

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 26-04

RESOLUTION AMENDING THE SPHERE OF INFLUENCE OF THE NOVATO SANITARY DISTRICT AND MAKING WRITTEN DETERMINATIONS

WHEREAS upon determination and adoption of a sphere of influence, the Marin Local Agency Formation Commission is required to periodically review and update adopted spheres of influence for each city and special district not less than once every five years, as necessary, within Marin County under Government Code Section 56425 (g); and

WHEREAS the Deputy Executive Officer has conducted a review of the adopted sphere of influence of local government agencies, prepared a summary, *Novato Area Municipal Service Review*, including his recommendations thereon, the summary having been presented to and considered by this Commission; and

WHEREAS a public hearing by this Commission was held on the *Novato Area Municipal Service Review* and this Sphere of Influence Update, and staff's recommendations contained in that report on Thursday, June 11, 2026, and at the hearing, this Commission heard and received all oral and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report.

NOW, THEREFORE, based upon the information contained in the Executive Officer's report, correspondence from affected agencies and information received during the public hearings, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The sphere of influence of the Novato Sanitary District is hereby amended as shown on Exhibit B attached hereto and incorporated herein by reference, and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit A attached hereto and incorporated herein by reference. All currently active powers for the District are listed within the *Novato Area Municipal Service Review* within the District's agency profile section.

Section 2. Pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the Commission finds that this review and amendment of the sphere of influence of the Novato Sanitary District is exempt from the provisions of the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 3. The Executive Officer is hereby directed to mail copies of this resolution to affected local government agencies in the *Novato Area Municipal Service* area.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on June 11, 2026, by the following vote:

AYES: Commissioners Coler, Rodoni, Chu, Murray, Kious, Lucan and Burdo

NOES: _____

ABSTAIN: _____

ABSENT: _____

Barbara Coler
Barbara Coler (Jun 15, 2026 11:07:50 PDT)
Barbara Coler, Chair
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

Jason Fried
Jason Fried, LAFCo Executive Officer

Malathy Subramanian
Malathy Subramanian (Jun 15, 2026 10:27:41 PDT)
Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 26-04

- a) Exhibit A - Determinations
- b) Exhibit B - Map

EXHIBIT A

NOVATO SANITARY DISTRICT SPHERE OF INFLUENCE DETERMINATIONS

GOVERNMENT CODE SECTION 56425

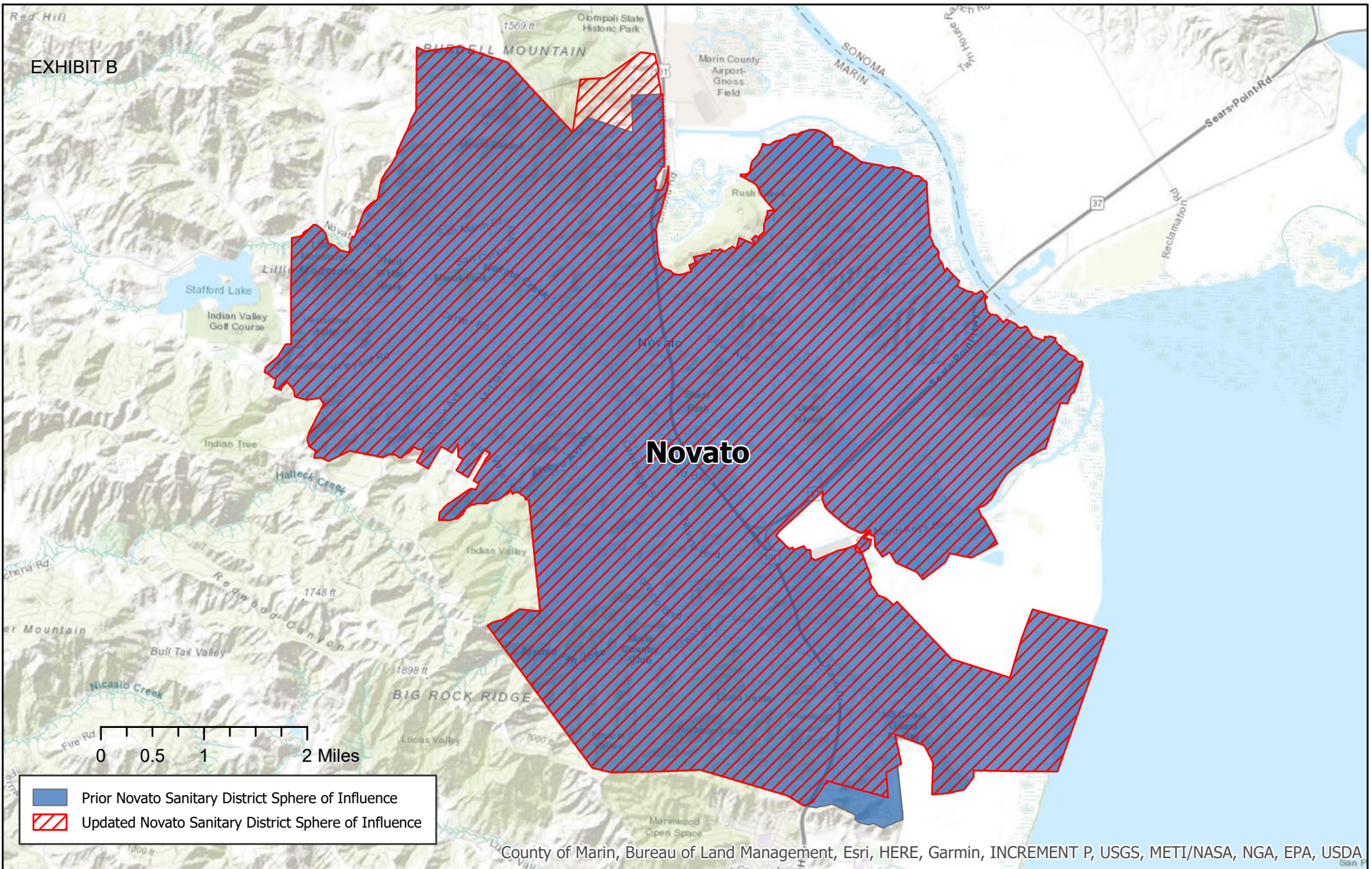
- 1) The present and planned land uses in the area, including agricultural and open-space lands.
 - Land use within the NSD jurisdictional boundary and SOI is primarily governed by the City of Novato's General Plan and the Marin Countywide Plan. Approximately 45% of the district's lands are designated as Planned District. Multiple residential designations comprise approximately 20% of the district's lands, with industrial/employment, public/community facilities, and commercial/mixed-use designations comprising the remainder. The SOI includes the unincorporated neighborhoods of Indian Valley, Black Point, Green Point, and the area surrounding the U.S. Coast Guard facility, which are characterized by lower-density residential and agricultural land uses.
 - While the unincorporated land within NSD's jurisdictional boundary that is zoned for development is essentially built out, the district's SOI encompasses active RHNA development potential. Marin County has identified four unincorporated development sites—three within the SOI (Atherton Corridor, Buck Center Vacant Property, and Greenpoint Nursery) and one outside but contiguous to the SOI (Vacant Black Point)—projected to yield 507 new units collectively. The City of Novato's 6th Cycle Housing Element projects 2,366 units across seven infill sites within the district's jurisdiction. Additionally, the two parcels (APNs 125-180-85 and 125-180-79, totaling approximately 233.8 acres) proposed for SOI inclusion have been designated for up to 249 above-moderate-income housing units, and their designation as RHNA sites provides land use justification for the recommended SOI expansion.
 - The SOI area also encompasses agricultural and open space lands within Indian Valley, Black Point, Green Point, and Vacant Black Point that currently do not require wastewater services. These areas are not anticipated to convert to urban uses within the current planning cycle except as specifically identified in Housing Element site inventories.
 - Marin LAFCo determines that present and planned land uses within and contiguous to the NSD sphere of influence support the specific SOI modifications recommended by staff in this study; namely, the removal of the southern overlap with Las Gallinas Valley Sanitary District and the inclusion of APNs 125-180-85 and 125-180-79. The planned land uses on the two proposed addition parcels are directly relevant to NSD's future service provision and provide clear justification for the SOI amendment.
- 2) The present and probable need for public facilities and services in the area.
 - The Novato Sanitary District's jurisdictional boundary encompasses 20,138 service connections and serves an estimated 55,690 residents with wastewater collection, treatment, disposal, recycled water, and solid waste services. The present need for these services is continuous, essential to public health and environmental protection, and non-discretionary. No alternative service providers are available or appropriate to serve the established residential and commercial areas within the district's boundary.
 - The probable future need for wastewater services in the SOI is linked primarily to Housing Element development. The three SOI-area RHNA sites (Atherton Corridor, Buck Center Vacant Property, and Greenpoint Nursery) could generate up to 507 new service connections if fully developed, all of which would require connection to the NSD collection system and treatment at the NTP. The two parcels proposed for SOI inclusion represent an additional probable future need for wastewater services of up to 249 units.
 - Unincorporated communities currently within the SOI but outside the jurisdictional boundary—including portions of Indian Valley, Black Point, and Green Point—utilize on-site wastewater systems (septic) at

present. The absence of centralized wastewater service in these areas is consistent with their current land use densities.

- Marin LAFCo determines that there is a stable and ongoing present need for the public facilities and services provided by NSD within its jurisdictional boundary, and a probable future need for those services on the identified RHNA development sites within and contiguous to the SOI. The NTP's substantial available capacity and the district's strong CIP program ensure that NSD is operationally and financially positioned to meet this probable future demand.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- The Novato Treatment Plant operates at an average daily flow of 5.31 MGD against a design capacity of 7.0 MGD ADWF, leaving approximately 1.69 MGD (24%) of treatment capacity available for future growth. Peak wet weather capacity is 30.7 MGD maximum-day and 47.0 MGD for 1-to-3-hour peaks; in 2024, the plant reached a maximum-day peak of 30.05 MGD—essentially at maximum-day design capacity—and a 1-to-3-hour peak of 46.7 MGD, near the design peak wet weather limit. This data indicates that while dry-weather treatment capacity is adequate for near-term growth, wet-weather peak conveyance and treatment capacity warrant continued monitoring and planning, particularly in the context of aging collection system infrastructure and potential climate-related increases in wet-weather infiltration and inflow (I/I).
 - The collection system's 240 miles of sewers and 39 pump stations are maintained under an active CMMS-supported program, with CCTV inspection, smart sewer access cover monitoring, and an ongoing pump station rehabilitation capital program. The 26 SSOs recorded over the study window (totaling 46,347 gallons) reflect a well-managed system, with the district's proactive maintenance and lateral incentive programs designed to minimize future events.
 - The NTP's 12-consecutive-year NPDES compliance record, NACWA Platinum 12 Peak Performance Award, and current 2025 SSMP triennial audit confirm that the district's wastewater treatment and collection operations are meeting all regulatory requirements at or above mandated standards.
 - Recycled water production at approximately 500 million gallons per year—representing nearly 40% of dry weather flow—demonstrates that the district's tertiary treatment and reclamation infrastructure is functioning effectively and contributing meaningfully to regional water supply sustainability.
 - Marin LAFCo determines that NSD has the present capacity to adequately provide its authorized services throughout the existing sphere of influence. The NTP's available dry weather treatment capacity and the district's active CIP provide a sound foundation for accommodating near-term growth. The Commission notes that wet weather peak flow performance warrants continued attention in the district's long-term capital planning, particularly as the collection system ages and climate variability potentially intensifies winter storm events. No service deficiencies requiring immediate structural intervention have been identified.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the district.
- Marin LAFCo determines that the existing and proposed amended sphere of influence boundary appropriately encompasses all relevant communities within the NSD service area and probable future service area. No social or economic communities of interest have been identified that would warrant modification of the sphere boundary beyond the specific amendments recommended by staff based on land use and jurisdictional considerations described herein.
- 5) For an update of a sphere of influence for a district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged

unincorporated communities within the existing sphere of influence.

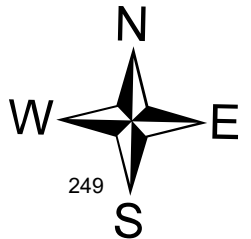
- Marin LAFCo determines that there are no disadvantaged unincorporated communities within or contiguous to the NSD sphere of influence with present or probable unmet needs for wastewater facilities or services. The absence of DUCs within the sphere is consistent with the socioeconomic profile of the surrounding communities. The Commission will revisit this determination in future MSR cycles as development activity occurs in the SOI's unincorporated communities.



Date: 5/4/2026



**UPDATED NOVATO SANITARY DISTRICT
SPHERE OF INFLUENCE**













Resolution 26-04 - Amending NSD SOI and Determinations

Final Audit Report

2026-06-15


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