation for securing the physical and financial mechanisms for providing improvements required to meet future wastewater supply demand.

d. The existence of any social or economic communities of interest in the area.

Not Applicable.

e. (For an update of a Sphere of Influence of a City or Special District that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection): The present and probable need for those public facilities and services of any disadvantaged unincorporated communities ("DUCs") within the existing Sphere of Influence. *Note: No response needed at present. LAFCO staff will identify DUCs in MCWD's existing service area, to address this question, after the application is on file. Because MCWD already provides service to any DUCs that may exist within its existing sphere/boundaries, this question is less essential than in some other situations).*

2. Please summarize how this Sphere of Influence proposal will further each of the following adopted LAFCO objectives for Spheres of Influence (*LAFCO Policies and Procedures, Part C.II.1*)

- Discourage urban sprawl
- Limit proliferation of local governmental agencies
- Encourage efficiency, economy and orderly changes in local government
- Promote compact, community centered urban development
- Minimize adverse impacts on lands classified as prime agriculture

MCWD proposed to seek LAFCO approval to amend its SOI and to annex areas that are already being served by MCWD to provide customers that are registered to vote within the MCWD boundary the

ability to vote for, or and run for, the MCWD Board of Directors. These factors are addressed within the attached Appendix B – Consistency Analysis, Tables B-2 and B-3, of the adopted IS/ND which present a LAFCO policy Analysis for MCWD’s proposed SOI amendment and annexation.

3. Is the area of the proposed Sphere of Influence modification located near the boundary (or Sphere of Influence) of any other agency that provides similar services? If so, please briefly describe both agencies’ service and financial capabilities, social and economic interdependence, topographic factors, and the effect that eventual service extension may have on adjacent agencies. (*LAFCO Policies and Procedures, Part C.II.5*)

As outlined in Appendix B, Table B-2 of the adopted IS/ND, the Seaside County Sanitation District (SCSD) has annexed a portion of lands within the Former Fort Ord in the City of Del Rey Oaks into its service area for wastewater collection service as identified in Figure 8 of the adopted IS/ND. This area has been specifically excluded from the proposal and designated a “Future Study Area”, in consideration that future water service will be necessary when development occurs in these areas. For wastewater service for these areas, there is no current proposal for MCWD to annex the Future Study Areas or include them in the SOI. Currently, engineering studies have been performed on this area by both SCSD and MCWD, and future agreement on the service provision within the Future Study Area will be determined by the affected agencies.

Both MCWD and SCSD have separately considered annexing overlapping portions of the former Fort Ord. Recognizing this overlapping interest, MCWD and SCSD worked over several months to develop a draft agreement that would eliminate SCSD’s interest in filing an overlapping application. Upon subsequent discussions, SCSD expressed that it would prefer a simpler Memorandum Of Understanding (MOU) regarding key points of agreement to achieve the goal of eliminating the potential overlap versus completing a more complex agreement. MCWD and SCSD then finalized a simpler MOU document, and the MCWD Board approved the MOU on July 16, 2018 with expectation that SCSD would follow with its approval in July 2018 (see Attachment 7G). The MOU states that SCSD agrees that it will not object or oppose MCWD LAFCO proposal annexing any lands within MCWD’s Ord Community service area into MCWD’s jurisdiction boundaries for water, reclaimed water, and wastewater. Following MCWD Board approval of the MOU, at the request of the City of Seaside, SCSD tabled the MOU until the Cities of Seaside and Del Rey Oaks could first negotiate a more complex agreement. As a means to facilitate final agreement, on September 6, 2018, MCWD provided SCSD with yet another agreement, a draft Service Agreement, that comprehensively addresses water and wastewater service to their respective cities within the former Fort Ord for present day and for when the Fort Ord Reuse Authority sunsets. While there has been no response from SCSD to date on the draft Service Agreement, MCWD remains optimistic that an agreement can be reached, either by SCSD approval of the MOU already approved by the MCWD Board, or eventual approval of the draft Service Agreement which is more comprehensive, but still contains all the key points of agreement in the MOU. Therefore, this area is included in the current Proposed Project. MCWD owns and maintains the water and wastewater infrastructure in this area and serves this area. It is the intent of MCWD to continue serving their current customers, as it is consistent with relevant LAFCO policy, including policies pertaining to overlapping service areas.

Additionally, two regional water management agencies have jurisdiction over groundwater production in the vicinity of the MCWD. The Monterey County Water Resources Agency (MCWRA) is responsible for regulation and supply of water from the Salinas Valley Groundwater Basin (SVGB) the source supply for the MCWD. The Monterey Peninsula Water Management District (MPWMD) is responsible for regulation and supply of water from the Seaside groundwater basin. Areas within the MPWMD jurisdictional boundary are within the areas proposed for annexation by MCWD. However, the SVGB aquifer only extends into the northern and eastern portions of the Ord Community, so MCWD wells cannot be relocated into the cities of Seaside, Del Rey Oaks, or Monterey within the area governed by the MPWMD and in the Seaside Groundwater Basin.

4. Please summarize the proposal's consistency with city and County General Plans, plans of regional agencies, growth management policies, annexation policies, resource management policies, and any other policies related to ultimate boundary or service area of any affected agencies (*LAFCO Policies and Procedures, Part C.II.7*)

As discussed in Appendix B, the relevant City and County general plans set forth land use designations and development intensity for ultimate buildout. Each land use jurisdiction within the SOI boundaries have prepared and adopted appropriate policies to ensure consistency with the adopted plans. Plans encourage conservation of prime agricultural land and open space lands consistent with LAFCO policies.

As stated in Appendix B of the adopted IS/ND, the proposed annexation is concurrent with a SOI amendment. The changes to MCWD boundaries are consistent with the City of Seaside General Plan (2003), City of Del Rey Oaks General Plan Update (1997), City of Monterey General Plan (2005), City of Marina General Plan (2010), County of Monterey General Plan (2010), University of California Monterey Bay Education Science and Technology Master Plan (1996), California State University Monterey Bay Master Plan (Draft 2017), and California Department of Parks and Recreation, Fort Ord Dunes State Park General Plan (2004). In addition, existing operations and future plans for additional infrastructure and water service to the District's service areas, including the proposed SOI amendment and annexation areas, are described and considered in the Fort Ord Reuse Plan Environmental Impact Report (1997), Wastewater System Master Plan – Ord Community Service Area (RBF Consulting, June 2004), Marina Water Systems Master Plan (Carollo Engineers, February 2007), Regional Urban Water Augmentation Project EIR (MCWD, 2004, as amended in 2006 and 2007), and 2015 Urban Water Management Plan (MCWD, June 2016). Additionally, the MCWD's 2015 Urban Water Management Plan (UWMP), Water and Wastewater Master Plans, 2016 Five-year Capital Improvement Program (CIP), MCWD 2017 Sewer System Management Plan (SSMP), provide an overview of system management. The CIP/Master Plan and District budgets provide documentation for securing the physical and financial mechanisms for providing improvements required to meet future wastewater supply demand.

Additionally, the area is consistent with the Municipal Services Review (MSR) for the Monterey Peninsula Area (January 2007) as well as the Draft Initial Study for this proposed request which establishes the nature location and extent of the functions and classes of services provided by existing districts.

5. Please describe how the proposal will promote the long-term preservation and protection of the County's resources, including open space, recreational opportunities, wildlife, and agricultural land. (*LAFCO Policies and Procedures, Part C.II.9*)

As discussed in Appendix B, Table B-2 of the adopted IS/ND the vast majority of the Proposed Project areas proposed for annexation are already developed, served by MCWD, and do not contain any prime agricultural land. Open space land was specifically excluded in the Proposed Project, and adequate mitigation exists to comply with wildlife protection policies. Existing recreational land will not be impacted due to existing planning documents and land use restrictions in policy and conveyance documents.

ADDITIONAL POLICIES RELATING TO THE FORMER FORT ORD AREA

If the proposal includes any territory located within the former Fort Ord, please summarize the proposal's conformance to the following adopted guidelines (*LAFCO Policies and Procedures, Part C.VII*).

1. LAFCO encourages sphere proposals that will facilitate initial development efforts which focus on existing facilities and developed area; locate future urban uses adjacent to existing urban areas; phase development based on the availability of urban services and infrastructure; create a positive jobs/housing balance; provide fiscal resource capabilities; and lead to urban patterns that complement

objectives and goals of air quality, transportation, and housing plans of affected local and regional agencies.

As stated in Appendix B, Table B-2, the District currently provides water, wastewater, and recycled water service to the former Fort Ord (Ord Community) as outlined in the Water/Wastewater Facilities Agreement between FORA and MCWD (1998) and as further described in the Assignment of Easements on Former Fort Ord and Ord Military Community, County of Monterey, and Quitclaim Deed for Water and Wastewater Systems, between FORA and MCWD, dated October 24, 2001 (Appendix A of the Draft IS/ND). The annexation of both the Ord Community and City of Seaside is proposed to add all customers currently served under the service agreements with FORA and the U.S. Army into the District's Service Area and to provide an acceptable and fair governance structure for those receiving water and wastewater service from the District. Thus, MCWD amendment to its SOI and annexation proposal is focused on areas that are already being served by MCWD consistent with LAFCO policy directive above ("to focus on existing facilities and developed area"). All annexation and SOI amendment areas are within existing or "future urban uses adjacent to existing urban areas". Existing service provision and MCWD documents cited above (2015 Urban Water Management Plan, Water and Wastewater Master Plans, 2016 Five-year CIP, and 2017 SSMP), provide documentation on the "availability of urban services and infrastructure" and "fiscal resource capabilities". See responses above regarding land use agencies planning documents and consistency. MCWD is not a land use agency although the proposal for SOI and annexation is consistent with adopted plans of affected local and regional agencies.

2. LAFCO will encourage sphere proposals that consider region-wide goals with local agencies' ability to provide service. LAFCO will encourage sphere proposals that promote equitable distribution of the costs of regional facilities, related benefits, and cover all service impacts.

As stated in Appendix B, Table B-2, the proposal is consistent with region-wide goals as laid out in the Fort Ord Reuse Plan, applicable County and City General Plans, MCWD's 2016 Five-year Capital Improvement Program (CIP), MCWD 2017 Sewer System Management Plan (SSMP), and the 2015 UWMP. Furthermore, the proposal promotes equitable distribution of costs. Water service rates in the Ord Community are comparable to the surrounding area (higher than in Central Marina or Salinas, but lower than in Seaside or Monterey). Wastewater collection service rates in the Ord Community are higher than in the surrounding area due to the cost of operating numerous sewer lift stations is spread across a limited number of customers. Rates are projected to increase annually to cover the increasing costs of energy and labor, and the cost of planned capital improvements to the system. Rate increases are published and adopted following the Proposition 218 process. Note that the proposed action will not affect how the rates are established in the Ord Community.

3. LAFCO, in recognition of the mandated requirements for considering impacts on open space lands and agricultural lands, will develop and determine Spheres of Influence for Cities and urban service districts in such a manner as to balance the need to promote cost-effective logical urban expansion and economic recovery with the objective of promoting the long-term preservation and protection of this County's "Resources." LAFCO believes the public interest will be best served by considering "Resources" in a broad sense to include open space, recreational opportunities, wildlife, agricultural land, and fiscal resources.

As stated in Appendix B, Table B-2, lands designated as open space or habitat reserve were specifically not included in this proposal; all lands proposed for annexation are currently entitled or are already developed and served by the District. See also: Response to 5 (related to LAFCO Policies and Procedures, Part C.II.9), above.

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Attachment 3B
Plan for Providing Services

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KATE McKENNA, AICP
Executive Officer

Application Attachment B:
Plan for Providing Services Within the Affected Territory
(LAFCO Policies and Procedures, Part D.VII.4)

Please provide a plan for providing services. The plan shall include all of the following information.

- (a) An enumeration and description of the services to be extended to the affected territory.
The proposed project consists of a proposed SOI amendment and annexation to areas currently under service by MCWD (or District). The District holds title to all of the water, sewer and recycled water infrastructure within the Ord Community.
- (b) The level and range of those services.
The District currently provides municipal water service and wastewater collection service. Water service includes domestic, irrigation and fire supply. It is currently constructing a recycled water delivery system to serve urban landscape irrigation.
- (c) An indication of when those services can feasibly be extended to the affected territory.
The District currently provides the water, sewer and recycled water facilities within the Ord Community and service is current. No extension is required.
- (d) An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed. Please refer to and complete all applicable subsections, below, and provide any additional information needed to adequately describe the proposed plan for providing services.
Not applicable, there would be no improvements or capacity increases through this boundary adjustment. The District has detailed Capital Improvement Plan(s) and has adequate capacity to meet existing and projected future water and wastewater needs.
- (e) Any conditions which would be imposed or required within the affected territory such as, but not limited to, improvement or upgrading of structures, roads, and sewer or water facilities.
Not applicable.
- (f) Information with respect to how those services will be financed.
Not applicable, please refer to the MCWD Capital Improvement Plan(s).

Water Service

- a. Provide a map that depicts the water system in this area.
Map is included as Enclosure A.
- b. Describe the water system, including but not limited to treatment plants, storage facilities, interagency connections, and the number of service connections.
MCWD operates a permitted community water system which serves both Central Marina and the Ord Community (SWRCB DDW Permit No. CA2710017).
The MCWD water system includes approximately 170 miles of water mains (approximately 30 miles within the Central Marina service area and 140 miles within the Ord Community service area). The

District has eight (8) water wells (three in Central Marina and five in the Ord Community), nine (9) water tanks (one in Central Marina and eight in the Ord Community), and six (6) booster pump stations (one in Central Marina and five in the Ord Community). The groundwater produced at the wells does not require treatment, but it is chlorinated before adding it to the distribution system.

The MCWD water system is interconnected with California American Water Company's (CAWC) Monterey District system near south end of General Jim Moore Blvd in Seaside. CAWC shares the potable water main in General Jim Moore Blvd south of Coe Avenue to supply their aquifer storage and recovery wells in the Seaside Groundwater Basin.

MCWD is currently constructing a recycled water main and water tank as part of the regional Pure Water Monterey project. Monterey One Water is constructing an advanced water treatment plant at their site in north Marina. Advanced treated water will be pumped through the new MCWD pipeline to supply urban irrigation (for MCWD) and groundwater injection (for the Monterey Peninsula Water Management District).

- c. Describe any factors that could limit the delivery capacity of the agency, such as storage capacity, transmission lines, etc.

Customers within the Ord Community are served by existing facilities. Delivery capacity is not restricted for current customers in the Ord Community.

- d. Describe any major system expansions that would be necessary to serve the proposal area. How will any expansions be financed?

Customers within the Ord Community are served by existing facilities. No system expansions are required for the proposed boundary change. Capital improvements are planned to increase the system capacity as redevelopment occurs in the Ord Community, and to replace equipment reaching the end of its service life. Please refer to the District's adopted 5-year Capital Improvement Projects Budget and the 2007 Marina Water System Master Plan.

MCWD finances capital projects through rates and capacity charges for new connections. The District may issue bonded debt to finance larger projects.

- e. Does the proposal have the potential to degrade surface water, reduce water quality, or limit downstream availability?

No, it does not. The area is currently served with groundwater, and wastewater from the site is conveyed to the Monterey One Water (formerly known as the Monterey Regional Water Pollution Control Agency) Regional Treatment Plant.

Sewer Service

- a. Provide a map that depicts the local agency's sewer system in the immediate area.

Map is included as Enclosure B.

- b. Describe the agency's sewer system, including but not limited to treatment plant(s) and number of service connections.

The MCWD wastewater collection system includes 112 miles of gravity sewers (approximately 40 miles within the Central Marina service area and 71 miles within the Ord Community service area). There are 4 lift stations within Central Marina and 16 lift stations within the Ord Community. Wastewater is conveyed to the Monterey One Water interceptor system and treated at the Regional Wastewater Treatment Plant in north Marina.

- c. Describe any present or proposed service agreements with other jurisdictions that would affect the area

MCWD annexed into the Monterey Regional Water Pollution Control Agency (now called Monterey One Water) system in 1989. The agreement reserved 2 million gallons per day of Average Dry Weather Flow (mgd ADWF) of treatment capacity in the Regional Treatment Plant. The U.S. Army contracted with Monterey One Water (MIW) in 1981 for the treatment of up to 3.3 mgd ADWF at the Regional Treatment Plant. In 2001, the U.S. Army conveyed the Ord Community sewer infrastructure through FORA to MCWD. That agreement also transferred 2.22 mgd ADWF of the treatment plant capacity to MCWD for the benefit of the Ord Community. The remaining 1.08 mgd

ADWF was retained for the Presidio of Monterey Annex (the portion of the Ord Community used for Army housing, offices and the post exchange complex). MCWD provides water and wastewater service to the Presidio of Monterey Annex, and that area is included in the proposed action.

- d. What is the agency's present sewage treatment capacity and outfall capacity?

The District does not operate a wastewater treatment facility. It has 5.3 mgd ADWF of capacity reserved in the Monterey One Water Regional Treatment Plant between the two service areas, including the U.S. Army share. The two areas currently produce about 2 mgd ADWF of wastewater flow.

- e. What is the agency's projected sewage treatment capacity and outfall capacity?

The District does not operate a wastewater treatment facility. It has 5.3 mgd ADWF of capacity reserved in the MIW Regional Treatment Plant. The MIW plant has a capacity of 29.2 mgd ADWF capacity, but currently treats only 16 mgd ADWF.

- f. What major sewer facilities and/or expansion of existing facilities are being considered to meet anticipated demand within the proposal area?

Customers within the Ord Community are served by existing facilities. Capital improvements are planned to increase the capacity of the Imjin Road lift station to address redevelopment in the northeast portion of the Ord Community. Other capital projects will replace equipment reaching the end of its service life. Please refer to the District's adopted 5-year Capital Improvement Projects Budget and the 2005 Ord Community Wastewater System Master Plan

- g. How will the facilities discussed above be financed?

MCWD finances capital projects through rates and capacity charges for new connections. The District may issue bonded debt to finance larger projects.

Enclosures:

Enclosure A – MCWD Water System Map

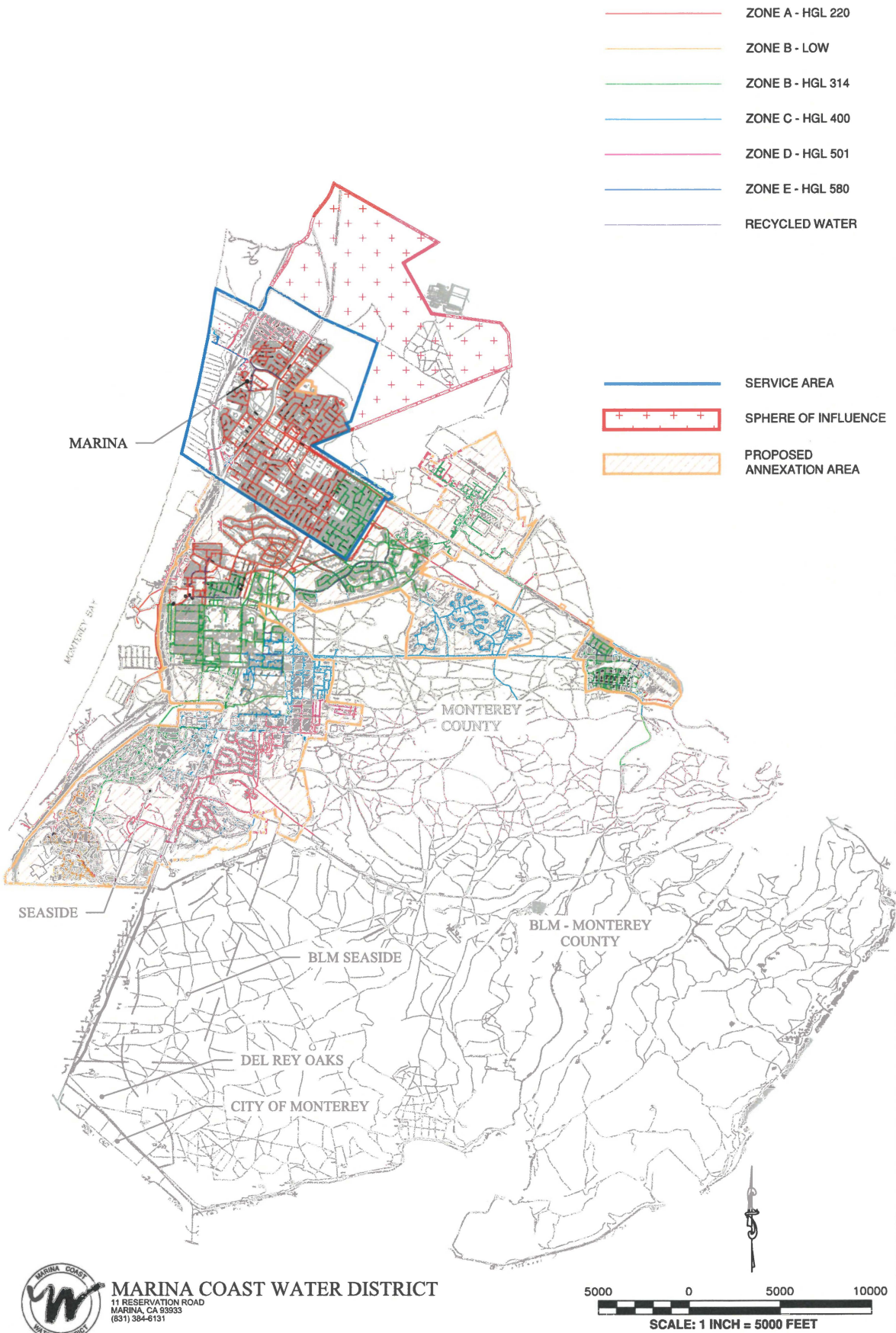
Enclosure B – MCWD Wastewater System Map

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ENCLOSURE A
MCWD Water System Map

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MCWD WATER SYSTEM



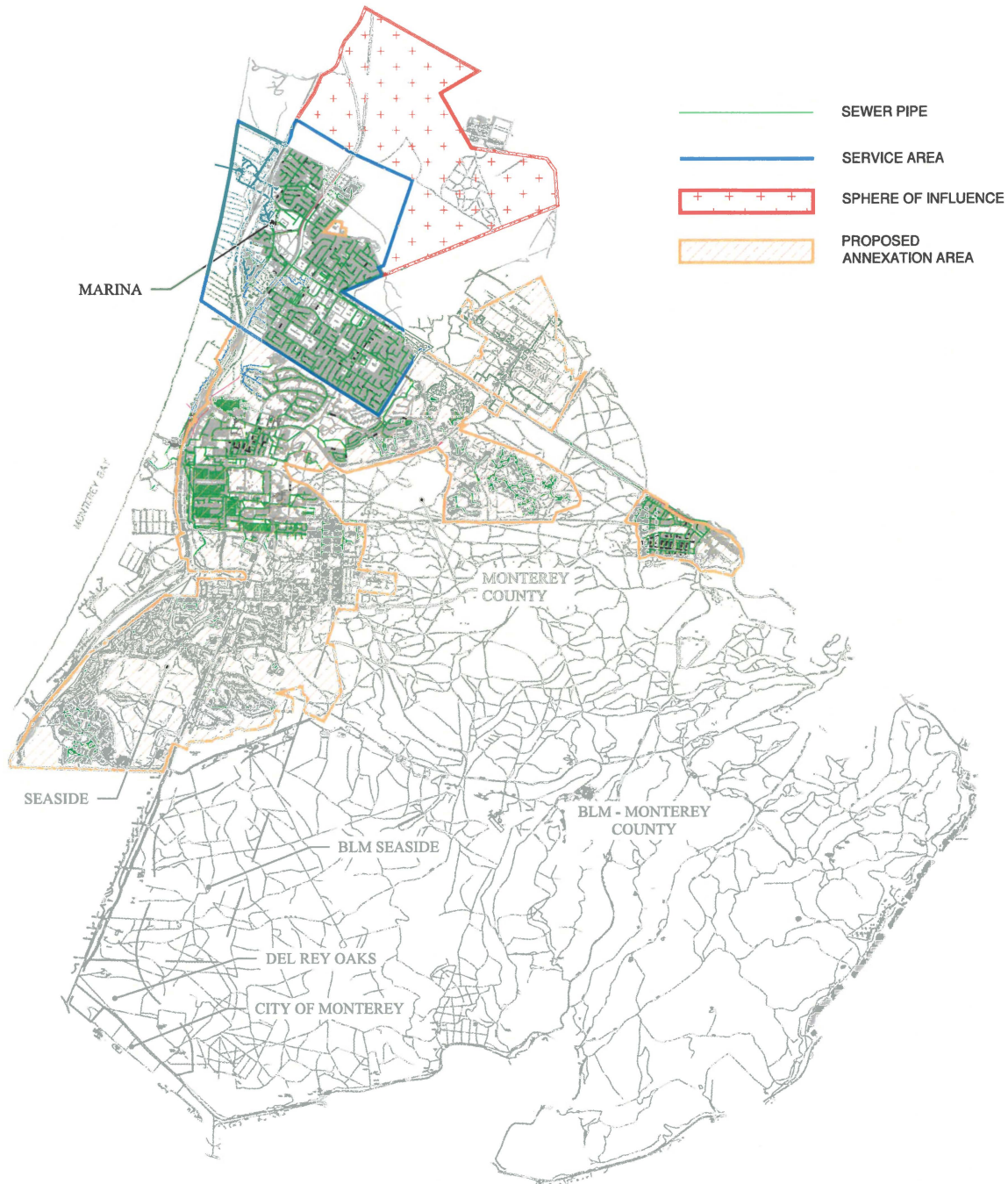
MARINA COAST WATER DISTRICT
11 RESERVATION ROAD
MARINA, CA 93933
(831) 384-6131

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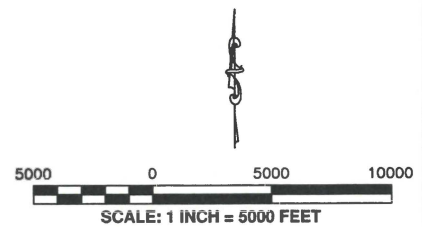
ENCLOSURE B
MCWD Wastewater System Map

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MCWD SEWER SYSTEM



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 11 RESERVATION ROAD
 MARINA, CA 93933
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Attachment 3C

Seaside County Sanitation District and

Marina Coast Water District Key Coordination Actions

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Appendix C – Seaside County Sanitation District and Marina Coast Water District Key Coordination Actions

Marina Coast Water District (MCWD) and the Seaside County Sanitation District (SCSD) have been in discussions for several years regarding the most appropriate method of providing sanitary sewer service to the southern portion of the former Fort Ord including portions of Seaside, Del Rey Oaks, and Monterey. Additionally, the MCWD Board of Directors has taken a series of actions accepting responsibility for the provision of water, wastewater, and recycled water service to the Ord Community, these actions are outlined in Appendix C of the adopted IS/ND. Key coordination actions between SCSD and MCWD have included the following:

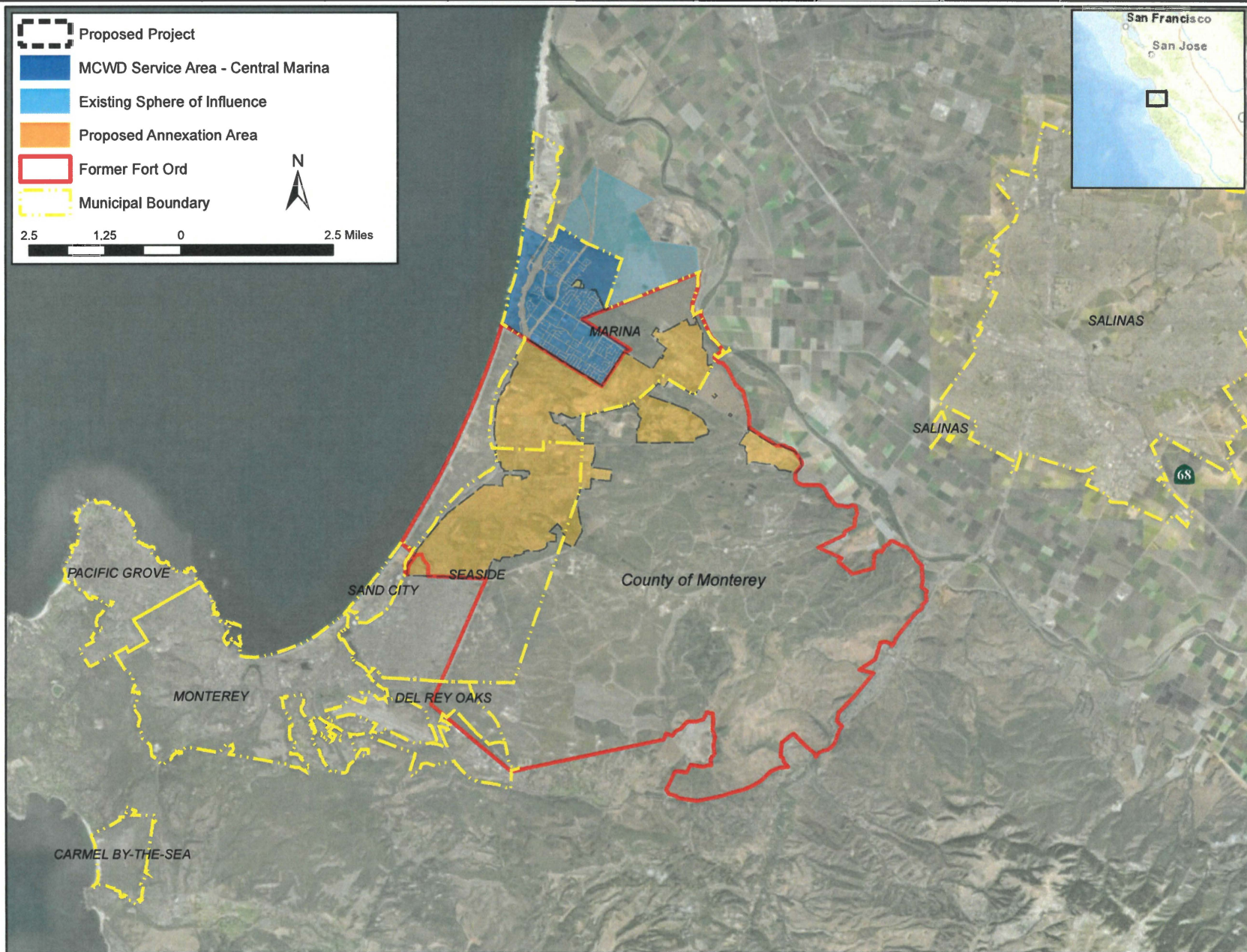
- 1998: the execution of the Water/Wastewater Facilities Agreement awarding MCWD contractual responsibility to provide water and wastewater service to the former Fort Ord.
- 1999: MCWD awarded an Economic Development conveyance from the US Army, transferring land, facilities and easements to the MCWD.
- Sept 2007: SCSD sent a letter to MCWD advising that a force main should not be considered for serving undeveloped areas within the cities of Seaside and Del Rey Oaks near General Jim Moore Boulevard, because a gravity system through Seaside is feasible to serve the area.
- 2008: Ord Community Ad-hoc Committee submitted their recommendations which was that MCWD should annex only to the Marina City Limit, and the portions of the Ord Community within the other jurisdictions may be served under wholesale or retail contract. The committee further recommended that the water and sewer infrastructure within the various jurisdictions be conveyed to those jurisdictions.
- 2009: SCSD provided a letter to the MCWD which affirmed SCSD's position that the most feasible and efficient method of providing wastewater service to the undeveloped areas of Seaside, Del Rey Oaks, and Monterey which lie within the former Fort Ord boundaries is by conveying the flows by gravity through the existing SCSD system to the regional treatment plant. The document did not indicate which entity would provide this service.
- September 2011: SCSD sent a letter to the LAFCO stating its intent to proceed with an application to expand its sphere of influence to include all areas within the current and future boundaries of the City of Seaside and the City of Del Rey Oaks for sanitary sewer services.
- October 2011: MCWD releases NOA/NOI to Adopt a Negative Declaration for the MCWD Ord Community SOI and Service Area Annexation Project.
- December 5, 2011: MCWD provides presentation at LAFCO Board on above referenced IS/ND.
- December 2011: Public comment period for the above referenced IS/ND closes.
- May 2013: SCSD Board votes to continue negotiations with MCWD on proposed boundaries, among other actions.
- May 2014: SCSD forwarded draft Engineering Report to the MCWD for review and comment.
- January 2015: MCWD provided comments on SCSD Engineering Report.
- March 2015: MCWD and SCSD staff met to discuss MCWD review comments on the draft Engineering Study.

- June 2015: MCWD submitted additional information requested for inclusion by MCWD in the draft Engineering Study.
- September 2015: SCSD sent letter to MCWD requesting coordination between SCSD, MCWD, and LAFCO and requesting both agencies prepare engineering studies for their application.
- November 2015: MCWD Board re-initiates IS/ND process.
- December 2015: SCSD sent letter to MCWD requesting coordination between SCSD, MCWD, and LAFCO and requesting both agencies prepare engineering studies for their application.
- April 2016: MCWD provided comments on SCSD Engineering Report.
- May 2017: MCWD Board received an update from staff on LAFCO possible application boundaries and approved moving forward to update the IS/ND
- June 2017: MCWD the Board approved specific modifications to the proposal boundary, including: 1) eliminated annexation of areas within Seaside County Sanitation District boundaries and assigning a “Future Study Area” designation to these areas and other areas outside existing service areas of MCWD, 2) included annexation of small islands within the MCWD current service area, and, 3) included a portion of UCMBEST in the proposal per their request.
- October 2017: MCWD Board further reviewed and approved the IS/ND Project Description.
- November 2017: MCWD Board received a copy of the Screencheck Draft IS/ND and set a date for the Public Hearing to be held on January 22, 2018. The Board also continued the meeting to allow for additional comment on the Screencheck Draft IS/ND
- December 2017: SCSD finalized their Engineering Report.
- December 2017: SCSD sent letter to MCWD requesting coordination between SCSD, MCWD, and LAFCO and requesting both agencies prepare engineering studies for their application.
- December 6, 2017: MCWD Board provided comments the Screen Check IS/ND for the Ord Community Sphere of Influence Amendment and Annexation
- December 13, 2017: MCWD, SCSD, and LAFCO meet to discuss updated MCWD IS/ND
- January 2018: SCSD Board votes to continue with LAFCO application and on MCWD, SCSD position statement.
- January 19, 2018: MCWD Public Draft IS/ND public comment period closes.
- January 22, 2018: MCWD public hearing on the IS/ND.
- February 20, 2018: MCWD Board votes to adopt the Public Draft IS/ND for the Ord Community Sphere of Influence Amendment and Annexation.
- April 17, 2018: MCWD staff files application with LAFCO.
- July 16, 2018: MCWD Board adopts Resolution No. 2018-42 to approve a Memorandum of Understanding between MCWD and SCSD to resolve the potential annexation overlap.
- September 17, 2018: MCWD Board adopts Resolution No. 2018-56 to modify Resolution No. 2018-09 by excluding certain parcels and portions of parcels from the Ord Community Sphere of Influence Amendment and Annexation Application.

Attachment 3D

Figures

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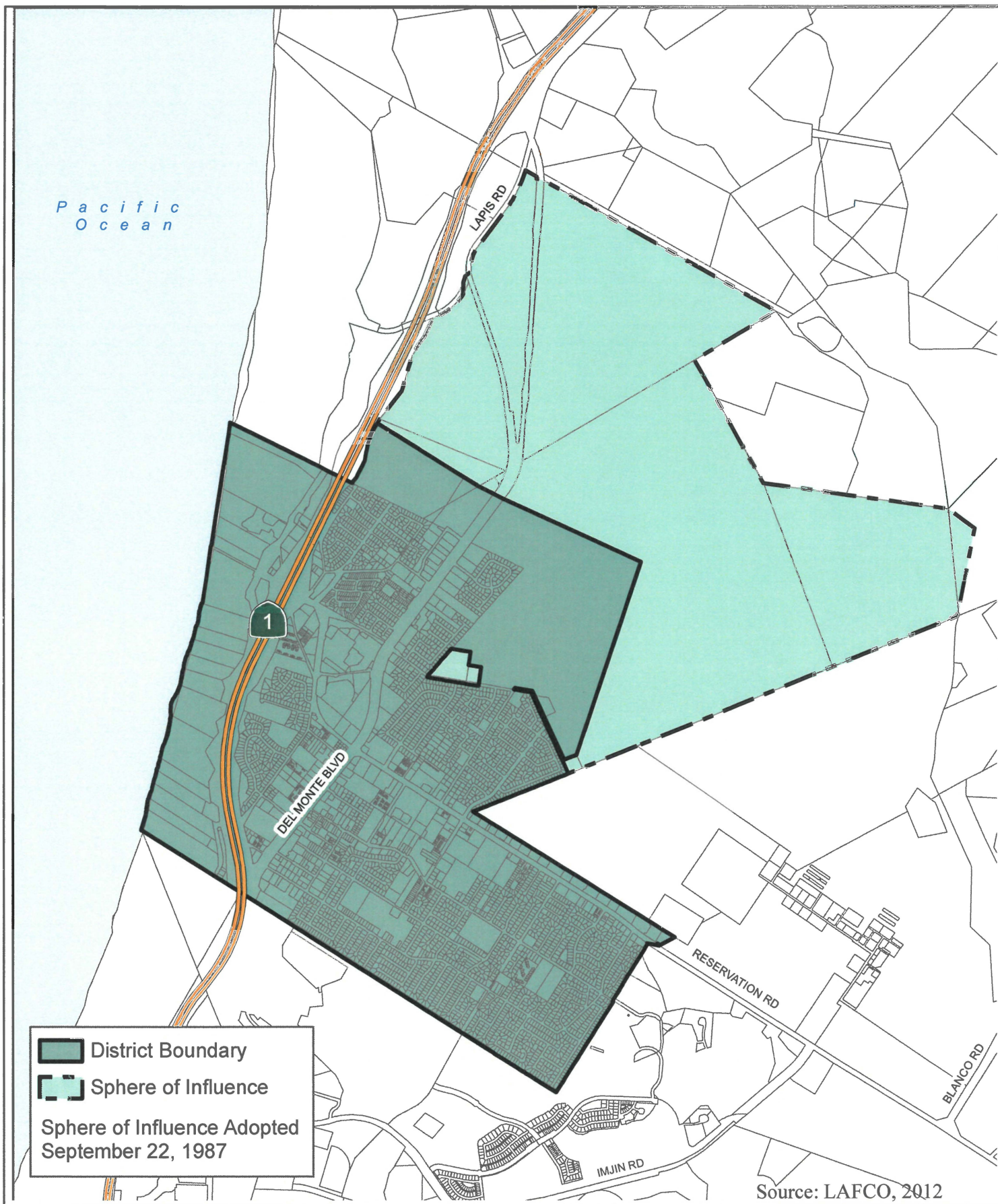
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Location Map



Monterey | San Jose
Denise Duffy and Associates, Inc.
 Environmental Consultants Resource Planners
 947 Cass Street, Suite 5
 Monterey, CA 93940
 (831) 373-4341

Figure
1



Title:

Existing MCWD Boundary and SOI Area



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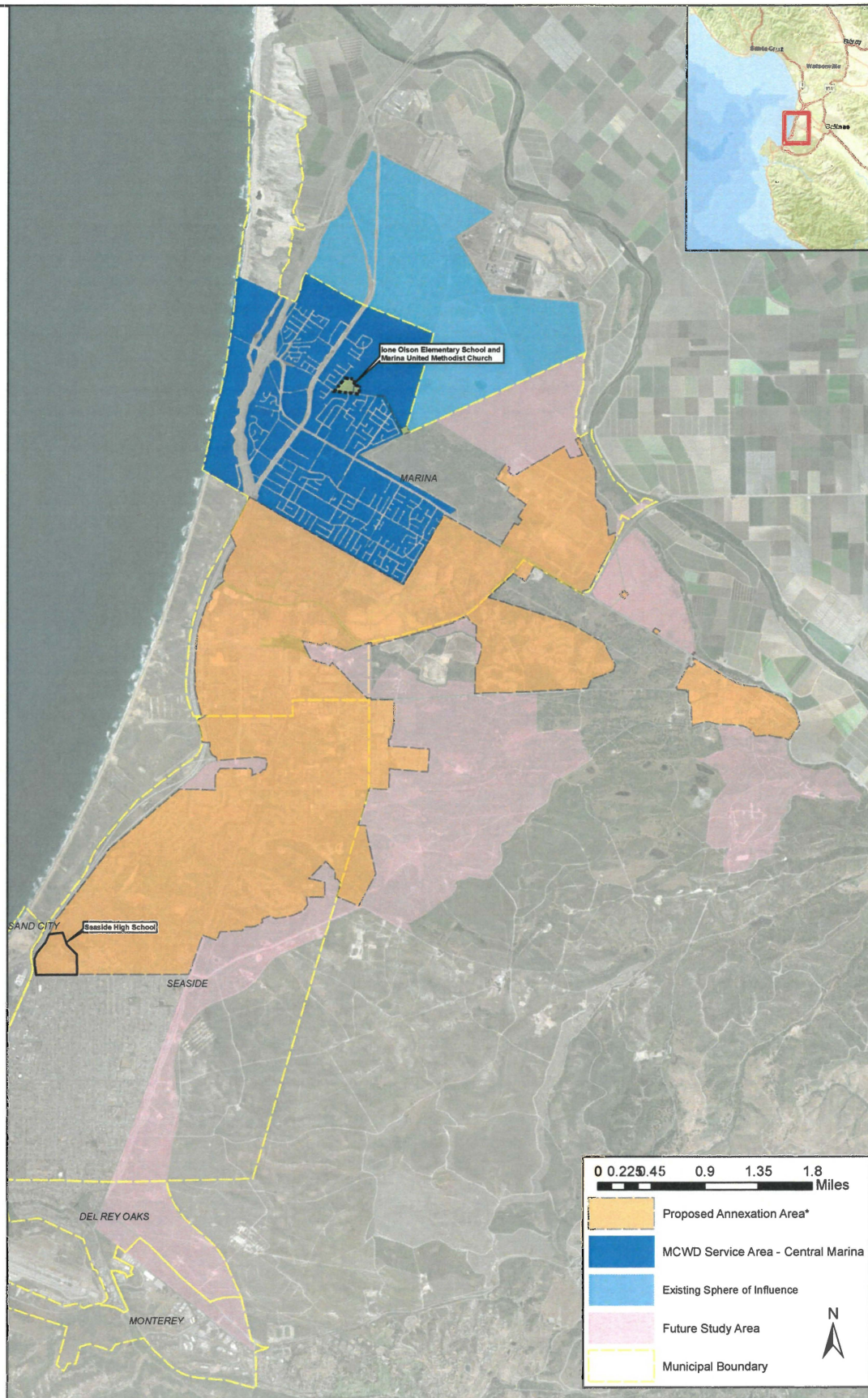
Environmental Consultants Resource Planners

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Figure

2



Document Path: D:\GIS\GIS_Projects\2010-13 MCWD Fort Ord Annex\Final Products\2017\MCWD SA Updated_forGraphics.mxd

*Service Area is coterminous with SOI Amendment Area

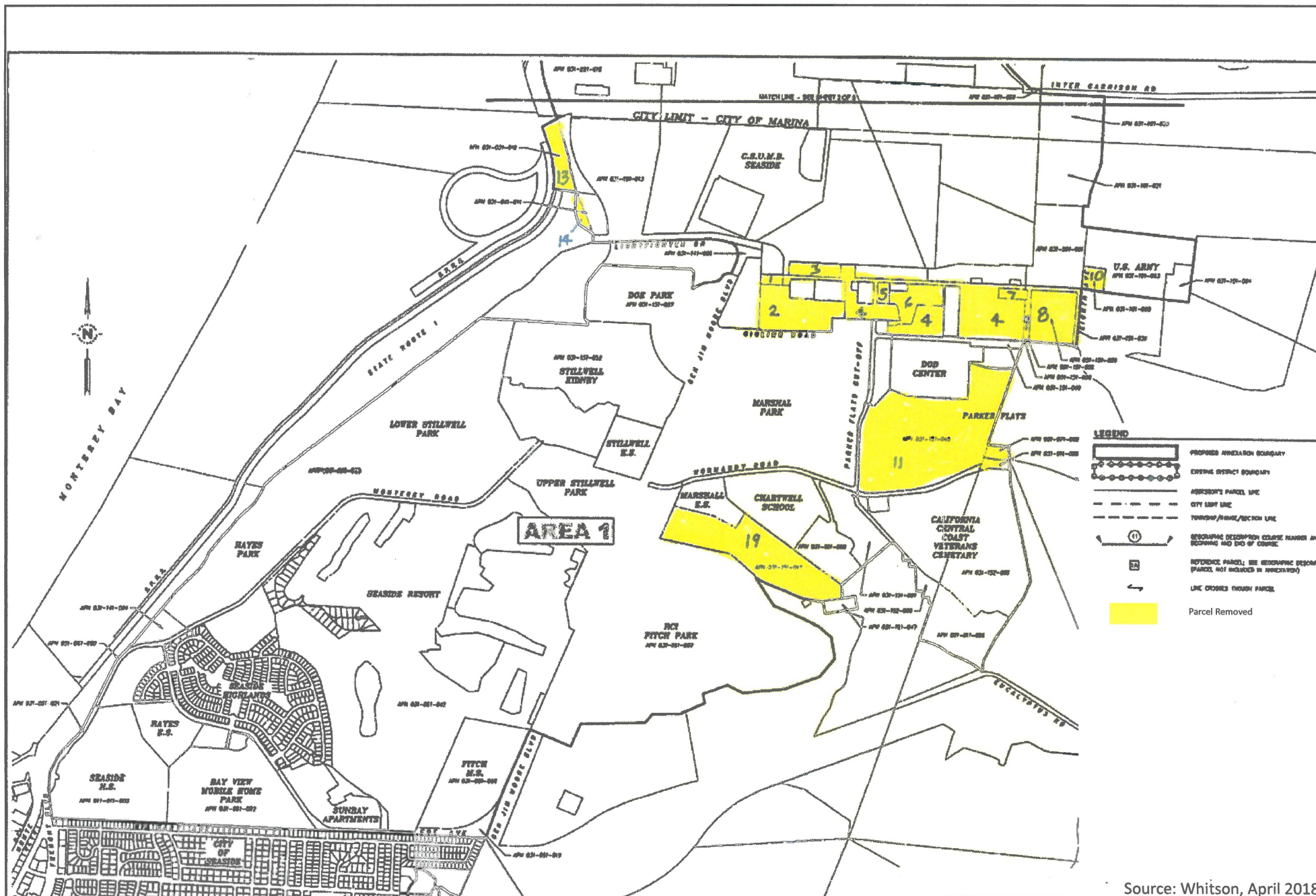
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Revised Ord Community Sphere of Influence
Amendment and Annexation Project Area
MCWD Board February 20, 2018



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Figure
3



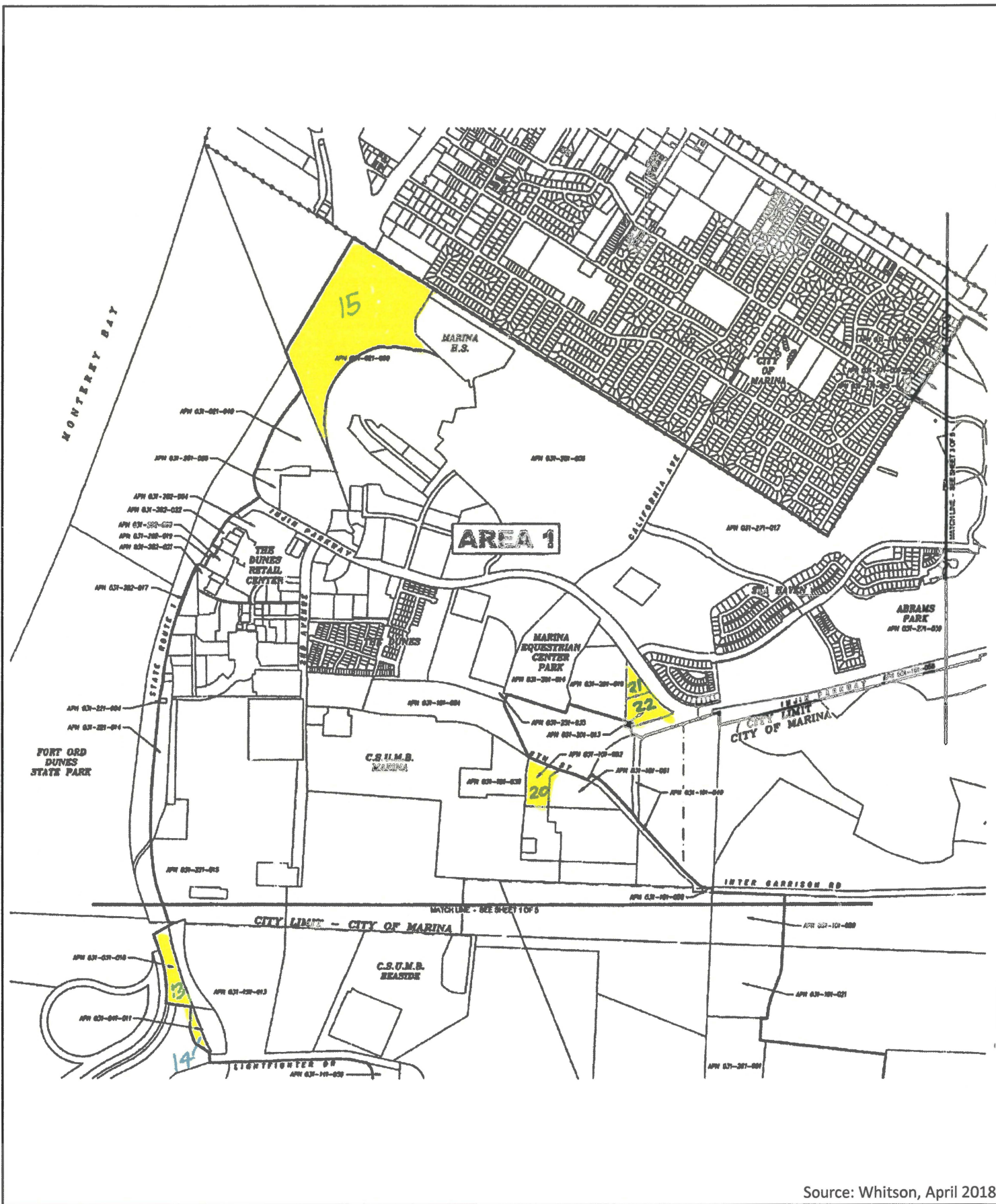
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Title:
**Settlement Agreement
 Revised Parcel Map - Area 1**



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Figure
4a



Source: Whitson, April 2018

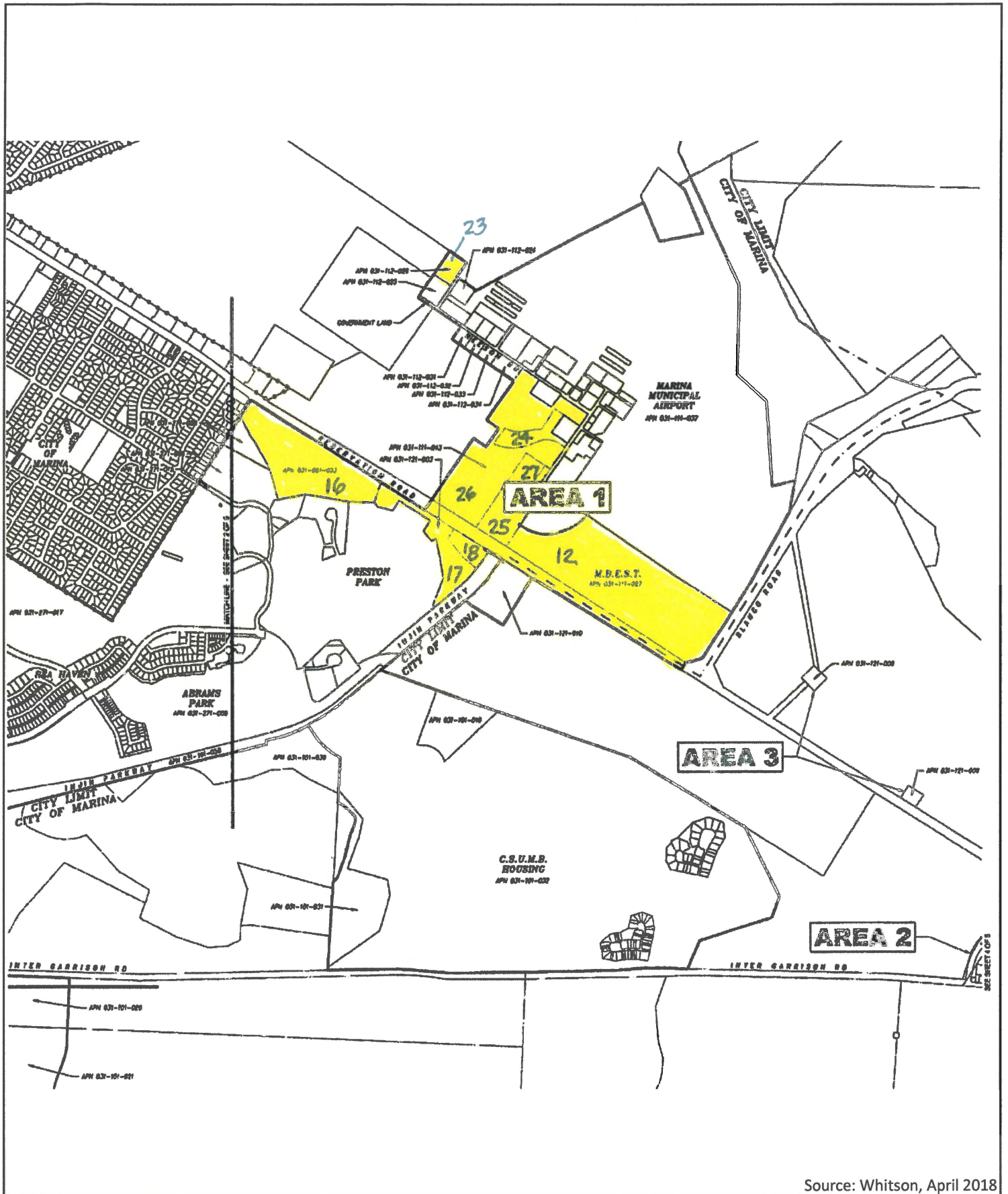
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Settlement Agreement Revised Parcel Map - Area 2



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Figure
4b



Source: Whitson, April 2018

Title:
**Settlement Agreement
 Revised Parcel Map - Area 3**



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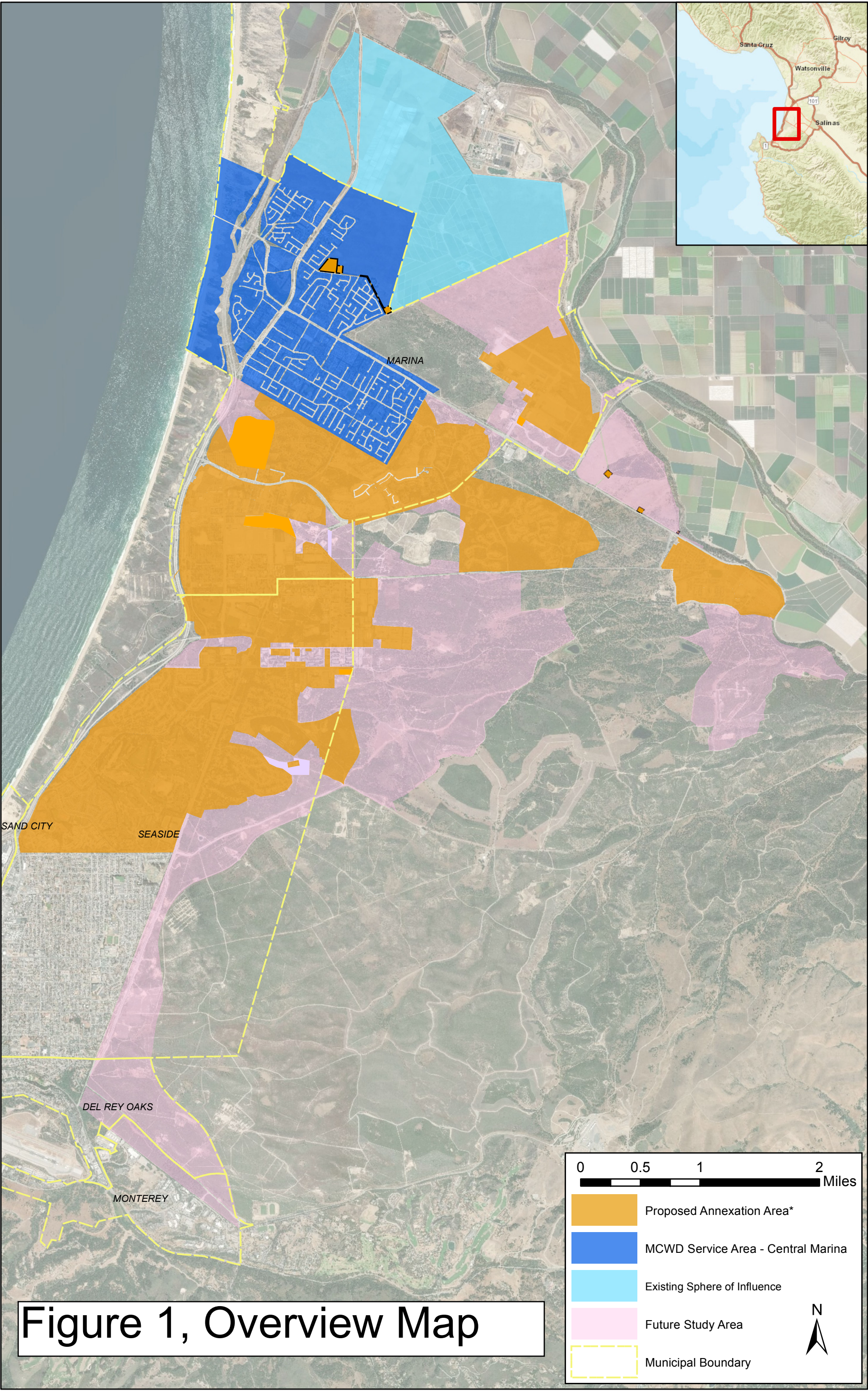
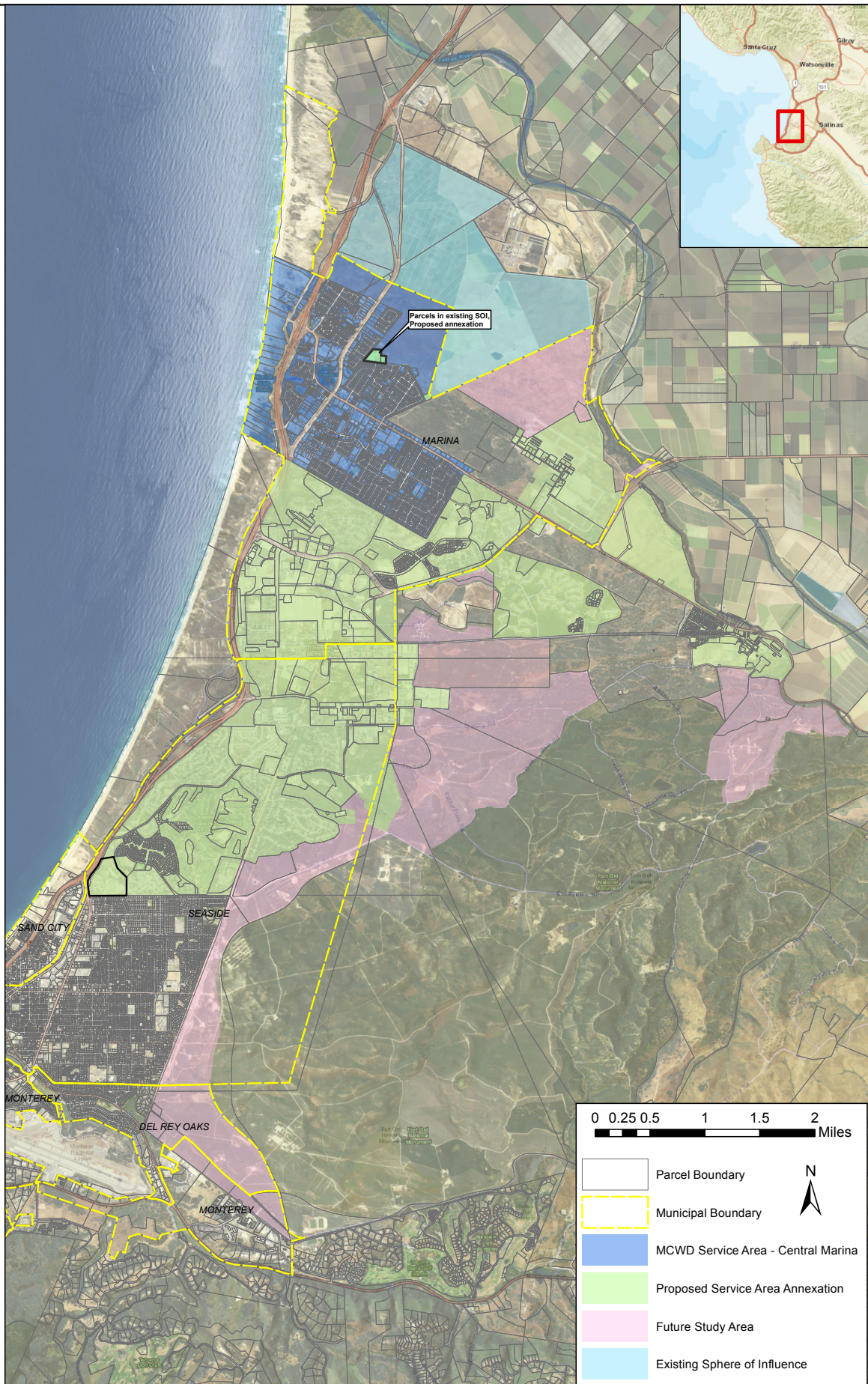


Figure 1, Overview Map



Title:

Proposed Service Area and Sphere of Influence Annexation



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Figure
 2