

**ALAMEDA LOCAL AGENCY FORMATION COMMISSION
RESOLUTION NO. 2006-09**

**APPROVING THE UPDATE OF THE SPHERE OF INFLUENCE FOR THE
UNION SANITARY DISTRICT**

WHEREAS, Government Code Section 56425 et seq. requires the Local Agency Formation Commission (LAFCo) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

WHEREAS, Government Code Section 56425(f) requires that LAFCo review and update the adopted SOI boundaries, as necessary, not less than once every five years; and

WHEREAS, Government Code Section 56430 requires that a municipal services review be conducted prior to or in conjunction with a SOI update; and

WHEREAS, LAFCo conducted a municipal services review of the services provided by the Union Sanitary District and adopted written determinations as required by Government Code Section 56430 on November 10, 2005; and

WHEREAS, the District provides wastewater collection, treatment and disposal services to cities of Fremont, Newark and Union City. The District also provides stormwater inspection services by contract to the City of Fremont; and

WHEREAS, the District's SOI was established in 1979 and includes the cities of Fremont, Newark and Union City; and

WHEREAS, the District's SOI is not coterminous with its service boundaries; and

WHEREAS, no change in regulation, land use or development will occur as a result of updating the CSA's SOI; and

WHEREAS, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the location of this SOI map;

WHEREAS, the SOI update was duly considered at a public hearing held on January 12, 2006; and

WHEREAS, the Alameda LAFCo heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said action.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED that the Alameda LAFCo hereby:

1. Approve and affirm the existing the SOI for the Union Sanitary District as generally depicted in Exhibit A attached hereto.
2. Adopt the following SOI policies:
 - Policy Recommendation #1: LAFCo to evaluate during the next MSR cycle SOI issues pertaining to land west of USD's boundary that extend into marshlands and the Bay and will unlikely need service.

3. Consider the criteria set forth in Government Code Section 56425(e) and determine as follows:
 - a. *The present and planned land uses in the area, including agricultural and open-space lands* – While there is substantial open space land within the District, the District has no land authority. Land use policies for the cities of Union City and Fremont limit land use in the eastern hillside areas within their boundaries to non-urban development. No change to the present or planned uses will result from this SOI update.
 - b. *The present and probable need for public facilities and services in the area* – City policies support the provision of adequate wastewater services for City residents. Land use policies for the cities of Union City and Fremont limit land use in the eastern hillside areas within their boundaries to non-urban development. Services are currently being provided in urban areas and need to be continued. No changes in public facilities or services provided by the District will result from this SOI update.
 - c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – The District’s treatment plant will need effluent storage capacity for future wet weather flow. Expansion of dry weather capacity to 38 mgd will require expansion of secondary clarifiers and sludge digestion facilities. Collection system capacity is adequate. The District’s treatment effectiveness, planning and regulatory compliance are adequate. The District conducts performance evaluation, productivity monitoring and benchmarking to improve service efficiency. The SOI update will not affect the present capacity of public facilities and adequacy of public services or the services provided by the CSA.
 - d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* - The District serves the cities of Fremont, Newark and Union City. The SOI update will not affect the existence of any social or economic communities of interest in these areas.
 - e. *The existence of agricultural preserves or other important agricultural or open space land in the area which could be considered within an agency's SOI, and the effect on maintaining the physical and economic integrity of such resources in the event that such resources are within a SOI of a local governmental agency* – There is substantial open space land within the District. The District’s current SOI includes open space and salt marsh lands that do not require wastewater services. The District currently discharges treated effluent into the Hayward marshlands to help preserve the marshland environment. The District mostly serves urban areas where services are already being provided. The SOI update will not adversely affect agricultural or open space land or be growth inducing. No Williamson Act contracts will be adversely affected.
 - f. *Nature, location, extent, functions & classes of services to be provided* - The District provides wastewater collection, treatment, and disposal services and stormwater inspection services to the cities of Newark, Fremont and Union City, and stormwater enforcement to the City of Fremont, all within the District’s boundaries
4. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under Section 15061(b)(3) of the CEQA Guidelines.
5. Direct staff to file a Notice of Exemption as lead agency under Section 15062 of the CEQA Guidelines.

* * * * *

This Resolution was approved and adopted by the Alameda Local Agency Formation Commission at a regular meeting held on January 12, 2006, at 7051 Dublin Boulevard in Dublin, California on the motion made by Commissioner Foulkes, seconded by Commissioner Hosterman, and duly carried.

Ayes: 6 (Commissioners Butler, Crowle, Foulkes, Hosterman, Lockhart and Miley)
Noes: 0
Excused: 3 (Commissioners Combs, Kamena and Steele)

/Robert Butler/

Robert Butler, Chair , Alameda LAFCo

Approved as to Form:

By: Brian Washington

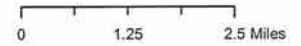
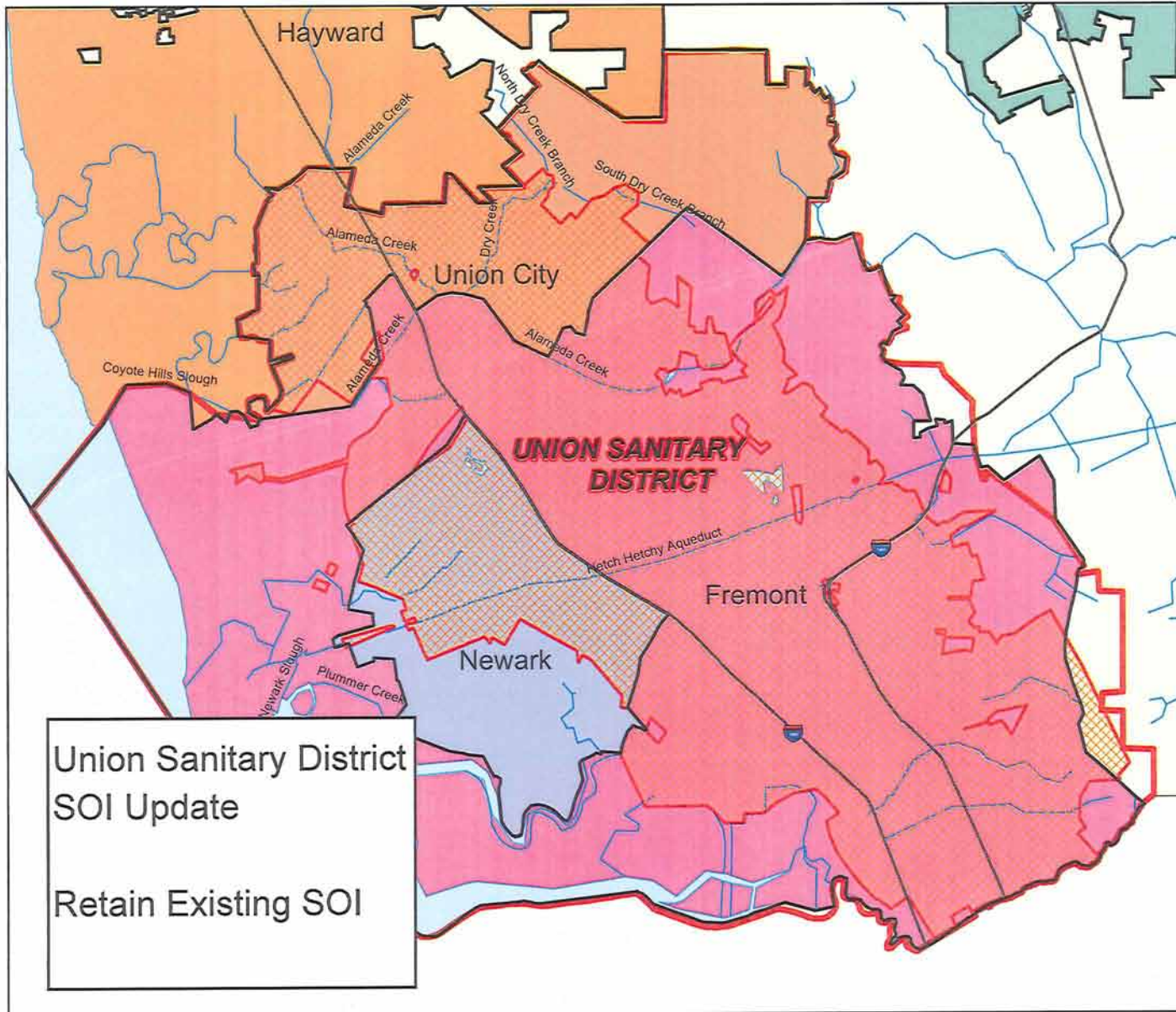
Brian Washington, LAFCo Legal Counsel

CERTIFICATION: I hereby certify that the foregoing is a correct copy of a resolution adopted by the Alameda Local Agency Formation Commission, Oakland, California.

Attest: Crystal Hishida Graff
Crystal Hishida Graff, LAFCo Executive Officer

Date: 2/2/06

UNION SANITARY DISTRICT



Legend	
	Interstates
	Union Sanitary District
	Union Sanitary SOI
	City Limits
	Hydrology
	Alameda Unincorporated

Alameda County Reference Map

