## **Byron**

Dear Editor,

There has been a lot of confusion created about the zip codes for both the Byron and Discovery Bay communities, including the statement that land has been taken away from Byron. No land has been removed from the community of Byron or the Town of Discovery Bay. Both communities have a clearly defined county Urban Limit Line/county planning area and there are absolutely no changes being implemented to either one whatsoever.

The land-use and planning authority for both Byron and Discovery Bay is the Contra Costa County Board of Supervisors. This is why the United States Postal Service (USPS) requested assistance from my office in determining the boundary for the newly created zip code for Discovery Bay.

One of the most difficult challenges of an elected official is to make a decision, any decision. It is a fact that no matter what is ultimately determined; someone will be impacted or disappointed. When difficult issues arise it is vitally important to have a complete background of facts and figures in order to make the best possible decision. In this process, it is clear that one is not going to be able to please everyone, including friends.

Byron and Discovery Bay are different communities in many ways, including their population and governmental structures. There are three forms of government that make up California; counties, cities and special districts. Byron falls within the county; therefore it is neither a city nor a special district. It is a community located in the unincorporated area of the county. The Town of Discovery Bay is a Community Services District (CSD), a form of governance separate from the county that has the current power of providing sewer, water, recreation and landscaping services. A CSD must plan for its growth of services, but it cannot do land-use planning. Therefore Discovery Bay is under both county and special district jurisdictions and remains an unincorporated area of the county.

The new zip code for Discovery Bay was created by Congressional action at the request of the Town of Discovery Bay, former Congressman Richard Pombo, and signed into law by President Bush in 2006. On January 10, 2007 I convened a meeting with representatives from both the Byron MAC and the Town of Discovery Bay CSD, Congressman McNerny and Congresswoman Tauscher's office and USPS officials. When the USPS announced the new zip code would be implemented by July 1, 2007 they offered a proposed boundary that had not been circulated to the two communities for public review and comment. Upon hearing concerns regarding this process and proposed boundary, the USPS officials asked for my offices' input and asked for consideration of logical boundaries such as streets, existing special districts, community services, etc., and would project far into the future.

After the initial meeting was held, I held a second meeting on February 10 that included representatives from the Byron MAC, the Town of Discovery Bay CSD, Community Development Department and USPS officials to discuss the zip code boundary. After input from all parties, including Kathy Leighton of the Byron MAC, I worked directly with county staff, USPS and our GIS maps to suggest a boundary that took into consideration current and planned growth, service limitations and opportunities, the existing infrastructure that serves both communities, and met with the requested USPS guidelines. A deliberative process was undertaken with careful consideration towards both communities.

On March 16<sup>th</sup> a final boundary proposal was provided to the USPS, Town of Discovery Bay CSD and the Byron MAC. I also sent copies to all other local agencies for their review and public comment. The proposal was then placed on both the Byron MAC and Town of Discovery Bay agendas for public review and public comment from both communities

While it is evident that the Byron MAC is unhappy with the proposal that was developed, and the fact that the land area primarily owned by the Mormon Church Latter Day Saints (LDS) has been suggested to be included in the Discovery Bay zip code, it is important to note the reasons for this recommendation.

Byron has an Urban Limit Line (ULL) that is primarily confined to the downtown core area of Main Street, Holway Road and Camino Diablo and the immediate surrounding area. This is the county's planning area for development under the county's General Plan for Byron, as long as it is within the ULL. The Discovery Bay ULL is the entire area of Discovery Bay, including the Cecchini parcel, just east of the Discovery Bay Marina and Golf Course.

The Mormon Church LDS property in question is immediately south of Highway 4, contiguous with the Discovery Bay ULL, and a significant distance from the Byron ULL. This is important because a ULL change of more than 30 acres must be approved by the voters, anything less must be approved by the County Board of Supervisors. Also, a ULL cannot grow by leaps and bounds; it must actually increase in size as a whole. Therefore, the proximity of the Mormon Church LDS property is closely linked, and therefore more aptly to become, part of Discovery Bay.

The Mormon Church LDS land area is not under either Discovery Bay or Byron's jurisdiction, it is the county's. It remains outside of both communities, is not defined as a future planning area, and remains as simply unincorporated Contra Costa County.

A driving factor that could not be ignored in the boundary review process is the fact that the Town of Discovery Bay is constrained on three sides, on the west by Agricultural Core lands, and to the north and east by waterways. The only direction for the Town of Discovery Bay CSD to plan for growth is to the south, which they already have. The existing Town of Discovery Bay sewage treatment facility is located south of Highway 4, adjacent to the Mormon LDS property.

The Reclamation District 800 boundary also comes into consideration, wherein the residents of Discovery Bay are the primary generator of revenue to this district that improves the levee system that protects Discovery Bay, the Mormon Church LDS Property, and nearby property owners all the way south to Highway J-4 at the county Byron Airport.

Finally, the zip code proposal that was ultimately proposed recognized development potential around the county's Byron Airport to the south and the Highway 4 corridor to the north, allowing for equal opportunity for both Byron and Discovery Bay to benefit from that potential future development should it occur.

The Byron MAC cannot act independent of the county as they are an agency created by the Board of Supervisors to serve as an advisory body to the County Board of Supervisors relative to the Byron area. The Byron Municipal Advisory Council and area advisory map was originally created in 1993 and updated by the Board of Supervisors last December. This is the map that indicates the area in which the Byron MAC has an opportunity to "advise the Board of Supervisors on land use and planning matters affecting the community of Byron...," and that the "Board of Supervisors is the final decision making authority with respect to issues concerning the Byron community and that the Council shall serve solely in an advisory capacity." It further states "the Council will not attempt to represent a county position to any outside agency..." This Byron MAC boundary area is already being served by two different zip codes, 94513 (Brentwood) and 94514 (Byron/Discovery Bay) for over a decade with no impacts on Byron.

While I have been accused by a few of having a bias on this issue because I am a resident of Discovery Bay, I have taken extreme measures to bring all parties together in an effort to recognize both Byron and Discovery Bay's current and future opportunities. Not at the expense of one over the other, but for the benefit of both.

While both Kathy Leighton of the Byron MAC and Bill Leighton of the Byron Sanitary District, as leaders in their community and elected role, are to advocate for Byron it is my responsibility to advocate for both Byron and Discovery Bay. It is incumbent upon me to look at the factual information and data as I know it to be and act accordingly. If I didn't believe that the proposal I suggested had merit and benefit for both Byron and Discovery Bay, I would not have submitted it. Ultimately, the zip code boundary decision lies with the USPS.

If any reader has any questions on this or any other issue, I can be reached at 240-7260 or by e-mail at Dist3@bos.cccounty.us.

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