

LAFCO PROCEDURE CHECKLIST

<u>RSOI-156</u>	<u>"SPHERE OF INFLUENCE REVISION"</u>	<u>MAY 19, 2011</u>
File Number	Application Name	Date Received

REVISE THE SPHERE OF INFLUENCE FOR WATERWORKS DISTRICT #18

Inhabited ☐ Uninhabited ☐ Public Hearing ☒ 100% Consent ☐ Land Conservation ☐

Sphere of Influence Consistency ☐ Sphere Revision Needed ☒ SOI File Number RSOI-156

☐ Request Info. from Proponent _____ Date Requested _____ Date Completed _____

☐ Property Tax Resolution Needed: _____
Date Requested Date Completed

☐ Environmental Assessment Needed	☐ EIR ☒ Neg. ☐ Dec. ☐ Exempt
Date Sent	Date Completed
	Environmental Determination/Date

☐ Petition Verified _____
Date Sent Date Completed

1. Application File Complete _____
Date

2.	Request for Information from Other Agencies:	Date	Returned
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X Assessor (aff. area only ☐) Landowner ☐ LCC ☐ AV ☐ 5/23/11

X Planning

X Environmental Health

X State Office of Drinking Water

☒ California Regional Water Quality Control Board

X Elections

X Affected Districts

☐ U.S. Soil Conservation District 1 1☐ Director of Conservation☐ Other _____

3. Map and Description Approval

4. Certificate of Filing

5. Hearing Date Set

6. Notices Published

7. Notices Mailed and Posted (Request for Notice ☐) _____

8. Executive Officer's Report Mailed (Req. for Report ☐ _____

9. Commission Action

☐ Rev. M/L needed – CA Cont. _____ 30 Day Follow Up _____ App. Rev. M & L _____

10. 60 Day Follow-up _____

11. Proposal Log _____

12. LAFCO Resolution Mailed

☐ Condition of compliance Needed ☐ Notice of Determination Filed (if app) _____

13. Cert. Comm. bound. Change Mailed

14. County Recorder - Time, Date, and Document

14. County Recorder Name, Date, and Document

15. Effective Date

16

17 LAW OFFICES OF

17. LAW OFFICES OF
18. FRIANT RANCH

18. **Nick Zinkin**

NOTES Nick Zinkin DENNIS BACOPULU

NICK ZIMKIN
Attorney at Law

Operating manager

Conte

RESOLUTION NO. RSOI-156

**FRESNO LOCAL AGENCY FORMATION COMMISSION
FRESNO COUNTY, CALIFORNIA**

In the Matter of

LAFCo Determination

**MAKING DETERMINATIONS AND APPROVING)
REVISED SPHERE OF INFLUENCE FOR THE)
WATERWORKS DISTRICT NO. 18) THE FRESNO LOCAL AGENCY
FORMATION COMMISSION
) APPROVES A SPHERE OF
) INFLUENCE REVISION FOR THE
) WATERWORKS DISTRICT NO. 18**

WHEREAS, State law requires each Local Agency Formation Commission to determine a Sphere of Influence for each city and most special districts in the County and periodically update and revise those Spheres; and

WHEREAS, the Waterworks District No. 18 submitted an application and supporting materials to this Commission pursuant to Government Code Section 56428 requesting a revision to its adopted Sphere of Influence by adding approximately 520 acres of territory located adjacent to the community of Friant ; and

WHEREAS, the application for said proposal was accepted for filing by the Executive Officer of this Local Agency Formation Commission said application was set for hearing by the Executive Officer on the 24th day of August, 2011, at the hour of 1:30 p.m. of said day; and

WHEREAS, notice of the hearing of said application was duly given by mail, posting, and newspaper publication as required by State law; and

WHEREAS, the Executive Officer reviewed said application and prepared a report, including a recommendation, said report having been mailed to this Commission; and

WHEREAS, this Commission continued the item to the September 28, 2011 hearing to allow the Executive Officer time to review and respond to additional information that was received after the staff report was completed and distributed; and

WHEREAS, notice of the September 28, 2011 hearing was duly given by mail, posting, and newspaper publication as required by State law; and

WHEREAS, the Executive Officer reviewed said application and prepared a report, including a recommendation, said report having been mailed to and considered by this Commission; and

WHEREAS, the County of Fresno, acting as "Lead Agency" pursuant California Environmental Quality Act (CEQA) Guidelines, prepared and Environmental Impact Report (EIR) for the Friant Community Plan Update and the Friant Ranch Specific Plan, and certified the Final EIR on February 1, 2011; and

WHEREAS, as the “Responsible Agency” pursuant to CEQA Guidelines, the Commission independently reviewed and considered the environmental effects of the project as presented in the adopted Final EIR for the Friant Ranch Community Plan Update and Friant Ranch Specific Plan prepared by the Lead Agency, the County of Fresno, prior to reaching a decision on the project (Section 15096); and

WHEREAS, said Sphere of Influence Revision proposal was considered by this Commission at said hearing; and

WHEREAS, this Commission considered all relevant factors and evidence pertaining to said application and heard all interested parties wishing to testify.

WHEREAS, this Commission reviewed and considered the information in the Environmental Impact Report prepared for the Friant Ranch Specific Plan and Friant Community Plan Update Sphere of Influence Update and General Plan Amendment.

NOW, THEREFORE, BE IT RESOLVED that the Fresno Local Agency Formation Commission does HEREBY STATE, FIND, RESOLVE, DETERMINE, AND ORDER as follows:

Section #1: Acting as Responsible Agency pursuant to CEQA Guidelines, this Commission finds that the environmental effects of the project as shown in the Final EIR prepared and certified by the County as Lead Agency and adopted by the Board of Supervisors, were reviewed and considered and complies with the requirements of CEQA Guideline section 15096.

Section #2. Prior to taking action to amend the Sphere of Influence, this Commission finds a Municipal Service Review Update has been prepared for Waterworks District No. 18.

Section #3. This Commission finds that approval of the Sphere of Influence Amendment for Waterworks District No. 18 is based on sufficient information in the Municipal Service Review Update, Executive Officer’s Report to the Commission and all other testimony, evidence and information provided by persons and interested agencies, and is in compliance with State law, including, but not limited to, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, and CEQA.

Section #4. This Commission finds the proposed Waterworks District No. 18 Sphere of Influence Amendment is consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and Fresno LAFCo adopted Policies, Standards and Procedures, including, but not limited to, sections 100 et seq. and 330, and that this action carries out LAFCo’s purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities.

Section #5: This Commission adopts the written determinations for the Sphere of Influence Amendment prepared in accordance with California Government Code section 56425(e), attached as Exhibit “A”, approves the revised Sphere of Influence, adding approximately 520 acres to the Waterworks District No. 18 Sphere of Influence, attached as Exhibit “B”, and assigns the distinctive short form designation “Sphere of Influence Revision”.

Section #6. This Commission imposes the condition that approval of the Sphere of Influence Amendment is subject to the Applicant executing an indemnification agreement with the Commission, agreeing to defend, indemnify, and hold harmless the Commission from and against any claims, actions (including those filed by any state or governmental agency), costs, or damages arising out of or in connection with the Commission's actions related to this matter.

* * * * *

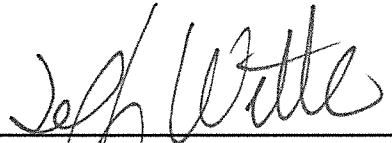
ADOPTED THIS 28th DAY OF SEPTEMBER, 2011, BY THE FOLLOWING VOTE:

- AYES:** COMMISSIONERS PEREA, SILVA, ANDERSON, FORTUNE, LOPEZ
- NOES:** NONE
- ABSENT:** COMMISSIONER SILVA

STATE OF CALIFORNIA)
COUNTY OF FRESNO)

CERTIFICATION

I, Jeff Witte, Executive Officer of the Fresno Local Agency Formation Commission, Fresno County, State of California, certify that the foregoing resolution was adopted by the Commission at a regular meeting held on the 28th day of September, 2011.



Jeff Witte, Executive Officer
Fresno Local Agency Formation Commission

EXHIBIT A

**DETERMINATIONS PURSUANT TO GOVERNMENT CODE SECTION 56425
For the Waterworks District No. 18 Sphere of Influence Revision (File No. RSOI-156)**

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

Current land uses within the District are primarily residential with some commercial uses. Future land uses within an expanded District are expected to remain primarily residential with some new commercial and retail uses.

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

Water services are currently provided by Waterworks District No. 18 to existing urban uses within the Friant Community.

The County has approved the Friant Ranch Specific Plan and rezoning which may result in the construction of up to 2,500 new residential units and new commercial and retail uses within the expanded District boundaries.

The Friant Ranch Infrastructure Master Plan, approved by the County as an appendix to the Friant Ranch Specific Plan, requires the Project to fund the construction of facilities that are needed to provide water facility upgrades and wastewater services needed to accommodate the new development. The Friant Ranch Infrastructure Master Plan requires the Project to fund the construction of the collector system necessary to connect the existing Millerton Lake Village Mobile Home Park to the new wastewater treatment plant once it is fully approved and operational. The Infrastructure Master Plan clarifies that the Project will provide sufficient capacity to serve the remaining areas within the Friant Community Plan area in accordance with the land use designations approved in the Friant Community Plan Update but connection to the wastewater disposal system would not be funded by the Project.

If the District were to consolidate with County managed CSAs and waterworks districts in the vicinity, the County or users within those districts would be responsible for any necessary system upgrades or connections.

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

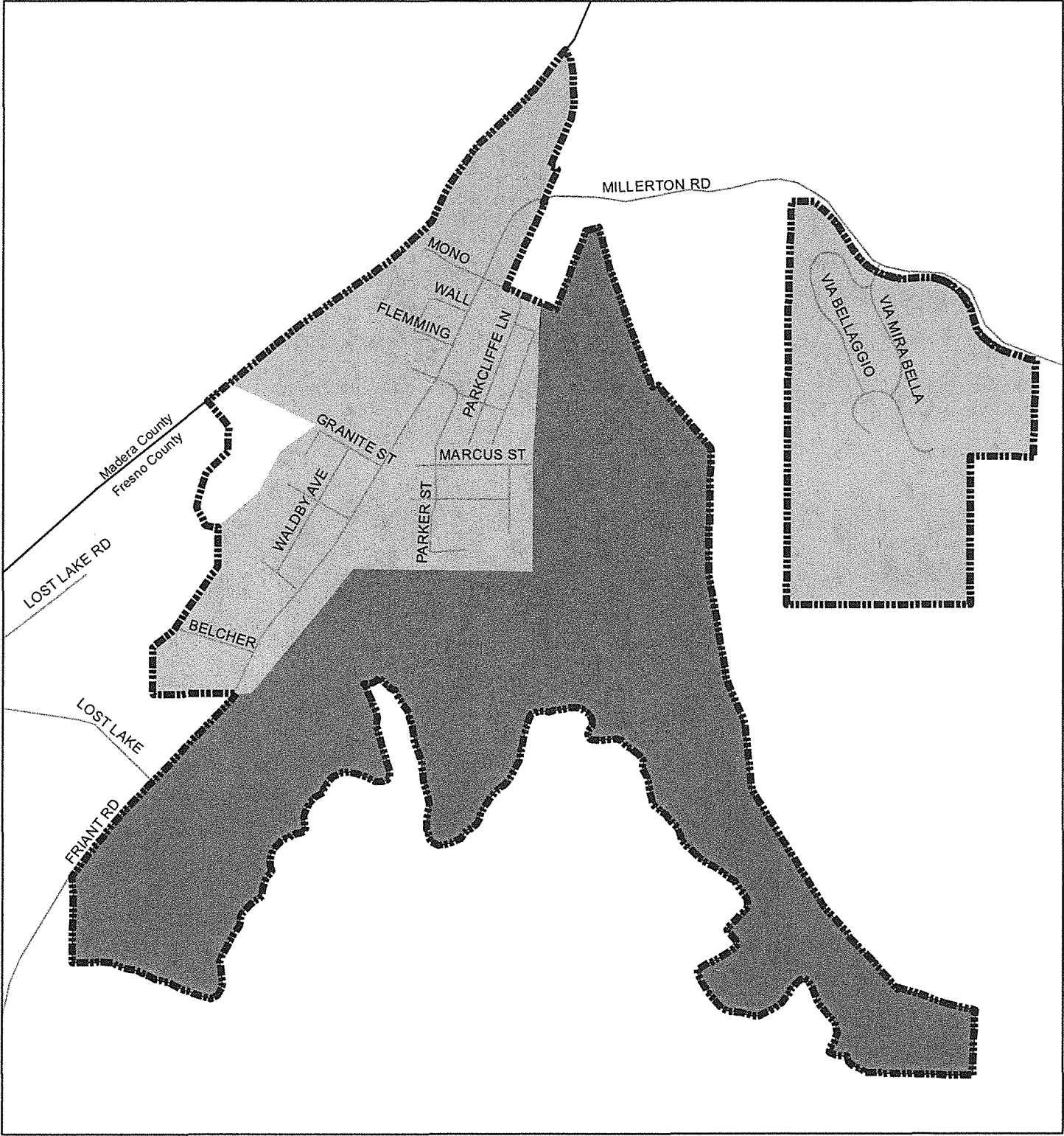
Water services currently provided by Waterworks District No. 18 are adequate to serve the existing community. The Friant Ranch Infrastructure Master Plan has been completed and adopted by the Board of Supervisors. It projects water and wastewater facilities needed to accommodate development of the Friant Ranch.

A study would be necessary to determine what effect consolidation with the County managed CSAs and waterworks district might have on the capacity of the District's existing or planned system and its financial circumstances.

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

The social or economic community within the boundaries and vicinity of Waterworks District No. 18 is the community of Friant. If the Friant Ranch project comes to fruition residents of that development will be part of the overall Friant Community.

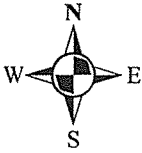
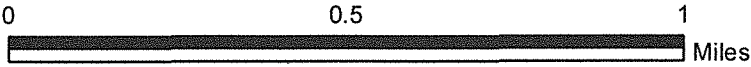
EXHIBIT "A"



Legend

- District SOI
- District Area
- Affected Territory

Waterworks District No. 18 "Sphere of Influence Revision", "Friant Ranch Annexation", and "Extension of Wastewater Services" (LAFCo File Nos. RSOI-156, AD-11-1, and EP-11-1)



RESOLUTION NO. RSOI-156

**FRESNO LOCAL AGENCY FORMATION COMMISSION
FRESNO COUNTY, CALIFORNIA**

In the Matter of

LAFCo Determination

**MAKING DETERMINATIONS AND)
APPROVING THE SPHERE OF)
INFLUENCE FOR WATERWORKS)
DISTRICT NO. 18)**

CONTINUED TO SEPTEMBER 28, 2011

WHEREAS, State law requires each Local Agency Formation Commission to determine a Sphere of Influence for each City and Special District in the County and periodically update and revise those Spheres; and

WHEREAS, the Waterworks District No. 18 submitted an application and supporting materials to this Commission pursuant to Government Code Section 56428 requesting an update to its adopted Sphere of Influence to add approximately 520 acres of territory located adjacent to the Community of Friant; and

WHEREAS, the application for said proposal was accepted for filing by the Executive Officer of this Local Agency Formation Commission; and

WHEREAS, said application was set for hearing by the Executive Officer on the 24th day of August, 2011, at the hour of 1:30 p.m. of said day; and

WHEREAS, notice of the hearing of said application was duly given by mail, posting, and newspaper publication as required by State law; and

WHEREAS, the Executive Officer reviewed said application and prepared a report, including a recommendation, said report having been mailed to this Commission; and

WHEREAS, the Executive Officer reported that new information had been received and requested additional time to review and respond to the information so that it could be included in staff's report; and

WHEREAS, this Commission continued the item to allow the Executive Officer time to review and respond to additional information that was received after the staff report was completed and distributed.

* * * * *

ADOPTED THIS 24th DAY OF AUGUST, 2011, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS FORTUNE, ANDERSON, SILVA, LOPEZ

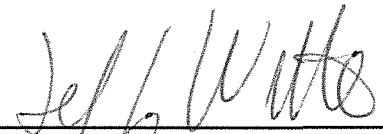
NOES: NONE

ABSENT: COMMISSIONER PEREA

**STATE OF CALIFORNIA)
COUNTY OF FRESNO)**

CERTIFICATION

I, Jeff Witte, Executive Officer of the Fresno Local Agency Formation Commission, Fresno County, State of California, certify that the foregoing resolution was adopted by the Commission at a regular meeting held on the 24th day of August, 2011.



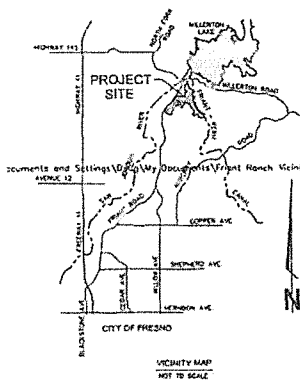
**Jeff Witte, Executive Officer
Fresno Local Agency Formation Commission**

ANNEXATION NO. 2011-
FRIANT RANCH ANNEXATION TO
FRESNO COUNTY WATERWORKS DISTRICT NO. 18
SERVICE AREA

IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA
BEING PORTIONS OF SECTIONS 7, 8, 17, & 18,
TOWNSHIP 11 SOUTH, RANGE 21 EAST,
MOUNT DIABLO BASE & MERIDIAN

PORTIONS OF APNS:
300-021-51 300-021-52T 300-021-53 300-040-02a 300-040-23 300-040-24
300-050-01 300-160-08 300-160-47T 300-160-52a 300-180-02
300-200-05 300-200-06 300-200-19

REVISED JUNE 9, 2011



APN	ACRES	OWNER
300-021-51	1.00	...
300-021-52T	1.00	...
300-021-53	1.00	...
300-040-02a	1.00	...
300-040-23	1.00	...
300-040-24	1.00	...
300-050-01	1.00	...
300-160-08	1.00	...
300-160-47T	1.00	...
300-160-52a	1.00	...
300-180-02	1.00	...
300-200-05	1.00	...
300-200-06	1.00	...
300-200-19	1.00	...

Disclaimer:
This map is prepared for the purpose of showing the location of the project site and is not a legal description of the project site. The project site is located within the service area of the Fresno County Waterworks District No. 18.

LAFCD RESOLUTION NO.

DATE

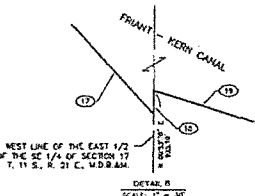
PROVOST & PRITCHARD
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300 WEST BROADWAY, SUITE 200
FRESNO, CALIFORNIA 93704-5003
507-444-1700 FAX 507-444-1701
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LEGEND
--- EXISTING WATERWORKS DISTRICT NO. 18 BOUNDARY
--- PROPOSED WATERWORKS DISTRICT NO. 18 BOUNDARY
--- EXISTING PROPERTY LINES
--- SECTION LINES - NOT SHOWN LINES
10 SECTION NUMBER (TYPICAL)

SCALE 1" = 600'
0 300' 600' 1200'

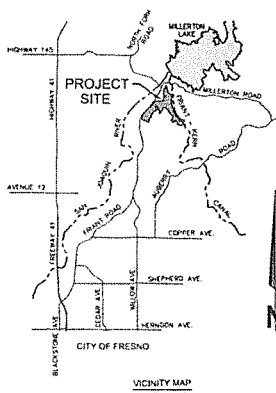
BLK	APN	ACRES	OWNER
1	300-021-51	1.00	...
2	300-021-52T	1.00	...
3	300-021-53	1.00	...
4	300-040-02a	1.00	...
5	300-040-23	1.00	...
6	300-040-24	1.00	...
7	300-050-01	1.00	...
8	300-160-08	1.00	...
9	300-160-47T	1.00	...
10	300-160-52a	1.00	...
11	300-180-02	1.00	...
12	300-200-05	1.00	...
13	300-200-06	1.00	...
14	300-200-19	1.00	...

BLK	APN	ACRES	OWNER
15	300-021-51	1.00	...
16	300-021-52T	1.00	...
17	300-021-53	1.00	...
18	300-040-02a	1.00	...
19	300-040-23	1.00	...
20	300-040-24	1.00	...
21	300-050-01	1.00	...
22	300-160-08	1.00	...
23	300-160-47T	1.00	...
24	300-160-52a	1.00	...
25	300-180-02	1.00	...
26	300-200-05	1.00	...
27	300-200-06	1.00	...
28	300-200-19	1.00	...



SCALE 1" = 30'

ANNEXATION NO. 2011-
FRIANT RANCH ADDITION TO
FRESNO COUNTY WATERWORKS DISTRICT NO. 18
SPHERE OF INFLUENCE
IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA
BEING PORTIONS OF SECTIONS 7, 8, 17, & 18,
TOWNSHIP 11 SOUTH, RANGE 21 EAST,
MOUNT DIABLO BASE & MERIDIAN
PORTIONS OF APNS:
300-021-51 300-021-53 300-040-024 300-040-025 300-040-24
300-050-01 300-100-08 300-160-477 300-160-526 300-190-02
300-200-05 300-200-06 300-200-19
REVISED: JUNE 9, 2011



NUMBER	BEARING	LENGTH	NUMBER	BEARING	LENGTH
1	N 81°19'21" E	403.81	36	S 88°02'13" W	222.08
2	N 80°15'54" E	447.75	37	S 87°54'42" W	222.08
3	N 81°19'21" E	204.00	38	S 88°02'13" W	180.00
4	N 80°15'54" E	150.00	39	N 87°52'00" W	243.00
5	N 88°47'38" W	15.00	40	N 88°02'13" W	150.00
6	N 87°52'00" W	15.00	41	N 88°02'13" W	150.00
7	N 85°35'14" E	18.88	42	N 88°02'13" W	150.00
8	N 87°52'00" W	150.00	43	N 88°02'13" W	150.00
9	S 81°24'22" E	178.48	44	N 87°52'00" W	150.00
10	N 88°02'13" W	172.00	45	N 88°02'13" W	172.00
11	N 88°02'13" W	172.00	46	N 88°02'13" W	172.00
12	N 88°02'13" W	172.00	47	N 88°02'13" W	172.00
13	N 88°02'13" W	172.00	48	N 88°02'13" W	172.00
14	S 88°02'13" W	172.00	49	N 88°02'13" W	172.00
15	S 88°02'13" W	172.00	50	N 88°02'13" W	172.00
16	S 88°02'13" W	172.00	51	N 88°02'13" W	172.00
17	S 88°02'13" W	172.00	52	N 88°02'13" W	172.00
18	S 88°02'13" W	172.00	53	N 88°02'13" W	172.00
19	S 88°02'13" W	172.00	54	N 88°02'13" W	172.00
20	S 88°02'13" W	172.00	55	N 88°02'13" W	172.00
21	S 88°02'13" W	172.00	56	N 88°02'13" W	172.00
22	S 88°02'13" W	172.00	57	N 88°02'13" W	172.00
23	S 88°02'13" W	172.00	58	N 88°02'13" W	172.00
24	S 88°02'13" W	172.00	59	N 88°02'13" W	172.00
25	S 88°02'13" W	172.00	60	N 88°02'13" W	172.00
26	S 88°02'13" W	172.00	61	N 88°02'13" W	172.00
27	S 88°02'13" W	172.00	62	N 88°02'13" W	172.00
28	S 88°02'13" W	172.00	63	N 88°02'13" W	172.00
29	S 88°02'13" W	172.00	64	N 88°02'13" W	172.00
30	S 88°02'13" W	172.00	65	N 88°02'13" W	172.00
31	S 88°02'13" W	172.00	66	N 88°02'13" W	172.00
32	S 88°02'13" W	172.00	67	N 88°02'13" W	172.00
33	S 88°02'13" W	172.00	68	N 88°02'13" W	172.00
34	S 88°02'13" W	172.00	69	N 88°02'13" W	172.00
35	S 88°02'13" W	172.00	70	N 88°02'13" W	172.00

APPROVED
LAFCO RES. # RSOI-156
September 28, 2011
DATE

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FRESNO, CALIFORNIA 93701-6122
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www.ppc.com

ANNEXATION NO. 2011-____
FRIANT RANCH ANNEXATION TO
FRESNO COUNTY WATERWORKS DISTRICT NO. 18
SERVICE AREA

GEOGRAPHIC DESCRIPTION

All that real property, being portions of Sections 7, 8, 17, and 18, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, according to the official government plats thereof, situate in the County of Fresno, State of California, described as follows:

Beginning at the Southwest corner of Section 8, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, said point also being on the existing service area boundary of Waterworks District No. 18;

The following five courses are all based on or calculated from that Record of Survey map recorded in Book 51 of Record of Surveys at Pages 82 through 88, Fresno County Records:

Thence (1) North 01° 18' 37" East a distance of 1307.81 feet along the West line of said Section 8, and along said existing District boundary, to the Northwest corner of Government Lot 13 in said Section 8;

Thence (2) North 88° 47' 38" West a distance of 35.00 feet along the North line of the South half of Government Lot 18 in said Section 7, and continuing along said existing District boundary;

Thence leaving said North line, (3) North 00° 23' 22" East a distance of 10.10 feet continuing along said existing District boundary;

Thence (4) North 65° 35' 31" East a distance of 38.86 feet, continuing along said existing District boundary, to a point on the West line of said Section 8, said point bears North 00° 59' 34" East a distance of 26.90 feet from the Northwest corner of Government Lot 13 in said Section 8;

Thence (5) North 00° 59' 34" East a distance of 1522.82 feet along said West line and along said existing District boundary to a point on the centerline of Mono Street (Abandoned), according to the Map of Pollasky recorded in Volume 5 of Plats at page 5, Fresno County Records, said point also being the Northeasterly corner of Outlot "B" of Tract No. 3573, Millerton Lake Mobilehome Village, according to the map thereof recorded in Volume 41 of Plats at pages 63 and 64, Fresno County Records;

The following four courses are based on the map of Tract No. 3573, Millerton Lake Mobilehome Village, according to the map thereof recorded in Volume 41 of Plats at pages 63 and 64, Fresno County Records:

Thence leaving said existing District boundary, (6) South 67° 34' 25" East a distance of 178.48 feet along said centerline of Mono Street (abandoned);

Thence leaving said centerline, (7) North 18° 59' 00" East a distance of 886.39 feet;

Thence (8) North 73° 39' 54" East a distance of 128.28 feet;

Thence (9) South 16° 33' 53" East a distance of 1886.36 feet;

The remaining courses are all based on or calculated from that Record of Survey map recorded in Book 51 of Record of Surveys at Pages 82 through 88, Fresno County Records:

Thence (10) North 65° 39' 34" East a distance of 210.27 feet;

Thence (11) South 39° 35' 26" East a distance of 873.90 feet;

Thence (12) South 00° 55' 25" West a distance of 1309.92 feet to a point on the North line of the Northwest quarter of said Section 17, said point bears North 88° 30' 32" West a distance of 754.10 feet from the North quarter corner of said Section;

Thence (13) South 09° 37' 23" East a distance of 1167.73 feet;

Thence (14) South 23° 23' 02" East a distance of 478.47 feet;

Thence (15) South 06° 37' 02" East a distance of 741.61 feet;

Thence (16) South 31° 41' 02" East a distance of 1427.50 feet;

Thence (17) South 41° 49' 37" East a distance of 1182.02 feet to a point on the West line of the East half of the Southeast quarter of said Section 17;

Thence (18) North 00° 53' 38" East a distance of 13.07 feet, along said West line, to a point that bears North 00° 53' 38" East a distance of 925.10 feet from the Southwest corner of the East half of the Southeast quarter of said Section 17;

Thence leaving said West line, (19) South 71° 57' 22" East a distance of 780.40 feet;

Thence (20) South $00^{\circ} 17' 37''$ West a distance of 701.91 feet to a point on the south line of the Southeast quarter of said Section 17, said point bears North $88^{\circ} 34' 54''$ West a distance of 553.00 feet from the Southeast corner of said Section 17;

Thence (21) North $88^{\circ} 34' 54''$ West a distance of 1062.85 feet along said South line;

Thence leaving said South line, (22) North $60^{\circ} 20' 18''$ West a distance of 185.00 feet;

Thence (23) North $27^{\circ} 49' 48''$ West a distance of 100.00 feet;

Thence (24) North $76^{\circ} 15' 13''$ West a distance of 207.00 feet;

Thence (25) North $26^{\circ} 42' 50''$ East a distance of 185.00 feet;

Thence (26) North $06^{\circ} 00' 38''$ East a distance of 74.00 feet;

Thence (27) North $36^{\circ} 51' 45''$ East a distance of 96.65 feet to a point on a curve, concave to the Northeast, with a radius of 740.00 feet, a radial to said point bears South $37^{\circ} 30' 17''$ West;

Thence (28) Northwesterly a distance of 213.00 feet along said curve, through a central angle of $16^{\circ} 29' 30''$;

Thence tangent to said curve, (29) North $36^{\circ} 00' 13''$ West a distance of 333.31 feet;

Thence (30) South $53^{\circ} 59' 47''$ West a distance of 6.00 feet;

Thence (31) North $41^{\circ} 04' 20''$ West a distance of 50.00 feet;

Thence (32) South $86^{\circ} 26' 46''$ West a distance of 70.00 feet;

Thence (33) South $38^{\circ} 00' 03''$ West a distance of 227.00 feet;

Thence (34) South $48^{\circ} 44' 43''$ West a distance of 220.00 feet;

Thence (35) South $69^{\circ} 44' 30''$ West a distance of 180.00 feet;

Thence (36) North $76^{\circ} 10' 05''$ West a distance of 367.00 feet;

Thence (37) North $38^{\circ} 32' 16''$ West a distance of 315.00 feet;

Thence (38) North $24^{\circ} 16' 00''$ West a distance of 166.00 feet;

Thence (39) North 58° 27' 34" East a distance of 507.00 feet;
Thence (40) North 33° 30' 00" West a distance of 189.00 feet;
Thence (41) North 27° 28' 50" East a distance of 98.00 feet;
Thence (42) North 46° 38' 55" East a distance of 227.00 feet;
Thence (43) North 02° 21' 49" West a distance of 96.00 feet;
Thence (44) North 36° 10' 03" West a distance of 235.00 feet;
Thence (45) North 54° 08' 22" West a distance of 180.00 feet;
Thence (46) North 59° 26' 31" West a distance of 245.00 feet;
Thence (47) North 46° 22' 28" West a distance of 285.00 feet;
Thence (48) North 15° 18' 18" West a distance of 138.00 feet;
Thence (49) North 40° 33' 15" West a distance of 187.00 feet;
Thence (50) North 50° 39' 24" West a distance of 173.00 feet;
Thence (51) North 13° 01' 35" West a distance of 296.00 feet;
Thence (52) North 14° 56' 52" West a distance of 206.00 feet;
Thence (53) North 48° 54' 02" West a distance of 318.00 feet;
Thence (54) South 88° 51' 25" West a distance of 310.00 feet;
Thence (55) North 06° 14' 30" West a distance of 126.00 feet;
Thence (56) North 27° 57' 53" West a distance of 260.00 feet;
Thence (57) South 79° 46' 22" West a distance of 338.00 feet;
Thence (58) North 21° 39' 07" West a distance of 52.00 feet;
Thence (59) South 83° 02' 53" West a distance of 165.00 feet;

Thence (60) South 36° 10' 15" West a distance of 45.35 feet to a point on the
West line of the Northwest quarter of said Section 17, said point bears
South 01° 20' 46" West a distance of 1540.67 feet from the Northwest corner of
said Section 17;

Thence continuing (61) South 36° 10' 15" West a distance of 96.65 feet into said Section 18;

Thence (62) South 15° 27' 48" West a distance of 150.00 feet;

Thence (63) South 10° 12' 47" West a distance of 358.00 feet;

Thence (64) South 52° 58' 56" West a distance of 221.00 feet;

Thence (65) South 30° 13' 00" West a distance of 355.00 feet;

Thence (66) South 33° 41' 32" West a distance of 240.00 feet;

Thence (67) South 66° 19' 13" West a distance of 270.00 feet;

Thence (68) North 37° 13' 18" West a distance of 84.00 feet;

Thence (69) North 34° 43' 48" East a distance of 165.00 feet;

Thence (70) North 00° 31' 20" West a distance of 198.00 feet;

Thence (71) North 17° 26' 43" West a distance of 340.00 feet;

Thence (72) North 24° 11' 10" West a distance of 305.00 feet;

Thence (73) North 14° 30' 46" West a distance of 530.00 feet;

Thence (74) North 36° 54' 03" West a distance of 110.00 feet;

Thence (75) North 73° 47' 22" West a distance of 199.00 feet;

Thence (76) North 54° 57' 08" West a distance of 112.00 feet;

Thence (77) North 16° 43' 56" West a distance of 69.00 feet;

Thence (78) South 74° 38' 28" West a distance of 165.00 feet;

Thence (79) South 29° 09' 07" East a distance of 93.00 feet;

Thence (80) South 08° 28' 30" West a distance of 132.00 feet;

Thence (81) South 33° 06' 07" East a distance of 180.00 feet;

Thence (82) South 05° 27' 50" East a distance of 202.00 feet;

Thence (83) South 16° 37' 15" East a distance of 540.00 feet;

Thence (84) South 51° 22' 00" West a distance of 170.00 feet;

Thence (85) North 56° 11' 21" West a distance of 185.00 feet;
Thence (86) North 78° 58' 07" West a distance of 198.00 feet;
Thence (87) South 66° 52' 27" West a distance of 171.00 feet;
Thence (88) South 29° 01' 47" West a distance of 184.00 feet;
Thence (89) South 55° 28' 15" West a distance of 150.00 feet;
Thence (90) South 25° 21' 07" West a distance of 142.00 feet;
Thence (91) South 00° 12' 02" West a distance of 200.00 feet;
Thence (92) South 70° 29' 29" West a distance of 196.00 feet;
Thence (93) South 60° 53' 23" West a distance of 128.00 feet;
Thence (94) South 27° 27' 45" West a distance of 170.00 feet;
Thence (95) South 10° 03' 20" East a distance of 146.00 feet;
Thence (96) South 40° 36' 50" West a distance of 108.00 feet;
Thence (97) South 11° 59' 56" West a distance of 170.00 feet;
Thence (98) South 49° 53' 47" West a distance of 254.00 feet;
Thence (99) South 13° 36' 25" West a distance of 173.00 feet;
Thence (100) South 28° 33' 45" West a distance of 380.00 feet;
Thence (101) South 02° 09' 06" East a distance of 328.00 feet;
Thence (102) South 44° 56' 34" West a distance of 170.00 feet;
Thence (103) North 67° 53' 41" West a distance of 850.00 feet;
Thence (104) North 73° 01' 06" West a distance of 283.00 feet;
Thence (105) North 89° 57' 38" West a distance of 415.00 feet to the East line of
Parcel Map No. 6646, recorded in Book 47 of Parcel Maps at page 98, Fresno
County Records;
Thence (106) North 00° 02' 22" East a distance of 1144.66 feet, along said East
line and its northerly projection, to its point of intersection with the Northwesterly

right of way line of Friant Road, being a curve, concave to the Southeast, with a radius of 3053.00 feet, a radial to said point bears North 48° 08' 16" West;

Thence (107) Northeasterly a distance of 130.62 feet along said curve and said right of way line, through a central angle of 2° 27' 05":

Thence (108) North 44° 18' 49" East a distance of 2077.88 feet, continuing along said right of way line, to the beginning of a tangent curve, concave to the Northwest, with a radius of 947.00 feet;

Thence (109) Northeasterly a distance of 163.41 feet along said curve and continuing along said right of way line, through a central angle of 9° 53' 12", to its point of intersection with the North line of Government Lot 7 in said Section 18, said point being on the existing service area boundary of Waterworks District No. 18.

Thence (110) North 89° 41' 27" East a distance of 218.95 feet along said North line and along said existing District boundary to a point on the southeasterly right of way of the Southern Pacific Railroad (abandoned), said right of way being on a curve, concave to the northwest, with a radius of 5779.65 feet, a radial bearing to said point bears South 50° 14' 15" East;

Thence (111) Northeasterly a distance of 22.58 feet along said curve and right of way and continuing along said existing District boundary, through a central angle of 0° 13' 26";

Thence (112) North 39° 32' 19" East a distance of 1328.94 feet continuing along said right of way and along said existing District boundary;

Thence (113) North 39° 13' 44" East a distance of 120.75 feet continuing along said right of way and along said existing District boundary, to the point of beginning of a non-tangent curve, concave to the northwest, with a radius of 2914.93 feet, a radial to said point bears South 50° 46' 16" East;

Thence (114) Northeasterly a distance of 239.72 feet along said curve and continuing along said right of way, and along said existing District boundary, through a central angle of 4° 42' 43", to a point on the North line of the Northeast quarter of said Section 18;

Thence (115) North 89° 55' 00" East a distance of 563.07 feet along said North line, and continuing along said existing District boundary, to the Northwest corner of the Northeast quarter of the Northeast quarter of said Section 18;

Revised: 6/09/11

Thence (116) North 89° 51' 12" East a distance of 1338.02 feet along the North line of said Section 18, and continuing along said existing District boundary, to the Point of Beginning.

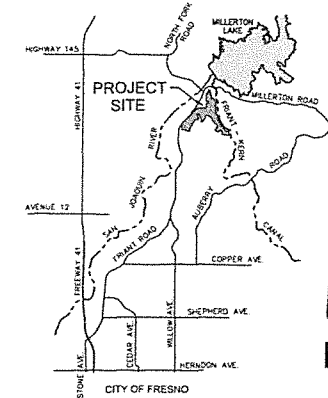
Containing 523.19 acres, more or less.

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

ANNEXATION NO. 2011-
FRIANT RANCH ADDITION TO
FRESNO COUNTY WATERWORKS DISTRICT NO. 18
SPHERE OF INFLUENCE
IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA
BEING PORTIONS OF SECTIONS 7, 8, 17, & 18,
TOWNSHIP 11 SOUTH, RANGE 21 EAST,
MOUNT DIABLO BASE & MERIDIAN

PORTIONS OF APNS:
300-021-51 300-021-53 300-040-025 300-040-23 300-040-24
300-050-01 300-160-08 300-160-47T 300-160-52s 300-190-02
300-200-05 300-200-06 300-200-19

REVISED: JUNE 9, 2011



VICINITY MAP
NOT TO SCALE

NUMBER	BEARING
81	S 70°01'17" W
82	N 48°08'16" W
83	S 50°45'15" E
84	S 50°45'15" E

Disclaimer:
For assessment purposes only. This description of land is not a
legal property description as defined in the Subdivision Map Act and
may not be used as the basis for an offer for sale of the land
described.

LAFCO RESOLUTION NO. _____

DATE: _____

PROVOST & PRITCHARD
CONSULTING ENGINEERS
An Employee Owned Company
208 WEST CHAMBERLAIN AVENUE
FRESNO, CALIFORNIA 93711-0162
559/449-2700 FAX 559/449-2715
www.pprg.com
JOB NO. 13780401
DWG NO. 15W-FW

LEGEND
--- EXISTING WATERWORKS DISTRICT
NO. 18 BOUNDARY
--- PROPOSED WATERWORKS DISTRICT
NO. 18 BOUNDARY
--- EXISTING PROPERTY LINES
--- SECTION LINES - NOT DIVISION
LINES

SCALE: 1" = 600'

NUMBER	BEARING	LENGTH
1	N 01°18'37" E	903.81
2	N 78°15'54" E	444.39
3	N 05°16'37" E	304.00
4	N 88°38'28" W	435.00
5	N 88°47'38" W	33.00
6	N 60°23'22" E	10.12
7	N 83°25'31" E	38.86
8	N 00°59'34" E	1253.82
9	S 67°34'24" E	178.48
10	N 18°52'00" E	686.39
11	N 73°32'54" E	129.78
12	S 16°31'33" E	1885.36
13	N 65°39'34" E	210.27
14	S 59°35'28" E	873.90
15	N 00°52'20" W	1305.99
16	S 00°37'23" E	1163.75
17	S 23°23'02" E	478.47
18	S 06°37'20" E	741.41
19	S 35°41'20" E	1497.50
20	S 41°49'37" E	1180.92
21	N 08°53'30" E	13.52
22	S 71°52'22" E	786.40
23	S 00°17'21" W	791.91
24	S 80°34'54" W	1093.85
25	N 50°20'18" E	165.00
26	N 27°49'48" E	120.00
27	N 70°15'37" E	207.00
28	N 28°42'50" E	185.00
29	N 08°02'24" E	74.50
30	N 36°51'45" E	96.65
31	R=140.00, Δ=107°13'37"	213.00
32	N 30°00'15" E	333.31
33	S 53°28'47" W	8.00
34	S 41°04'07" W	50.00
35	S 82°58'49" W	70.00

NUMBER	BEARING	LENGTH
36	S 38°02'37" W	227.00
37	S 48°44'54" W	770.00
38	S 83°45'07" E	180.00
39	N 76°10'05" W	367.00
40	N 59°24'24" W	315.00
41	N 24°45'00" W	186.00
42	N 58°27'34" E	507.00
43	N 13°00'00" E	189.00
44	N 27°28'20" E	59.00
45	N 26°38'55" E	227.00
46	N 08°21'49" E	36.00
47	N 36°10'03" W	235.00
48	N 58°28'24" W	180.00
49	N 58°28'31" W	243.00
50	N 48°24'48" W	280.00
51	N 15°47'18" W	138.00
52	N 40°33'15" W	187.00
53	N 30°18'15" W	173.00
54	N 30°18'15" W	294.00
55	N 14°56'30" W	206.00
56	N 48°24'48" W	318.00
57	S 88°21'20" E	310.00
58	N 06°14'50" W	126.00
59	S 77°23'21" E	260.00
60	S 78°42'22" E	338.00
61	S 83°02'23" E	165.00
62	S 83°02'23" E	165.00
63	S 30°10'15" W	45.35
64	S 30°10'15" W	96.65
65	S 15°27'48" W	100.00
66	S 10°12'27" W	358.00
67	S 32°46'54" W	221.00
68	S 30°13'00" W	352.00
69	S 33°13'30" W	240.00
70	S 68°15'13" E	270.00
71	N 37°31'41" W	84.00
72	N 34°14'47" E	185.00
73	N 00°21'20" E	198.00
74	N 17°24'44" W	340.00
75	N 24°11'00" E	800.00
76	N 14°30'48" W	530.00
77	N 06°00'00" E	130.00
78	N 73°47'22" W	199.00
79	N 54°27'08" W	112.00
80	N 18°42'24" E	67.00
81	S 74°38'28" W	165.00
82	S 40°59'30" E	13.00
83	S 08°36'20" E	132.00
84	S 33°04'07" E	180.00
85	S 09°27'52" E	203.00
86	S 6°17'15" E	540.00
87	S 01°22'00" W	170.00
88	N 56°19'19" W	145.00
89	N 78°58'07" W	168.00
90	S 63°27'27" E	17.00
91	S 20°01'47" W	184.00
92	S 55°28'15" W	150.00
93	S 28°13'30" W	142.00
94	S 00°12'02" W	200.00
95	S 70°22'22" E	198.00
96	S 03°32'14" W	178.00
97	S 27°27'45" W	170.00
98	S 10°22'00" E	145.00
99	S 40°59'30" E	108.00
100	S 11°52'56" W	170.00
101	S 48°14'57" W	204.00
102	S 13°36'22" W	173.00
103	S 28°13'30" W	390.00
104	S 00°06'00" E	338.00
105	S 44°56'34" W	170.00
106	N 67°34'41" E	800.00
107	N 73°01'00" W	783.00
108	N 89°27'38" W	415.00
109	N 00°12'27" E	1144.08
110	N=3053.00, Δ=72°27'00"	130.67
111	N 44°16'45" E	2017.88
112	R=847.00, Δ=150°12'	103.41
113	N 80°41'47" E	218.55
114	S=3729.84, Δ=103°24'25"	21.58
115	N 39°32'18" E	1328.84
116	N 20°13'44" E	120.75
117	N=2014.93, Δ=152°43'	239.72
118	N 89°55'00" E	563.07
119	N 82°51'52" E	1338.02

DETAIL B
SCALE: 1" = 30'



Tehipite Chapter • Sierra Club

*To explore, enjoy and preserve the nation's
forests, waters, wildlife and wilderness.*

September 28, 2011

Chairman and Commissioners of the
Fresno County Local Agency Formation Commission
2115 Kern Street, Suite 310
Fresno, CA 93721

Re: Fresno County Waterworks District 18 Approvals

Dear Chairman and Commissioners of the
Fresno County Local Agency Formation Commission:

I represent the Sierra Club Tehipite Chapter, representing over 2,000 dues-paying members in a five-county region, including Fresno County. I serve as Vice Chair of the chapter and an Executive Committee member. I will comment on the item on today's LAFCO agenda pertaining to the application of Fresno County Waterworks District 18 to expand its boundaries and services through a Municipal Service Review (LAFCO File No. MSR-11-6), a Sphere of Influence Revision (LAFCO File No. RSOI-156), the Friant Ranch Annexation (LAFCO File No. AD-11-1), and an Extension of Powers to provide wastewater service (LAFCO File No. EP-11-1).

My comments are as follows:

1. Staff report fails to advise that there are currently three pending lawsuits challenging the validity of the EIR and the County's certification thereof.
2. It is not prudent to approve the project now as the continued viability of the project is not assured.
3. As per the BLM comment, the long-term availability of water for the project is not ensured because there is no evidence that the Lower Tulare Irrigation District will approve a long-term transfer.
4. Contrary to the Staff Report, where, as here, the lead agency-prepared EIR is subject to judicial challenge at the Responsible Agency (i.e. LAFCO) considers approving a project (annexation, SOI) in reliance thereof, the Responsible Agency must assume the validity of the EIR:

Pub Res Code §21167.3(b), which in relevant part provides that "[i]n the event that an action or proceeding is commenced as described in subdivision (a) but no injunction or similar relief is sought and granted, responsible agencies shall assume that the environmental impact report or negative declaration for the project does comply with the provisions of this division . . ."



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5. The staff report claims that "The District represents that the expansion required of Friant Ranch will fully supply the water needs of the Project, and at full build-out, the District will be left with the same amount of capacity to serve their current customers." I cannot verify the veracity of this claim. What is the evidence that the District's current and future customers (without the annexation) would not be affected by the annexation and the District's agreement to supply water to Friant Ranch?

6. The staff report states that "The proposal does not conflict with the goals and policies of the Commission to oversee and promote logical formations, planned, well ordered, efficient development patterns and service areas, and orderly urban development."

The project is not a logical or orderly extension of the tiny community of Friant, it is a massive project that initially will only serve those over 55. It will not provide worker housing, which the General Plan previously noted would be needed if the area is to serve as a recreational hub. So this development is neither logical nor orderly.

7. According to the staff report, the State Health Department raised the following concern:

The State Department of Health Services expressed their concern that Waterworks District No. 18 did not have an adequate water source and treatment capacity to serve the proposed development and said the District must significantly increase its water source and treatment capacity before expanding its service area.

Staff's response to this concern is as follows:

"Staff feels [italics for emphasis] that with approval of the sphere of influence revision, annexation and extension of powers, the District will be able to provide the services for the project."

This response by staff is completely inadequate, as it is not based on any evidence or analysis. What staff "feels" is irrelevant—what matters is what staff can prove.

Vice Chair,
Sierra Club Tehipite Chapter
data.nations@gmail.com
559-790-3495

September 6, 2011

Jeff Witte
Executive Officer
Fresno LAFCO
2115 Kern Street, Suite 310
Fresno CA 93721

**Proposal to Update Municipal Service Review, Sphere of Influence and
Related Documents Regarding Waterworks District No. 18**

Dear Jeff:

This proposal is by Braitman & Associates to provide the described consulting services. I understand time is of the essence in this matter due to a continued hearing scheduled by the Commission for Wednesday, September 28. Fresno LAFCO desires to have a draft staff report for the project circulated by the afternoon of September 16, 2011.

I have examined the materials provided by you and Ken Price regarding the pending applications to the Commission regarding Waterworks District No. 18. Based on my review of these documents, including the August 24 LAFCO staff report and background information, I am proposing to provide the following services:

- Confer with LAFCO staff and legal counsel to discuss outstanding issues, confirm work plan and finalize schedule; visit site of proposed formation; confer with Waterworks District No. 18 staff 9/7
- Review information regarding the proposed annexation from LAFCO, Fresno County and interested parties and prepare a supplement to the Water Works District No. 18 Municipal Service Review (MSR) and any related documents to account for proposed LAFCO actions. Ongoing
- Assist Fresno LAFCO staff and legal counsel in completing MSR supplement and preparing the staff report for the continued public hearing. 9/16

It is difficult at this time to estimate the number of hours that will be required to complete these tasks. As envisioned the project will require at least one visit to Fresno.

Jeff Witte
September 6, 2011
Page 2 of 2

I will charge Fresno LAFCO my normal hourly billable rate of \$200 per hour. We estimate the project should take no longer than 42 billable hours. Travel time will be discounted by 50%.

Out-of-pocket expenses for travel, duplication and other costs will be charged at cost plus 10% and are not expected to exceed \$1,500 for the project.

The not to exceed cost, based on projected hours for this work including out-of-pocket costs, is proposed to be \$9,900.

Please contact me if you have questions or need additional information.

Sincerely,

A handwritten signature in cursive script, reading "Bob Braitman", followed by a horizontal line.

BOB BRAITMAN

cc: Ken Price, LAFCO Legal Counsel



555 12th Street, Suite 1500
Oakland, California 94607
tel 510.808.2000
fax 510.444.1108
www.meyersnave.com

Timothy D. Cremin
Attorney at Law
tcremin@meyersnave.com

November 1, 2011

Via Facsimile and First Class Mail

Jeff Witte, Executive Officer
Fresno County LAFCO
2115 Kern Street, Suite 310
Fresno, CA 93721
Facsimile: 559-495-0655



Re: *Notice of Intent to File CEQA Petition*

Dear Mr. Witte:

Please take notice, pursuant to Public Resources Code section 21167.5, that the City of Fresno (the "City") intends to file a Petition for Writ of Mandate in Fresno County Superior Court under the California Environmental Quality Act, Public Resources Code section 21000 *et seq.* ("CEQA") against the Fresno County Local Agency Formation Commission ("LAFCO") challenging LAFCO's decisions to: approve a Municipal Services Review for Fresno County Waterworks District 18 ("District"), approve a Sphere of Influence Amendment for the District, approve annexation to the District's service area of 520 acres of the Friant Community Plan Update and Friant Ranch Specific Plan; approve an authorization of extension of powers for the District allowing the District to provide wastewater services within its service area, and making certain findings and determinations under CEQA concerning these approvals ("LAFCO Actions").

The Petition alleges that the approval of the LAFCO Actions and related findings and determinations violated CEQA and other laws.

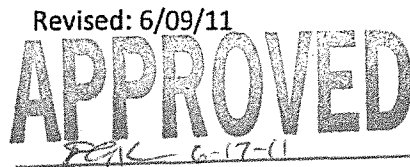
Very truly yours,

Timothy D. Cremin

TDC:ses

c: Kenneth Price, LAFCO Counsel

1737855.1



ANNEXATION NO. 2011-_____
FRIANT RANCH ADDITION TO
FRESNO COUNTY WATERWORKS DISTRICT NO. 18
SPHERE OF INFLUENCE

GEOGRAPHIC DESCRIPTION

All that real property, being portions of Sections 7, 8, 17, and 18, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, according to the official government plats thereof, situate in the County of Fresno, State of California, described as follows:

Beginning at the Southwest corner of Section 8, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, said point also being on the existing service area boundary of Waterworks District No. 18;

The following eight courses are all based on or calculated from that Record of Survey map recorded in Book 51 of Record of Surveys at Pages 82 through 88, Fresno County Records:

Thence (1) North 01° 18' 37" East a distance of 903.81 feet along the West line of said Section 8, and along said existing District boundary, to a point that bears South 01° 18' 37" West a distance of 404.00 feet from the Northwest corner of Government Lot 13 in said Section 8;

Thence leaving said existing District boundary, (2) North 78° 15' 54" East a distance of 441.39 feet;

Thence (3) North 01° 18' 37" East a distance of 304.00 feet to a point on the North line of said Government Lot 13;

Thence (4) North 88° 38' 26" West a distance of 430.00 feet along said North line, to the Northwest corner of said Government Lot 13, said point being on the existing service area boundary of Waterworks District No. 18;

Thence (5) North 88° 47' 38" West a distance of 35.00 feet along the North line of the South half of Government Lot 18 in said Section 7, and along said existing District boundary;

Thence leaving said North line, (6) North 00° 23' 22" East a distance of 10.10 feet continuing along said existing District boundary;

Thence (7) North 65° 35' 31" East a distance of 38.86 feet, continuing along said existing District boundary, to a point on the West line of said Section 8, said point bears North 00° 59' 34" East a distance of 26.90 feet from the Northwest corner of Government Lot 13 in said Section 8;

Thence (8) North 00° 59' 34" East a distance of 1522.82 feet along said West line and along said existing District boundary to a point on the centerline of Mono Street (Abandoned), according to the Map of Pollasky recorded in Volume 5 of Plats at page 5, Fresno County Records, said point also being the Northeasterly corner of Outlot "B" of Tract No. 3573, Millerton Lake Mobilehome Village, according to the map thereof recorded in Volume 41 of Plats at pages 63 and 64, Fresno County Records;

The following four courses are based on the map of Tract No. 3573, Millerton Lake Mobilehome Village, according to the map thereof recorded in Volume 41 of Plats at pages 63 and 64, Fresno County Records:

Thence leaving said existing District boundary, (9) South 67° 34' 25" East a distance of 178.48 feet along said centerline of Mono Street (abandoned);

Thence leaving said centerline, (10) North 18° 59' 00" East a distance of 886.39 feet;

Thence (11) North 73° 39' 54" East a distance of 128.28 feet;

Thence (12) South 16° 33' 53" East a distance of 1886.36 feet;

The remaining courses are all based on or calculated from that Record of Survey map recorded in Book 51 of Record of Surveys at Pages 82 through 88, Fresno County Records:

Thence (13) North 65° 39' 34" East a distance of 210.27 feet;

Thence (14) South 39° 35' 26" East a distance of 873.90 feet;

Thence (15) South 00° 55' 25" West a distance of 1309.92 feet to a point on the North line of the Northwest quarter of said Section 17, said point bears North 88° 30' 32" West a distance of 754.10 feet from the North quarter corner of said Section;

Thence (16) South 09° 37' 23" East a distance of 1167.73 feet;

Thence (17) South 23° 23' 02" East a distance of 478.47 feet;

Thence (18) South 06° 37' 02" East a distance of 741.61 feet;

Thence (19) South 31° 41' 02" East a distance of 1427.50 feet;

Thence (20) South 41° 49' 37" East a distance of 1182.02 feet to a point on the West line of the East half of the Southeast quarter of said Section 17;

Thence (21) North 00° 53' 38" East a distance of 13.07 feet, along said West line, to a point that bears North 00° 53' 38" East a distance of 925.10 feet from the Southwest corner of the East half of the Southeast quarter of said Section 17;

Thence leaving said West line, (22) South 71° 57' 22" East a distance of 780.40 feet;

Thence (23) South 00° 17' 37" West a distance of 701.91 feet to a point on the south line of the Southeast quarter of said Section 17, said point bears North 88° 34' 54" West a distance of 553.00 feet from the Southeast corner of said Section 17;

Thence (24) North 88° 34' 54" West a distance of 1062.85 feet along said South line;

Thence leaving said South line, (25) North 60° 20' 18" West a distance of 185.00 feet;

Thence (26) North 27° 49' 48" West a distance of 100.00 feet;

Thence (27) North 76° 15' 13" West a distance of 207.00 feet;

Thence (28) North 26° 42' 50" East a distance of 185.00 feet;

Thence (29) North 06° 00' 38" East a distance of 74.00 feet;

Thence (30) North 36° 51' 45" East a distance of 96.65 feet to a point on a curve, concave to the Northeast, with a radius of 740.00 feet, a radial to said point bears South 37° 30' 17" West;

Thence (31) Northwesterly a distance of 213.00 feet along said curve, through a central angle of 16° 29' 30";

Thence tangent to said curve, (32) North 36° 00' 13" West a distance of 333.31 feet;

Thence (33) South 53° 59' 47" West a distance of 6.00 feet;

Thence (34) North 41° 04' 20" West a distance of 50.00 feet;
Thence (35) South 86° 26' 46" West a distance of 70.00 feet;
Thence (36) South 38° 00' 03" West a distance of 227.00 feet;
Thence (37) South 48° 44' 43" West a distance of 220.00 feet;
Thence (38) South 69° 44' 30" West a distance of 180.00 feet;
Thence (39) North 76° 10' 05" West a distance of 367.00 feet;
Thence (40) North 38° 32' 16" West a distance of 315.00 feet;
Thence (41) North 24° 16' 00" West a distance of 166.00 feet;
Thence (42) North 58° 27' 34" East a distance of 507.00 feet;
Thence (43) North 33° 30' 00" West a distance of 189.00 feet;
Thence (44) North 27° 28' 50" East a distance of 98.00 feet;
Thence (45) North 46° 38' 55" East a distance of 227.00 feet;
Thence (46) North 02° 21' 49" West a distance of 96.00 feet;
Thence (47) North 36° 10' 03" West a distance of 235.00 feet;
Thence (48) North 54° 08' 22" West a distance of 180.00 feet;
Thence (49) North 59° 26' 31" West a distance of 245.00 feet;
Thence (50) North 46° 22' 28" West a distance of 285.00 feet;
Thence (51) North 15° 18' 18" West a distance of 138.00 feet;
Thence (52) North 40° 33' 15" West a distance of 187.00 feet;
Thence (53) North 50° 39' 24" West a distance of 173.00 feet;
Thence (54) North 13° 01' 35" West a distance of 296.00 feet;
Thence (55) North 14° 56' 52" West a distance of 206.00 feet;
Thence (56) North 48° 54' 02" West a distance of 318.00 feet;
Thence (57) South 88° 51' 25" West a distance of 310.00 feet;

Thence (58) North 06° 14' 30" West a distance of 126.00 feet;

Thence (59) North 27° 57' 53" West a distance of 260.00 feet;

Thence (60) South 79° 46' 22" West a distance of 338.00 feet;

Thence (61) North 21° 39' 07" West a distance of 52.00 feet;

Thence (62) South 83° 02' 53" West a distance of 165.00 feet;

Thence (63) South 36° 10' 15" West a distance of 45.35 feet to a point on the West line of the Northwest quarter of said Section 17, said point bears South 01° 20' 46" West a distance of 1540.67 feet from the Northwest corner of said Section 17;

Thence continuing (64) South 36° 10' 15" West a distance of 96.65 feet into said Section 18;

Thence (65) South 15° 27' 48" West a distance of 150.00 feet;

Thence (66) South 10° 12' 47" West a distance of 358.00 feet;

Thence (67) South 52° 58' 56" West a distance of 221.00 feet;

Thence (68) South 30° 13' 00" West a distance of 355.00 feet;

Thence (69) South 33° 41' 32" West a distance of 240.00 feet;

Thence (70) South 66° 19' 13" West a distance of 270.00 feet;

Thence (71) North 37° 13' 18" West a distance of 84.00 feet;

Thence (72) North 34° 43' 48" East a distance of 165.00 feet;

Thence (73) North 00° 31' 20" West a distance of 198.00 feet;

Thence (74) North 17° 26' 43" West a distance of 340.00 feet;

Thence (75) North 24° 11' 10" West a distance of 305.00 feet;

Thence (76) North 14° 30' 46" West a distance of 530.00 feet;

Thence (77) North 36° 54' 03" West a distance of 110.00 feet;

Thence (78) North 73° 47' 22" West a distance of 199.00 feet;

Thence (79) North 54° 57' 08" West a distance of 112.00 feet;

Thence (80) North 16° 43' 56" West a distance of 69.00 feet;
Thence (81) South 74° 38' 28" West a distance of 165.00 feet;
Thence (82) South 29° 09' 07" East a distance of 93.00 feet;
Thence (83) South 08° 28' 30" West a distance of 132.00 feet;
Thence (84) South 33° 06' 07" East a distance of 180.00 feet;
Thence (85) South 05° 27' 50" East a distance of 202.00 feet;
Thence (86) South 16° 37' 15" East a distance of 540.00 feet;
Thence (87) South 51° 22' 00" West a distance of 170.00 feet;
Thence (88) North 56° 11' 21" West a distance of 185.00 feet;
Thence (89) North 78° 58' 07" West a distance of 198.00 feet;
Thence (90) South 66° 52' 27" West a distance of 171.00 feet;
Thence (91) South 29° 01' 47" West a distance of 184.00 feet;
Thence (92) South 55° 28' 15" West a distance of 150.00 feet;
Thence (93) South 25° 21' 07" West a distance of 142.00 feet;
Thence (94) South 00° 12' 02" West a distance of 200.00 feet;
Thence (95) South 70° 29' 29" West a distance of 196.00 feet;
Thence (96) South 60° 53' 23" West a distance of 128.00 feet;
Thence (97) South 27° 27' 45" West a distance of 170.00 feet;
Thence (98) South 10° 03' 20" East a distance of 146.00 feet;
Thence (99) South 40° 36' 50" West a distance of 108.00 feet;
Thence (100) South 11° 59' 56" West a distance of 170.00 feet;
Thence (101) South 49° 53' 47" West a distance of 254.00 feet;
Thence (102) South 13° 36' 25" West a distance of 173.00 feet;
Thence (103) South 28° 33' 45" West a distance of 380.00 feet;

Thence (104) South 02° 09' 06" East a distance of 328.00 feet;

Thence (105) South 44° 56' 34" West a distance of 170.00 feet;

Thence (106) North 67° 53' 41" West a distance of 850.00 feet;

Thence (107) North 73° 01' 06" West a distance of 283.00 feet;

Thence (108) North 89° 57' 38" West a distance of 415.00 feet to the East line of Parcel Map No. 6646, recorded in Book 47 of Parcel Maps at page 98, Fresno County Records;

Thence (109) North 00° 02' 22" East a distance of 1144.66 feet, along said East line and its northerly projection, to its point of intersection with the Northwestern right of way line of Friant Road, being a curve, concave to the Southeast, with a radius of 3053.00 feet, a radial to said point bears North 48° 08' 16" West;

Thence (110) Northeasterly a distance of 130.62 feet along said curve and said right of way line, through a central angle of 2° 27' 05":

Thence (111) North 44° 18' 49" East a distance of 2077.88 feet, continuing along said right of way line, to the beginning of a tangent curve, concave to the Northwest, with a radius of 947.00 feet;

Thence (112) Northeasterly a distance of 163.41 feet along said curve and continuing along said right of way line, through a central angle of 9° 53' 12", to its point of intersection with the North line of Government Lot 7 in said Section 18, said point being on the existing service area boundary of Waterworks District No. 18.

Thence (113) North 89° 41' 27" East a distance of 218.95 feet along said North line and along said existing District boundary to a point on the southeasterly right of way of the Southern Pacific Railroad (abandoned), said right of way being on a curve, concave to the northwest, with a radius of 5779.65 feet, a radial bearing to said point bears South 50° 14' 15" East;

Thence (114) Northeasterly a distance of 22.58 feet along said curve and right of way and continuing along said existing District boundary, through a central angle of 0° 13' 26";

Thence (115) North 39° 32' 19" East a distance of 1328.94 feet continuing along said right of way and along said existing District boundary;

Thence (116) North 39° 13' 44" East a distance of 120.75 feet continuing along said right of way and along said existing District boundary, to the point of beginning of a non-tangent curve, concave to the northwest, with a radius of 2914.93 feet, a radial to said point bears South 50° 46' 16" East;

Thence (117) Northeasterly a distance of 239.72 feet along said curve and continuing along said right of way, and along said existing District boundary, through a central angle of 4° 42' 43", to a point on the North line of the Northeast quarter of said Section 18;

Thence (118) North 89° 55' 00" East a distance of 563.07 feet along said North line, and continuing along said existing District boundary, to the Northwest corner of the Northeast quarter of the Northeast quarter of said Section 18;

Thence (119) North 89° 51' 12" East a distance of 1338.02 feet along the North line of said Section 18, and continuing along said existing District boundary, to the Point of Beginning.

Containing 519.70 acres, more or less.

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

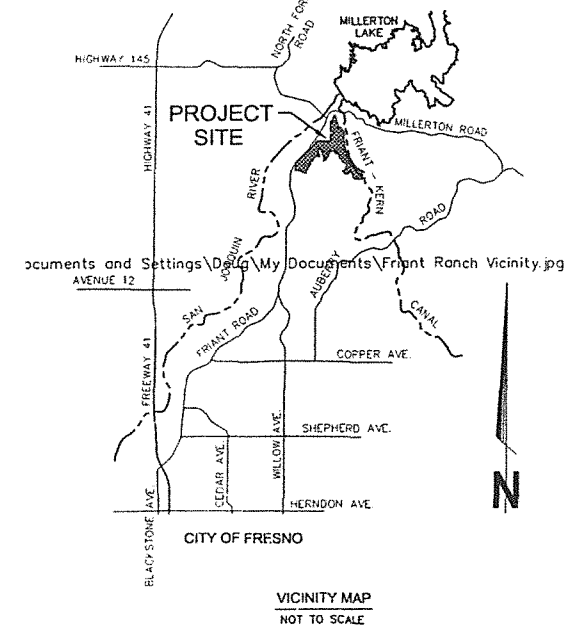
ANNEXATION NO. 2011-
FRIANT RANCH ADDITION TO
FRESNO COUNTY WATERWORKS DISTRICT NO. 18
SPHERE OF INFLUENCE
IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA
BEING PORTIONS OF SECTIONS 7, 8, 17, & 18,
TOWNSHIP 11 SOUTH, RANGE 21 EAST,
MOUNT DIABLO BASE & MERIDIAN

PORTIONS OF APNS:

300-021-51 300-021-53 300-040-02s 300-040-23 300-040-24
300-050-01 300-160-08 300-160-47T 300-160-52s 300-190-02
300-200-05 300-200-06 300-200-19

REVISED: JUNE 9, 2011

APPROVED
FILE 0-17-11



NUMBER	BEARING
R1	S 17°10'17" W
R2	N 48°08'16" W
R3	S 50°14'15" E
R4	S 50°46'16" W

Disclaimer:
"For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described."

LAFCO RESOLUTION NO. _____

DATE: _____

EST. 1988
PROVOST & PRITCHARD
CONSULTING GROUP
An Employee Owned Company
285 WEST CROWNELL AVENUE
FRESNO, CALIFORNIA 93711-6162
559/449-2700 FAX 559/449-2715
www.ppgeng.com
JRM: M2 1.5770437
DWG: N5 EBN-PW

LEGEND
--- EXISTING WATERWORKS DISTRICT NO. 18 BOUNDARY
--- PROPOSED WATERWORKS DISTRICT NO. 18 BOUNDARY
--- EXISTING PROPERTY LINES
--- SECTION LINES - NOT DIVISION LINES
18 SECTION NUMBER (TYPICAL)

SCALE: 1" = 600'

NUMBER	COURSES	LENGTH
1	N 01°16'37" E	503.81
2	N 78°15'54" E	441.39
3	N 01°16'37" E	304.05
4	N 88°38'26" W	430.00
5	N 88°47'38" W	35.00
6	N 00°23'22" E	10.10
7	N 65°35'31" E	38.86
8	N 00°59'34" E	1522.62
9	S 67°34'25" E	178.48
10	N 18°59'00" E	886.39
11	N 73°10'54" E	128.28
12	S 16°33'53" E	1886.36
13	N 65°39'34" E	210.27
14	S 30°35'26" E	873.90
15	S 00°55'25" W	1309.92
16	S 09°37'23" E	1167.73
17	S 23°23'02" E	478.47
18	S 06°37'02" E	741.61
19	S 31°41'02" E	1427.50
20	S 41°49'37" E	1182.02
21	N 00°53'49" E	13.07
22	S 71°57'22" E	780.40
23	S 00°17'37" W	701.91
24	N 88°34'54" W	1062.85
25	N 60°20'18" W	185.00
26	N 27°49'48" W	100.00
27	N 76°15'13" W	207.00
28	N 26°42'50" E	185.00
29	N 06°00'38" E	74.00
30	N 36°51'45" E	96.65
31	R=740.00 Δ=16°29'30"	213.00
32	N 36°00'13" W	333.31
33	S 53°59'47" W	6.00
34	N 41°24'20" W	50.00
35	S 86°26'36" W	70.00

NUMBER	COURSES	LENGTH
36	S 38°00'03" W	227.00
37	S 48°44'43" W	230.00
38	S 69°44'30" W	180.00
39	N 76°10'05" W	367.00
40	N 38°32'16" W	315.00
41	N 24°16'00" W	166.00
42	N 58°27'34" E	507.00
43	N 33°30'00" W	189.00
44	N 27°28'50" E	98.00
45	N 46°38'55" E	227.00
46	N 02°11'49" W	95.00
47	N 36°10'03" W	235.00
48	N 54°08'22" W	180.00
49	N 59°26'31" W	245.00
50	N 46°22'28" W	285.00
51	N 15°18'18" W	138.00
52	N 40°33'15" W	187.00
53	N 50°59'24" W	173.00
54	N 13°01'35" W	296.00
55	N 14°56'52" W	206.00
56	N 48°54'02" W	318.00
57	S 88°51'25" W	310.00
58	N 06°14'30" W	128.00
59	N 27°53'53" W	260.00
60	S 79°46'22" W	133.00
61	N 23°19'07" W	52.00
62	S 83°02'53" W	165.00
63	S 36°10'15" W	45.35
64	S 36°10'15" W	96.65
65	S 15°27'48" W	150.00
66	S 10°12'47" W	358.00
67	S 52°38'56" W	221.00
68	S 30°13'00" W	355.00
69	S 33°41'32" W	240.00
70	S 66°19'13" W	270.00
71	N 37°11'18" W	84.00
72	N 34°43'48" E	165.00
73	N 00°31'20" W	198.00
74	N 17°26'43" W	340.00
75	N 24°11'10" W	305.00
76	N 14°30'46" W	230.00
77	N 36°54'03" W	110.00
78	N 73°47'22" W	199.00
79	N 54°57'08" W	112.00
80	N 16°43'56" W	89.00
81	S 74°38'28" W	165.00
82	S 29°09'07" E	93.00
83	S 08°28'30" W	132.00
84	S 33°06'07" E	180.00
85	S 05°27'50" E	202.00
86	S 16°17'15" E	540.00
87	S 51°22'00" W	170.00
88	N 56°11'21" W	185.00
89	N 78°58'07" W	198.00
90	S 66°52'27" W	171.00
91	S 29°01'47" W	184.00
92	S 55°28'15" W	150.00
93	S 25°19'17" W	142.00
94	S 00°12'02" W	200.00
95	S 70°29'29" W	196.00
96	S 60°53'23" W	128.00
97	S 27°27'45" W	170.00
98	S 10°03'28" E	146.00
99	S 40°36'50" W	108.00
100	S 11°59'56" W	170.00
101	S 40°53'47" W	254.00
102	S 13°36'25" W	173.00
103	S 28°33'45" W	380.00
104	S 02°09'08" E	328.00
105	S 44°56'34" W	170.00
106	N 67°53'41" W	450.00
107	N 73°01'08" W	263.60
108	N 89°57'38" W	415.00
109	N 00°02'22" E	1144.65
110	R=3053.00 Δ=27°27'05"	130.62
111	N 44°18'49" E	2677.88
112	R=947.00 Δ=9°53'12"	163.41
113	N 88°41'27" E	218.95
114	R=5779.65 Δ=01°17'26"	22.58
115	N 39°12'16" E	1328.94
116	N 39°13'44" E	130.75
117	R=2914.93 Δ=152°23'3"	239.72
118	N 89°55'00" E	263.07
119	N 89°51'12" E	1338.02

WEST LINE OF THE EAST 1/2 OF THE SE 1/4 OF SECTION 17 T. 11 S., R. 21 E., M.D.B.&M.

DETAIL B
SCALE: 1" = 30'

LAFCO PROCEDURE CHECKLIST

RSOI-156
File Number

"SPHERE OF INFLUENCE REVISION"
Application Name

MAY 19, 2011
Date Received

REVISE THE SPHERE OF INFLUENCE FOR WATERWORKS DISTRICT #18
Subject Agency(s)

Inhabited ☐ Uninhabited ☐ Public Hearing ☒ 100% Consent ☐ Land Conservation ☐

Sphere of Influence Consistency ☐ Sphere Revision Needed ☒ SOI File Number RSOI-156

☐ Request Info. from Proponent
Date Requested Date Completed

☐ Property Tax Resolution Needed:
Date Requested Date Completed

☐ Environmental Assessment Needed
Date Sent Date Completed EIR ☒ Neg. Dec ☒ Exempt ☐
Environmental Determination/Date

☐ Petition Verified
Date Sent Date Completed

1. Application File Complete
Date

2. Request for Information from Other Agencies:
Date Returned
☒ Assessor (aff. area only ☐ Landowner ☐ LCC ☐ AV ☐ 5/23/11
☒ Planning
☒ Environmental Health
☒ State Office of Drinking Water
☒ California Regional Water Quality Control Board
☒ Elections
☒ Affected Districts
☐ U.S. Soil Conservation District
☐ Director of Conservation
☐ Other

3. Map and Description Approval

4. Certificate of Filing

5. Hearing Date Set

6. Notices Published

7. Notices Mailed and Posted (Request for Notice ☐)

8. Executive Officer's Report Mailed (Req. for Report ☐)

9. Commission Action

☐ Rev. M/L needed - CA Cont. 30 Day Follow Up App. Rev. M & L

10. 60 Day Follow-up

11. Proposal Log

12. LAFCO Resolution Mailed

☐ Condition of Compliance Needed ☐ Notice of Determination Filed (if app)

13. Cert. of Compliance Bound. Change Mailed

14. County Recorder - Time, Date, and Document

15. Effective Date

16.

17.

18.

LAW OFFICES OF

Nick Zinkin

FRIANT RANCH, L.P.

Notes

Nick Zinkin
Attorney at Law

DENNIS BACOPULOS
Operating Manager

Conte

RESOLUTION NO. RSOI-156

**FRESNO LOCAL AGENCY FORMATION COMMISSION
FRESNO COUNTY, CALIFORNIA**

In the Matter of

LAFCo Determination

MAKING DETERMINATIONS AND APPROVING) REVISED SPHERE OF INFLUENCE FOR THE) WATERWORKS DISTRICT NO. 18)	THE FRESNO LOCAL AGENCY FORMATION COMMISSION APPROVES A SPHERE OF INFLUENCE REVISION FOR THE WATERWORKS DISTRICT NO. 18
---	--

WHEREAS, State law requires each Local Agency Formation Commission to determine a Sphere of Influence for each city and most special districts in the County and periodically update and revise those Spheres; and

WHEREAS, the Waterworks District No. 18 submitted an application and supporting materials to this Commission pursuant to Government Code Section 56428 requesting a revision to its adopted Sphere of Influence by adding approximately 520 acres of territory located adjacent to the community of Friant ; and

WHEREAS, the application for said proposal was accepted for filing by the Executive Officer of this Local Agency Formation Commission said application was set for hearing by the Executive Officer on the 24th day of August, 2011, at the hour of 1:30 p.m. of said day; and

WHEREAS, notice of the hearing of said application was duly given by mail, posting, and newspaper publication as required by State law; and

WHEREAS, the Executive Officer reviewed said application and prepared a report, including a recommendation, said report having been mailed to this Commission; and

WHEREAS, this Commission continued the item to the September 28, 2011 hearing to allow the Executive Officer time to review and respond to additional information that was received after the staff report was completed and distributed; and

WHEREAS, notice of the September 28, 2011 hearing was duly given by mail, posting, and newspaper publication as required by State law; and

WHEREAS, the Executive Officer reviewed said application and prepared a report, including a recommendation, said report having been mailed to and considered by this Commission; and

WHEREAS, the County of Fresno, acting as "Lead Agency" pursuant California Environmental Quality Act (CEQA) Guidelines, prepared and Environmental Impact Report (EIR) for the Friant Community Plan Update and the Friant Ranch Specific Plan, and certified the Final EIR on February 1, 2011; and

WHEREAS, as the "Responsible Agency" pursuant to CEQA Guidelines, the Commission independently reviewed and considered the environmental effects of the project as presented in the adopted Final EIR for the Friant Ranch Community Plan Update and Friant Ranch Specific Plan prepared by the Lead Agency, the County of Fresno, prior to reaching a decision on the project (Section 15096); and

WHEREAS, said Sphere of Influence Revision proposal was considered by this Commission at said hearing; and

WHEREAS, this Commission considered all relevant factors and evidence pertaining to said application and heard all interested parties wishing to testify.

WHEREAS, this Commission reviewed and considered the information in the Environmental Impact Report prepared for the Friant Ranch Specific Plan and Friant Community Plan Update Sphere of Influence Update and General Plan Amendment.

NOW, THEREFORE, BE IT RESOLVED that the Fresno Local Agency Formation Commission does HEREBY STATE, FIND, RESOLVE, DETERMINE, AND ORDER as follows:

Section #1: Acting as Responsible Agency pursuant to CEQA Guidelines, this Commission finds that the environmental effects of the project as shown in the Final EIR prepared and certified by the County as Lead Agency and adopted by the Board of Supervisors, were reviewed and considered and complies with the requirements of CEQA Guideline section 15096.

Section #2. Prior to taking action to amend the Sphere of Influence, this Commission finds a Municipal Service Review Update has been prepared for Waterworks District No. 18.

Section #3. This Commission finds that approval of the Sphere of Influence Amendment for Waterworks District No. 18 is based on sufficient information in the Municipal Service Review Update, Executive Officer's Report to the Commission and all other testimony, evidence and information provided by persons and interested agencies, and is in compliance with State law, including, but not limited to, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, and CEQA.

Section #4. This Commission finds the proposed Waterworks District No. 18 Sphere of Influence Amendment is consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and Fresno LAFCo adopted Policies, Standards and Procedures, including, but not limited to, sections 100 et seq. and 330, and that this action carries out LAFCo's purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities.

Section #5: This Commission adopts the written determinations for the Sphere of Influence Amendment prepared in accordance with California Government Code section 56425(e), attached as Exhibit "A", approves the revised Sphere of Influence, adding approximately 520 acres to the Waterworks District No. 18 Sphere of Influence, attached as Exhibit "B", and assigns the distinctive short form designation "Sphere of Influence Revision".

Section #6. This Commission imposes the condition that approval of the Sphere of Influence Amendment is subject to the Applicant executing an indemnification agreement with the Commission, agreeing to defend, indemnify, and hold harmless the Commission from and against any claims, actions (including those filed by any state or governmental agency), costs, or damages arising out of or in connection with the Commission's actions related to this matter.

* * * * *

ADOPTED THIS 28th DAY OF SEPTEMBER, 2011, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS PEREA, SILVA, ANDERSON, FORTUNE, LOPEZ

NOES: NONE

ABSENT: COMMISSIONER SILVA

**STATE OF CALIFORNIA)
COUNTY OF FRESNO)**

CERTIFICATION

I, Jeff Witte, Executive Officer of the Fresno Local Agency Formation Commission, Fresno County, State of California, certify that the foregoing resolution was adopted by the Commission at a regular meeting held on the 28th day of September, 2011.



**Jeff Witte, Executive Officer
Fresno Local Agency Formation Commission**

EXHIBIT A

DETERMINATIONS PURSUANT TO GOVERNMENT CODE SECTION 56425 For the Waterworks District No. 18 Sphere of Influence Revision (File No. RSOI-156)

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

Current land uses within the District are primarily residential with some commercial uses. Future land uses within an expanded District are expected to remain primarily residential with some new commercial and retail uses.

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

Water services are currently provided by Waterworks District No. 18 to existing urban uses within the Friant Community.

The County has approved the Friant Ranch Specific Plan and rezoning which may result in the construction of up to 2,500 new residential units and new commercial and retail uses within the expanded District boundaries.

The Friant Ranch Infrastructure Master Plan, approved by the County as an appendix to the Friant Ranch Specific Plan, requires the Project to fund the construction of facilities that are needed to provide water facility upgrades and wastewater services needed to accommodate the new development. The Friant Ranch Infrastructure Master Plan requires the Project to fund the construction of the collector system necessary to connect the existing Millerton Lake Village Mobile Home Park to the new wastewater treatment plant once it is fully approved and operational. The Infrastructure Master Plan clarifies that the Project will provide sufficient capacity to serve the remaining areas within the Friant Community Plan area in accordance with the land use designations approved in the Friant Community Plan Update but connection to the wastewater disposal system would not be funded by the Project.

If the District were to consolidate with County managed CSAs and waterworks districts in the vicinity, the County or users within those districts would be responsible for any necessary system upgrades or connections.

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

Water services currently provided by Waterworks District No. 18 are adequate to serve the existing community. The Friant Ranch Infrastructure Master Plan has been completed and adopted by the Board of Supervisors. It projects water and wastewater facilities needed to accommodate development of the Friant Ranch.

A study would be necessary to determine what effect consolidation with the County managed CSAs and waterworks district might have on the capacity of the District's existing or planned system and its financial circumstances.

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

The social or economic community within the boundaries and vicinity of Waterworks District No. 18 is the community of Friant. If the Friant Ranch project comes to fruition residents of that development will be part of the overall Friant Community.

EXHIBIT "A"

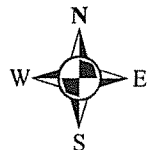


Legend

- District SOI
- District Area
- Affected Territory

Waterworks District No. 18 "Sphere of Influence Revision", "Friant Ranch Annexation", and "Extension of Wastewater Services" (LAFCo File Nos. RSOI-156, AD-11-1, and EP-11-1)

0 0.5 1 Miles



RESOLUTION NO. RSOI-156

**FRESNO LOCAL AGENCY FORMATION COMMISSION
FRESNO COUNTY, CALIFORNIA**

In the Matter of

LAFCo Determination

**MAKING DETERMINATIONS AND
APPROVING THE SPHERE OF
INFLUENCE FOR WATERWORKS
DISTRICT NO. 18**

)
)
)
)

CONTINUED TO SEPTEMBER 28, 2011

WHEREAS, State law requires each Local Agency Formation Commission to determine a Sphere of Influence for each City and Special District in the County and periodically update and revise those Spheres; and

WHEREAS, the Waterworks District No. 18 submitted an application and supporting materials to this Commission pursuant to Government Code Section 56428 requesting an update to its adopted Sphere of Influence to add approximately 520 acres of territory located adjacent to the Community of Friant; and

WHEREAS, the application for said proposal was accepted for filing by the Executive Officer of this Local Agency Formation Commission; and

WHEREAS, said application was set for hearing by the Executive Officer on the 24th day of August, 2011, at the hour of 1:30 p.m. of said day; and

WHEREAS, notice of the hearing of said application was duly given by mail, posting, and newspaper publication as required by State law; and

WHEREAS, the Executive Officer reviewed said application and prepared a report, including a recommendation, said report having been mailed to this Commission; and

WHEREAS, the Executive Officer reported that new information had been received and requested additional time to review and respond to the information so that it could be included in staff's report; and

WHEREAS, this Commission continued the item to allow the Executive Officer time to review and respond to additional information that was received after the staff report was completed and distributed.

* * * * *

ADOPTED THIS 24th DAY OF AUGUST, 2011, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS FORTUNE, ANDERSON, SILVA, LOPEZ

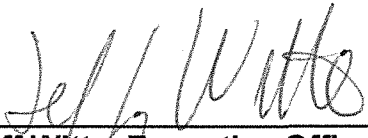
NOES: NONE

ABSENT: COMMISSIONER PEREA

**STATE OF CALIFORNIA)
COUNTY OF FRESNO)**

CERTIFICATION

I, Jeff Witte, Executive Officer of the Fresno Local Agency Formation Commission, Fresno County, State of California, certify that the foregoing resolution was adopted by the Commission at a regular meeting held on the 24th day of August, 2011.



**Jeff Witte, Executive Officer
Fresno Local Agency Formation Commission**

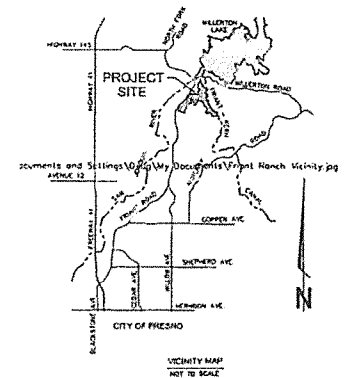
ANNEXATION NO. 2011-
FRIANT RANCH ANNEXATION TO
FRESNO COUNTY WATERWORKS DISTRICT NO. 18
SERVICE AREA

IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA
BEING PORTIONS OF SECTIONS 7, 8, 17, & 18,
TOWNSHIP 11 SOUTH, RANGE 21 EAST,
MOUNT Diablo Base & Meridian

PORTIONS OF APNs:

300-021-21 300-021-22 300-021-23 300-040-02a 300-040-23 300-040-24
300-050-01 300-160-08 300-160-09 300-160-10 300-160-11 300-160-12
300-200-05 300-200-06 300-200-07

REVISED: JUNE 9, 2011



APN	ACRES
300-021-21	1.12
300-021-22	1.12
300-021-23	1.12
300-040-02a	1.12
300-040-23	1.12
300-040-24	1.12
300-050-01	1.12
300-160-08	1.12
300-160-09	1.12
300-160-10	1.12
300-160-11	1.12
300-160-12	1.12
300-200-05	1.12
300-200-06	1.12
300-200-07	1.12

Disclaimer:
For measurement purposes only. This description of land is not a
legal property description as defined in the Subdivision Map Act and
may not be used as the basis for an after-the-fact sale of the land
described.

LAFCD RESOLUTION NO.

DATE:

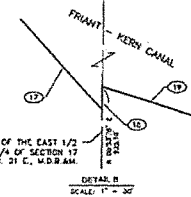
PROVOST & PRITCHARD
CONSULTING ENGINEER
An Employee Owned Company
100 WEST GOWAN AVENUE
SUITE 100, FRESNO, CALIFORNIA 93701
515-440-1700 FAX 515-440-1701
www.provostpritchard.com

LEGEND
--- EXISTING WATERWORKS DISTRICT
NO. 18 BOUNDARY
--- PROPOSED WATERWORKS DISTRICT
NO. 18 BOUNDARY
--- EXISTING PROPERTY LINES
--- SECTION LINES - NOT DIVISION
LINES

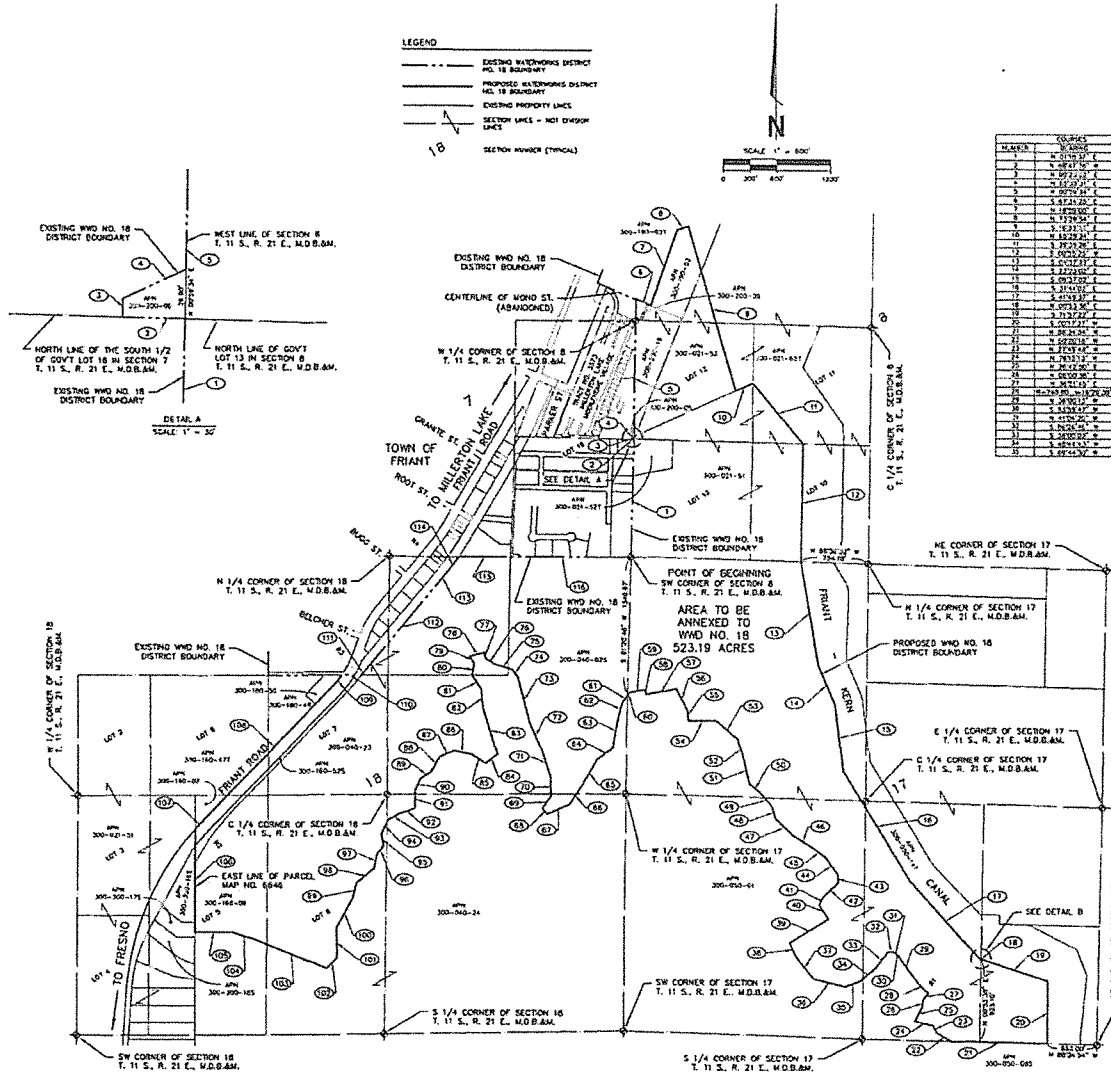
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0 200 400 1200

APN	ACRES
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300-021-23	1.12
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300-040-24	1.12
300-050-01	1.12
300-160-08	1.12
300-160-09	1.12
300-160-10	1.12
300-160-11	1.12
300-160-12	1.12
300-200-05	1.12
300-200-06	1.12
300-200-07	1.12

APN	ACRES
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300-021-22	1.12
300-021-23	1.12
300-040-02a	1.12
300-040-23	1.12
300-040-24	1.12
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SCALE: 1" = 200'

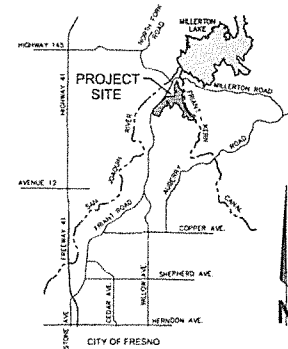


ANNEXATION NO. 2011-
FRIANT RANCH ADDITION TO
FRESNO COUNTY WATERWORKS DISTRICT NO. 18
SPHERE OF INFLUENCE
IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA
BEING PORTIONS OF SECTIONS 7, 8, 17, & 18,
TOWNSHIP 11 SOUTH, RANGE 21 EAST,
MOUNT Diablo Base & Meridian

PORTIONS OF APNS:

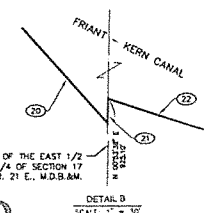
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300-050-01 300-160-08 300-160-17 300-160-529 300-160-02
300-200-05 300-200-06 300-200-19

REVISED: JUNE 9, 2011



NUMBER	BEARING	LENGTH
1	N 91°18'31" E	803.81
2	N 28°54'00" E	447.39
3	N 08°58'57" E	350.00
4	N 88°38'26" E	430.00
5	N 88°27'28" E	15.00
6	N 07°52'27" E	10.10
7	N 50°20'17" E	18.89
8	N 09°59'34" E	1572.82
9	S 67°14'25" E	178.48
10	N 10°59'00" E	496.76
11	N 23°39'34" E	128.28
12	S 16°12'14" E	1686.74
13	N 45°24'34" E	210.27
14	S 29°38'34" E	873.92
15	S 09°55'25" E	1309.93
16	S 09°22'22" E	178.73
17	S 12°39'01" E	479.47
18	S 06°32'22" E	740.81
19	S 21°03'02" E	1472.50
20	S 41°46'37" E	1182.07
21	N 02°33'36" E	13.07
22	S 21°57'22" E	780.42
23	S 00°57'47" E	728.91
24	N 50°15'34" E	1087.85
25	N 49°28'18" E	185.00
26	N 27°44'48" E	1050.00
27	N 76°13'17" E	207.00
28	N 30°18'26" E	195.00
29	N 08°06'10" E	74.50
30	N 30°51'51" E	16.85
31	S 12°02'00" E	213.50
32	N 30°51'51" E	133.17
33	S 12°02'00" E	8.30
34	N 41°28'42" E	50.00
35	S 08°24'54" E	79.00

NUMBER	BEARING	LENGTH
36	S 28°00'01" E	272.00
37	S 18°14'17" E	270.00
38	S 08°58'57" E	160.00
39	N 78°50'00" E	247.00
40	N 30°20'17" E	175.00
41	N 21°28'00" E	185.00
42	N 38°27'34" E	307.00
43	N 33°50'00" E	189.00
44	S 27°29'20" E	161.00
45	N 45°38'35" E	227.00
46	N 02°14'08" E	96.00
47	N 16°12'05" E	235.00
48	N 54°08'22" E	180.00
49	N 48°28'21" E	245.00
50	N 44°22'28" E	185.00
51	N 15°18'18" E	178.00
52	N 40°38'15" E	149.00
53	N 50°32'24" E	771.00
54	N 12°01'22" E	268.00
55	N 11°56'37" E	206.00
56	N 47°42'00" E	116.00
57	S 08°21'25" E	310.00
58	S 06°15'30" E	725.00
59	N 42°52'52" E	140.00
60	S 28°46'22" E	330.00
61	N 29°29'07" E	57.00
62	S 41°02'37" E	155.00
63	S 10°31'18" E	43.00
64	S 28°01'17" E	98.15
65	S 15°27'48" E	150.00
66	S 12°52'52" E	158.00
67	S 52°38'56" E	277.00
68	S 30°17'00" E	305.00
69	S 11°41'32" E	240.00
70	S 13°31'18" E	270.00
71	N 37°31'18" E	84.50
72	N 05°54'18" E	158.00
73	N 42°52'52" E	140.00
74	N 17°28'47" E	740.00
75	N 11°17'00" E	205.00
76	N 14°30'48" E	430.00
77	N 23°47'22" E	1494.00
78	N 54°57'10" E	173.00
79	N 14°32'58" E	75.00
80	S 21°36'28" E	165.00
81	S 09°00'07" E	135.00
82	S 08°16'30" E	137.00
83	S 02°57'00" E	202.00
84	S 10°31'18" E	402.00
85	S 52°57'10" E	170.00
86	N 16°17'10" E	165.00
87	N 78°50'00" E	158.00
88	S 52°57'10" E	171.00
89	S 10°31'18" E	184.00
90	S 52°57'10" E	140.00
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92	S 02°57'10" E	149.00
93	S 02°57'10" E	178.00
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103	S 02°57'10" E	178.00
104	S 02°57'10" E	178.00
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110	S 02°57'10" E	178.00
111	S 02°57'10" E	178.00
112	S 02°57'10" E	178.00
113	S 02°57'10" E	178.00
114	S 02°57'10" E	178.00
115	S 02°57'10" E	178.00
116	S 02°57'10" E	178.00
117	S 02°57'10" E	178.00
118	S 02°57'10" E	178.00
119	S 02°57'10" E	178.00
120	S 02°57'10" E	178.00



DETAIL A
SCALE: 1" = 30'

APPROVED
LAFCO RES. # RS07-156
September 28, 2011
DATE

LAFCO RESOLUTION NO. _____
DATE: _____

PROVOST & PRITCHARD
A Professional Land Surveying Firm
200 WEST CROWLEY AVENUE
FRESNO, CALIFORNIA 93711-8441
509/443-2700 FAX 509/443-2715
www.ppf.com
APR 08 11:00AM
DMS NO. 1304-PA

ANNEXATION NO. 2011-____
FRIANT RANCH ANNEXATION TO
FRESNO COUNTY WATERWORKS DISTRICT NO. 18
SERVICE AREA

GEOGRAPHIC DESCRIPTION

All that real property, being portions of Sections 7, 8, 17, and 18, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, according to the official government plats thereof, situate in the County of Fresno, State of California, described as follows:

Beginning at the Southwest corner of Section 8, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, said point also being on the existing service area boundary of Waterworks District No. 18;

The following five courses are all based on or calculated from that Record of Survey map recorded in Book 51 of Record of Surveys at Pages 82 through 88, Fresno County Records:

Thence (1) North 01° 18' 37" East a distance of 1307.81 feet along the West line of said Section 8, and along said existing District boundary, to the Northwest corner of Government Lot 13 in said Section 8;

Thence (2) North 88° 47' 38" West a distance of 35.00 feet along the North line of the South half of Government Lot 18 in said Section 7, and continuing along said existing District boundary;

Thence leaving said North line, (3) North 00° 23' 22" East a distance of 10.10 feet continuing along said existing District boundary;

Thence (4) North 65° 35' 31" East a distance of 38.86 feet, continuing along said existing District boundary, to a point on the West line of said Section 8, said point bears North 00° 59' 34" East a distance of 26.90 feet from the Northwest corner of Government Lot 13 in said Section 8;

Thence (5) North 00° 59' 34" East a distance of 1522.82 feet along said West line and along said existing District boundary to a point on the centerline of Mono Street (Abandoned), according to the Map of Pollasky recorded in Volume 5 of Plats at page 5, Fresno County Records, said point also being the Northeasterly corner of Outlot "B" of Tract No. 3573, Millerton Lake Mobilehome Village, according to the map thereof recorded in Volume 41 of Plats at pages 63 and 64, Fresno County Records;

The following four courses are based on the map of Tract No. 3573, Millerton Lake Mobilehome Village, according to the map thereof recorded in Volume 41 of Plats at pages 63 and 64, Fresno County Records:

Thence leaving said existing District boundary, (6) South 67° 34' 25" East a distance of 178.48 feet along said centerline of Mono Street (abandoned);

Thence leaving said centerline, (7) North 18° 59' 00" East a distance of 886.39 feet;

Thence (8) North 73° 39' 54" East a distance of 128.28 feet;

Thence (9) South 16° 33' 53" East a distance of 1886.36 feet;

The remaining courses are all based on or calculated from that Record of Survey map recorded in Book 51 of Record of Surveys at Pages 82 through 88, Fresno County Records:

Thence (10) North 65° 39' 34" East a distance of 210.27 feet;

Thence (11) South 39° 35' 26" East a distance of 873.90 feet;

Thence (12) South 00° 55' 25" West a distance of 1309.92 feet to a point on the North line of the Northwest quarter of said Section 17, said point bears North 88° 30' 32" West a distance of 754.10 feet from the North quarter corner of said Section;

Thence (13) South 09° 37' 23" East a distance of 1167.73 feet;

Thence (14) South 23° 23' 02" East a distance of 478.47 feet;

Thence (15) South 06° 37' 02" East a distance of 741.61 feet;

Thence (16) South 31° 41' 02" East a distance of 1427.50 feet;

Thence (17) South 41° 49' 37" East a distance of 1182.02 feet to a point on the West line of the East half of the Southeast quarter of said Section 17;

Thence (18) North 00° 53' 38" East a distance of 13.07 feet, along said West line, to a point that bears North 00° 53' 38" East a distance of 925.10 feet from the Southwest corner of the East half of the Southeast quarter of said Section 17;

Thence leaving said West line, (19) South 71° 57' 22" East a distance of 780.40 feet;

Thence (20) South $00^{\circ} 17' 37''$ West a distance of 701.91 feet to a point on the south line of the Southeast quarter of said Section 17, said point bears North $88^{\circ} 34' 54''$ West a distance of 553.00 feet from the Southeast corner of said Section 17;

Thence (21) North $88^{\circ} 34' 54''$ West a distance of 1062.85 feet along said South line;

Thence leaving said South line, (22) North $60^{\circ} 20' 18''$ West a distance of 185.00 feet;

Thence (23) North $27^{\circ} 49' 48''$ West a distance of 100.00 feet;

Thence (24) North $76^{\circ} 15' 13''$ West a distance of 207.00 feet;

Thence (25) North $26^{\circ} 42' 50''$ East a distance of 185.00 feet;

Thence (26) North $06^{\circ} 00' 38''$ East a distance of 74.00 feet;

Thence (27) North $36^{\circ} 51' 45''$ East a distance of 96.65 feet to a point on a curve, concave to the Northeast, with a radius of 740.00 feet, a radial to said point bears South $37^{\circ} 30' 17''$ West;

Thence (28) Northwesterly a distance of 213.00 feet along said curve, through a central angle of $16^{\circ} 29' 30''$;

Thence tangent to said curve, (29) North $36^{\circ} 00' 13''$ West a distance of 333.31 feet;

Thence (30) South $53^{\circ} 59' 47''$ West a distance of 6.00 feet;

Thence (31) North $41^{\circ} 04' 20''$ West a distance of 50.00 feet;

Thence (32) South $86^{\circ} 26' 46''$ West a distance of 70.00 feet;

Thence (33) South $38^{\circ} 00' 03''$ West a distance of 227.00 feet;

Thence (34) South $48^{\circ} 44' 43''$ West a distance of 220.00 feet;

Thence (35) South $69^{\circ} 44' 30''$ West a distance of 180.00 feet;

Thence (36) North $76^{\circ} 10' 05''$ West a distance of 367.00 feet;

Thence (37) North $38^{\circ} 32' 16''$ West a distance of 315.00 feet;

Thence (38) North $24^{\circ} 16' 00''$ West a distance of 166.00 feet;

Thence (39) North 58° 27' 34" East a distance of 507.00 feet;
Thence (40) North 33° 30' 00" West a distance of 189.00 feet;
Thence (41) North 27° 28' 50" East a distance of 98.00 feet;
Thence (42) North 46° 38' 55" East a distance of 227.00 feet;
Thence (43) North 02° 21' 49" West a distance of 96.00 feet;
Thence (44) North 36° 10' 03" West a distance of 235.00 feet;
Thence (45) North 54° 08' 22" West a distance of 180.00 feet;
Thence (46) North 59° 26' 31" West a distance of 245.00 feet;
Thence (47) North 46° 22' 28" West a distance of 285.00 feet;
Thence (48) North 15° 18' 18" West a distance of 138.00 feet;
Thence (49) North 40° 33' 15" West a distance of 187.00 feet;
Thence (50) North 50° 39' 24" West a distance of 173.00 feet;
Thence (51) North 13° 01' 35" West a distance of 296.00 feet;
Thence (52) North 14° 56' 52" West a distance of 206.00 feet;
Thence (53) North 48° 54' 02" West a distance of 318.00 feet;
Thence (54) South 88° 51' 25" West a distance of 310.00 feet;
Thence (55) North 06° 14' 30" West a distance of 126.00 feet;
Thence (56) North 27° 57' 53" West a distance of 260.00 feet;
Thence (57) South 79° 46' 22" West a distance of 338.00 feet;
Thence (58) North 21° 39' 07" West a distance of 52.00 feet;
Thence (59) South 83° 02' 53" West a distance of 165.00 feet;
Thence (60) South 36° 10' 15" West a distance of 45.35 feet to a point on the
West line of the Northwest quarter of said Section 17, said point bears
South 01° 20' 46" West a distance of 1540.67 feet from the Northwest corner of
said Section 17;

Thence continuing (61) South 36° 10' 15" West a distance of 96.65 feet into said Section 18;

Thence (62) South 15° 27' 48" West a distance of 150.00 feet;

Thence (63) South 10° 12' 47" West a distance of 358.00 feet;

Thence (64) South 52° 58' 56" West a distance of 221.00 feet;

Thence (65) South 30° 13' 00" West a distance of 355.00 feet;

Thence (66) South 33° 41' 32" West a distance of 240.00 feet;

Thence (67) South 66° 19' 13" West a distance of 270.00 feet;

Thence (68) North 37° 13' 18" West a distance of 84.00 feet;

Thence (69) North 34° 43' 48" East a distance of 165.00 feet;

Thence (70) North 00° 31' 20" West a distance of 198.00 feet;

Thence (71) North 17° 26' 43" West a distance of 340.00 feet;

Thence (72) North 24° 11' 10" West a distance of 305.00 feet;

Thence (73) North 14° 30' 46" West a distance of 530.00 feet;

Thence (74) North 36° 54' 03" West a distance of 110.00 feet;

Thence (75) North 73° 47' 22" West a distance of 199.00 feet;

Thence (76) North 54° 57' 08" West a distance of 112.00 feet;

Thence (77) North 16° 43' 56" West a distance of 69.00 feet;

Thence (78) South 74° 38' 28" West a distance of 165.00 feet;

Thence (79) South 29° 09' 07" East a distance of 93.00 feet;

Thence (80) South 08° 28' 30" West a distance of 132.00 feet;

Thence (81) South 33° 06' 07" East a distance of 180.00 feet;

Thence (82) South 05° 27' 50" East a distance of 202.00 feet;

Thence (83) South 16° 37' 15" East a distance of 540.00 feet;

Thence (84) South 51° 22' 00" West a distance of 170.00 feet;

Thence (85) North 56° 11' 21" West a distance of 185.00 feet;
Thence (86) North 78° 58' 07" West a distance of 198.00 feet;
Thence (87) South 66° 52' 27" West a distance of 171.00 feet;
Thence (88) South 29° 01' 47" West a distance of 184.00 feet;
Thence (89) South 55° 28' 15" West a distance of 150.00 feet;
Thence (90) South 25° 21' 07" West a distance of 142.00 feet;
Thence (91) South 00° 12' 02" West a distance of 200.00 feet;
Thence (92) South 70° 29' 29" West a distance of 196.00 feet;
Thence (93) South 60° 53' 23" West a distance of 128.00 feet;
Thence (94) South 27° 27' 45" West a distance of 170.00 feet;
Thence (95) South 10° 03' 20" East a distance of 146.00 feet;
Thence (96) South 40° 36' 50" West a distance of 108.00 feet;
Thence (97) South 11° 59' 56" West a distance of 170.00 feet;
Thence (98) South 49° 53' 47" West a distance of 254.00 feet;
Thence (99) South 13° 36' 25" West a distance of 173.00 feet;
Thence (100) South 28° 33' 45" West a distance of 380.00 feet;
Thence (101) South 02° 09' 06" East a distance of 328.00 feet;
Thence (102) South 44° 56' 34" West a distance of 170.00 feet;
Thence (103) North 67° 53' 41" West a distance of 850.00 feet;
Thence (104) North 73° 01' 06" West a distance of 283.00 feet;
Thence (105) North 89° 57' 38" West a distance of 415.00 feet to the East line of Parcel Map No. 6646, recorded in Book 47 of Parcel Maps at page 98, Fresno County Records;
Thence (106) North 00° 02' 22" East a distance of 1144.66 feet, along said East line and its northerly projection, to its point of intersection with the Northwesterly

right of way line of Friant Road, being a curve, concave to the Southeast, with a radius of 3053.00 feet, a radial to said point bears North 48° 08' 16" West;

Thence (107) Northeasterly a distance of 130.62 feet along said curve and said right of way line, through a central angle of 2° 27' 05":

Thence (108) North 44° 18' 49" East a distance of 2077.88 feet, continuing along said right of way line, to the beginning of a tangent curve, concave to the Northwest, with a radius of 947.00 feet;

Thence (109) Northeasterly a distance of 163.41 feet along said curve and continuing along said right of way line, through a central angle of 9° 53' 12", to its point of intersection with the North line of Government Lot 7 in said Section 18, said point being on the existing service area boundary of Waterworks District No. 18.

Thence (110) North 89° 41' 27" East a distance of 218.95 feet along said North line and along said existing District boundary to a point on the southeasterly right of way of the Southern Pacific Railroad (abandoned), said right of way being on a curve, concave to the northwest, with a radius of 5779.65 feet, a radial bearing to said point bears South 50° 14' 15" East;

Thence (111) Northeasterly a distance of 22.58 feet along said curve and right of way and continuing along said existing District boundary, through a central angle of 0° 13' 26";

Thence (112) North 39° 32' 19" East a distance of 1328.94 feet continuing along said right of way and along said existing District boundary;

Thence (113) North 39° 13' 44" East a distance of 120.75 feet continuing along said right of way and along said existing District boundary, to the point of beginning of a non-tangent curve, concave to the northwest, with a radius of 2914.93 feet, a radial to said point bears South 50° 46' 16" East;

Thence (114) Northeasterly a distance of 239.72 feet along said curve and continuing along said right of way, and along said existing District boundary, through a central angle of 4° 42' 43", to a point on the North line of the Northeast quarter of said Section 18;

Thence (115) North 89° 55' 00" East a distance of 563.07 feet along said North line, and continuing along said existing District boundary, to the Northwest corner of the Northeast quarter of the Northeast quarter of said Section 18;

Thence (116) North 89° 51' 12" East a distance of 1338.02 feet along the North line of said Section 18, and continuing along said existing District boundary, to the Point of Beginning.

Containing 523.19 acres, more or less.

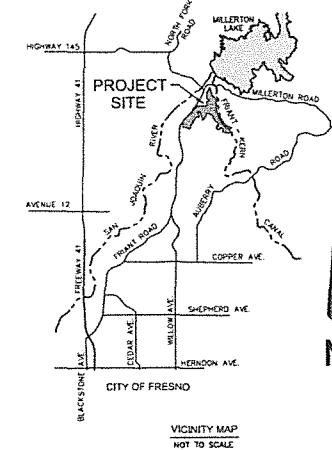
For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

ANNEXATION NO. 2011-
FRIANT RANCH ADDITION TO
FRESNO COUNTY WATERWORKS DISTRICT NO. 18
SPHERE OF INFLUENCE
IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA
BEING PORTIONS OF SECTIONS 7, 8, 17, & 18,
TOWNSHIP 11 SOUTH, RANGE 21 EAST,
MOUNT DIABLO BASE & MERIDIAN

PORTIONS OF APNS:

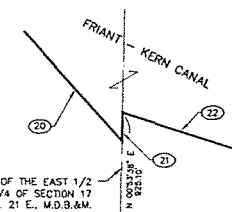
300-021-51 300-021-53 300-040-02a 300-040-23 300-040-24
300-050-01 300-160-08 300-160-47T 300-160-52s 300-190-02
300-200-05 300-200-06 300-200-19

REVISED: JUNE 9, 2011



NUMBER	BEARING	LENGTH
1	N 0°18'37" E	203.81
2	N 78°15'54" E	441.59
3	N 0°18'37" E	304.00
4	N 88°28'26" W	430.00
5	N 89°47'38" W	15.00
6	N 0°23'32" E	10.10
7	N 65°35'31" E	38.56
8	N 0°59'54" E	1522.82
9	S 67°24'22" E	178.48
10	N 18°23'00" E	286.79
11	N 7°13'54" E	278.78
12	S 16°13'54" E	1885.36
13	N 65°35'31" E	210.27
14	S 0°23'32" E	673.50
15	S 0°05'22" E	1309.92
16	S 0°32'22" E	1187.73
17	S 23°23'02" E	478.47
18	S 68°37'02" E	741.61
19	S 21°42'02" E	1427.50
20	S 41°42'37" E	1182.62
21	N 0°23'32" E	13.07
22	S 21°22'22" E	786.40
23	S 0°07'37" W	701.91
24	N 89°24'54" W	1002.85
25	N 0°02'02" E	150.55
26	N 27°49'48" W	100.00
27	N 78°15'54" W	207.00
28	N 78°42'22" E	115.00
29	N 05°30'30" E	74.00
30	N 30°14'51" E	25.65
31	S 82°40'00" W	213.00
32	N 38°02'37" W	333.31
33	S 51°24'37" W	50.50
34	N 47°04'20" W	50.50
35	S 88°28'26" W	70.00

NUMBER	BEARING	LENGTH
36	S 30°02'02" W	227.00
37	S 48°44'41" W	220.00
38	S 69°44'30" W	180.00
39	N 26°10'50" W	367.00
40	N 38°32'35" W	315.00
41	N 24°15'00" W	166.00
42	N 28°27'24" E	507.00
43	N 31°20'00" E	189.00
44	N 27°28'50" E	98.00
45	N 46°38'55" E	227.00
46	N 02°41'42" E	96.00
47	N 36°18'21" W	235.00
48	N 54°08'24" E	183.00
49	N 32°42'51" E	245.00
50	N 46°22'28" W	285.00
51	N 15°18'18" W	138.00
52	N 40°33'15" W	187.00
53	N 50°12'24" W	173.00
54	N 33°02'34" W	206.00
55	N 18°46'52" W	206.00
56	N 48°44'02" W	318.00
57	S 79°46'22" W	338.00
58	N 06°14'30" W	126.00
59	N 27°27'31" W	260.00
60	S 79°46'22" W	338.00
61	N 21°39'37" W	52.00
62	S 83°04'55" W	165.00
63	S 30°01'15" W	45.35
64	S 36°10'15" W	96.65
65	S 30°14'51" E	25.65
66	S 16°13'54" E	358.00
67	S 52°58'58" W	221.00
68	S 30°14'51" E	25.65
69	S 30°14'51" E	25.65
70	S 51°27'00" W	172.00
71	N 28°56'07" W	198.00
72	N 24°43'48" W	165.00
73	N 00°31'20" W	198.00
74	N 17°46'44" W	140.00
75	N 24°11'10" W	305.00
76	N 14°59'44" W	530.00
77	N 36°45'02" W	110.00
78	N 73°47'22" W	189.00
79	N 64°57'08" W	112.00
80	N 18°53'54" W	155.00
81	S 74°38'28" W	185.00
82	S 22°23'07" E	93.00
83	S 08°24'07" E	132.00
84	S 33°05'07" E	180.00
85	S 09°27'50" E	222.00
86	S 16°37'15" E	240.00
87	S 51°27'00" W	172.00
88	N 56°17'21" W	185.00
89	N 28°56'07" W	198.00
90	S 65°02'21" W	171.00
91	S 22°04'49" W	164.00
92	S 55°08'15" W	150.00
93	S 25°21'01" W	142.00
94	S 00°24'00" W	200.00
95	S 02°02'11" E	195.00
96	S 60°42'11" W	128.00
97	S 22°24'44" W	170.00
98	S 10°33'20" E	146.00
99	S 49°28'50" W	108.00
100	S 11°46'56" W	170.00
101	S 49°54'37" W	254.00
102	S 13°36'20" W	171.00
103	S 28°15'47" W	260.00
104	S 02°29'08" E	328.00
105	S 44°56'34" W	170.00
106	N 67°34'17" W	850.00
107	N 73°01'06" W	283.00
108	N 89°27'38" W	415.00
109	N 00°02'22" E	1144.68
110	S 30°53'00" W	1307.62
111	N 44°58'49" E	2077.88
112	N 84°43'00" W	153.41
113	N 88°41'27" E	218.95
114	S 37°02'05" W	1328.94
115	N 36°10'15" W	45.35
116	N 39°14'44" E	120.75
117	S 23°24'31" W	239.72
118	N 88°55'02" E	583.57
119	N 82°31'12" E	1338.02



DETAIL B
SCALE: 1" = 30'

LAFCO RESOLUTION NO.

DATE:

PROVOST & PRITCHARD
An Employee Owned Company
288 WEST ORCHARD AVENUE
FRESNO, CALIFORNIA 93711-8152
509/449-2700 FAX 509/449-2715
www.ppgm.com
JOB NO. 1225401
DWG NO. ESW-714



Tehipite Chapter • Sierra Club

*To explore, enjoy and preserve the nation's
forests, waters, wildlife and wilderness.*

September 28, 2011

Chairman and Commissioners of the
Fresno County Local Agency Formation Commission
2115 Kern Street, Suite 310
Fresno, CA 93721

Re: Fresno County Waterworks District 18 Approvals

Dear Chairman and Commissioners of the
Fresno County Local Agency Formation Commission:

I represent the Sierra Club Tehipite Chapter, representing over 2,000 dues-paying members in a five-county region, including Fresno County. I serve as Vice Chair of the chapter and an Executive Committee member. I will comment on the item on today's LAFCO agenda pertaining to the application of Fresno County Waterworks District 18 to expand its boundaries and services through a Municipal Service Review (LAFCO File No. MSR-11-6), a Sphere of Influence Revision (LAFCO File No. RSOI-156), the Friant Ranch Annexation (LAFCO File No. AD-11-1), and an Extension of Powers to provide wastewater service (LAFCO File No. EP-11-1).

My comments are as follows:

1. Staff report fails to advise that there are currently three pending lawsuits challenging the validity of the EIR and the County's certification thereof.
2. It is not prudent to approve the project now as the continued viability of the project is not assured.
3. As per the BLM comment, the long-term availability of water for the project is not ensured because there is no evidence that the Lower Tulare Irrigation District will approve a long-term transfer.
4. Contrary to the Staff Report, where, as here, the lead agency-prepared EIR is subject to judicial challenge at the Responsible Agency (i.e. LAFCO) considers approving a project (annexation, SOI) in reliance thereof, the Responsible Agency must assume the validity of the EIR:

Pub Res Code §21167.3(b), which in relevant part provides that "[i]n the event that an action or proceeding is commenced as described in subdivision (a) but no injunction or similar relief is sought and granted, responsible agencies shall assume that the environmental impact report or negative declaration for the project does comply with the provisions of this division . . ."



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*To explore, enjoy and preserve the nation's
forests, waters, wildlife and wilderness.*

5. The staff report claims that "The District represents that the expansion required of Friant Ranch will fully supply the water needs of the Project, and at full build-out, the District will be left with the same amount of capacity to serve the their current customers." I cannot verify the veracity of this claim. What is the evidence that the District's current and future customers (without the annexation) would not be affected by the annexation and the District's agreement to supply water to Friant Ranch?

6. The staff report states that "The proposal does not conflict with the goals and policies of the Commission to oversee and promote logical formations, planned, well ordered, efficient development patterns and service areas, and orderly urban development."

The project is not a logical or orderly extension of the tiny community of Friant, it is a massive project that initially will only serve those over 55. It will not provide worker housing, which the General Plan previously noted would be needed if the area is to serve as a recreational hub. So this development is neither logical nor orderly.

7. According to the staff report, the State Health Department raised the following concern:

The State Department of Health Services expressed their concern that Waterworks District No. 18 did not have an adequate water source and treatment capacity to serve the proposed development and said the District must significantly increase its water source and treatment capacity before expanding its service area.

Staff's response to this concern is as follows:

"Staff feels [italics for emphasis] that with approval of the sphere of influence revision, annexation and extension of powers, the District will be able to provide the services for the project."

This response by staff is completely inadequate, as it is not based on any evidence or analysis. What staff "feels" is irrelevant—what matters is what staff can prove.

Vice Chair,
Sierra Club Tehipite Chapter
data.nations@gmail.com
559-790-3495

September 6, 2011

Jeff Witte
Executive Officer
Fresno LAFCO
2115 Kern Street, Suite 310
Fresno CA 93721

**Proposal to Update Municipal Service Review, Sphere of Influence and
Related Documents Regarding Waterworks District No. 18**

Dear Jeff:

This proposal is by Braitman & Associates to provide the described consulting services. I understand time is of the essence in this matter due to a continued hearing scheduled by the Commission for Wednesday, September 28. Fresno LAFCO desires to have a draft staff report for the project circulated by the afternoon of September 16, 2011.

I have examined the materials provided by you and Ken Price regarding the pending applications to the Commission regarding Waterworks District No. 18. Based on my review of these documents, including the August 24 LAFCO staff report and background information, I am proposing to provide the following services:

- Confer with LAFCO staff and legal counsel to discuss outstanding issues, confirm work plan and finalize schedule; visit site of proposed formation; confer with Waterworks District No. 18 staff 9/7
- Review information regarding the proposed annexation from LAFCO, Fresno County and interested parties and prepare a supplement to the Water Works District No. 18 Municipal Service Review (MSR) and any related documents to account for proposed LAFCO actions. Ongoing
- Assist Fresno LAFCO staff and legal counsel in completing MSR supplement and preparing the staff report for the continued public hearing. 9/16

It is difficult at this time to estimate the number of hours that will be required to complete these tasks. As envisioned the project will require at least one visit to Fresno.

Jeff Witte
September 6, 2011
Page 2 of 2

I will charge Fresno LAFCO my normal hourly billable rate of \$200 per hour. We estimate the project should take no longer than 42 billable hours. Travel time will be discounted by 50%.

Out-of-pocket expenses for travel, duplication and other costs will be charged at cost plus 10% and are not expected to exceed \$1,500 for the project.

The not to exceed cost, based on projected hours for this work including out-of-pocket costs, is proposed to be \$9,900.

Please contact me if you have questions or need additional information.

Sincerely,

A handwritten signature in black ink that reads "Bob Braitman". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

BOB BRAITMAN

cc: Ken Price, LAFCO Legal Counsel



555 12th Street, Suite 1500
Oakland, California 94607
tel 510.808.2000
fax 510.444.1108
www.meyersnave.com

Timothy D. Cremin
Attorney at Law
tcremin@meyersnave.com

November 1, 2011

Via Facsimile and First Class Mail

Jeff Witte, Executive Officer
Fresno County LAFCO
2115 Kern Street, Suite 310
Fresno, CA 93721
Facsimile: 559-495-0655



Re: *Notice of Intent to File CEQA Petition*

Dear Mr. Witte:

Please take notice, pursuant to Public Resources Code section 21167.5, that the City of Fresno (the "City") intends to file a Petition for Writ of Mandate in Fresno County Superior Court under the California Environmental Quality Act, Public Resources Code section 21000 *et seq.* ("CEQA") against the Fresno County Local Agency Formation Commission ("LAFCO") challenging LAFCO's decisions to: approve a Municipal Services Review for Fresno County Waterworks District 18 ("District"), approve a Sphere of Influence Amendment for the District, approve annexation to the District's service area of 520 acres of the Friant Community Plan Update and Friant Ranch Specific Plan; approve an authorization of extension of powers for the District allowing the District to provide wastewater services within its service area, and making certain findings and determinations under CEQA concerning these approvals ("LAFCO Actions").

The Petition alleges that the approval of the LAFCO Actions and related findings and determinations violated CEQA and other laws.

Very truly yours,

Timothy D. Cremin

TDC:sjs

c: Kenneth Price, LAFCO Counsel

1737855.1

APPROVED
FILE 6-17-11

**ANNEXATION NO. 2011-_____
FRIANT RANCH ADDITION TO
FRESNO COUNTY WATERWORKS DISTRICT NO. 18
SPHERE OF INFLUENCE**

GEOGRAPHIC DESCRIPTION

All that real property, being portions of Sections 7, 8, 17, and 18, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, according to the official government plats thereof, situate in the County of Fresno, State of California, described as follows:

Beginning at the Southwest corner of Section 8, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, said point also being on the existing service area boundary of Waterworks District No. 18;

The following eight courses are all based on or calculated from that Record of Survey map recorded in Book 51 of Record of Surveys at Pages 82 through 88, Fresno County Records:

Thence (1) North 01° 18' 37" East a distance of 903.81 feet along the West line of said Section 8, and along said existing District boundary, to a point that bears South 01° 18' 37" West a distance of 404.00 feet from the Northwest corner of Government Lot 13 in said Section 8;

Thence leaving said existing District boundary, (2) North 78° 15' 54" East a distance of 441.39 feet;

Thence (3) North 01° 18' 37" East a distance of 304.00 feet to a point on the North line of said Government Lot 13;

Thence (4) North 88° 38' 26" West a distance of 430.00 feet along said North line, to the Northwest corner of said Government Lot 13, said point being on the existing service area boundary of Waterworks District No. 18;

Thence (5) North 88° 47' 38" West a distance of 35.00 feet along the North line of the South half of Government Lot 18 in said Section 7, and along said existing District boundary;

Thence leaving said North line, (6) North 00° 23' 22" East a distance of 10.10 feet continuing along said existing District boundary;

Thence (7) North 65° 35' 31" East a distance of 38.86 feet, continuing along said existing District boundary, to a point on the West line of said Section 8, said point bears North 00° 59' 34" East a distance of 26.90 feet from the Northwest corner of Government Lot 13 in said Section 8;

Thence (8) North 00° 59' 34" East a distance of 1522.82 feet along said West line and along said existing District boundary to a point on the centerline of Mono Street (Abandoned), according to the Map of Pollasky recorded in Volume 5 of Plats at page 5, Fresno County Records, said point also being the Northeasterly corner of Outlot "B" of Tract No. 3573, Millerton Lake Mobilehome Village, according to the map thereof recorded in Volume 41 of Plats at pages 63 and 64, Fresno County Records;

The following four courses are based on the map of Tract No. 3573, Millerton Lake Mobilehome Village, according to the map thereof recorded in Volume 41 of Plats at pages 63 and 64, Fresno County Records:

Thence leaving said existing District boundary, (9) South 67° 34' 25" East a distance of 178.48 feet along said centerline of Mono Street (abandoned);

Thence leaving said centerline, (10) North 18° 59' 00" East a distance of 886.39 feet;

Thence (11) North 73° 39' 54" East a distance of 128.28 feet;

Thence (12) South 16° 33' 53" East a distance of 1886.36 feet;

The remaining courses are all based on or calculated from that Record of Survey map recorded in Book 51 of Record of Surveys at Pages 82 through 88, Fresno County Records:

Thence (13) North 65° 39' 34" East a distance of 210.27 feet;

Thence (14) South 39° 35' 26" East a distance of 873.90 feet;

Thence (15) South 00° 55' 25" West a distance of 1309.92 feet to a point on the North line of the Northwest quarter of said Section 17, said point bears North 88° 30' 32" West a distance of 754.10 feet from the North quarter corner of said Section;

Thence (16) South 09° 37' 23" East a distance of 1167.73 feet;

Thence (17) South 23° 23' 02" East a distance of 478.47 feet;

Thence (18) South 06° 37' 02" East a distance of 741.61 feet;

Thence (19) South 31° 41' 02" East a distance of 1427.50 feet;

Thence (20) South 41° 49' 37" East a distance of 1182.02 feet to a point on the West line of the East half of the Southeast quarter of said Section 17;

Thence (21) North 00° 53' 38" East a distance of 13.07 feet, along said West line, to a point that bears North 00° 53' 38" East a distance of 925.10 feet from the Southwest corner of the East half of the Southeast quarter of said Section 17;

Thence leaving said West line, (22) South 71° 57' 22" East a distance of 780.40 feet;

Thence (23) South 00° 17' 37" West a distance of 701.91 feet to a point on the south line of the Southeast quarter of said Section 17, said point bears North 88° 34' 54" West a distance of 553.00 feet from the Southeast corner of said Section 17;

Thence (24) North 88° 34' 54" West a distance of 1062.85 feet along said South line;

Thence leaving said South line, (25) North 60° 20' 18" West a distance of 185.00 feet;

Thence (26) North 27° 49' 48" West a distance of 100.00 feet;

Thence (27) North 76° 15' 13" West a distance of 207.00 feet;

Thence (28) North 26° 42' 50" East a distance of 185.00 feet;

Thence (29) North 06° 00' 38" East a distance of 74.00 feet;

Thence (30) North 36° 51' 45" East a distance of 96.65 feet to a point on a curve, concave to the Northeast, with a radius of 740.00 feet, a radial to said point bears South 37° 30' 17" West;

Thence (31) Northwesterly a distance of 213.00 feet along said curve, through a central angle of 16° 29' 30";

Thence tangent to said curve, (32) North 36° 00' 13" West a distance of 333.31 feet;

Thence (33) South 53° 59' 47" West a distance of 6.00 feet;

Thence (34) North 41° 04' 20" West a distance of 50.00 feet;
Thence (35) South 86° 26' 46" West a distance of 70.00 feet;
Thence (36) South 38° 00' 03" West a distance of 227.00 feet;
Thence (37) South 48° 44' 43" West a distance of 220.00 feet;
Thence (38) South 69° 44' 30" West a distance of 180.00 feet;
Thence (39) North 76° 10' 05" West a distance of 367.00 feet;
Thence (40) North 38° 32' 16" West a distance of 315.00 feet;
Thence (41) North 24° 16' 00" West a distance of 166.00 feet;
Thence (42) North 58° 27' 34" East a distance of 507.00 feet;
Thence (43) North 33° 30' 00" West a distance of 189.00 feet;
Thence (44) North 27° 28' 50" East a distance of 98.00 feet;
Thence (45) North 46° 38' 55" East a distance of 227.00 feet;
Thence (46) North 02° 21' 49" West a distance of 96.00 feet;
Thence (47) North 36° 10' 03" West a distance of 235.00 feet;
Thence (48) North 54° 08' 22" West a distance of 180.00 feet;
Thence (49) North 59° 26' 31" West a distance of 245.00 feet;
Thence (50) North 46° 22' 28" West a distance of 285.00 feet;
Thence (51) North 15° 18' 18" West a distance of 138.00 feet;
Thence (52) North 40° 33' 15" West a distance of 187.00 feet;
Thence (53) North 50° 39' 24" West a distance of 173.00 feet;
Thence (54) North 13° 01' 35" West a distance of 296.00 feet;
Thence (55) North 14° 56' 52" West a distance of 206.00 feet;
Thence (56) North 48° 54' 02" West a distance of 318.00 feet;
Thence (57) South 88° 51' 25" West a distance of 310.00 feet;

Thence (58) North 06° 14' 30" West a distance of 126.00 feet;

Thence (59) North 27° 57' 53" West a distance of 260.00 feet;

Thence (60) South 79° 46' 22" West a distance of 338.00 feet;

Thence (61) North 21° 39' 07" West a distance of 52.00 feet;

Thence (62) South 83° 02' 53" West a distance of 165.00 feet;

Thence (63) South 36° 10' 15" West a distance of 45.35 feet to a point on the West line of the Northwest quarter of said Section 17, said point bears South 01° 20' 46" West a distance of 1540.67 feet from the Northwest corner of said Section 17;

Thence continuing (64) South 36° 10' 15" West a distance of 96.65 feet into said Section 18;

Thence (65) South 15° 27' 48" West a distance of 150.00 feet;

Thence (66) South 10° 12' 47" West a distance of 358.00 feet;

Thence (67) South 52° 58' 56" West a distance of 221.00 feet;

Thence (68) South 30° 13' 00" West a distance of 355.00 feet;

Thence (69) South 33° 41' 32" West a distance of 240.00 feet;

Thence (70) South 66° 19' 13" West a distance of 270.00 feet;

Thence (71) North 37° 13' 18" West a distance of 84.00 feet;

Thence (72) North 34° 43' 48" East a distance of 165.00 feet;

Thence (73) North 00° 31' 20" West a distance of 198.00 feet;

Thence (74) North 17° 26' 43" West a distance of 340.00 feet;

Thence (75) North 24° 11' 10" West a distance of 305.00 feet;

Thence (76) North 14° 30' 46" West a distance of 530.00 feet;

Thence (77) North 36° 54' 03" West a distance of 110.00 feet;

Thence (78) North 73° 47' 22" West a distance of 199.00 feet;

Thence (79) North 54° 57' 08" West a distance of 112.00 feet;

Thence (80) North 16° 43' 56" West a distance of 69.00 feet;
Thence (81) South 74° 38' 28" West a distance of 165.00 feet;
Thence (82) South 29° 09' 07" East a distance of 93.00 feet;
Thence (83) South 08° 28' 30" West a distance of 132.00 feet;
Thence (84) South 33° 06' 07" East a distance of 180.00 feet;
Thence (85) South 05° 27' 50" East a distance of 202.00 feet;
Thence (86) South 16° 37' 15" East a distance of 540.00 feet;
Thence (87) South 51° 22' 00" West a distance of 170.00 feet;
Thence (88) North 56° 11' 21" West a distance of 185.00 feet;
Thence (89) North 78° 58' 07" West a distance of 198.00 feet;
Thence (90) South 66° 52' 27" West a distance of 171.00 feet;
Thence (91) South 29° 01' 47" West a distance of 184.00 feet;
Thence (92) South 55° 28' 15" West a distance of 150.00 feet;
Thence (93) South 25° 21' 07" West a distance of 142.00 feet;
Thence (94) South 00° 12' 02" West a distance of 200.00 feet;
Thence (95) South 70° 29' 29" West a distance of 196.00 feet;
Thence (96) South 60° 53' 23" West a distance of 128.00 feet;
Thence (97) South 27° 27' 45" West a distance of 170.00 feet;
Thence (98) South 10° 03' 20" East a distance of 146.00 feet;
Thence (99) South 40° 36' 50" West a distance of 108.00 feet;
Thence (100) South 11° 59' 56" West a distance of 170.00 feet;
Thence (101) South 49° 53' 47" West a distance of 254.00 feet;
Thence (102) South 13° 36' 25" West a distance of 173.00 feet;
Thence (103) South 28° 33' 45" West a distance of 380.00 feet;

Thence (104) South 02° 09' 06" East a distance of 328.00 feet;

Thence (105) South 44° 56' 34" West a distance of 170.00 feet;

Thence (106) North 67° 53' 41" West a distance of 850.00 feet;

Thence (107) North 73° 01' 06" West a distance of 283.00 feet;

Thence (108) North 89° 57' 38" West a distance of 415.00 feet to the East line of Parcel Map No. 6646, recorded in Book 47 of Parcel Maps at page 98, Fresno County Records;

Thence (109) North 00° 02' 22" East a distance of 1144.66 feet, along said East line and its northerly projection, to its point of intersection with the Northwestern right of way line of Friant Road, being a curve, concave to the Southeast, with a radius of 3053.00 feet, a radial to said point bears North 48° 08' 16" West;

Thence (110) Northeasterly a distance of 130.62 feet along said curve and said right of way line, through a central angle of 2° 27' 05":

Thence (111) North 44° 18' 49" East a distance of 2077.88 feet, continuing along said right of way line, to the beginning of a tangent curve, concave to the Northwest, with a radius of 947.00 feet;

Thence (112) Northeasterly a distance of 163.41 feet along said curve and continuing along said right of way line, through a central angle of 9° 53' 12", to its point of intersection with the North line of Government Lot 7 in said Section 18, said point being on the existing service area boundary of Waterworks District No. 18.

Thence (113) North 89° 41' 27" East a distance of 218.95 feet along said North line and along said existing District boundary to a point on the southeasterly right of way of the Southern Pacific Railroad (abandoned), said right of way being on a curve, concave to the northwest, with a radius of 5779.65 feet, a radial bearing to said point bears South 50° 14' 15" East;

Thence (114) Northeasterly a distance of 22.58 feet along said curve and right of way and continuing along said existing District boundary, through a central angle of 0° 13' 26";

Thence (115) North 39° 32' 19" East a distance of 1328.94 feet continuing along said right of way and along said existing District boundary;

Thence (116) North $39^{\circ} 13' 44''$ East a distance of 120.75 feet continuing along said right of way and along said existing District boundary, to the point of beginning of a non-tangent curve, concave to the northwest, with a radius of 2914.93 feet, a radial to said point bears South $50^{\circ} 46' 16''$ East;

Thence (117) Northeasterly a distance of 239.72 feet along said curve and continuing along said right of way, and along said existing District boundary, through a central angle of $4^{\circ} 42' 43''$, to a point on the North line of the Northeast quarter of said Section 18;

Thence (118) North $89^{\circ} 55' 00''$ East a distance of 563.07 feet along said North line, and continuing along said existing District boundary, to the Northwest corner of the Northeast quarter of the Northeast quarter of said Section 18;

Thence (119) North $89^{\circ} 51' 12''$ East a distance of 1338.02 feet along the North line of said Section 18, and continuing along said existing District boundary, to the Point of Beginning.

Containing 519.70 acres, more or less.

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

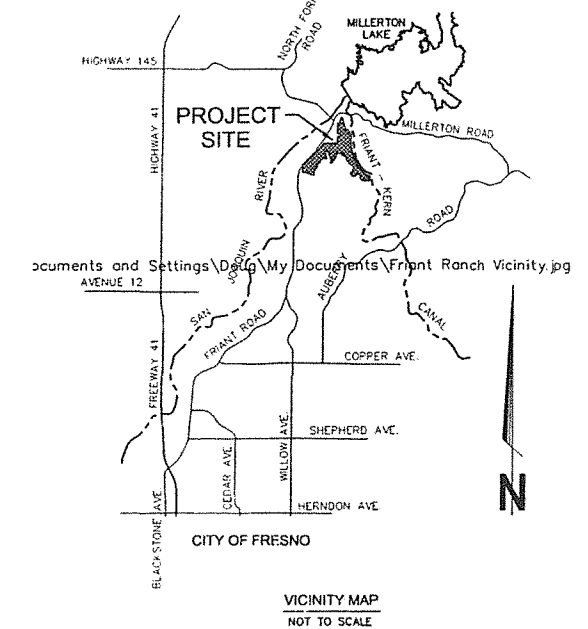
ANNEXATION NO. 2011-
FRIANT RANCH ADDITION TO
FRESNO COUNTY WATERWORKS DISTRICT NO. 18
SPHERE OF INFLUENCE
IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA
BEING PORTIONS OF SECTIONS 7, 8, 17, & 18,
TOWNSHIP 11 SOUTH, RANGE 21 EAST,
MOUNT DIABLO BASE & MERIDIAN

PORTIONS OF APNS:

300-021-51 300-021-53 300-040-02s 300-040-23 300-040-24
300-050-01 300-160-08 300-160-47T 300-160-52s 300-190-02
300-200-05 300-200-06 300-200-19

REVISED: JUNE 9, 2011

APPROVED
JUN 17 11



NUMBER	BEARING
R1	S 37°10'17" W
R2	N 48°08'16" W
R3	S 50°14'15" E
R4	S 50°46'16" W

Disclaimer:
"For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described."

LAFCO RESOLUTION NO.

DATE:

EST. 1968
PROVOST & PRITCHARD
CONSULTING GROUP
An Employee Owned Company
185 WEST CROWLEY AVENUE
FRESNO, CALIFORNIA 93711-6162
559/449-2700 FAX 559/449-2715
www.ppeng.com
JUN 16 1:52PM 2011
DWG. NO. 18-04

LEGEND
--- EXISTING WATERWORKS DISTRICT NO. 18 BOUNDARY
--- PROPOSED WATERWORKS DISTRICT NO. 18 BOUNDARY
--- EXISTING PROPERTY LINES
--- SECTION LINES - NOT DIVISION LINES
18 SECTION NUMBER (TYPICAL)

SCALE: 1" = 600'
0 300' 600' 1200'

NUMBER	BEARING	LENGTH
1	N 01°18'37" E	503.81
2	N 78°15'54" E	441.39
3	N 01°18'37" E	364.00
4	N 88°38'26" W	430.00
5	N 88°47'38" W	35.00
6	N 09°23'22" E	10.10
7	N 65°35'31" E	38.86
8	N 00°59'34" E	1522.82
9	S 67°34'25" E	178.48
10	N 18°58'00" E	885.39
11	N 73°19'54" E	128.28
12	S 16°33'53" E	1886.36
13	N 65°19'34" E	210.27
14	S 39°35'26" E	873.90
15	S 00°55'25" W	1309.92
16	S 09°17'23" E	1167.73
17	S 23°23'02" E	478.47
18	S 06°37'02" E	741.61
19	S 31°41'02" E	1427.50
20	S 41°49'37" E	1182.02
21	N 00°53'48" E	13.07
22	S 71°57'22" E	780.40
23	S 00°17'37" W	701.91
24	N 88°34'54" W	1062.85
25	N 60°20'18" W	185.00
26	N 27°49'48" W	100.00
27	N 76°15'13" W	207.00
28	N 26°42'50" E	185.00
29	N 06°00'38" E	74.00
30	N 36°51'45" E	96.65
31	R=740.00, Δ=162°30'30"	213.00
32	N 36°00'13" W	333.31
33	S 53°59'47" W	6.00
34	N 41°04'20" W	50.00
35	S 86°26'46" W	70.00

NUMBER	BEARING	LENGTH
36	S 38°00'03" W	227.00
37	S 48°44'43" W	220.00
38	S 69°44'30" W	180.00
39	N 76°10'05" W	367.00
40	N 35°32'16" W	315.00
41	N 24°16'00" W	166.00
42	N 58°27'34" E	507.00
43	N 33°30'00" W	189.00
44	N 27°28'50" E	98.00
45	N 46°38'55" E	277.00
46	N 02°21'49" W	96.00
47	N 36°10'03" W	235.00
48	N 54°08'22" W	180.00
49	N 59°26'31" W	245.00
50	N 46°22'28" W	285.00
51	N 15°18'18" W	138.00
52	N 40°33'15" W	187.00
53	N 50°39'24" W	173.00
54	N 13°01'35" W	296.00
55	N 14°56'52" W	206.00
56	N 48°54'02" W	318.00
57	S 88°51'25" W	310.00
58	N 06°14'30" W	176.00
59	N 27°57'53" W	260.00
60	S 79°46'22" W	338.00
61	N 21°39'07" W	52.00
62	S 83°02'53" W	165.00
63	S 36°10'15" W	45.35
64	S 36°10'15" W	96.65
65	S 15°27'48" W	150.00
66	S 10°12'47" W	358.00
67	S 52°58'56" W	221.00
68	S 30°13'00" W	355.00
69	S 33°41'32" W	240.00
70	S 65°19'13" W	270.00
71	N 37°13'18" W	84.00
72	N 34°43'48" E	165.00
73	N 00°31'20" W	198.00
74	N 17°26'43" W	340.00
75	N 24°11'10" W	305.00
76	N 14°30'46" W	530.00
77	N 36°54'03" W	110.00
78	N 73°47'22" W	199.00
79	N 54°57'08" W	112.00
80	N 16°43'56" W	69.00
81	S 74°38'28" W	165.00
82	S 23°09'07" E	93.00
83	S 08°28'10" W	132.00
84	S 33°06'07" E	180.00
85	S 05°27'50" E	202.00
86	S 16°37'15" E	540.00
87	S 51°22'00" W	170.00
88	N 56°11'21" W	185.00
89	N 78°58'07" W	198.00
90	S 06°52'27" W	171.00
91	S 29°01'47" W	184.00
92	S 55°28'15" W	150.00
93	S 25°21'07" W	147.00
94	S 00°12'02" W	200.00
95	S 70°29'29" W	196.00
96	S 60°53'23" W	128.00
97	S 27°27'45" W	170.00
98	S 10°03'00" E	146.00
99	S 40°16'50" W	108.00
100	S 11°59'56" W	170.00
101	S 46°53'47" W	254.00
102	S 13°36'25" W	173.00
103	S 28°33'45" W	380.00
104	S 02°09'06" E	178.00
105	S 44°56'34" W	170.00
106	N 67°53'41" W	255.00
107	N 23°01'06" W	283.00
108	N 89°57'38" W	415.00
109	N 00°02'22" E	1144.69
110	R=1053.00, Δ=272°7'05"	130.62
111	N 44°18'49" E	2077.88
112	R=947.00, Δ=9°53'12"	163.41
113	N 88°41'22" E	218.99
114	R=5779.65, Δ=0°11'26"	75.58
115	N 39°32'15" W	1328.94
116	N 59°11'44" E	120.75
117	R=2914.93, Δ=4°42'43"	239.72
118	N 84°55'09" E	563.07
119	N 69°51'12" E	1338.02

WEST LINE OF THE EAST 1/2
OF THE SE 1/4 OF SECTION 17
T. 11 S., R. 21 E., M.D.B.&M.

DETAIL B
SCALE: 1" = 30'

FRESNO LOCAL AGENCY FORMATION

2115 KERN STREET, SUITE #310

ATTN: CANDIE FLEMING

FRESNO, CA 93721

PROOF OF PUBLICATION

COUNTY OF FRESNO
STATE OF CALIFORNIA

EXHIBIT A.

PUBLIC NOTICE
#49438
NOTICE OF PUBLIC HEARING

FRESNO LOCAL AGENCY FORMATION COMMISSION
NOTICE IS HEREBY GIVEN that the Fresno Local Agency Formation Commission (LAFCo) will consider the following "Proposal" at a public hearing on **August 24, 2011**.

1. Waterworks District #18. A request to Adopt the Waterworks District #18 Municipal Service Review and revise their sphere of influence by adding approximately 520 acres of territory located adjacent to the Community of Friant. LAFCo will also consider a request to annex the 520 acres to the Waterworks District #18 (RSOI-156, AD-11-1).

2. Waterworks District #18 "Activate Latent Powers". This proposal is a request to activate latent powers of Waterworks District #18 to enable the district to provide wastewater treatment and collection service to their District area (EP-11-1).

3. Consider and Adopt Municipal Service Reviews (MSRs) and Sphere of Influence Updates for the following: Big Creek, Biola, Bluffs, Caruthers, Easton, Lanare, Laton, and Sierrita Community Services Districts.

PLEASE BE INFORMED THAT the public hearing to consider this Proposal will be held at 1:30 p.m., or soon thereafter, on August 24, 2011, in Room 301, Hall of Records, Tulare and "M" Streets, Fresno. All interested parties are invited to attend this hearing and present testimony on these matters. For additional information contact the Fresno LAFCo Commission Office at 2115 Kern Street, Suite 310, Fresno, CA 93721 (Telephone: (559) 495-0604, e-mail: jewitte@co.fresno.ca.us).

DATED: August 3, 2011

(PUB: August 3, 2011)

The undersigned states:

McClatchy Newspapers in and on all dates herein stated was a corporation, and the owner and publisher of The Fresno Bee.

The Fresno Bee is a daily newspaper of general circulation now published, and on all-the-dates herein stated was published in the City of Fresno, County of Fresno, and has been adjudged a newspaper of general circulation by the Superior Court of the County of Fresno, State of California, under the date of November 22, 1994, Action No. 520058-9.

The undersigned is and on all dates herein mentioned was a citizen of the United States, over the age of twenty-one years, and is the principal clerk of the printer and publisher of said newspaper; and that the notice, a copy of which is hereto annexed, marked Exhibit A, hereby made a part hereof, was published in The Fresno Bee in each issue thereof (in type not smaller than nonpareil), on the following dates.

August 03, 2011

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated AUGUST 3, 2011

Amelia Tijerina

THE BUSINESS JOURNAL

FRESNO | KINGS | MADERA | TULARE

P.O. Box 126

Fresno, CA 93707

Telephone (559) 490-3400

(Space Below for use of County Clerk only)

IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

NOTICE OF PUBLIC HEARING

FRESNO LOCAL AGENCY FORMATION COMMISSION

1. Waterworks District #18, (RSOI-156, AD-11-1), 2. Waterworks District #18 "Activate Latent Powers", (EP-11-1), 3. Consider and Adopt Municipal Service Reviews (MSRs) and Sphere of Influence Updates for the following: Big Creek, Biola, Bluffs, Caruthers, Easton, Lanare, Laton, and Sierra Cedars Community Services Districts.

MISC. NOTICE

DATE AND TIME FOR HEARING:

AUGUST 24, 2011 at 1:30 P.M.

DECLARATION OF PUBLICATION (2015.5 C.C.P.)

STATE OF CALIFORNIA

COUNTY OF FRESNO

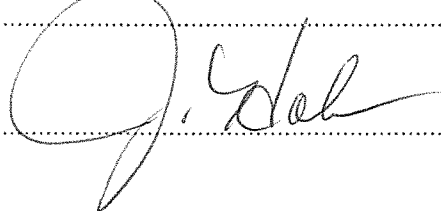
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of **THE BUSINESS JOURNAL** published in the city of Fresno, County of Fresno, State of California, Monday, Wednesday, Friday, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Fresno, State of California, under the date of March 4, 1911, in Action No.14315; that the notice of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

AUGUST 1, 2011

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Fresno, California,

AUGUST 1, 2011

ON _____



NOTICE OF PUBLIC HEARING FRESNO LOCAL AGENCY FORMATION COMMISSION

NOTICE IS HEREBY GIVEN that the Fresno Local Agency Formation Commission (LAFCo) will consider the following "Proposal" at a public hearing on August 24, 2011.

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DATED: August 1, 2011

08/01/2011

NEAL E. COSTANZO
MICHAEL G. SLATER

LAW OFFICES OF
COSTANZO & ASSOCIATES
A PROFESSIONAL CORPORATION
575 E. LOCUST AVENUE
SUITE 115
FRESNO, CALIFORNIA 93720-2928
(559) 261-0163

FAX (559) 261-0706
OUR FILE NO. 02880-001

April 19, 2011

Via U.S. Mail & Email: jewitte@co.fresno.ca.us
Jeff Witte, Executive Officer
Fresno County Local Agency
Formation Commission (LAFCo)
2115 Kern Street, Suite 300
Fresno, CA 93721

**Re: Proposed Revision of Sphere of Influence, Annexation of Territory and
Activation of Latent Powers by Fresno County Waterworks District #18
(the "District")**

Dear Mr. Witte:

During our recent meeting concerning the intent of the District to apply for a revision of its sphere of influence to accommodate the recently approved Friant Ranch Development, you requested, among other things, a copy of the staff report or executive summary presented to the Board of Supervisors in connection with its approval, occurring on February 2, 2011, of an Environmental Impact Report, Friant Community Plan Update, Friant Ranch Specific Plan and Rezoning Ordinance. The February 1, 2011 staff report is attached. The EIR and Specific Plan documents are voluminous and are on file with the County of Fresno and available at their website. We also discussed the fact that a number of court challenges under the California Environmental Quality Act (CEQA) have been initiated by various groups and wished to confirm that in accordance with applicable law, notwithstanding these challenges, LAFCo, as a responsible agency in connection with the referenced application is required to, and should treat the County certification of the EIR and approval of entitlements for the development as conclusive. You asked for authority for that proposition. The authority is Public Resources Code §21167.3 which reads in part as follows:

"(a). If an action or proceeding alleging that an Environmental Impact Report or a Negative Declaration does not comply with the provisions of this division is commenced . . . and if an injunction or stay is issued prohibiting the project from being carried out or approved pending final determination of the issue of such compliance, a responsible agency shall assume that the Environmental Impact Report or the Negative Declaration for the project does comply with the provisions of this division and shall issue a conditional approval or disapproval of such project according to the time table for agency action . . . A conditional approval shall constitute permission to proceed with a project when and only when such action or preceding results in a final

determination that the Environmental Impact Report and Negative Declaration does comply with the provisions of this division.

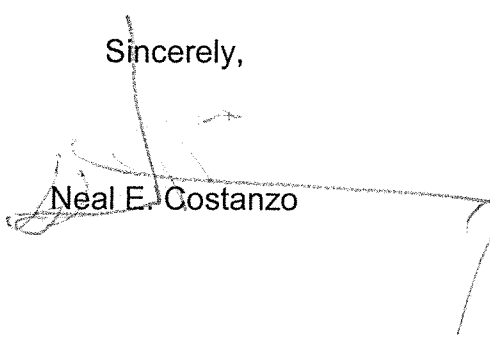
(b). In the event that an action or proceeding is commenced . . . but no injunction or similar relief is sought and granted, responsible agencies shall assume that the Environmental Impact Report or Negative Declaration for the project does comply with the provisions of this division and shall approve or disapprove the project according to the time table for agency . . . Such approval shall constitute permission to proceed with the project at the applicant's risk pending final determination of such action or proceeding.

In this case, the CEQA actions relating to the Friant Ranch Project approvals have only just commenced. No injunction or similar relief has been sought or granted. None seems likely because development is not in any sense imminent and there is nothing to warrant the issuance of a stay or an injunction.

The District has noticed and scheduled a public hearing before its Board of Directors for the purpose of considering the adoption of a resolution of application to LAFCo for revision of the sphere of influence, activation of latent powers and annexation of territory, as necessary to accommodate the approved development. That public hearing will take place at 6:00 p.m. at the District Board chambers on March 29, 2011. Our resolution of application will likely be filed shortly thereafter.

If you have any questions concerning the foregoing, or desire further information concerning the proposed application for reorganization prior to its filing, please do not hesitate to contact me.

Sincerely,



Neal E. Costanzo

NEC/js
C/C Dan Pearce

NEAL E. COSTANZO
MICHAEL G. SLATER

LAW OFFICES OF
COSTANZO & ASSOCIATES
A PROFESSIONAL CORPORATION
575 E. LOCUST AVENUE
SUITE 115
FRESNO, CALIFORNIA 93720-2928
(559) 261-0163

FAX (559) 261-0706
OUR FILE NO. 02880-001

March 21, 2011

Via U.S. Mail & Email: jewitte@co.fresno.ca.us
Jeff Witte, Executive Officer
Fresno County Local Agency
Formation Commission (LAFCo)
2115 Kern Street, Suite 300
Fresno, CA 93721



Re: Proposed Revision of Sphere of Influence, Annexation of Territory and Activation of Latent Powers by Fresno County Waterworks District #18 (the "District")

Dear Mr. Witte:

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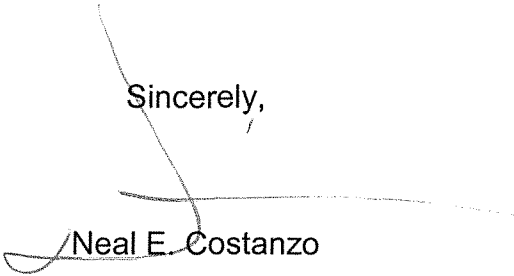
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If you have any questions concerning the foregoing, or desire further information concerning the proposed application for reorganization prior to its filing, please do not hesitate to contact me.

Sincerely,



Neal E. Costanzo

NEC/js
C/C Dan Pearce



Inter Office Memo

DATE: February 1, 2011

TO: Board of Supervisors

FROM: Alan Weaver, Director *Alan Weaver, Dir*
Department of Public Works and Planning

SUBJECT: General Plan Amendment No. 511 (Friant Community Plan Update, Friant Ranch Specific Plan), Amendment to Text Application No. 363, and Amendment Application No. 3751 and Associated Draft and Final Environmental Impact Reports.

RECOMMENDED ACTION:

1. Certify the Environmental Impact Report prepared for the project and adopt the Statement of Fact, Findings and Overriding Considerations and the Mitigation Monitoring and Reporting Plan; and
2. Approve the Friant Community Plan Update by expanding the boundary by adding the 942.2-acre Friant Ranch Specific Plan Area proposing to designate the Specific Plan Area (Alternative No. 3) for a variety of residential, commercial, and open space uses including the alternative wastewater treatment plant location (General Plan Amendment No. 511) as the first amendment of the Fresno County General Plan of 2011; and
3. Approve adoption of the Friant Ranch Specific Plan (Alternative No. 3) containing goals, policies, implementation measures and development standards for the Specific Plan Area (General Plan Amendment No. 511); and
4. Adopt Ordinance approving Amendment to Text Application No. 363 - Friant Ranch Zoning Regulations, containing specific zoning districts for the Friant Ranch Specific Plan; and
5. Adopt Ordinance approving Amendment Application No. 3751 to rezone the project site to the various proposed zone districts, rezone the 7.19-acre "Depot Parcel" from Single-Family Residential Agricultural District (R-A) to General Commercial (C-6), rezone two parcels totaling 6.6 acres from R-A and C-6 to Open Space (OS), and rezone a 106-acre parcel from AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to OS.
6. Include a Condition requiring that the Applicant shall enter into an agreement indemnifying the County for legal costs associated with approval of the project.

The Friant Community Plan Update ("Update") proposes to increase the existing Community Plan Area boundary by adding the 942.2-acre Friant Ranch Specific Plan Area and designate the Specific Plan Area for a variety of residential, commercial, and open space uses. The Specific Plan is proposed as a predominately active adult (ages 55+) community. The Community Plan Update proposes revision to existing policies and inclusion of new policies to include provisions consistent with the policies of the 2000 General Plan Update.

The community of Friant is located in and adjacent to the unincorporated community of Friant approximately nine miles north of the cities of Fresno and Clovis and adjacent on the west to the San Joaquin River which forms the boundary between Fresno and Madera Counties. (SUP. DIST. 5)

BACKGROUND/DISCUSSION:

This item comes before your Board because the proposed General Plan Amendment (GPA), Amendment to Text (AT) and Amendment (Rezone) Applications are legislative actions requiring final approval by your Board. Consequently, final action by your Board is also required on the environmental documents prepared for the project, including certification of the Final Environmental Impact Report (EIR) and adoption of the Statement of Fact, Findings, and Overriding Considerations and the Mitigation Monitoring Program (MMP). Approval of the GPA and rezone would become effective 30 days after the Board's approval.

The Planning Commission considered this item at its public hearings of October 7, 2010 and October 21, 2010. Upon consideration of the project information and the public testimony, the Planning Commission voted seven to one to recommend to the Board of Supervisors certification of the Final EIR and adoption of the MMP and recommend to the Board of Supervisors approval of GPA No. 511 updating the Friant Community Plan and approval of the Friant Ranch Specific Plan (Alternative No. 3) and the Alternative Wastewater Treatment Plant location, recommend approval of AT Application No. 363 and Amendment Application (AA) No. 3751 and directed the Secretary to prepare a Resolution documenting the Commission's action.

On December 7, 2010, your Board conducted a hearing on this item hearing testimony from County staff, County consultants, the Applicant and those in favor of the project and those in opposition. Upon consideration of the public testimony and correspondence received prior to and during the hearing, your Board requested further clarification from staff and voted unanimously to continue the item to February 1, 2011, while leaving the public testimony portion of the hearing open to receive rebuttal and sur-rebuttal. Specifically, your Board requested clarification regarding the following items:

- Size comparison data (population, dwelling units, land area, growth rate) of the Friant proposal to small cities and other unincorporated Fresno County communities (specifically noted were Kerman, Mendota, Auberry, Biola, Caruthers, Easton, Riverdale, Squaw Valley and the Millerton Specific Plan); and
- Citing criteria for the Wastewater Treatment Plant (WWTP) in comparison to other WWTP (specifically Millerton Specific Plan – size and distance); and
- Benchmarks/thresholds for growth (specific comparison with the City of Kingsburg); and
- Discussion of the cumulative impacts analysis considering the Millerton Specific Plan; and
- Clarification of project vehicle trips; and
- Clarification regarding the assertion that wastewater will be dumped into the river; and
- Clarification regarding source of water for project (ground water vs. surface water); and
- Analysis of the five policy points raised in the letter submitted by Friends of Lost Lake.

In addition, your Board also directed staff to review and provide clarification regarding the comments provided in the written correspondence presented at the hearing, as well as the oral testimony. The responses to those issues are attached to this memo as Exhibit 1.

Below are the responses to the items for clarification raised by your Board:

Size Comparison Data:

Below is a table which includes information regarding the land area, population, number of dwelling units, population density, and growth rate. It should be noted, as discussed in the Agenda Item and during the December 7, 2010 hearing, the project as originally proposed encompasses a 942-acre plan area including 2,996 units of varying density, which accommodate primarily active adult (ages 55+) residents along with village center commercial uses, a recreation center and large undisturbed open space area of approximately 250 acres as well as parks and a trail system. However, during the EIR process and the required analysis of alternatives, aside from the no project alternative, Alternative No. 3 has been determined to be the most environmentally superior while still allowing development to occur. Alternative No. 3 accommodates 2,500 units (almost 500 less units than originally proposed). It should be noted that although the Friant Ranch Specific Plan Area encompasses 942 acres, under Alternative No. 3, 460 of those acres will be devoted to undisturbed open space, and 22 acres to re-vegetate open space slopes, thus resulting in only 460 acres of actual urban development. As a point of reference, the current size of the Friant community is 862 acres, approximately 300 acres of which is occupied by Lost Lake Park and the San Joaquin River zone open space.

Selected Unincorporated Communities	Acres	No. Dwelling Units (Census 2000)	2000 Census Population	2007 LAFCO MSR Pop. Data	Population Density/Acre	Annual Growth Rate
Friant (Existing)	862	226	778	***	.90	***
Friant (Additional – Alt 3)	942	N/A (*2,500)	N/A (*4,842)	***	***	***
Auberry	**	791	2,053	***	***	***
Biola	242	241	1,037	1,100	4.54	0.85%
Caruthers	361	602	2,103	2,331	6.45	0.14%
Easton	701	648	1,966	1,966	2.8	0%
Laton (Existing)	479	373	1,500	***	3.13	***
Laton (Pending Addition)	106	N/A	N/A (*3,150)	***	***	***
Riverdale	424	773	2,416	2,416	5.69	0%
Squaw Valley	**	1,160	2,691	***	***	***
*Millerton Specific Plan	1,420	N/A (*3,499)	N/A (*8,000 to 10,000)	***	***	***

Selected Cities	Acres	No. Dwelling Units (2010 Dept. of Finance)	2010 Dept. of Finance Population Estimate	2007 LAFCO MSR Pop. Data	Population Density/Acre	Annual Growth Rate (2000-10)
Kerman, City of	2,061	4,038	14,381	***	6.97	6.8%
Mendota, City of	2,096	2,310	9,966	***	4.75	2.6%

Source: State of California Department of Finance

Source: United States Bureau of the Census

* Total Build-Out

** No Established Boundary

*** No Data Available

Based on the table above, while the land area for the existing Friant and proposed Friant Plans total 1,804 acres, again almost 800 acres is designated as park, open space, slopes, etc. While the figures presented above for the other communities include parks and open space as well, staff does not have that specific data to present at this time. However, given the urban area proposed and the population projections, while the size of Friant would appear larger than some of the other communities noted above, there is not a General Plan Policy specifying that communities should be similar in size. Staff notes that aside from current land use designations, the General Plan does not designate any particular community for growth; rather, the General Plan assumes some growth will occur in the unincorporated communities and directs growth to those existing communities.

Citing criteria for the WWTP (specifically Millerton Specific Plan – size and distance):

The plant approved to serve the Millerton Specific Plan plant is designed to serve the Millerton Plan Area and Brighton Crest Subdivision and at maximum could serve approximately 40 percent of what would be necessary to serve the community of Friant (existing community and Friant Ranch). Due to space constraints on the Millerton plant, effluent storage and effluent disposal, it would not be feasible to expand the plant beyond its current design. Construction of a pipeline between the two plants is infeasible due to elevation, terrain and environmental constraints.

Specifically, the design on the Millerton Specific Plan plant presents operational constraints which are summarized below:

- The Millerton plant is an enclosed plant design and includes an emergency open pond for raw sewage in case of a plant malfunction. The plant is permitted for maximum 1.07 million gallons per day (MGD) which represents slightly over one-half the size needed for just Friant Ranch and the Friant community.
- Potential treatment level is "tertiary", however, the Phase 1 plant (0.20 MGD) does not make use of tertiary filters. The plant is not on-line for treatment due to lack of development.
- Current disposal is by an evaporation pond at the plant site and no land disposal is currently permitted due to non-use of tertiary filters and lack of a recycled water distribution system.
- The distance from the Millerton WWTP to the Beck property is 3.7 miles (not taking into consideration terrain and existing road alignments), which is a significant distance, given that much of the land between the two sites is impacted by vernal pools, protected species and California Tiger Salamander habitat and as such any pipeline between the two facilities would raise additional environmental concerns.
- A raw sewage pipeline would have to cross the Friant-Kern Canal, raising additional environmental concerns due to the need for a pressurized pipeline under the canal.
- The Millerton WWTP elevation is 600 feet. The elevation difference between the two facilities is nearly 300 feet. Connection between the two facilities would require extensive pumping to move water from west to east.

Based on the above design factors, the Millerton Specific Plan WWTP would not be physically or financially feasible to be utilized to also serve any area of Friant and would likely increase the environmental impacts to the resources of the area.

The proposed Land Use Plan provides a location for a new Friant Wastewater Treatment Plant. As originally proposed wastewater would be collected and treated at a new facility constructed on the site of the existing wastewater treatment plant located on the northern boundary of the Village Center (the existing plant serves only the Millerton Village Mobile Home Park. The Plan proposes that the existing wastewater treatment plant in Friant be replaced with an expanded plant to accommodate specific plan development). However, as noted in the Board packet and during the December 7th hearing, during the environmental/project evaluation process it was determined that an alternative WWTP location is environmentally superior to the proposed project WWTP location and is best accommodated on a parcel located adjacent to Lost Lake Park referred to as the Beck Property.

Specifically, effluent disposal on the Beck Property provides use of a former 150-acre CEMEX gravel extraction site southeast of Lost Lake Park which was in operation as a gravel extraction operation since the 1920's and was recognized, approved and modified through a number of Conditional Use Permit Applications with an approved Reclamation Plan requiring the site to be returned to an agricultural use. As the WWTP location, a pipeline from Friant Ranch to the site would be constructed adjacent to existing roads. The effluent will be treated to Title 22 requirements for unrestricted use of recycled water. The positive attributes of the alternative WWTP are noted below:

- The plant will be enclosed, automated and designed to fully contain potential noise and odors, reduce visual impact to that of an architecturally-enhanced building. Treatment capacity will be adequate for Friant Ranch at build-out, plus the Friant community at currently-planned build-out. Treatment level is "tertiary," with effluent meeting Title 22 requirements for unrestricted reuse, allowing the planned land disposal.
- Effluent storage available at the Beck property is adequate for Friant Ranch plus the Friant Community at currently-planned build-out. No additional storage space will be needed.
- Effluent disposal will be by land application, both to crops at the Beck property and to landscape within Friant Ranch. Disposal space will be adequate to fully dispose all recycled water at full build-out without need for additional disposal space or river discharge (it should be noted that the California Regional Water Quality Control Board [RWQCB] discourages discharge to the San Joaquin River when land is available for reuse of the treated wastewater).
- The site is downhill from the community of Friant and Friant Ranch and will allow a gravity flow system.
- Locating the WWTP on the Beck property is consistent with the Reclamation Plan approved in conjunction with the former gravel extraction site to restore the site to agricultural use.
- The Beck Ranch location is privately funded on private land, with no public or County cost issues that may occur at an alternative WWTP location.

If the alternative WWTP location is approved, the lands comprising the currently proposed WWTP location would be developed as additional landscaping to enhance the Village Center. No additional commercial square footage or parking would be proposed under this Alternative. Therefore, given the location, elevation and current technology available, there are a number of positive attributes to the location, including the fact that at this location, treated effluent will not be discharged to the river due to the on-site availability of storage and irrigation capacity.

As noted during the December 7th hearing, prior to development of the WWTP, a separate land use permit (Unclassified Conditional Use Permit) must be approved which is subject to an environmental review and publicly noticed hearing. Issues related to specific design and layout will be evaluated in detail during that process. Based on the above information, it is recommended that the alternative WWTP location be approved as opposed to the original site proposed.

Benchmarks/Thresholds for growth (specific comparison with the City of Kingsburg):

The City of Kingsburg has had a General Plan policy regarding growth rate since 1988 which stipulated an average three percent (3%) growth rate for a five-year period. In November 2004, the residents of Kingsburg voted to formalize a maximum three percent (3%) growth rate which was implemented in June 2005.

In general, a maximum annual growth rate is established by jurisdictions in which the community has determined that additional growth beyond a certain level is not desirable based on perceived impacts to the character of the community, provision of services to residents, and impact to overall growth boundaries. In most cases, such a community has sufficient infrastructure and does not deem the fees and revenue received from development as necessary beyond the established growth rate. In the case of the proposed Friant Ranch project, staff has not observed, nor is aware that the current residents of the Friant community view the project with concern regarding the proposed growth as it relates to the character of the community, provision of services, and impact to overall growth. In addition, in order for the development to occur and be able to finance the costs of capital investment and construction, development must occur at a rate which can achieve an economy of a scale to sufficiently fund the development, proposed/required public improvements and address mitigation requirements. Therefore, the proposed Specific Plan does not include a maximum growth rate/benchmark as the project will be providing improvements for the entire community.

Discussion of the cumulative impacts analysis considering Millerton Specific Plan:

The EIR contains an assessment of the Project's cumulative impacts in accordance with California Environmental Quality Act (CEQA) requirements, including a consideration of impacts of past, present and reasonably foreseeable future projects. This analysis is contained on Pages 5-1 – 5-23 of the Draft EIR. The analysis includes a list of all projects in the vicinity that could have a presumed interaction resulting in a cumulative effect. Seventeen projects are identified in Fresno and Madera Counties including the Millerton Specific Plan, Brighton Crest, the area casinos, and the Rio Mesa projects in Madera County. The analysis covers all required CEQA topics as Chapter 3 of the Draft EIR from Aesthetics to Utilities and the recently required Greenhouse Gas analysis. As required by CEQA, the EIR examined the reasonable options for mitigating or avoiding any significant cumulative effects of the proposed project and details whether impacts, would be cumulatively considerable or less than cumulatively considerable.

Clarification of project vehicle trips:

Appendix D of the Draft EIR includes the comprehensive Traffic Impact Study (TIS) report prepared for this project. The Friant Depot planned land use per TIS Table 9.6 results in 3,157 daily trips. The Friant Ranch project, per TIS Tables 9.3, 9.4 and 9.5, provide the analysis for the original proposed Project. The Alternative No. 3 project proposed for approval with a

reduced housing unit count will result in an even lower amount of daily trips. Accounting for trip-capture reduction the same way as the three Table's reference above, the resulting revised calculation is approximately 15,814 daily trips. The resulting combined total of the Friant Ranch Specific Plan (with Alternative No. 3) and the Depot Parcel is 18,971 daily trips.

Clarification regarding the assertion that wastewater will be dumped into the San Joaquin River:

The Specific Plan originally proposed that the existing WWTP in Friant be replaced with a new tertiary plant in the immediate vicinity of the existing WWTP plant to accommodate Specific Plan development. As originally proposed, this expansion would have occurred within the Community Plan boundary. The original proposal included a component that the new WWTP discharge treated effluent into the river during winter months. It should be noted that the quality of treated effluent allows unrestricted application of this water on all landscaping. In addition, special/specific Water Quality Studies were conducted to study the potential for discharge to the river, which concluded that discharge would have no significant impact on aquatic life in the river (including potential salmon populations) or to the river itself. However, as discussed in the Staff Report and during the December 7, 2010 hearing, during the environmental/project evaluation process it was determined that an environmentally superior WWTP location would be on a parcel located adjacent to Lost Lake Park referred to as the Beck Property. This site is located further from the river, downhill from the Project and the community (i.e. utilizing a gravity feed system for the Specific Plan Area and with the potential for gravity collection from the remaining Project Area), and contains approximately 120 acres on-site that will be used both for winter storage of effluent and as a spray field to dispose of the effluent, therefore not requiring/proposing any discharge into the river. As previously mentioned, the RWQCB discourages discharge to the San Joaquin River when land is available for reuse of the treated wastewater. Under the alternative WWTP location, as proposed by the Applicant and recommended by the Planning Commission, there will be no discharge to the river.

Clarification regarding source of water for project (ground water vs. surface water):

As explained in response to Comment 19.1 in the Final EIR, the source of water for the project is surface water stored behind Friant Dam, which the Lower Tule River Irrigation District (LTRID) is transferring to Water Works District 18 (WWD 18) for use within the project. As explained in responses to Comments 19.134 and 19.136, the proposed transfer will not result in any negative impacts to LTRID growers or their underlying groundwater basins. Rather, the LTRID proceeds from the transfer will be used to operate additional water distribution systems and additional groundwater recharge facilities, as well as to purchase short-term water from other Friant Division contractors on a year-to-year basis when needed. These additional facilities and potential short-term water purchases allow the District to take in more surface water in big water years and at flood times for groundwater recharge.

Analysis of the five policy points raised in the letter submitted by Friends of Lost Lake:

Prior to the December 7, 2010 hearing, staff received the proposed policy modifications and new proposed policy and met with the Friends of Lost Lake to discuss their proposed modifications/additions. As presented at the December 7th hearing, staff has reviewed the proposal and has concluded that the edits proposed for the four Policies noted by the Friends of Lost Lake are minor in nature and can be accommodated. Specifically (in the order presented in the letter to your Board [with proposed edits noted]):

Policy 1.6 -

"Create pedestrian linkages across Friant Road that will allow ~~uninterrupted~~ pedestrian trail connections between Lost Lake Recreational Area/San Joaquin River Parkway and new development east of Friant Road".

Staff has reviewed the proposed modifications and has concluded that the proposed edit is a refinement and can be administered, if adopted. Therefore, staff does not have concerns with the proposed modification.

Policy 2.4 -

"Emphasize protecting and restoring sensitive habitats and wildlife corridors along the banks of the San Joaquin River and ~~facilitate this area to be used as a wildlife corridor~~".

Staff has reviewed the proposed modifications and has concluded that the proposed edit is a refinement and can be administered, if adopted. Therefore, staff does not have concerns with the proposed modification.

Policy 1.3 -

"Enhance the Community of Friant's position as a recreation area of regional significance through ~~coordination and marketing of the Lost Lake Recreational Area and Millerton Lake~~ the development of new recreational opportunities".

Staff has reviewed the proposed modifications and has concluded that the proposed edit is a refinement and can be administered, if adopted. Therefore, staff does not have concerns with the proposed modification.

Policy 5.4 -

"Support, ~~when feasible, the establishment of additional public recreational opportunities at Lost Lake Recreational Area~~ that are consistent with the Parkway master Plan and planning for Lost Lake Park".

Staff has reviewed the proposed modifications and has concluded that the proposed edit is a refinement and can be administered, if adopted. Therefore, staff does not have concerns with the proposed modification.

Proposed Policy 10.2 -

"Support the San Joaquin River Parkway Master Plan and recreational uses within parklands west of Friant Road that are consistent with the natural, cultural and aesthetic resources of the San Joaquin River".

The proposed policy, as written, does not present a conflict with the proposed Community Plan Update. Staff does note that Policies LU-C.2 and LU-C.3 of the existing General Plan Policies related to the San Joaquin River Overlay provide for a range of uses including some commercial and mining activities. It should also be noted that the General Plan OS-H.11 states that the County shall support the policies of the San Joaquin River Parkway Master Plan as habitat,

recreational amenity, aesthetic resource and water source. The proposed policy appears similar to and/or supplemental to the existing General Plan Policy. Regardless, the proposed Community Plan Update is consistent with the intent of the General Plan Policies. Therefore, staff does not have concerns with the proposed policy.

ADDITIONAL BACKGROUND INFORMATION:

The Draft EIR includes a project description and information regarding the environmental setting, a discussion of potential environmental impacts, and an examination of project alternatives. The Draft EIR analyzed potentially significant environmental impacts in the following areas: Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services and Recreation, Transportation/Traffic, Utilities and Service Systems, and Greenhouse Gases/Global Climate Change. While most of the identified impacts can be mitigated to a level that is less than significant through Mitigation Measures included in the Draft EIR, the following impacts are considered significant and unavoidable:

- Agricultural Resources - The proposed re-designation of 900 acres of grazing land within the Friant Ranch Specific Plan Area currently zoned for agriculture is a significant and unavoidable impact. The proposed conversion of approximately 482 acres, including roads and trails (under Alternative No. 3) will conflict with the existing agricultural zoning.
- Air Quality - Emissions during Phases 1 and 2 of the Friant Ranch Specific Plan will exceed San Joaquin Valley Air Pollution Control District (SJVAPCD) thresholds. At build-out of the Friant Ranch Specific Plan and Community Plan Update, the primary source of emissions will be from vehicles. Impacts will be lessened by policies of the Specific Plan and Community Plan that promote alternative transportation, air quality mitigation for new development, and strategies to minimize vehicle trips. However, there are no known additional feasible Mitigation Measures that will reduce the impact to a less than significant level.
- Traffic – Multiple road segments and intersections will be impacted by the proposed development resulting in a Level of Service (LOS) below the adopted standards.
- Noise – The project will result in significant and unavoidable off-site traffic related noise impacts to existing homes.
- Aesthetics – The project will have a cumulatively considerable contribution to the overall aesthetic impact of past, present and foreseeable development in the surrounding area.

As previously noted, GPA, AT and AA applications are legislative actions requiring final approval by your Board on these applications including the associated environmental documents.

If your Board determines that the EIR prepared for the project is complete and complies with the requirements of CEQA, your Board should make a motion to certify the Final EIR, adopt the Statement of Facts, Findings and Overriding Considerations and the Mitigation Monitoring Program. If your Board determines that the proposed GPA, AT and AA to update/rezone the Friant Community Plan and Friant Specific Plan are consistent with the General Plan, a motion to approve General Plan Amendment No. 511 (as the first amendment of the Fresno County General Plan of 2011), Amendment to Text Application No. 363 and Amendment Application No. 3751 would be appropriate. If your Board determines that General Plan Amendment No.

511, Amendment to Text Application No. 363 and Amendment Application No. 3751 are not consistent with the General Plan, denial of the applications would then be appropriate citing the reasons for denial and the proposal's inconsistency with the Fresno County General Plan.

OTHER REVIEWING AGENCIES:

As indicated in the packet for the December 7, 2010 hearing, on October 3, 2007, the County distributed to public agencies and interested citizens a Notice of Preparation (NOP) of an EIR for the project. The NOP Scoping Meeting was held on October 17, 2007, at the Friant Elementary School. The notice of the Scoping Meeting was sent to residents of Friant and surrounding property owners. A Scoping Meeting, as recommended in Section 15083 of the California Environmental Quality Act (CEQA) Guidelines, was advertised in the Mountain Press. The purpose of the meeting was to receive input from the agencies and community residents on issues that should be addressed in the EIR, the Community Plan and the Specific Plan.

Fresno County, as the Lead Agency, circulated the Draft EIR for the project from October 30, 2009 through December 15, 2009. The Notice of Availability (NOA) for the Draft EIR was published in the Fresno Bee and posted at the Fresno County Clerk's Office on October 30, 2009. Pursuant to public notice, a Community Meeting was held on December 9, 2009 at the Friant Elementary School to receive input from the community residents on the Draft EIR, Specific and Community Plans.

REVERENCE MATERIAL:

Advanced Agenda Material, August 24, 2010

BAI #14, December 7, 2010

WATERWORKS DISTRICT NO. 18

MUNICIPAL SERVICES REVIEW AND PLAN FOR SERVICES

FOR

**AMENDMENT OR REVISION OF THE DISTRICT'S SPHERE OF
INFLUENCE AND THE ANNEXATION OF TERRITORY TO
INCLUDE THE FRIANT RANCH DEVELOPMENT AREA AND
TO PROVIDE NEW OR DIFFERENT CLASS OF SERVICES
WITHIN JURISDICTIONAL BOUNDARIES**

Report to the
Fresno Local Agency Formation Commission

Prepared by:

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March 2011

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ABBREVIATIONS

WWD 18	Fresno County Waterworks District No. 18
MSR.....	Municipal Service Review
SOI.....	Sphere of Influence

1 MUNICIPAL SERVICE REVIEW

1.1 District Information

Friant, a small community of approximately 500 people, is situated at the base of Friant Dam and Millerton Lake in Fresno County, California. Established on August 17, 1956, Fresno County Waterworks District No. 18 (WWD 18 or District) today services approximately 234 residential, commercial and industrial connections in Friant with an additional 180 potential connections annexed but not yet developed.

WWD 18 proposes to incorporate the area included within the proposed development footprint of the Friant Ranch Specific Plan, recently approved by Fresno County for residential and commercial uses equating to approximately 2,700 additional connections to the District (Project), into its service area as a separate zone of benefit, providing both water and sewer services. The 460-acre Friant Ranch development area is situated east of Friant Road, west of the Friant-Kern Canal. Friant Ranch occupies portions of Sections 7, 8, 17, and 18, Township 11 South, Range 21 East (see **Figure 1-1: District Map**) (Project Area).

To accommodate this action, the District proposes to activate its latent powers respecting wastewater collection, treatment and disposal. In addition, the District proposes to assume the responsibility for wastewater service for those customers currently served by Fresno County Service Area 44A, the Millerton Village Mobile Home Park, which is located directly north of the Project Area within the District's existing service area. The District currently provides water service to the mobile home park.

1.2 Existing Facilities and Infrastructure

Water supplies for WWD 18 are presently obtained from Millerton Lake via a contract with the United States Bureau of Reclamation (USBR). The nominal water allotment is 150 acre-feet per year, although actual deliveries are limited in drier water years.

WWD 18 owns, maintains, and operates the water treatment plant and water supply system located in the Community of Friant. The existing WWD 18 water treatment facility uses a clarification and filtration process designed to treat the water from Millerton Lake, currently serving the Community of Friant, the Bureau of Reclamation –

Friant Dam, the California State Park – Millerton Lake, and the California Department of Forestry.

The treatment capacity was recently increased and has been rated at 396 gpm or 0.55 mgd by the State Department of Health. Presently the plant normally runs at approximately 250 gpm. The treated water is pumped into a clearwell tank and then pumped into a 325,000-gallon storage tank. The system has several pumps, which feed connections to the Bureau of Reclamation facilities, Millerton Lake State Park and the California Department of Forestry Fire Station.

The District does not provide any direct water services outside its boundaries. **Figure 1-1** is a map of the District showing the existing service areas. The District does contract with Table Mountain Rancheria (TMR) to treat water for the Rancheria's casino, which is located several miles east of the District service area on Millerton Road. Water for TMR is delivered, pursuant to TMR's separate entitlements, from Millerton Lake through the District's raw water line, treated using excess capacity in the treatment plant, and picked up by TMR contractors for delivery to TMR in water trucks. No District facilities extend to TMR.

No existing District services overlap with any other agency; at present, the District's buildings and offices are not shared with any other agency.

Fresno County Service Area 44A (CSA 44A) owns and operates the Millerton Lake Village Wastewater Treatment Plant, which serves only the Millerton Lake Village Mobile Home Park. No other existing Friant users have access to wastewater treatment services. All are served by individual septic systems.

1.3 District Finances

The District financed the water system through the California Department of Water Resources and with careful planning and diligence on the parts of the Board of Directors and the citizens of Friant, that loan has been paid. The ownership of the District belongs to the Community of Friant. There continues to be a small assessment to each property owner for the Operations and Maintenance fund, which is invested in the Local Agency Investment Fund (LAIF) with the State of California and continues to grow and draw interest.

The FY 2010-11 operating budget states that major revenues are expected from residential water charges, commercial water charges, industrial water charges, tax

SECTION ONE**MSR/ Plan for Services
Waterworks District No. 18**

assessments, interest income and various other revenue sources for a total of \$294,700. Expenditures are expected in the form of salaries and payroll expenses, water purchases, repairs and maintenance, professional and engineering fees, Pacific Gas and Electric, water treatment supplies and various other expenditures for a total of \$253,121. The budget is expected to be balanced with this accounting of revenues and expenditures. There will be a net income of \$41,579.

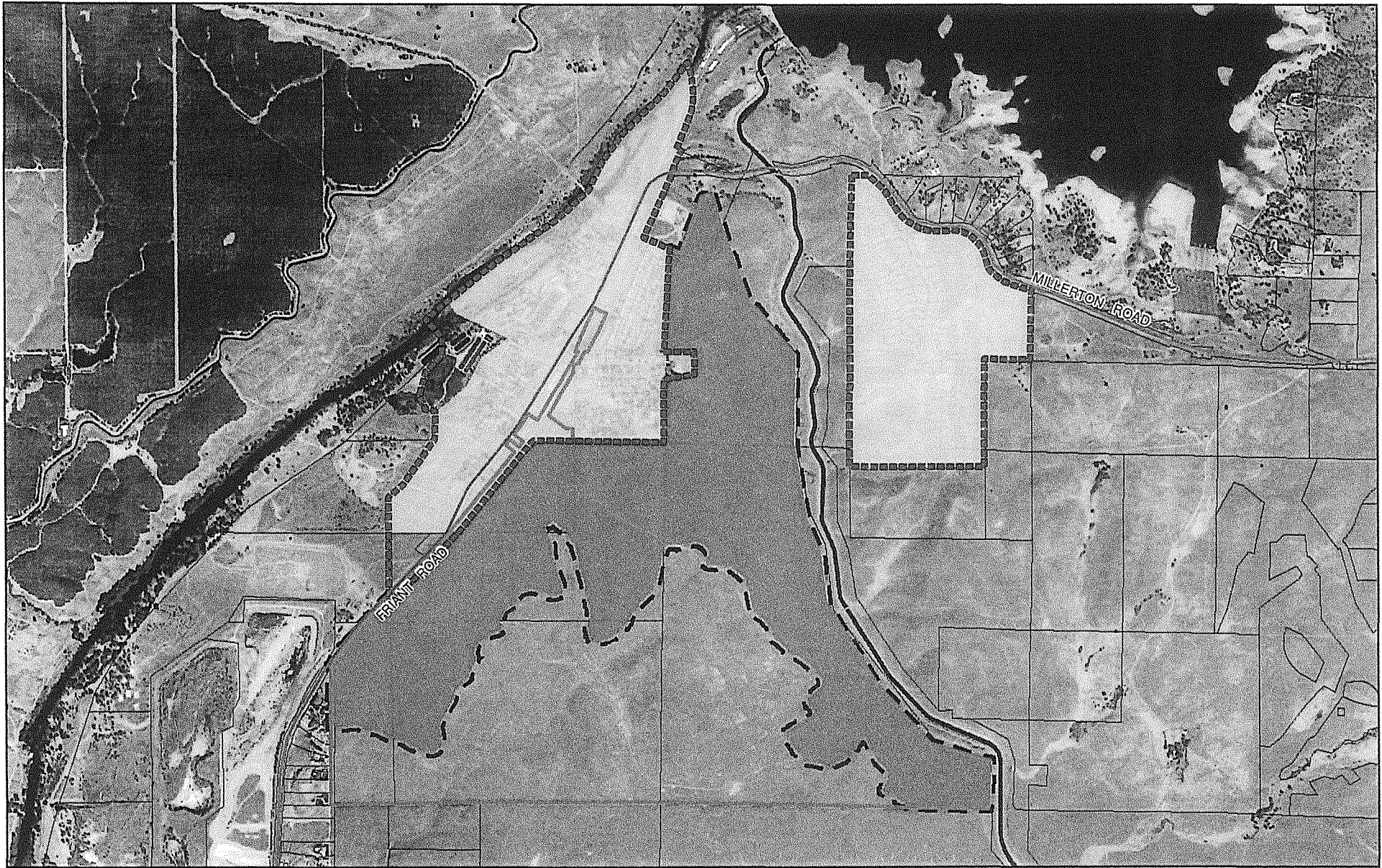
Table 1-1: Budgeted Revenues and Expenditures (FY 2010-11)¹

Revenues		Expenditures	
Residential Water Charges	\$100,000	Salaries	\$45,000
Commercial Water Charges	\$150,000	LTRID Water Purchases	\$10,000
Industrial Water Charges	\$25,000	Repairs/Maintenance	\$12,000
Other Income	\$19,700	Professional & Engineering Fees	\$58,500
		Utilities	\$25,000
		Water Treatment Supplies	\$12,000
		Other Expenditures	\$90,621
Total Revenues	\$294,700	Total Expenditures	\$253,121

¹ Table data from WWD #18 "Budget Adoption - Fund" dated 6/30/10.

At present the District is working on a capital improvement project to replace the current water line from the treatment plant to the California Department of Forestry and Fire Protection (CDF) facilities. This project will be funded by the CDF.

Future capital improvements anticipated at this time are all related to the development of Friant Ranch. The expansion of water service facilities and development of new wastewater facilities is planned to occur in stages, the timing of which will be determined by the pace of development at Friant Ranch. These facilities are described in the Friant Ranch Specific Plan's infrastructure master plan, and will become conditions of approval of the various tentative maps and site plans considered by Fresno County for the Project over its development life. Design and construction will be by the Project, subject to approval by WWD 18 and appropriate regulatory authorities.



0 1,000 2,000 Feet



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Legend



District SOI



Proposed District Area Expansion



Friant Ranch Specific Plan Boundary



District Area



Proposed SOI Expansion

Figure 1-1

Proposed SOI Expansion

Waterworks District No. 18

2 MUNICIPAL SERVICE REVIEW DETERMINATIONS

The proposed Friant Ranch Specific Plan (Project or Development) is planned to be a mixed-use, primarily age-restricted development. It will consist of approximately 2,500 dwelling units, of which 2,270 will be age-qualified units (*i.e.*, for active adults 55 years and older) and 230 will be non-age-qualified units, and will include 250,000 square feet of commercial space.

The Project site comprises a total of 942 acres, with 460 acres proposed for development and 482 acres proposed for dedicated on-site open space. Portions of the open space necessary to provide a contiguous service area are included in the annexation application, bringing the total area of the application to approximately 520 acres. The remainder of the open space area is not proposed for annexation into the District as no services will be required or provided.

2.1 Infrastructure Needs

To serve the Project area, a new wastewater treatment system would be constructed. The new plant would also replace the Millerton Lake Village Wastewater Treatment Plant and would provide service to the current CSA 44A customers. The new wastewater treatment system would be constructed by the Friant Ranch Specific Plan developers, owned and operated by WWD 18, with no capital cost to the District. The present customers in Millerton Lake Village MHP would be connected to the new facility, and the current CSA 44A treatment plant would then be abandoned. A point of connection would be provided for a future wastewater collection system serving the Friant Community. However, the Friant Ranch Specific Plan development is not committed to construct a collection system for the community; the decision to do so and the funding obligation of any such collector system would rest with the citizens of the Friant community.

A complete description of the proposed infrastructure systems for the Friant Ranch development area is included in the Friant Ranch Specific Plan's Infrastructure Master Plan, and is analyzed in the Friant Ranch Specific Plan EIR.

A new wastewater treatment plant (WWTP) is proposed as part of the Project, to be owned, operated and maintained by WWD 18. The new facility will utilize Membrane Bioreactor technology and will be designed to be compatible with surrounding land uses. Treated effluent from the Wastewater Treatment System will be used for irrigation of local agricultural areas as well as landscaped areas and irrigated open spaces in or near the Project.

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The WWTP, which will produce tertiary level, Title 22 effluent, will be constructed in three or four phases, each phase adding treatment and disposal capacity as discussed in the Project EIR. The initial phase will be rated at approximately 0.250 million gallons per day (mgd); the ultimate WWTP will be rated at between 0.625 and 0.725 mgd, depending upon the actual commercial demand the project experiences as it builds out. Wastewater effluent will be disposed to lands in and near the Friant Ranch development. Prior to operation, both Waste Discharge Requirements and Reclamation permits will be secured from the Regional Water Quality Control Board.

Water for initial development at Friant Ranch can be produced by the existing water system operated by the District. As discussed in Section 1.2 above, the WTP has a capacity of 396 gpm, and a current peak demand of approximately 250 gpm. No increase in the demand within the current Service Area is anticipated, as no development projects are pending. The District's engineer, Michael Giersch, estimates that this increment of capacity will allow construction of up to 100 units in Friant Ranch before additional treatment capacity will be required.

The District will condition the Project to expand the present Water Treatment Plant (WTP) in phases to accommodate the needs of the Project. The WTP is designed including multiple operating units. These facilities include coagulation, flocculation, settling, filtration, and disinfection, all in accordance with the United States Environmental Protection Agency Surface Water Treatment Rule.

The expansions will add additional operating units for all processes as they are required, assuring operational flexibility and limiting the production capacity taken off line when service or repair of any single unit is needed. In addition to expansion of the treatment plant, the Project will also construct the pipelines, connections, tanks and pumps required to deliver sufficient capacity from Friant Dam to the WTP and to the Project.

The expansions required of Friant Ranch will fully supply the water needs of the Project, and at full build-out of the Project the District will be left with the same amount of capacity to serve non-Friant Ranch customers as it has today. Again, the entire capital cost of the planned expansions will be borne by the developers of the Friant Ranch project; the District will not make any financial contribution to the facilities.

2.2 Growth and Population

The District's current service population is estimated to be approximately 500 residents with 234 service accounts. The Project is proposed to be constructed in four phases over a period of approximately 10 years, depending upon market demand. The Project

anticipates a building-out population of 5,765 with 2,500 service connections. The Project will be responsible for all costs in relation to increased service requirements due to the addition of service connections from Friant Ranch.

2.3 Financing Constraints

In 2005, District increased water service charges to \$31 per month for residential accounts and \$45 per month for commercial. A tiered billing system is in place for users of over 22,000 gallons per month. The District receives approximately \$15 to \$60 per parcel through land taxation. These funds are used in addition to the water service charges to maintain service to the District's users. Surplus funds are directed to Local Agency Investment Fund (LAIF) for use on future maintenance needs. This fund balance is approximately \$200,000. The District has no outstanding debts.

These funds are sufficient for running the District and do not provide for future development or upgrade beyond the current Friant community.

The Project financing strategy identifies two funding sources necessary for development of the infrastructure needed for the proposed expansion: direct developer funding and a public debt-financing mechanism. It is proposed that a Mello-Roos Community Facilities District (CFD) be formed by Fresno County Water Works District 18 (WWD 18) for debt financing of infrastructure portion of the wastewater improvements which will serve the Project.

The CFD funds would be limited to those which could be paid back by the imposition of 0.5 percent additional levee on the property tax roles, or about \$10 million in four separate bond issues throughout the development life of the Project. The expense above such threshold will be borne by the developer as a direct development expense, without reimbursement. No project-related capital facilities costs will be borne by the District or the customers in the current Western Service Area.

Annual operations, maintenance, and other costs associated with water and wastewater service within the Project area will be paid for through regular customer sewer service fees, set up as a separate zone of benefit for Project users.

2.4 Cost Avoidance Opportunities

In recent years, the District has been able to replace nearly all of their old asbestos-cement water lines through use of Community Development Block Grant (CDBG) funds.

As a result of the replacement of these lines, the District has avoided significant maintenance costs associated with older lines.

A major expense was avoided in 2008, when a \$1 million grant from TMR paid the cost of relocating the District's major distribution line in Friant Road, which had to be moved to accommodate Fresno County's reconstruction and widening of that regional arterial. The need for relocation had not been anticipated until detailed planning for the road project revealed an elevation conflict. Under the terms of its encroachment permit with the County, the District was obliged to move its facilities at its own expense. TMR made it possible for the District to meet the County's demand and timeline without incurring what would have been onerous debt.

2.5 Rate Restructuring Opportunities

All of the current customers of the District west of the Friant Kern Canal, except the customers of CSA 44A (the residents of the Millerton Village Mobile Home Park), will become a distinct zone of benefit, separate from the two discussed below. This Zone will not be responsible for any expenses related to wastewater unless and until a collection system allowing connection of these users to the new WWTP is constructed. There are no current plans to construct that collection system. This Zone receives only water service from the District. The District last adjusted rates in 2005 and will periodically review the rates in future years. The Board of Directors voted to not increase the water rate for the 2010-2011 budget year and will reevaluate the issue again for the 2011-2012 budget .

The Project Area will be a second Zone of Benefit, providing for both water and sewer service. Preliminary budgets indicate a combined monthly for water and sewer service rate of less than \$100 per unit will be sufficient initially, with increases generally following increases in the cost of living. The rate structure for the Project Area will be finalized when final operations and maintenance budgets are known. Final budgets are still subject to design of the actual facilities, knowledge of monitoring and testing requirements (which will come from the Central Valley Regional Water Quality Control Board in future Waste Discharge Requirements) and to choices of the method for staffing of the wastewater treatment plant.

Current customers of CSA 44A (the residents of the Millerton Village Mobile Home Park) also currently receive water service from the District, but will be treated as a third Zone of Benefit within WWD 18. Throughout the entitlement process, the Project's developers have committed to bearing the cost of developing the new WWTP and offering a portion of its capacity to benefit the current residents of Friant including the

customers of CSA 44A. Accordingly, sewer rates for the CSA 44A customers will be reduced by any capital facility components used to calculate the rates in the Project Area; they will pay only their share of the operations and maintenance expenses of the new WWTP. Based upon the same preliminary budgets used to estimate the rates for the second Zone of Benefit above, the monthly sewer rate for the third Zone of Benefit is expected to be less than \$50 per month

Water rates for the current CSA 44A customers will be treated just as they are currently, and will be held equal to the rates charged to the existing Friant community water users in the first Zone of Benefit (currently set at \$31 per unit per month).

2.6 Opportunities for Shared Facilities

The District does not share facilities with any other agencies. At this time, there are no opportunities for shared facilities in the area. The only other nearby service agency, County Service Area 44, does not overlap services with WWD 18. It currently provides only wastewater treatment and street lighting, not water treatment.

When the Friant Ranch wastewater treatment plant is constructed and begins serving the Friant Ranch Specific Plan Area, CSA 44A's wastewater treatment responsibilities will be taken up by WWD 18, and the existing CSA 44A wastewater plant, which is old and in general disrepair, will be decommissioned.

Current discussions between Fresno County and WWD 18 anticipate that CSA 44 may cease to exist after that transfer of responsibilities and would no longer be a potential partnering agency.

2.7 Government Structure and Management Efficiencies

WWD 18 is a public waterworks district organized under the California Water Code Section 64400, which provides the operating authority for water treatment plants; a five-member Board of Directors oversees the District's operations. The Fresno County Board of Supervisors appoints the members of the Board of Directors. The Board appoints the Manager, and the District employs several part-time treatment plant operators for the water treatment plant. The District contracts with Management Services, a local administrative services firm, for billing and accounting services, and with local professionals who provide engineering and legal services.

The District staff includes one full-time employee, with credentials to operate a water treatment plant and a wastewater treatment plant, and three part-time employees. All

plant operators have a mix of State-issued water treatment and distribution certificates appropriate to the water treatment plant.

The District Manager is compensated through the contract between the District and Management Services, which also provides billing and accounting services. This limited staff is adequate to perform all services required at the present time.

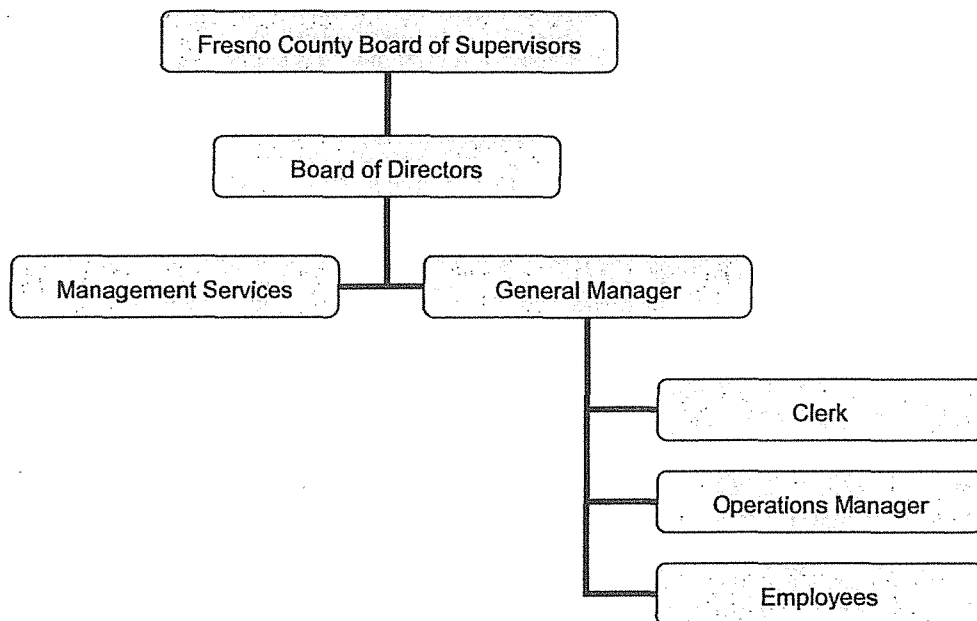


Figure 2-1: Government Structure

WWD 18 has full and complete authority to maintain their systems. The District is recognized by the Community of Friant, the County of Fresno and the State of California Department of Health Services. While WWD 18 does not currently own or operate wastewater treatment facilities, the authority to do so is within its latent powers as a California Waterworks District.

The District anticipates that design, construction and operation of the WWTP will be contracted out to a private-sector firm specializing in such services. Doing so would allow the District to take advantage of a large body of experience and the special skills necessary to run a technologically-sophisticated Membrane Bioreactor plant without having to directly employ such a variety of staff. An example of a plant run in this manner would be the City of Clovis' treatment facility, which was designed, built and is operated and maintained by a single firm.

2.8 Local Accountability

The General Manager is responsible for planning, organizing, directing and coordinating all activities and functions of the District and carrying out related Board policies. This responsibility includes, but is not limited to:

- Planning, organizing and directing the field, plant, business and financial affairs of the District under policy direction from the Board
- Attending all meetings of the Board of Directors
- Advising the Board on administrative practice
- Understanding, administering and enforcing all laws applicable to the District's operations
- Developing and presenting the Board with a recommended District budget and overseeing the implementation of the budget as adopted by the Board
- Negotiating and administering water contracts and other legal agreements on behalf of the District, pursuant to policy direction from the Board
- Representing the District in the community and in coordinating District interests with other government agencies, regulatory agencies, professional associations, and technical consultants.
- Providing timely advice and consultation on the development of programs and policies to the Board of Directors
- Reviewing legislation and related information and preparing summary analysis for the Board
- Handling all District human resources and employee relations matters, under policy direction from the Board
- Coordinating the preparation of the Board's meeting agendas and minutes of the previous meeting(s).
- Outlining daily operations for District employees, scheduling and coordinating all employee activities.

Management Services is responsible for the daily operations of the District's billing and accounting. Their services are carried out under direct supervision of the General Manager.

The District maintains a savings account with the State of California LAIF and various accounts with Bank of America. Two Board member signatures are required on checks

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over \$200.00 and payments must be approved by the Board prior to release of checks. Transfer of funds to and from the LAIF is handled via telephone by Board designees.

3 SPHERE OF INFLUENCE REVIEW

3.1 Existing Sphere of Influence

The District's boundaries and sphere of influence (SOI) are not coterminous. The SOI extends beyond the District boundary in two areas in the southern part of the District. See **Figure 1-1**, illustrating the District's boundary and SOI. The District is entirely within the County of Fresno, partially bordering the County of Madera on the west side, along the San Joaquin River.

3.2 Proposed Sphere of Influence

To accommodate development of the Project, the District desires to expand its SOI. The District proposes that the SOI be extended to the south and east to encompass the development area within the Friant Ranch Specific Plan, along with the portion of the open space areas within the Project Area necessary to complete a logical annexation boundary. The majority of the open space area within the Specific Plan is not included in the annexation proposal as no services will be delivered to those undeveloped acres. No other lands are proposed for annexation at this time.

The District is submitting the required application for SOI expansion and Friant Ranch annexation concurrently with the MSR. The District has met with LAFCo staff to discuss the proposed SOI boundary alterations.

3.3 Sphere of Influence Determinations

The proposed development and related infrastructure within the entire proposed annexation area was analyzed in the recently-certified EIR for the Project. Annexation to the District will give the Project certainty as to its utility service provider, and will allow the Project to proceed with the next phases of infrastructure design and regulatory agency permitting.

The northerly extent of the City of Fresno's Sphere of Influence is approximately 5 ¼ miles to the south of the proposed WWD 18 SOI. No other districts or agencies able to provide the desired municipal services exist near the project area.

The proposed SOI line takes in only the development area of the Friant Ranch Specific Plan, all of which is included in the certified Friant Ranch Specific Plan EIR. No other new lands are included in the District's proposed annexations and SOI update. With

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this annexation and update, the District will include nearly all of the developed and yet-to-develop parcels in the Friant Community Plan area.

4 ACKNOWLEDGEMENTS AND REFERENCES

This Municipal Service Review was prepared by Provost & Pritchard Consulting Group, at the request of the Friant Ranch developers and in cooperation with WWD 18 staff. Information for this evaluation was provided by WWD 18 staff, the Friant Ranch Specific Plan developers, and the Project's design team.

5 RECOMMENDATIONS

In consideration of the information presented and evaluated herein, it is recommended the Commission:

1. Accept public testimony regarding the proposed Municipal Services Review and Plan for Services.
2. Approve the proposed Municipal Service Review determinations, together with any changes deemed appropriate.
3. Approve the proposed Plan for Services for wastewater collection, treatment and disposal.
4. Approve the activation of Waterworks District No. 18's latent powers respecting wastewater collection, treatment and disposal.
5. Affirm the current Sphere of Influence and accept the amended Sphere in connection with the submitted application.
6. Accept the annexation of the Project Area in connection with the submitted application.