May 29, 2026

Members of the Commission
Sonoma Local Agency Formation Commission
111 Santa Rosa Ave, Santa Rosa, CA 95404

Subject: Request for Reconsideration of the decision to deny the AVWD Application

Dear Commissioners:

I am a Petitioner for the formation of the Alexander Valley Water District. I am dismayed by the Sonoma Local Agency Formation Commission (LAFCO) vote on May 6th to deny the pending Petition and Application to form the Alexander Vally Water District (AVWD) due to the singular consideration that the proposed landowner district would not adequately represent all residents within the proposed boundary (which can easily be procedurally mitigated). I formally request LAFCO reconsider its denial of the AVWD Petition and Application pursuant to CKH Act Section 56895.

The AVWD formation effort has been led over the past five years by the Russian River Property Owners Association (RRPOA) who have engaged agricultural, commercial, and residential landowners from small to large. A Steering Committee consisting of community volunteers, consultants, and legal advisors began by considering all the governance options for achieving essential services as needed to avert a persisting water shortage in the Alexander Valley affecting all water users alike. This led to the conclusion, following recent examples of recent California Water District formations in California, that a California Water District would best meet objective criteria for water supply and conservation services in the Alexander Valley.

This preliminary decision was followed by research and technical efforts, the detailing of services to be provided, extensive community, affected agency, and interest group outreach, drafting a detailed and robust AVWD proposal for purposes of the required Petition, conducting the arduous task of obtaining and vetting signatures on the Petition, and finally, drafting the Application, including a detailed 'Plan for Service'.

The Petition and Application to LAFCO were submitted and deemed as complete by the Executive Officer in October 2025. The Petition and Application meet or exceeds all Cortese Knox Hertzberg Act (CKH Act) requirements for such applications as well as those of the Principal Act, Water Code Section 34000 et seq. Following the notification that the Petition and Application were complete, there was no response or engagement with the Executive Officer for the following four months. Normally, as an application is reviewed and related terms and conditions are formulated there are discussions with the applicant and related agreement on appropriate terms and conditions. In a breach of this procedural norm, no such discussions have occurred.

My comments are focused on the inconsistency of the denial to allow the AVWD Application to proceed with the CKH Act Legislative Findings and Declarations. These mandate that LAFCOs to be 'policy positive' organizations pursuing a specific Legislative agenda. I base my comments upon a review of the two Staff Reports and attending the two public hearings. My comments are further informed by my professional experience advising LAFCOs around the State of California for the past 50 years and related membership in the Statewide organization, CALAFCO, and related contributions to governance and financing legislation, including revisions to the CKH Act. This work has included extensive government organization and financing consulting here in Sonoma County including early efforts to consolidate fire protection services, serving as consultant to Sonoma LAFCO regarding the incorporation of Windsor, work on complex municipal annexations including the master annexation of the Roseland Area to the City of Santa Rosa, and completing a multi-jurisdiction Municipal Service Review for Sonoma LAFCO.

Given this experience it is my view that the Staff reports prepared for the April 1st and May 6th public hearings regarding the AVWD and the resulting Resolution denying moving the Application to the statutory Protest Proceedings in addition to factual errors and legal drafting shortcomings, fail to adhere to the legislative intent expressed in Gov. Code Section 56001. At its essence, the CKH Act is founded on three positive principles: 1) discouraging urban sprawl; 2) preserving open space and prime agricultural lands, and 3) efficiently extending needed government services as proposed by those seeking these government services. The AVWD Petition and Application is consistent with and furthers these three fundamental good governance principles:

1) Discouraging Urban Sprawl. The Sonoma County General Plan that has successfully guided County land use policy for the past 50 years recognized at the outset that 'discouraging urban sprawl' (including residential parcelization of heretofore agricultural lands) required a vital agricultural industry (and other resource-based industries) without which landowners have few choices but to convert their land to housing. The 1978 General Plan established comprehensive land use policy to protect the County's agricultural lands and adopted consistent zoning regulations to implement these policies. Simultaneously with the adoption of the County's first General Plan a period of rapid growth of the wine grape industry began in addition to the stability of other crops and livestock industries. Together, the land use policy and the ability for landowners, many of whom are multigenerational families on the land, were able to stay in business these 50 years by preserving agriculture and growing the wine industry into an economic powerhouse. But now, with the ongoing reduction of Russian River water supply for irrigation and other beneficial uses and unfavorable grape and wine market conditions, agriculture at its present scale is at risk, leaving landowners with few options but to convert land to urban or rural residential development. This very real risk of urban/rural residential sprawl was not mentioned in the LAFCO staff reports

or Resolution as the likely result of the 'do nothing' option when combined with the unwillingness of existing local agencies to seek and secure sustained water supply for Alexander valley agriculture and other local beneficial uses.

2) Preserving Open Space and Agriculture. Presently here in the Alexander Valley the continued success of agriculture faces several existential challenges including 1) the generalized effects of climate change (heat, increased periodic droughts, and increasing extreme weather conditions); 2) the loss of a historical water supply in the Russian River created when PG&E constructed the Potter Valley Power Plant in 1908, moving water from the Eel River to the East Fork of the Russian River; 3) in the event of water shortages intervention by State agencies to curtail surface and groundwater use; and 4) the unfolding and dramatic and likely structural downturn in the County's wine grape industry. The AVWD was conceived by the RRPOA as a means for addressing constraints on water supply created by climate change induced drought conditions, and loss of a substantial portion if not all the Eel River flows into the Russian River. Without an adequate and sustained water supply for irrigation purposes the continued productivity and viability of the local wine grape industry will be threatened. The magnitude of these unmitigated threats to agriculture here in the Alexander Valley indeed throughout the County on agriculture and wine industry (which together account for 40 percent of the County's total economy), and the positive role the AVWD would play in mitigating local and regional economic impacts, were not mentioned or evaluated by LAFCO.[1]

3) Efficiently Extending Government Services. In addition to promoting compact urban development and preserving open space and agriculture, the CKH Act is intended to facilitate the efficient extension of government services where a need has been demonstrated through annexations to existing service providers (cities and special districts), authorization of new or expanded services, and the formation of new service providing organizations including municipal incorporations, special district formations and consolidations. The RRPOA in conceiving the AVWD concluded, following considerable research and consultations with existing State and local government entities serving the Alexander Valley, that none of them had the capacity or interest to take on the challenge of securing and conserving water supply in the Alexander Valley for agricultural, industrial, and domestic water users (see the AVWD Plan for Services, pages 4-7). While noting in passing that there indeed is a water supply crisis unfolding in

[1] Current economic impacts of Sonoma County's wine industry:

- 1 in 4 Sonoma County jobs are in the wine industry
- 54,000+Full-time employees work in the wine industry
- $3.2 billion in wages paid per year to wine industry employees
- $8 billion The US retail value of wines produced in Sonoma County
- $13.4 billion in (I-O model estimated) total economic impact (40% of Gross County Product)
- $1.2 billion in tourism dollars is generated by wine tourism

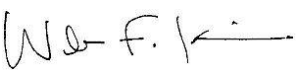
the Alexander Valley due to the loss of the Eel River transfers into the Russian River, no viable alternative governance option was proposed by LAFCO in lieu of the proposed AVWD. Moreover, the potentially affected or responsible existing agencies serving Alexander Valley have expressed no interest in providing the services proposed by the AVWD and support AVWD formation as a new partner, providing needed services and project financing. I note that Sonoma Water can only legally represent their water contractors for potable water and is legally restricted from representing Alexander Valley water users. Formation of the AVWD provides Sonoma Water and the Mendocino County flood districts with an established entity to enter agreements which help secure region serving Russian River water supply projects and conservation programs.

In closing I note that the CKH Act intent also clearly recognizes the distinction between multi-purpose general government service agencies such as incorporated cities or multi-purpose special districts and limited purpose agencies like the proposed AVWD, especially in rural communities. In these rural and agricultural areas limited purpose agencies are often the foundation of local governance and the ability of these communities, under constitutional 'home rule' principles, to form and sustain limited purpose agencies to meet defined and justified local service and infrastructure investment needs as guided by special district law, the CKH Act, and LAFCO review and approval.

The registered voter representation versus landowner representation issue is linked to this distinction as the beneficiaries of limited-service agencies are often based on land ownership with the benefits conferred proportional to funding received as required by the State's assessment district law, one of the foundations of local government public financing in California. Moreover, conditions applied to the Resolution can mitigate concerns regarding concentration of power and representing all residents.

Sonoma LAFCO, in pursuit of the Executive Officer's tacit policy of absolutely no special district formation in Sonoma County and a poorly reasoned if not reckless legal opinion, fails to make this important distinction and worse yet, fail to honor the right of Alexander Valley landowners to a procedurally required protest proceeding to determine support for the proposed AVWD by landowners and registered voters alike. Denial of this right to protest and vote on the formation of the AVWD is an arbitrary denial of franchise for our cohesive rural Alexander Valley community to address critical local water supply services and investment needs that no other agency can or will provide. Please reconsider.

Sincerely,



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