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**MENDOCINO**    **Local Agency Formation Commission**

Ukiah Valley Conference Center    ♦    200 South School Street    ♦    Ukiah, California 95482

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**ROUND VALLEY COUNTY WATER  
DISTRICT  
SPHERE OF INFLUENCE UPDATE**

Prepared in accordance with Government Code §56425

**Adopted- April 4, 2016**

LAFCo Resolution No. 15-16-16

Reviewed and Affirmed No Change - December 2, 2024

LAFCo Resolution No. 2024-25-06

**Resolution No. 2024-25-06  
of the Mendocino Local Agency Formation Commission**

**Approving the  
Review and Determination for the  
Round Valley County Water District Sphere of Influence**

WHEREAS, the Mendocino Local Agency Formation Commission, hereinafter referred to as the “Commission”, is authorized to conduct municipal service reviews and establish, amend, and update spheres of influence for local governmental agencies whose jurisdictions are within Mendocino County; and

WHEREAS, Government Code § 56425(g) requires that on or before January 1, 2008, and every five years thereafter, the Commission shall, as necessary, review and update the sphere of influence of each city and special district; and

WHEREAS, the Commission adopted a municipal service review evaluating the Round Valley County Water District, hereinafter referred to as the “Round Valley CWD or District”, pursuant to California Government Code Section 56430 in October 2014; and

WHEREAS, the Commission adopted a sphere of influence (SOI) update for the District pursuant to California Government Code Section 56425 by Resolution No. 2015-16-16 on April 4, 2016; and

WHEREAS, in February 2024, the Commission approved an internal process for streamlined SOI reviews of municipal service providers intended to satisfy the intent of GOV 56425(g) that requires SOIs for municipal service providers be reviewed every five years, consisting of an interview with district staff to review the previous MSR/SOI determinations, to determine whether changes in governance, finance, and services has occurred since the last review, which would warrant a comprehensive update to the previously adopted studies; and

WHEREAS, on October 16, 2024, the Executive Officer conducted an interview with the General Manager of the Round Valley CWD, reviewing the previous MSR/SOI determinations and any changes in governance, finance, and services since the last reviews; and

WHEREAS, on November 23, 2024, the General Manager of the Round Valley CWD certified the Executive Officer’s summary of information provided during the interview, concurring that no substantial changes have occurred since the 2016 SOI update; and

WHEREAS, at its regular meeting of December 2, 2024 the Commission publicly considered the report of the Executive Officer, and all oral and written comments with respect to the streamlined review of the Round Valley CWD SOI.

NOW, THEREFORE, the Mendocino Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE and ORDER the following:

1. Staff conducted an interview with Round Valley CWD staff, including reviewing the 2014 MSR and 2016 SOI determinations, finding that no substantial change in governance, finance, and services has occurred since the last review, and in so doing, satisfies the intent of GOV 56425 that requires SOIs for municipal service providers be reviewed every five years; and
2. An update (modification) to the Sphere of Influence for Round Valley CWD is not necessary; and
3. Commission affirms no change to the Round Valley CWD's 2016 Sphere of Influence and directs staff to schedule the next review for five years, or as needed.

PASSED and ADOPTED by the Mendocino Local Agency Formation Commission this 2nd day of December 2024 by the following vote:

AYES: Gonzalez, Christen, Ward, Horsley, Mulheren, Crane, McGourty

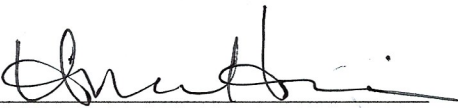
NOES:

ABSTAIN:

ABSENT:

  
MAUREEN MULHEREN, Commission Chair

ATTEST:

  
UMA HINMAN, Executive Officer

**MENDOCINO LOCAL AGENCY FORMATION COMMISSION**

**LAFCo Resolution No. 15-16-16**

**A RESOLUTION OF  
THE LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY  
APPROVING THE ROUND VALLEY COUNTY WATER DISTRICT  
SPHERE OF INFLUENCE UPDATE 2016**

WHEREAS, the Mendocino Local Agency Formation Commission, hereinafter referred to as the "Commission", is authorized to establish, amend, and update spheres of influence for local governmental agencies whose jurisdictions are within Mendocino County; and

WHEREAS, the Commission conducted an update for the Round Valley County Water District's sphere of influence pursuant to California Government Code Section 56425; and

WHEREAS, the Executive Officer gave sufficient notice of a public hearing to be conducted by the Commission in the form and manner prescribed by law; and

WHEREAS, the Executive Officer's report and recommendations on the sphere of influence update were presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at public hearings held on the sphere of influence update on September 7, 2015, November 2, 2015, December 7, 2015, February 1, 2016, and April 4, 2016; and

WHEREAS, the Commission considered all the factors required under California Government Code Section 56425.

NOW, THEREFORE, the Mendocino Local Agency Formation Commission does hereby RESOLVE, DETERMINE, and ORDER as follows:

1. This sphere of influence update has been informed by the Commission's earlier municipal service review on countywide water and wastewater services, for which the section on the Round Valley County Water District was accepted by the Commission on October 6, 2014.
2. The Commission, as Lead Agency, finds the update to the Round Valley County Water District's sphere of influence is exempt from further review under the California Environmental Quality Act pursuant to California Code of Regulations Section 15061(b)(3). This finding is based on the Commission determining with certainty the update will have no possibility of significantly effecting the environment given no new land use or municipal service authority is granted.
3. The Round Valley County Water District confirmed during the review of its sphere of influence that its services are currently limited to flood control and stream restoration services. Accordingly, the Commission waives the requirement for a statement of services prescribed under Government Code Section 56425(i).
4. This sphere of influence update is assigned the following distinctive short-term designation: "Round Valley County Water District Sphere of Influence Update 2016"

5. Pursuant to Government Code Section 56425(e), the Commission makes the written statement of determinations included in the Round Valley County Water District Sphere of Influence Update report, hereby incorporated by reference.
6. The Executive Officer shall revise the official records of the Commission to reflect this update of the Round Valley County Water District sphere of influence.

BE IT FURTHER RESOLVED that the Round Valley County Water District's sphere of influence is affirmed to remain coterminous with the District boundary, as depicted in Exhibit "A".

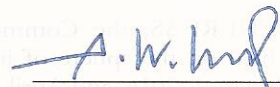
The foregoing Resolution was passed and duly adopted at a regular meeting of the Mendocino Local Agency Formation Commission held on this 4<sup>th</sup> day of April, 2016, by the following vote:

AYES: *Brown, Doble, Hammerstrom, McCowen, McVerlin, Ward*

NOES: *Silver (objecting to removal of draft dates on final document.)*

ABSTAIN: *none*

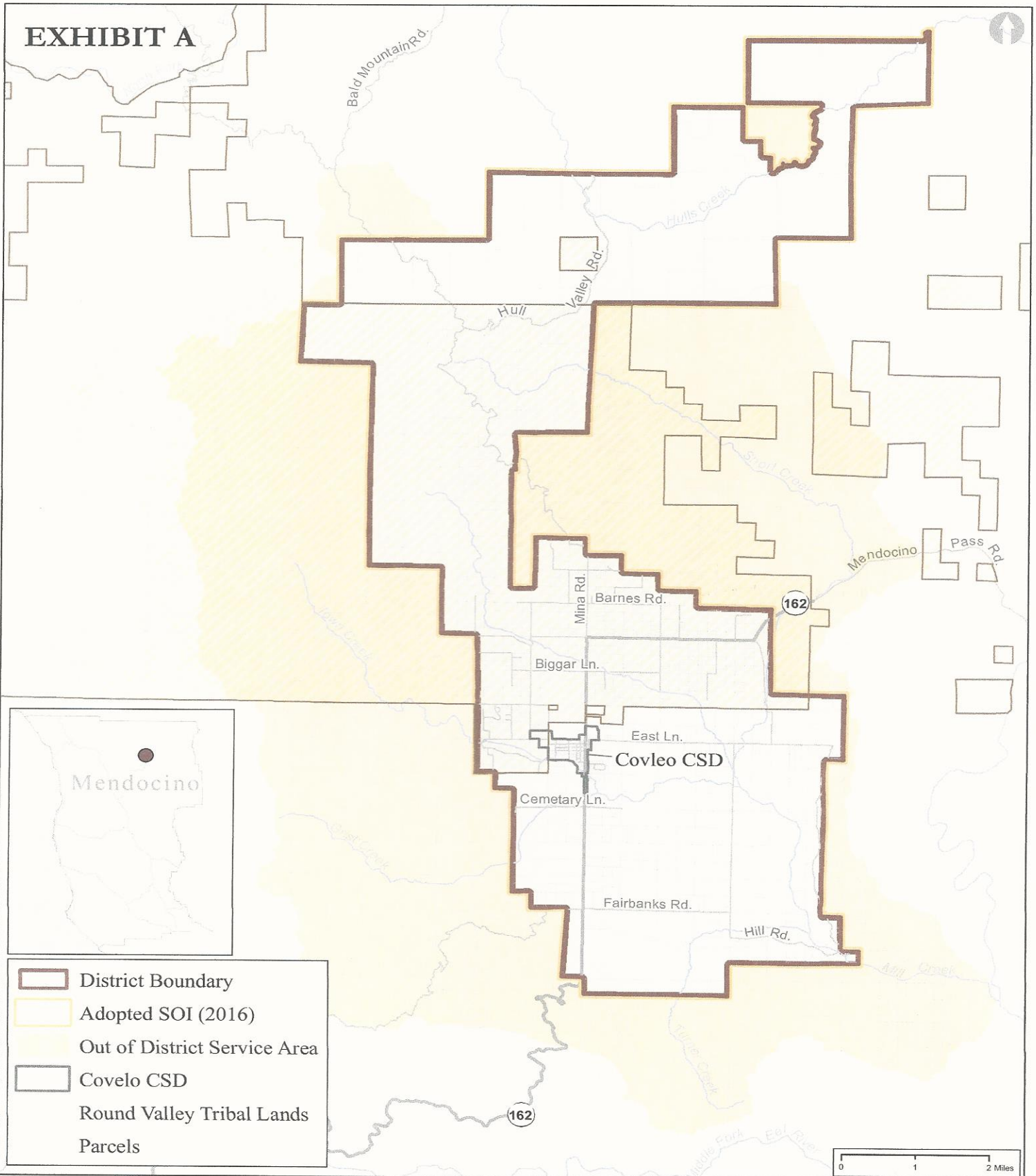
ABSENT: *Madrigal*

  
\_\_\_\_\_  
JERRY WARD, Chair

ATTEST:

  
\_\_\_\_\_  
GEORGE WILLIAMSON, Executive Officer

# EXHIBIT A



## Round Valley County Water District

LAFCo Resolution No. 15-16-16

04-04-16

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Prepared for  
Mendocino LAFCo by: **PLANWEST PARTNERS, INC.**  
Date: 3/29/2016

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## **INTRODUCTION**

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### **OVERVIEW**

This update is prepared in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act (CKH Act) which states, “In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local government agencies so as to advantageously provide for the present and future needs of the county and its communities, LAFCo shall develop and determine the Sphere of Influence (SOI) of each local governmental agency within the county” (GC §56425). A “SOI” is defined under the CKH Act as “.... a plan for the probable physical boundaries and service area of a local (government) agency” (GC §56076).

Decisions on organizational changes must be consistent with the SOI boundary and determinations. The adopted SOI is used by LAFCo as a policy guide in its consideration of boundary change proposals affecting each city and special district in Mendocino County. Other agencies and individuals use adopted SOIs to better understand the services provided by each local agency and the geographic area in which those services will be available. Clear public understanding of the planned geographic availability of urban services is crucial to the preservation of agricultural land and discouraging urban sprawl.

The following update will assess and recommend an appropriate Round Valley County Water District Sphere of Influence (SOI). The objective is to update the Round Valley County Water District (Round Valley CWD or District) SOI relative to current legislative directives, local policies, and agency preferences in justifying whether to (a) change or (b) maintain the designation. The update draws on information from the Round Valley CWD Municipal Services Review (MSR), which includes the evaluation of availability, adequacy, and capacity of services provided by the District.

### **REVIEW PERIOD**

SOI reviews and updates typically occur every five years, or as needed. A local agency’s services are analyzed with a twenty year planning horizon, and a sphere is determined in a manner emphasizing a probable need for services within the next 5-10 years. Actual boundary change approvals, however, are subject to separate analysis with particular emphasis on determining whether the timing of the proposed action is appropriate.

### **EVALUATION CONSIDERATIONS**

When updating the SOI, the Commission considers and adopts written determinations:

#### **Sphere Determinations: Mandatory Written Statements**

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1. Present and planned land uses in the area, including agricultural and open space

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  2. Present and probable need for public facilities and services in the area

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  3. Present capacity of public facilities and adequacy of public services the agency provides or is authorized to provide

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  4. Existence of any social or economic communities of interest in the area if the commission determines they are relevant to the agency

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  5. If the agency provides services related to water, sewer, or fire, then the present and probable need for these services by any disadvantaged unincorporated communities within the existing sphere should be considered
-

Policies specific to Mendocino LAFCo are also considered along with determinations in administering the CKH Act in Mendocino County. This includes considering the merits of the SOI, or any changes, relative to the Commission’s seven interrelated policies, as listed below, with respect to determining the appropriate SOI.

**General Guidelines for Determining Spheres of Influence**

The following is excerpted from *Mendocino LAFCo’s 2016 Policies and Procedures*, “Chapter 9: Spheres of Influence, MSRs, and Special Studies”:

**Section 1. Spheres of Influence**

*Reduced Spheres*

The Commission shall endeavor to maintain and expand, as needed, spheres of influence to accommodate planned and orderly urban development. The Commission shall, however, consider removal of land from an agency’s sphere of influence if either of the following two conditions apply:

- o the land is outside the affected agency’s jurisdictional boundary but has been within the sphere of influence for 10 or more years; or
- o the land is inside the affected agency’s jurisdictional boundary but is not expected to be developed for urban uses or require urban-type services within the next 10 years.

*Zero Spheres*

LAFCo may adopt a “zero” sphere of influence encompassing no territory for an agency. This occurs if LAFCo determines that the public service functions of the agency are either nonexistent, no longer needed, or should be reallocated to some other agency (e.g., mergers, consolidations). The local agency which has been assigned a zero sphere should ultimately be dissolved.

*Service Specific Spheres*

If territory within the proposed sphere boundary of a local agency does not need all of the services of the agency, a “service specific” sphere of influence may be designated.

*Agriculture and Open Space Lands*

Territory not in need of urban services, including open space, agriculture, recreational, rural lands, or residential rural areas shall not be assigned to an agency’s sphere of influence unless the area’s exclusion would impede the planned, orderly and efficient development of the area. In addition, LAFCo may adopt a sphere of influence that excludes territory currently within that agency’s boundaries. This may occur when LAFCo determines that the territory consists of agricultural lands, open space lands, or agricultural preserves whose preservation would be jeopardized by inclusion within an agency’s sphere. Exclusion of these areas from an agency’s sphere of influence indicates that detachment is appropriate.

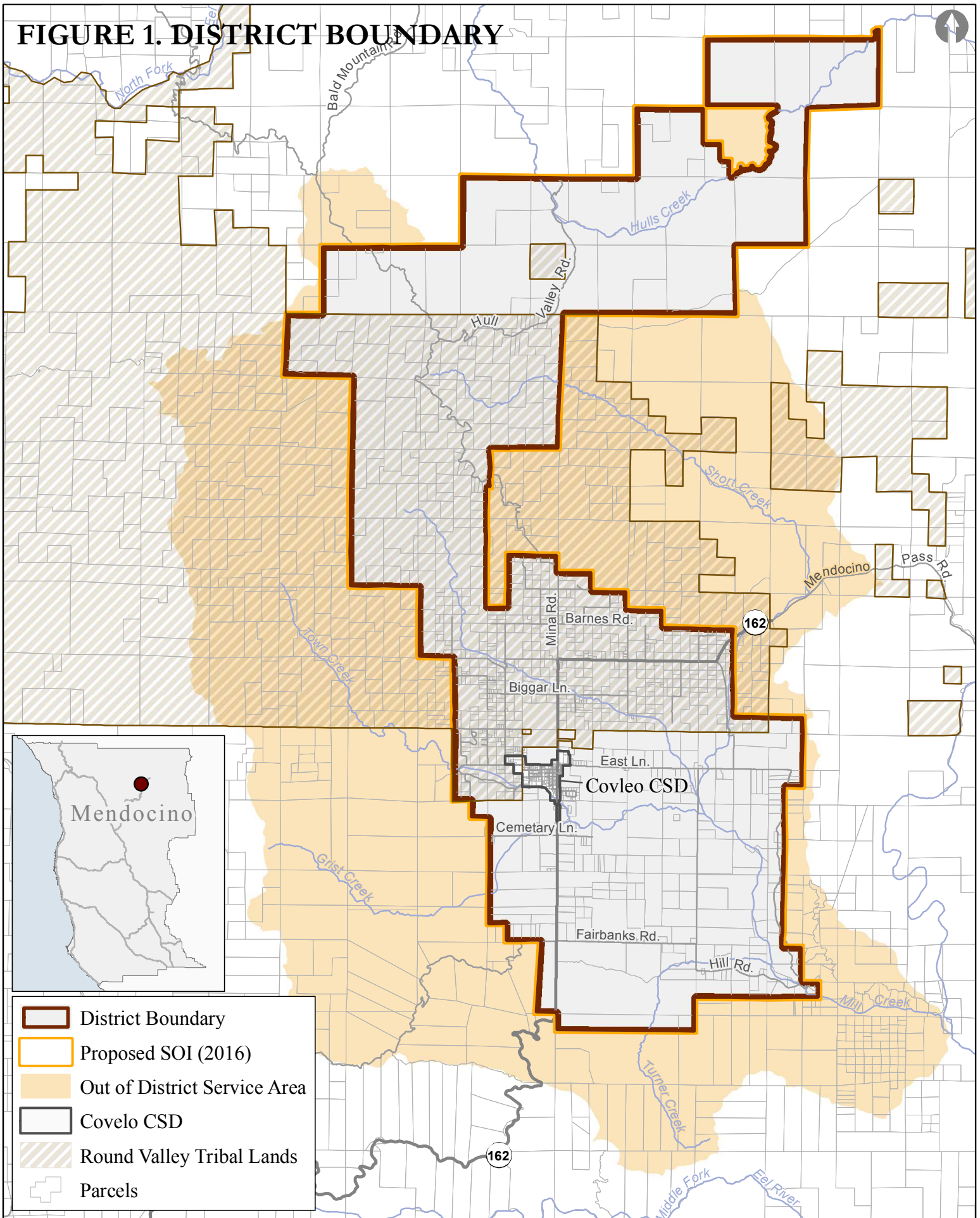
*Annexations are not Mandatory*

Before territory can be annexed to a city or district, it must be within the agency’s sphere of influence (G.G. §56375.5). However, territory within an agency’s sphere will not necessarily be annexed. A sphere is only one of several factors that are considered by LAFCo when evaluating changes of organization or reorganization.

*Islands or Corridors*

Sphere of influence boundaries shall not create islands or corridors unless it can be demonstrated that the irregular boundaries represent the most logical and orderly service area of an agency.

**FIGURE 1. DISTRICT BOUNDARY**



**Round Valley County Water District**

Prepared for **PLANWEST PARTNERS, INC.**  
 Mendocino  
 LAFCo by: Date: 3/29/2016

Sources: Boundaries: Mendocino County; Roads: US Census TIGER.

Path: D:\Planwest\_GIS\projects\current\Mendocino\_LAFCo\Water\_Districts\mapdocs\Round\_Valley\_Water\_District.mxd

## **OVERVIEW**

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The Primary Service Area of this update is the same as the Round Valley CWD. Because floodwaters and stream restoration do not always initiate within District boundaries, the District has indicated that they are concerned with all areas within the watersheds, not just the parcels within the District. For this reason, the surrounding watershed is herein designated as the Out of District Service Area (Figure 1).

## **CURRENT AGENCY OPERATIONS**

The Round Valley CWD provides flood control and stream restoration services to landowners within the Round Valley watershed in Mendocino County. As its mission, the Round Valley CWD “focuses on flood control projects and stream restoration in Round Valley. As the creeks are a watershed to the Eel River and the prime source of water for Round Valley’s aquifer, the District is committed to maintaining the quality and historic levels of these resources for present and future use” (MSR 2014).

## **BACKGROUND**

The Round Valley Storm Water District formed on April 12, 1948. The Round Valley County Water District formed on February 2, 1953 as an independent special district under the County Water District Law (Water Code, §§ 30000–33901). On April 21, 1961, the Round Valley Storm Water District was consolidated into the Round Valley CWD by Board of Director approval. Funds and functions of the Storm Water District were transferred and the RVCWD became both. There have been no other annexations or detachments from the District (MSR 2014).

The Round Valley CWD is located on State Route 162 in Round Valley, north of the Ukiah Valley in the unincorporated area of northeastern Mendocino County. This remote District borders the Mendocino National Forest and encompasses approximately 52 square miles (33,298 acres). The community of Covelo is the District’s socioeconomic center. The Round Valley Indian Tribe (RVIT) has substantial Tribal lands within the District boundary. The District covers portions of multiple watershed units, which drain into the Middle Fork of the Eel River, or the North Fork of the Eel River (MSR 2014).

In 2000 the District began studying the relationship of the creeks to the groundwater and, in 2009, began the process of public hearings to develop a groundwater management plan according to AB3030. However, at the request of the RVIT, the District did not complete the process. (District Manager, December 2015). According to the USGS 1977 study on the Geohydrology of Round Valley, the creeks and the watershed that supplies them is the primary source of water for the aquifer. Since late 2009 the District has been running toxin tests on groundwater and creek water, which can be affected by the watershed, and is participating in the CASGEM project.

## **MUNICIPAL SERVICE REVIEW**

In 2014 a County-wide MSR was conducted for the County water districts, which included the Round Valley County Water District. A Municipal Service Review is a part of and a prerequisite for a SOI Update; as such, much of the information contained herein comes directly from the 2014 Round Valley CWD MSR.

## **SPHERE OF INFLUENCE**

LAFCo files do not contain any records of the establishment of a SOI for the District. Typically this means that the SOI is coterminous with the District boundary. According to the Mendocino County-wide Water and Wastewater MSR 2014, there is no foreseeable need for expansion and a coterminous boundary/SOI was reasonable. However, upon further discussion with the District, the Covelo-Round Valley Aquifer and its historic levels and quality are better understood and maintained by servicing the watershed boundaries within the proposed SOI. (District Manager, December 2015.)

The District has considered increasing SOI boundaries in the last 5 years. Due to the nature of the District's responsibilities, services are not typically provided on the individual parcel level; rather the District provides restoration and flood control services for areas within the watershed. As such, the Out of District Service Area was mapped according to watershed unit boundaries that the District reported as serving.

## **DISADVANTAGED UNINCORPORATED COMMUNITIES**

LAFCo is required to evaluate disadvantaged unincorporated communities (DUCs) as part of this SOI review, including the location and characteristics of any such communities. A DUC is defined as any area with 12 or more registered voters where the median household income (MHI) is less than 80 percent of the statewide MHI. Within a DUC, three basic services are evaluated: water, sewage, and fire protection. The Round Valley CWD provides none of these services, and is therefore not responsible for assuring that those services are adequately provided to the community. Wastewater service is provided by Covelo CSD and fire protection is provided by the Covelo Fire Protection District.

Two DUCs are identified within the Round Valley CWD: the unincorporated community of Covelo and the RVIT. Covelo, a census designated place, had a 2010 population of 1,255 and a MHI of \$28,114. The MHI for Covelo residents is less than 80 percent (45.6%) of the statewide MHI of \$61,632, and is therefore considered to be a DUC. The RVIT is a federally recognized Indian Community and is located within Round Valley, approximately one mile north of Covelo. The RVIT has an enrollment of approximately 3,700, although not all live in Round Valley. It is estimated that 89 percent of RVIT members are unemployed (MSR 2014).

Though communities within the Primary Service Area are considered disadvantaged, the Round Valley CWD does not provide any of the three basic services - water, sewer or structural fire protection services - and is therefore not responsible for assuring that these services are adequately provided to the community.

The Out of District Service Area is not a census designated place, so specific MHI and population information is not available. The Round Valley CWD does not provide any of the three basic services - water, sewer or structural fire protection services - and is therefore not responsible for assuring that these services are adequately provided to the Out of District Service Area.

## **POPULATION AND LAND USE**

### **Population and Growth**

Excepting the community of Covelo and the RVIT lands, land uses within the District are primarily designated for rural residential, agriculture and forestry. Population within the District is

## ROUND VALLEY COUNTY WATER DISTRICT SPHERE OF INFLUENCE UPDATE MENDOCINO LAFCO

concentrated in Covelo, located in the center of Round Valley, and in RVIT's residential development north of Covelo. Additionally, the District reports a large influx of people to the area during the summer months (MSR 2014).

The 2010 Census for the Round Valley area includes 225.2 square miles and encompasses a population of 2,516. The Round Valley area, which includes the community of Covelo and the RVIT lands, is located in Census Tract 010100 in Mendocino County (MSR 2014).

The Round Valley CWD anticipates little growth in population within the next few years; however, no formal population projections have been made by the District. The State Department of Finance projects that the population of unincorporated Mendocino County will grow by a little more than 4 percent in the next 10 years, from 87,924 in 2010 to 91,498 in 2020 and 95,158 in 2030 (MSR 2014).

If the Round Valley area (Census Tract 010100) follows the County growth trend the population will be 2,618 residents in 2020 and 2,725 residents in 2030. However, Round Valley is a remote area that is bordered by the Mendocino National Forest. Factors affecting community growth include limited vehicular access, distance to employment centers such as Willits and Ukiah, lack of a public water system, and limited wastewater capacity provided by the Covelo CSD. Given Covelo's relatively isolated location and planning constraints, it's unlikely to experience significant population increases in the next few decades. Significant industrial or commercial development is also unlikely within the District's boundaries; therefore, associated increases in impervious surfacing that could affect stormwater and flood potential are not anticipated (MSR 2014).

### **Land Use and Development**

Lands within the District are subject to Mendocino County land-use authority, and encompass the town of Covelo which has residential (remote, rural, and suburban), public service, industrial, rural community, and commercial land use designations. Uses are primarily residential and commercial, along with additional uses such as a casino, an airport, wastewater treatment facility, school, churches, etc. The surrounding valley outside of Covelo, within the District, is devoted to agricultural, rangeland, forestland, public land, and rural residential uses. The Round Valley Indian Reservation encompasses a majority of the north end of Round Valley CWD (MSR 2014). Services provided by the District are consistent with the land-use designations both within the Primary Service Area and in the Out of District Service Area.

While some development is expected to occur on Tribal lands within the Service Area, minimal development is anticipated in the remainder of the Service Area. Round Valley is an isolated community with little growth projected. The needs for services currently provided by the District are expected to continue into the foreseeable future.

The Out of District Service Area is also subject to Mendocino County land use authority. This area has forest land, rangeland, public land, and minimal agriculture and remote residential land use designations. This area is minimally populated, and contains mostly non-urban uses. The services provided by the District are consistent with the land-use designations of the Out of District Service Area.

### **CAPACITY AND SERVICE**

#### *Services*

## ROUND VALLEY COUNTY WATER DISTRICT SPHERE OF INFLUENCE UPDATE MENDOCINO LAFCO

District activities include collaborative flood control projects with the Covelo Community Services District (CCSD), Mendocino County Public Works Department, and Caltrans for area drainage improvements, particularly along roadways. Approximately 15 miles of stream banks are maintained by the District, and its budget is about \$15,000 annually. Groundwater and surface water quality, and groundwater levels are monitored by the RVCWD four times a year for the California Statewide Groundwater Elevation Monitoring Program (CASGEM) and the Department of Water Resources. The District additionally monitors well and creek water for various toxins twice a year. The District is not responsible for the maintenance of storm water ditches or storm water drains; is not involved in the distribution or supply of water, and does not perform sewage collection, treatment or disposal services for its inhabitants.

The District also coordinates with California Department of Fish and Wildlife and the Department of Conservation through acquisition of grants to conduct stream restoration activities on area creeks and natural drainages (MSR 2014). The District collaborates with Mendocino County Public Works, Caltrans, Department of Fish and Wildlife, and Department of Water Resources to provide, plan, and monitor flood control and stream restoration projects within its boundaries.

### *Service Area*

Need for flood control and conservation services is typically impacted by development occurring within the Service Area, resulting in an increase in stormwater runoff from increased impervious surfaces, further degradation of natural waterways, and need for additional infrastructure.

The District includes 5 main creeks (Mill, Turner, Grist, Town and Short Creeks) in Round Valley that are the main source of water for the Covelo-Round Valley Aquifer. Ultimately these creeks drain into the Middle Fork Eel River. The District also encompasses portions of Hulls Creek, but has indicated that they do not consider the drainage unit assigned to the creek as a part of their Out of District Service Area (General Manager, August 2015). Currently the District funds toxicity tests on the creeks and adjacent wells, and monitors groundwater levels in 12 wells for the Department of Water Resources and CASGEM program. In order to sustain the Aquifer, the District has expressed that it like to would extend monitoring services to the creeks entering the Valley in order to understand and mitigate where possible water diversions and toxins entering the watershed and aquifer (MSR 2014).

Services provided by the Round Valley CWD within the Service Area are needed at a watershed level, often in areas originating both inside and outside the District boundary. The following creeks and watersheds are areas that currently require District services:

Town Creek, which runs from west to east through Round Valley and through the community of Covelo, was identified in the Mendocino County General Plan as an area with infrastructure and residential and nonresidential development susceptible to flooding and inundation. A 100-year floodplain is associated with Town Creek, and the channel through Covelo has substantially degraded over the past 50 years. Consequently, two bridge crossings over Town Creek are significantly impacted: the State Highway 162 crossing in Covelo, and the Airport Road crossing just west of Covelo (MSR 2014).

RVCWD reports that Mill Creek also floods regularly, eroding banks and damaging mostly ranchlands. Old levees on the creek are also a concern near homes. The District has with the aid of grants conducted extensive work on Mill Creek (MSR 2014).

## ROUND VALLEY COUNTY WATER DISTRICT SPHERE OF INFLUENCE UPDATE MENDOCINO LAFCo

The District also reports that the Board has submitted plans for project approval to California Fish and Wildlife to protect a home adjacent to Grist Creek, which also floods and is currently cutting out a bank 40' from a home (MSR 2014).

Mill Creek and Short Creek are other primary drainages in the Valley. Both Creeks are known to be in a degraded state from livestock use within the stream zone, unmitigated seasonal roadway crossings (at Short Creek and Dobie Lane), and eroding banks (MSR 2014).

The northern portion of the District includes a mountainous area north of Round Valley, the major features of which include Hulls Valley and Hulls Creek. Hulls Creek flows north to the North Fork of the Eel River (MSR 2014).

### *Infrastructure*

The District does not own or operate any formal infrastructure or facilities. Creeks are the primary flood control “infrastructure” for the District. In order to maintain the creeks’ drainage capacity, restoration projects are performed by the District as grant-funding allows.

### *Challenges*

The District faces various challenges in providing adequate services. Flood control and stream restoration services provided by the District face a general lack of funding. According to the District, the small (approximately \$16K year) County Budget partially limits the District from providing expanded services, such as monitoring and water testing, to the watershed. Other efforts by the RVCWD are addressing illegal dumping in the creeks and reducing the amount of vehicles driving in and over creeks and pools (General Manager, August 2015).

Additional concerns identified include traditional ranching methods that allow cattle unrestricted access to creeks and drainages; this challenges the District’s efforts to reduce and prevent stream bank erosion. To address the problem, the District has built fences and conducted other programs to exclude cows from creeks, but the current practice of unlimited creek access for livestock continues. There is also a growing concern over the diversions of surface water from the watershed and its creeks. This threatens groundwater levels in farm and residential wells and the creek habitats they support (General Manager, August 2015). There is growing concern that growth occurring in the hillside farming community could impact stream flow and the aquifer recharge. Little growth is expected to occur within the District that would impact flood control and watershed restoration efforts (MSR 2014).

Based on information provided in the MSR regarding ongoing flood and stormwater control, watershed restoration efforts, management practice and accountability, and financing, the Round Valley CWD’s service appears to be adequate (MSR 2014).

### **Relevant Local Agencies and Communities of Interest**

The RVCWD cooperates with the Round Valley Indian Tribes (RVIT) Environmental Protection Agency by reviewing and collaborating on water testing of creeks and wells and creek trash removal within the Tribal areas as well as areas overlying the Water District boundaries. RVCWD has worked conjunctively with the RVIT Natural Resource Department on restoration projects on Town and Mill Creek. Within the past 5 years RVCWD worked on a Groundwater Management Plan with the Tribe’s Natural Resource Department (MSR 2014). Approximately a third of lands within the District

ROUND VALLEY COUNTY WATER DISTRICT SPHERE OF INFLUENCE UPDATE  
MENDOCINO LAFCO

belong to the Tribes. The area that comprises the RVCWD Sphere of Influence is 73,381 acres; of this 10,684 is Tribal property, (RVIT Letter, 2015).

The Covelo CSD provides wastewater treatment to the Covelo community. The Covelo Fire Protection District provides fire protection services. No special district provides water service, but portions of the area receive service by the Round Valley Indian Tribes who own and operate four Public Water Systems in Round Valley: the Piner, Agency, Della Davis, and Administration systems. Since there are no other service providers, agencies, districts, or communities located in geographic proximity, no other Districts were considered relevant in this update.

### **RELEVANT PLANNING AND SERVICE FACTORS**

Local planning policies and land-use designations inform LAFCo SOI decisions. Below are relevant policies and service factors that are used as a guide.

#### **County of Mendocino General Plan Chapter 3: Development Element (DE)**

##### 3-18 Flooding and Inundation

Flooding can be a major problem in almost any part of the county. In Mendocino County, two types of flooding occur: overbank flooding due to excessive rainfall and coastal flooding due to wave run-up. Localized flooding may occur outside of recognized drainage channels or floodplains, due to a combination of locally heavy precipitation, increased surface runoff, and inadequate facilities for drainage and stormwater conveyance. Such events frequently occur in flat areas and in urbanized areas with large impermeable surfaces.

In general, major floods in Mendocino County have resulted from extended periods of winter rainfall produced by winter storms from the Pacific Ocean. Years with strong El Niños can often produce the most significant flood events. Historical records from 1911 through 2006 indicate that flooding, landsliding, embankment failures, and high winds were experienced in portions of Mendocino County during the following periods: November 1912, December 1937, December 1955, December 1964, April 1965, January 1966, January 1974, January 1978, February, 1983, February 1986, January 1995, March 1995, January 1997, February 1998, and December 2005-January 2006. While most of the identified floodplains are located in relatively undeveloped areas, infrastructure and other nonresidential and residential development susceptible to flooding include:

- State Route 175 at the Russian River Bridge
- State Route 1 at the Garcia River
- State Route 128 between Philo and Navarro
- Talmage Court – east side of the Ukiah Valley
- Ukiah – eastern side along/near the Russian River
- Little Lake Valley near Willits wastewater treatment plant
- Confluence of Anderson, Roversin, and Mill Creeks near Boonville
- Tenmile Creek near Laytonville
- **Town Creek near Covelo**
- South Fork of the Eel River
- Felize Creek and Russian River near Hopland
- Mill Creek in the Talmage area

## ROUND VALLEY COUNTY WATER DISTRICT SPHERE OF INFLUENCE UPDATE MENDOCINO LAFCO

Based on previous occurrences, Mendocino County can expect a serious flood event to occur every 3-4 years, and in particular, during strong El Niño years (every 7-8 years). The county's numerous rivers and streams present potential flooding and inundation hazards. Policies call for recognition of flooding and inundation hazards in considering land use actions, and reducing potential for exposure of persons and structures to flooding. New development is also subject to review relative to impacts caused by placement of fill and structures in the floodplain. The County will continue to implement FEMA flood insurance program requirements.

### Drainage and Flooding Policies from Development Element (DE)

Policy DE-192: Encourage compatible uses of flood plain land, such as agriculture, forestry, and recreation.

Policy DE-193: Emphasize land use compatibility and onsite floodwater retention to prevent or manage flooding.

Policy DE-194: To the maximum extent practical, avoid constructing critical facilities within the designated 100-year flood plain areas or areas potentially subject to inundation by dam failures (or other water impoundment facilities) or seiches.

Policy DE-195: Development in the designated 100-year flood plain areas shall be consistent with all applicable federal regulations with regard to flooding.

Policy DE-196: Continue participation in the Federal Emergency Management Agency's National Flood Insurance Program.

Policy DE-197: Collaborate with the Federal Emergency Management Agency and other relevant agencies to update National Flood Insurance Program Hazard Maps.

Policy DE-198: The creation of lots with no flood-free buildable area will not be allowed.

Policy DE-199: Development in floodplains will not be allowed unless mitigation measures are incorporated into the project that protect against the contribution to downstream or upstream flooding.

Action Item DE-199.1: The County shall follow the Federal Emergency Management Agency (FEMA) promoted No Adverse Impact (NAI) Policy and require the following items:

- All flood studies prepared using build-out conditions
- Allow no rise in floodway elevation
- Allow no increase in flood velocity
- Allow no loss in floodplain storage

Policy DE-200: Work with local, state and federal agencies to fund and implement site-specific flood hazard planning, forecasting, and flood proofing measures.

### **County of Mendocino General Plan Chapter 6: Community – Specific Policies: Covelo Goals and Policies**

The following goals, policies, and actions are specific to Covelo, and supplement the countywide goals and policies elsewhere in this General Plan.

#### Community Plans- Covelo (CP-C)- Covelo Community Goals

Goal CP-C-1: Conserve Round Valley's natural, visual and historical resources while maintaining agricultural operations including grazing lands.

Goal CP-C-2: Expand economic opportunities in Round Valley consistent with the desired rural character of the valley.

Goal CP-C-3: Maintain compact development patterns by focusing commercial, residential and community uses in Covelo.

Covelo Community Area Policies

Policy CP-C-1: Preserve and enhance the established historic character of downtown Covelo.

Action Item CP-C-1.1: Enhance Covelo’s downtown and incorporate beautification improvements through circulation, streetscapes, signage, landscaping and other means.

Policy CP-C-2: Retain and restore historic buildings and sites.

Policy CP-C-3: The design of new development should reflect the Covelo community rural character.

Policy CP-C-4: Discourage subdivision activity in the outlying Rural and Remote Residential lands, including on lands adjacent to Rangelands and Forest Lands.

Policy CP-C-5: Encourage higher density residential uses, including affordable housing units, in or near the commercial centers as part of a mixed-use strategy.

Policy CP-C-6: Encourage improvements to existing residential structures.

Policy CP-C-7: Establish places and facilities that create a sense of community.

Action Item CP-C-7.1: Revitalize the commercial core of Covelo as the focal point of the community, with mixed-use potential for convenience retail, office and residential uses, focusing on the State Route 162 (Covelo Road) corridor and Greely Street.

Action Item CP-C-7.2: Consider installation of a central plaza or gazebo in the downtown.

Policy CP-C-8: Expand and diversify economic ventures.

Policy CP-C-9: The County encourages the expansion of commercial uses in Covelo.

Policy CP-C-10: Commercial uses should be focused near the established core areas along State Route 162.

Policy CP-C-11: Actively pursue light industrial manufacturing employers for Round Valley.

Action Item CP-C-11.1: Consider placement of a community signboard along State Route 101 at the State Route 162 intersection advertising Round Valley services and special events.

Action Item CP-C-11.2: Designate the mill site northwest of the town center as an Out of District Service Area to consider a range of future land uses, including industrial, light industrial, commercial and other uses supporting jobs creation for local residents

Policy CP-C-12: Increase economic and social ties with the Round Valley Indian Tribes.

Policy CP-C-13: Encourage joint-use opportunities with Round Valley Indian Reservation.

Policy CP-C-14: Support a community fire hydrant system to facilitate economic and public safety.

Policy CP-C-15: Encourage the Covelo CSD to plan for the provision of a public water system.

Action Item CP-C-15.1: Assist the Covelo Community Services District (CSD) in its efforts to serve future growth with water capacity consistent with the land use patterns and densities established in the General Plan.

Policy CP-C-16: Consider upgrades to the Round Valley Airport to support economic development and emergency services.

## ***DISCUSSION***

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### **Out of District Service Area**

Round Valley CWD has adequate flood control and stream restoration services to accommodate existing and probable demands within its current service area and has expressed a desire and ability to expand these services within the Out of District Service Area. Services provided by the Round Valley CWD are needed at a watershed level, often in areas originating both inside and outside the District boundary. The Out of District Service Area has established and maintained substantive

social and ecological ties with Round Valley CWD (Primary Service Area) given the area is a part of the same watersheds system and valley.

Though the District has sufficient service capability to support expanding the District's SOI to the watershed level, the public participation process for this document revealed a further need for tribal inclusion and participation prior to finalizing an expanded sphere for the District. This process of communication and coordination requires more time than the current LAFCo SOI Update cycle allows. Due to this, expanding the SOI to match watershed boundaries is premature until District and Tribal coordination has occurred. An SOI expansion which better captures where the District provides services may be warranted in the future, but additional coordination is needed prior to such an action.

## ***ANALYSIS***

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As presented in the introduction, when updating the SOI, the Commission considers and adopts written determinations. The following are the formal determinations for this SOI Update:

### **1.) Present and Planned Land Use**

The Round Valley Indian Reservation encompasses a majority of the north end of Round Valley CWD. Services provided by the District are consistent with the land-use designations both within the Primary Service Area and in the Out of District Service Area.

### **2.) Present and Probable Need for Public Facilities and Services**

The needs for services currently provided by the District are expected to continue into the foreseeable future. Services provided by the Round Valley CWD for these water systems are needed both inside and outside of the District Boundary.

### **3.) Present Capacity of Facilities and Adequacy of Public Services**

Based on information provided in the MSR regarding ongoing flood and stormwater control, watershed restoration efforts, management practice and accountability, and financing, the Round Valley CWD's service appears to be adequate. Round Valley CWD has an adequate flood control and stream restoration service to accommodate existing and probable demands within its current service area, and to expand these services within the Out of District Service Area.

### **4.) Social and Economic Communities of Interest**

The Round Valley CWD does not share services or facilities with other Districts. There may be a need for treated water services within District boundaries. The Out of District Service Area has substantive social and ecological ties with Round Valley CWD, given that the Area is a part of the same watersheds system and valley. The Round Valley Tribes have substantial land holdings both within the District and within the Out of District Service Area and are considered a community of interest.

### **5.) Present and Probable Need for Water, Sewer, or Fire Protection Services for Disadvantaged Unincorporated Communities (DUCs)**

Though communities within the Primary Service Area are considered disadvantaged, the Round Valley CWD does not provide any of the three basic services - water, sewer or structural fire

protection services - and is therefore not responsible for assuring that these services are adequately provided to the community.

## *CONCLUSIONS*

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The SOI for the Round Valley County Water District should remain coterminous with the District boundary. Should the District wish to pursue SOI expansion in the future, the SOI may be updated via application or during the next cycle of SOI Updates.

See Figure 1.

## *REFERENCES*

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Mendocino County Coastal Element: Chapter 6: Community – Specific Policies

Mendocino County General Plan: Coastal Element. Adopted by Mendocino County Board of Supervisors. November 5, 1985 (Revised -- March 28, 1988, February 13, 1989, January 22, 1990, July 9, 1990, March 11, 1991)

Mendocino LAFCo, 2004 Policies and Procedures, Chapter 5- Policies That May Apply for Some Applicants, D. Sphere of Influence.

Mendocino LAFCo. (MSR, 2014). “Final Water and Wastewater Municipal Service Review: Caspar South Water District, Elk County Water District, Gualala Community Services District, Irish Beach Water District, Laytonville County Water District, Pacific Reefs Water District, Round Valley County Water District, Westport County Water District. October 2014.” Prepared by: Kate Harrison, SWALE, Inc.; Uma Hinman, Uma Hinman Consulting. Final approval October 6, 2014.

(RVIT Letter, 2015)