

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

July 11, 2019 (Agenda)

LAFCO 18-01: Formation of the San Antonio Basin Water District (District)

PROPONENT: Landowners, by Petition of Application

ACREAGE & LOCATION The proposed District is comprised of 87,041 acres. The district's boundaries comprise the San Antonio Creek Groundwater Basin. The basin is a rural agricultural area that is reliant on local water supplies, predominantly groundwater. Because of the growth of irrigated agriculture in the area, water demands have increased significantly, taxing local groundwater supplies. Groundwater resources are also used to supply local inhabitants, as well as parts of Vandenberg Air Force Base (VAFB). Santa Barbara County, VAFB, and the U.S. Geological Survey are working together to better understand the water resources and demands in the San Antonio Creek Groundwater Basin. **(Exhibit A)**.

PURPOSE: The proposed District would provide a public agency with powers and abilities to, among other things, (i) administer, develop, construct and operate projects and programs to enhance water supplies to help stabilize the groundwater conditions in the San Antonio Creek Groundwater Basin, and (ii) advance groundwater management and conservation programs and thereby pursue stabilizing the Basin and sustaining its resources for the beneficial use of all those who use water within the proposed District.

The proposed District would be a California Water District with the powers set forth in Water Code section 34000 et. seq. and would be eligible under the Sustainable Groundwater Management Act, Water Code section 10720 et.seq. to enter into an agreement with the County of Santa Barbara and any other affected agencies in order to form a Groundwater Sustainability Agency ("GSA") for the San Antonio ground water basin. Once formed, the GSA could advance groundwater management and conservation programs and thereby pursue stabilizing the Basin and sustaining its resources for the beneficial use of all those who use water within the proposed District.

BACKGROUND: The need for local groundwater management was highlighted with the adoption of Sustainable Groundwater Management Act of 2014 (Water Code Section 10720, ("SGMA"), which requires from the San Antonio Basin that certain groundwater management action be taken.

A cooperative study, referred to as the San Antonio Creek Groundwater Availability Project, seeks to help stakeholders plan for future water use

by providing data that will help assess the quantity and quality of the water supply in the area, and by establishing tools to allow stakeholders to effectively utilize the available water resources.

The need for local groundwater management was highlighted with the adoption of SGMA, which will require that certain groundwater management actions be taken for the San Antonio Basin. After formation, the District will be financed by the creation of an assessment district pursuant to a Proposition 218 ballot proceeding/election.

A Groundwater Sustainability Agency has already been formed in the San Antonio Basin prior to Department of Water Resources statutory deadline. The GSA was formed by adoption of a Joint Powers Agreement (JPA) between the Cachuma Resource Conservation District (RCD) and the Los Alamos Community Services District. The JPA specifies that if a water district is formed, it can take the place of the Cachuma RCD.

CALIFORNIA WATER DISTRICTS:

California Water District are formed pursuant to the California Water Code Sections 34000 – 38501, the California Water Law). Formation proceedings may be initiated by the holders of title to a majority in area of land which is capable of using water beneficially for irrigation, domestic, industrial or municipal purposes and which can be serviced from common sources of supply and by the same system of works. (Water Code Section 35153).

The governing body, which is established by law to administer the operation of a California Water District, is comprised of a five-member elected board of directors, each of whom must be a landowner within the district or the legal representative, or designee, of a landowner within the district. At any time after four-years from the date of the district's formation, the board may, by resolution, increase the number of directors from 5 to 7,9, or 11, and may designate the first additional members to serve on the enlarges board (34700, et.seq.)

The specific powers that the board of directors may exercise are the acquisition and operation of works the production, storage, transmission, and distribution of water for irrigation, domestic, industrial, and municipal purposes, and any drainage or reclamation works connected with such undertakings (35401). The board of directors may also acquire and operate facilities and services for the collection and disposal of sewage, water, and storm waters (35500)

Forming a California Water District:

The process of forming a California Water District consists of these basic steps:

California Water Districts are formed pursuant to the California Water Code, Sections 34000-38501. The law for forming a California Water District was developed in 1951 to allow large landowners to manage the water resources in their area.

Statutory Background: The formation of a California Water District to manage the San Antonio Groundwater Basin, by forming the San Antonio Basin Water District, is a process guided largely by two laws: The California Water District Law - Water Code 34000-38501, and the Cortese-Knox-Hertzberg Act Government Code 56000, et al. Santa Barbara Local Agency Formation Commission (SBLAFCO) has authority to consider the application for forming the District under the Cortese-Knox-Hertzberg Act. Other agencies involved in the processing of the application are the offices of County Assessor and Clerk-Recorder's. The Assessor's Office provides information and verification regarding the landowners and acreage in the area. The Clerk-Recorder's Office conducts the elections that are required to form the District at the direction of the County Board of Supervisors.

Formation Process:

Petition, Noticing and Public Hearing:

Petition: The formation process for California Water Districts, is initiated by a petition signed by the holders of title to a majority of land that is capable of using water beneficially for irrigation, domestic, industrial, or municipal purposes, and that can be serviced from common sources of supply and be the same system of works.

LAFCO Hearing: When the application is complete, LAFCO conducts a noticed public hearing. After hearing public testimony, the Commission may either approve, modify, or deny the proposed formation. If it is approved, the Commission also will adopt any terms and conditions for the formation and establish a sphere of influence for the new district.

Protest Hearing: Following LAFCO Approval, the District formation is scheduled for a conducting authority (protest) hearing where no further modifications may be made. At the conducting authority stage, without majority protest, the conducting authority (LAFCO) shall make an order doing the following (34306):

1. Establishing and describing the district boundaries.
2. Describing land to be excluded from the district.
3. Naming the proposed district.

Election:

After making the order, the Board of Supervisors shall be directed by LAFCO to call and give notice of an election, at which the following are entitled to vote (34400 and 57000):

1. Only the holder of title to land in the proposed district may vote. The vote may be in person or by proxy. (Rule for voting by proxy are set forth in Section 35005 of the Water Code).
2. Each voter shall have one vote per acre, or fraction thereof, of land to which he or she holds title.

If after the election, a majority of all of the votes cast favor the formation of the district, the territory shall be formed as a district (34500).

Boundaries:

The boundaries of this proposed California Water District are included in Santa Barbara County. The proposed district boundaries exclude the Los Alamos Community Services District, which will become an island.

Governing Body:

The governing body, which is established to administer the operation of a California Water District, is initially composed of a five-member elected Board of Directors, (WC-34708), each of whom must be a landowner within the District. The Board may be modified by the District through a future action. Either expanded to include 7 or 9 members or changed to be a register voter elected Board of Directors.

Powers/Functions:

The primary powers of a California Water District include:

- the acquisition and operation of water works for the production, storage, transmission, and distribution of water for irrigation, domestic, industrial and municipal purposes, and any drainage or reclamation works connected with such undertakings.
- acquire and operate facilities and services for the collection, treatment, and disposal of sewage, waste, and storm waters.

Sustainable Groundwater Management Act:

In September 2014, Governor Edmund G. Brown Jr. signed a three-bill package known as the Sustainable Groundwater Management Act. The legislation allows local agencies to customize groundwater sustainability plans to their regional economic and environmental needs. SGMA creates a framework for sustainable, local groundwater management for the first time in California history.

The three bills that make up SGMA are AB 1739 by Assembly Member Roger Dickinson, and SB 1319 and SB 1168 by Senator Fran Pavley.

In September 2015, Governor Brown signed SB 13, by Senator Fran Pavley. The Bill made various technical, clarifying changes to SGMA including requirements for groundwater sustainability agency formation, the process for State Water Board intervention if no responsible agency is specified for a basin, guidelines for high- and medium-priority basins, and participation of mutual water companies in a groundwater sustainability agency.

“A central feature of these bills is the recognition that groundwater management in California is best accomplished locally. Local agencies will now have the power to assess the conditions of their local groundwater basins and take the necessary steps to bring those basins in a state of chronic long-term overdraft into balance.” –Governor Edmund G. Brown Jr.

1) Provisions of the Sustainable Groundwater Management Act:

- a) Provides for sustainable management of groundwater basins
- b) Enhances local management of groundwater consistent with rights to use or store groundwater
- c) Establishes minimum standards for effective, continuous management of groundwater
- d) Provides local groundwater agencies with the authority, technical, and financial assistance needed to maintain groundwater supplies
- e) Avoids or minimizes impacts for land subsidence
- f) Improves data collection and understanding of groundwater resources and management
- g) Increases groundwater storage and removes impediments to recharge
- h) Empowers local agencies to manage groundwater basins, while minimizing state intervention

SGMA requires local agencies to establish a new governance structure, known as Groundwater Sustainability Agencies, prior to developing groundwater sustainability plans for groundwater basins or sub-basins that are designated as medium or high priority.

- SGMA Timeline:

The SGMA contains timelines that allows local agencies to customize groundwater sustainability plans to their regional economic and environmental needs. On or before **June**

30, 2017, “A local agency or agencies in each of the high-or medium priority groundwater basins must have officially formed one or more Groundwater Sustainability Agencies (GSA’s) for the entire basin (Water Code Section 10724, 10735.2(a)(1). On **June 30, 2017**, the State Water Board can begin to put basins on probation if the basin lacks one or more GSAs that cover the entire basin, or no alternative has been approved (Water Code Section 10735.2(a)(1). The GSA is responsible for developing a Groundwater Sustainability Plan (GSP) for the San Antonio Creek Water Basin. GPA’s must be adopted by January 31, 2022 for those basins deemed by the State to be over drafted, such as the San Antonio Water Basin.

A GSA was formed in the San Antonio Basin prior to DWR’s statutory deadline. The GSA is formed by a JPA between the Cachuma Resource Conservation District and the Los Alamos Community Services District. The JPA specifies that if a water district is formed, it can take the place of the Cachuma RCD. That is the intent of the landowners who have applied to form the San Antonio Basin Water District. The statutory deadline has already passed, but the JPA supersedes the statutory deadline.

Board of Supervisors Action on SGMA:

On July 12, 2016, the Board of Supervisors directed its staff to participate in Groundwater Sustainability Agency Formation in the Cuyama, Santa Ynez and San Antonio Groundwater Basins. The Board of Supervisors was informed that LAFCO is in the formation process for a California Water District by agricultural interests in the San Antonio Valley.

The Board was informed that the County Water Agency will participate in a GSA with the new Water District.

As previously mentioned, a GSA has already been formed in the San Antonio Basin prior to DWR’s statutory deadline. The GSA is formed by a JPA between the Cachuma RCD and the Los Alamos CSD. The JPA specifies that if a water district is formed, it can take the place of the Cachuma RCD. That is the intent of the folks forming the water district.

Proposal Information

1. Land Use, Planning and Zoning - Present and Future:

There are a variety of land uses in the County of Santa Barbara. See **Exhibit B**.

2. Topography, Natural Features and Drainage Basins

The area is generally a flat valley and the foothills of the San Antonio Creek Groundwater Basin. Topography surrounding the area is generally mountainous.

3. Population:

There are approximately 135 dwelling units within the proposal area. No new dwelling units would result from the formation of the district.

4. Governmental Services and Controls - Need, Cost, Adequacy and Availability:

The San Antonio Groundwater Basin is a major agricultural area of the State that is not within an organized water or other similar type of district and is totally dependent on the use of groundwater. The purpose of forming the district is to provide a public agency with all of the powers and abilities to, among others things, (i) administer, develop, construct and operate projects and programs to enhance water supplies to help stabilize the groundwater conditions in the San Antonio Groundwater Basin, and (ii) advance groundwater management and conservation programs and thereby pursue stabilizing the Basin and sustaining its resources for the beneficial use of all those who use water within the proposed District.

The need for local groundwater management was highlighted with adoption of the Sustainable Groundwater Management Act of 2014 (Water Code § 10720 et seq., "SGMA"), which requires for the San Antonio Basin that certain groundwater management actions be taken by January 31, 2022, (this basin is not designated as being in critical overdraft). This District will provide a governmental structure for local control and management within the proposed District to take appropriate actions to comply with SGMA in coordination with the Los Alamos CSD and Vandenberg Air Force Base and with the advice of the Santa Barbara County Water Agency. The Cachuma Resource Conservation District (CRCD) and Los Alamos Community Services District have entered a Joint Powers Agreement (JPA) serving as the Groundwater Sustainability Agency (GSA) for the San Antonio Basin, with a provision that if Petitioners create a water district, upon notice from the water district it shall automatically assume and succeed to the rights and responsibilities of the CRCD under the JPA.

5. Financing of the San Antonio Basin Water District:

The formation of the San Antonio Basin Water District will be conditioned on the new Board of Directors forming an Assessment District, pursuant to Proposition 218.

This would require an election to be held before June 30, 2020. The amount of the assessment is unknown at this point.

The principal initial expenses of the district would be to develop, in coordination with the affected counties and the Los Alamos CSD, a Groundwater Sustainability Plan, pursuant to SGMA. As part of that Plan, groundwater extraction fees may later be imposed based on groundwater pumping to partial fund the District to implement the Plan.

6. Environmental Impact of the Proposal:

The creation of a District for the purpose of creating a funding mechanism is exempt from CEQA pursuant to CEQA Guidelines Section 15378(b)(4), or alternatively CEQA Guidelines Section 15061 (b)(3), which provides:

“The creation of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment”.

The Notice of Exemption is included in **Exhibit C**.

7. Boundaries, Lines of Assessment and Registered Voters:

The proposed boundaries are definite and certain. There are no conflicts with lines of assessment or ownership. The boundaries essentially include all irrigated land within the San Antonio Groundwater Basin as well as all adjoining land that could potentially be irrigated. Federal land, which are not irrigated, have been excluded where practical because federal lands are not subject to SGMA compliance. In addition, lands within the Los Alamos CSD were excluded, but it is anticipated that the CSD will be part of the Groundwater Sustainability Plan process under SGMA.

The Assessed Value of properties within the proposed District, as of the January 1st, 2018 lien date is \$ 462,618,518

The territory is inhabited; more than 12 registered voters reside in the affected territory.

Determination of an Appropriations Limit:

Government Code Section 56811 requires the Commission to determine an appropriations limit for the formation of a new district. Article XIII B of the California Constitution limits the amount of spending from the “Proceeds of Taxes.” Proceeds of Taxes is defined as follow:

(c) "Proceeds of taxes" shall include, but not be restricted to, all tax revenues and the proceeds to an entity of government, from

(1) regulatory licenses, user charges, and user fees to the extent that those proceeds exceed the costs reasonably borne by that entity in providing the regulation, product, or service, and (2) the investment of tax revenues. With respect to any local government, "proceeds of taxes" shall include subventions received from the State, other than pursuant to Section 6, and, with respect to the State, proceeds of taxes shall exclude such subventions.

Since the proposed new district will be collecting assessment pursuant to a Proposition 218 election, none of the forgoing "Proceeds of Taxes" will be collected. Therefore, it is not necessary for the Commission to set an Appropriations Limit if the San Antonio Basin Water District is approved. Should the new Board of Directors levy any of the "Proceeds of Taxes," described above, it will be necessary to establish an Appropriations Limit.

Sphere of Influence:

If formed, the Commission will establish a sphere of influence for the San Antonio Basin Water District. It is recommended that the sphere of influence be coterminous with the boundaries of the District.

8. GENERAL ANALYSIS

If formed, the San Antonio Basin Water District will participate in a Groundwater Sustainability Agency (GSA), with the County Water Agency. Additionally, the Los Alamos Community Services District would also be a GSA member. The County Water Agency is also responsible for the Santa Ynez and San Antonio Groundwater Basins. If the San Antonio Basin Water District is not formed, the County Water Agency would also be responsible for meeting SGMA requirement for the San Antonio Water Basin.

Although the San Antonio Water Basin would be included in a Groundwater Sustainability Agency, the landowners in the Basin wish to maintain some level of independence in the development of a Groundwater Sustainability Plan (GSP). A portion of the GSP would be financed by a Proposition 218 special assessment, if approved by the voters, levied on landowners within the San Antonio Basin Water District boundaries.

The petition was signed by the holders of title to a majority in area of land which is capable of using water beneficially for irrigation, domestic, industrial or municipal purposes and which can be serviced from common sources of supply and by the same system of works. (Water Code Section 35153). If approved, the proposed District formation will go to a protest hearing followed by a mailed ballot election.

The formation process is clear and there are adequate opportunities for those who may be opposed to this District formation to vote on the matter.

Conclusion:

The proposed District would provide a public agency with powers and abilities to, among other things, (i) administer, develop, construct and operate projects and programs to enhance water supplies to help stabilize the groundwater conditions in the San Antonio Groundwater Basin, and (ii) advance groundwater management and conservation programs and thereby pursue stabilizing the Basin and sustaining its resources for the beneficial use of all those who use water within the proposed District.

The new District would provide some level of local control with landowner approved financing, and establishment of an independently elected Board of Directors. However, the area included in the District would also be part of a Groundwater Sustainability Agency and be part of the development of a Groundwater Sustainability Plan.

ALTERNATIVES FOR COMMISSION ACTION

After consideration of this report and any testimony or additional materials that are submitted the Commission should consider taking one of the following options:

OPTION 1 – APPROVE the District Formation as submitted and adopt a resolution (**Exhibit D**) that will take the following actions:

1. Find that the formation is Categorically Exempt based on the creation of a District for the purpose of creating a funding mechanism that is exempt from the California Environmental Quality Act, Public Resources Code section 21000 et. seq. ("CEQA") pursuant to CEQA Guidelines Section 15378(b)(4) and CEQA Guidelines Section 15061 (b)(3).
2. Approve the proposal, known as the Formation of the San Antonio Basin Water District, subject to the following terms and conditions:
 - a. The name of the district shall be the San Antonio Basin Water District.
 - b. The District shall be initially composed of a five-member elected Board of Directors, each of whom must be a landowner within the District.

c. The District shall have those powers and responsibilities set forth in the California Water District Law, Water Code section 34000 et. seq., including Water Code section 35401 that authorizes the District to acquire, plan, construct, maintain, improve, operate, and keep in repair the necessary works for the production, storage, transmission, and distribution of water for irrigation, domestic, industrial, and municipal purposes, and any drainage or reclamation works connected therewith or incidental thereto.

d. The District, if formed, shall cease to exist if the Proposition 218 Proceeding is not conducted and an assessment to fund the District is not approved by June 30, 2020, or Santa Barbara LAFCO otherwise extends such deadline.

e. The District, if formed, shall cease to exist if on or before June 30, 2020, it does not succeed to the rights and responsibilities of the Cachuma Resource Conservation District and the Los Alamos Community Services District on May 16, 2017, that serve as the Groundwater Sustainability Agency for the San Antonio Basin.

f. Should the new Board of Directors levy any of the "Proceeds of Taxes," described above, it will establish an Appropriations Limit.

The effective date shall be the date that the formation is recorded.

EXHIBITS

| | |
|-----------|---|
| Exhibit A | Map of Proposed San Antonio Basin Water District |
| Exhibit B | Land Uses Within the Boundaries of the Proposed District |
| Exhibit C | Notice of Categorical Exemption |
| Exhibit D | Resolution Forming of the San Antonio Basin Water District and Establishing a Coterminous Sphere of Influence |

ALTERNATIVES FOR COMMISSION CONSIDERATION

After reviewing this report and any testimony or materials that are presented, the Commission can take one of the following actions:

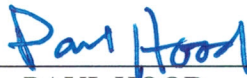
OPTION 1 – APPROVE the proposal as submitted.

OPTION 2 - CONTINUE this proposal to a future meeting for additional information.

OPTION 2 - DENY the proposal

RECOMMENDED ACTION:

Approve OPTION 1.



PAUL HOOD

Executive Officer

LOCAL AGENCY FORMATION COMMISSION

**LAFECO 18-01 Formation of the
San Antonio Basin Water District**

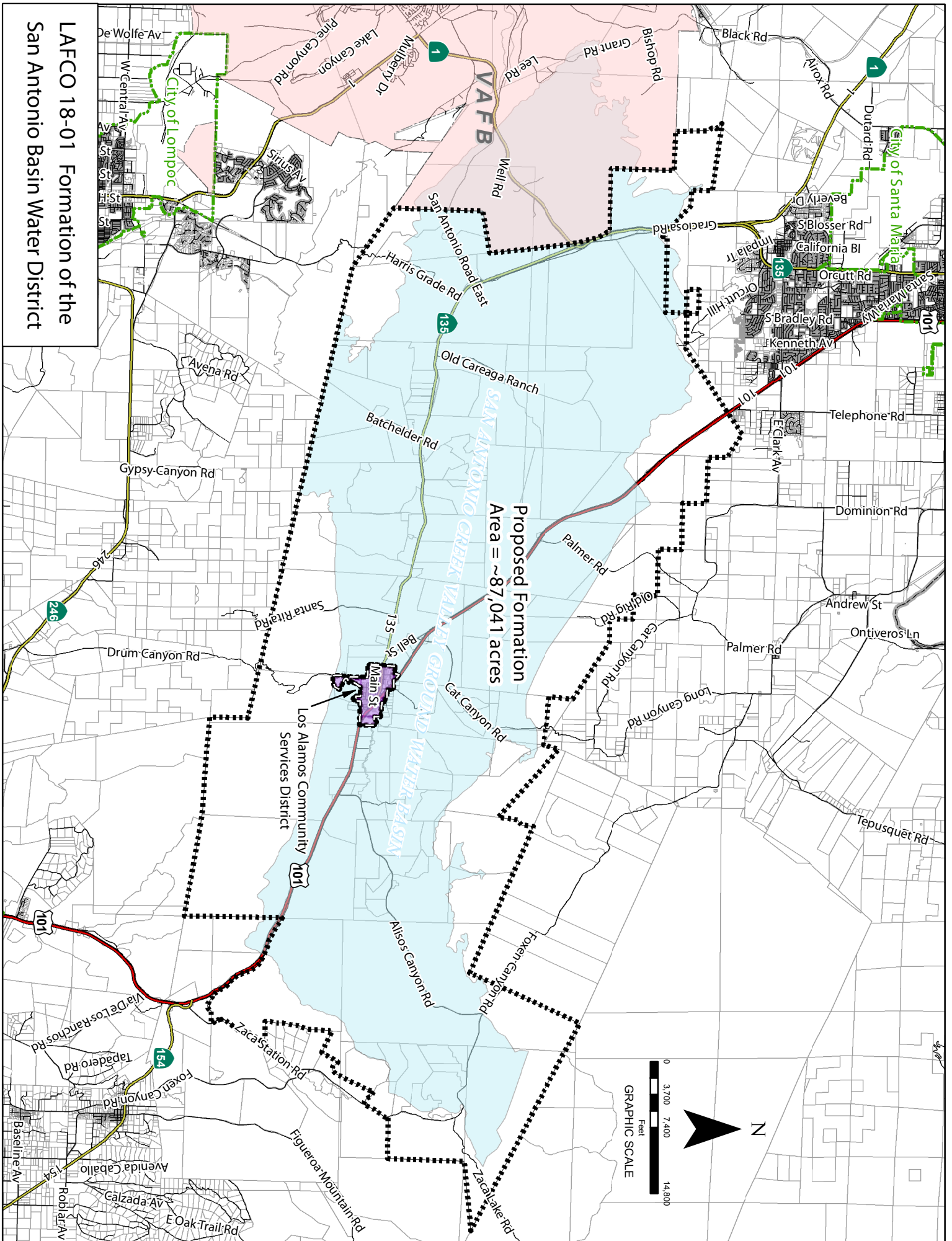


EXHIBIT A

EXHIBIT B

Land Uses:

- a. RR-5 Residential Ranchette, 5 Acre Minimum Lot Size
- b. 3-E-1 3 Acres (Gross) Minimum Lot Size
- c. 1-E-1 1 Acres (Gross) Minimum Lot Size
- d. Agriculture II (A-II)
- e. Agriculture Commercial (AC)
- f. Agriculture processing
- g. Cannabis – cultivation and nursery
- h. Cemetery
- i. County landfill
- j. Cultivated agriculture, orchard, vineyard
- k. Electrical transmission lines
- l. Equestrian facilities
- m. Grazing
- n. Greenhouse
- o. Highway Commercial
- p. Medical services- Animal hospital
- q. Meeting facility, public or private
- r. Oil and gas uses
- s. Pipeline – oil or gas
- a. Public works utilities and private services facilities
- t. Recreational/open space
- u. Reservoir
- v. Sports and outdoor recreation facilities
- w. Telecommunication facility
- x. Utility-scale solar photovoltaic facilities
- y. Wastewater treatment facility
- z. Winery

Surrounding Land Uses:

- a. A-II (Open Land Uses)
- b. RMZ (Resource Management)

Zoning:

- b. RR-5 Residential Ranchette, 5 Acre Minimum Lot Size
- c. 3-E-1 3 Acres (Gross) Minimum Lot Size
- d. 1-E-1 1 Acres (Gross) Minimum Lot Size
- e. Agriculture II/Minimum Lot Size- 40 Acres gross
- f. Agriculture II/Minimum Lot Size- 100 Acres gross
- g. Agriculture II/Minimum Lot Size- 320 Acres gross
- h. CH - Highway Commercial
- i. PI – Professional and Institutional
- j. Public Works Utilities and Private Services Facilities

NOTICE OF EXEMPTION

Filing of Notice of Exemption in Compliance with Section 21108 of the Public Resources Code

TO: County Clerk
County of Santa Barbara
105 East Anapamu Street
Santa Barbara CA 93101

FROM: Local Agency Formation Commission
105 East Anapamu Street, Room 407
Santa Barbara CA 93101
805/568-3391

PROJECT TITLE: **LAFCO 18-1** Formation of the San Antonio Basin Water District

PROJECT LOCATION AND DESCRIPTION:

Project Location:

The proposed District is comprised of 87,041 acres. The district's boundaries comprise the San Antonio Creek Groundwater Basin. The basin is a rural agricultural area that is reliant on local water supplies, predominantly groundwater. Because of the growth of irrigated agriculture in the area, water demands have increased significantly, taxing local groundwater supplies. Groundwater resources are also used to supply local inhabitants, as well as parts of Vandenberg Air Force Base (VAFB).

Santa Barbara County, VAFB, and the U.S. Geological Survey are working together to better understand the water resources and demands in the San Antonio Creek Groundwater Basin.

Description of Nature, Purpose, and Beneficiaries of Project:

The proposed District would provide a public agency with powers and abilities to, among other things, administer, develop, construct and operate projects and programs to enhance use of water supplies, including groundwater, in the San Antonio Creek Groundwater Basin. The proposed District would be a California Water District with the powers set forth in Water Code section 34000 et. seq. and would be eligible under the Sustainable Groundwater Management Act, Water Code section 10720 et. seq. to enter into an agreement with any other affected agencies in order to form a Groundwater Sustainability Agency ("GSA") pursuant to the Sustainable Groundwater Management Act of 2014 (Water Code section 10720 et seq.), to manage groundwater use for the San Antonio ground water basin.

Once formed, the GSA could advance groundwater management and conservation programs and thereby pursue stabilizing the Basin and sustaining its resources for the beneficial use of all those who use water within the proposed District.

Name of Person or Agency Carrying Out the Project:

Santa Barbara Local Agency Formation Commission

The creation of a California Water District that does not involve a commitment to a CEQA project; rather it is the creation of a funding mechanism that is exempt from CEQA pursuant to CEQA Guidelines Section 15378(b)(4), which provides:

“The creation of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment”.

The LAFCO approval is also exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), the “common sense” exemption, where it can be seen with certainty that the approval will have no impact on the environment. There is no evidence in the record suggesting creation of this district involves any commitment to a project or action that will have any impact on the environment.

The Santa Barbara Local Agency Formation Commission approved the above-referenced project on July 11, 2019 and has determined it to be exempt from further environmental review under the requirements of California Environmental Quality Act (CEQA) of 1970, as defined in the State and local Guidelines for the implementation of CEQA.

Exempt Status:

- Ministerial
- Statutory
- Categorical Exemption:
Project is a funding mechanism is exempt from CEQA pursuant to CEQA Guidelines Section 15378(b)(4).
- Emergency Project
- No Possibility of Significant Effect [Sec. 15061 (b,3)]

By: _____
Commission Clerk

Date: _____

LAFCO XX-XX

RESOLUTION OF THE SANTA BARBARA LOCAL AGENCY FORMATION
COMMISSION MAKING DETERMINATIONS AND APPROVING THE FORMATION OF
THE SAN ANTONIO BASIN WATER DISTRICT AND ESTABLISHING A
COTERMINOUS SPHERE OF INFLUENCE

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the Santa Barbara Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 et seq. of the Government Code); and

WHEREAS, at the times and in the manner required by law the Executive Officer has given notice of the Commission's consideration of the proposal; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony related to the proposal including, but not limited to, the Executive Officer's report and recommendation, the environmental document or determination, existing Spheres of Influence and applicable General and Specific Plans; and

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interests of the affected area and the total organization of local governmental agencies within Santa Barbara County.

NOW, THEREFORE, BE IT RESOLVED DETERMINED AND ORDERED by the Local Agency Formation Commission of Santa Barbara County as follows:

1. Find that the formation is categorically exempt from CEQA based on the creation of a government funding mechanism exempt pursuant to CEQA Guidelines Section 15378(b)(4) or alternatively CEQA Guidelines Section 15061(b)(3), the "common Sense" exemption.

2. Approve the proposal, known as the Formation of the San Antonio Basin Water District subject to the following terms and conditions:
 - a. The name of the district shall be the San Antonio Basin Water District.

 - b. The District shall be initially composed of a five-member elected Board of Directors, each of whom must be a landowner within the District.

- c. The District shall have those powers and responsibilities set forth in the California Water District Law, Water Code section 34000 et. seq., including Water Code section 35401 that authorizes the District to acquire, plan, construct, maintain, improve, operate, and keep in repair the necessary works for the production, storage, transmission, and distribution of water for irrigation, domestic, industrial, and municipal purposes, and any drainage or reclamation works connected therewith or incidental thereto.
- d. The District, if formed, shall cease to exist if the Proposition 218 Proceeding is not conducted and an assessment to fund the District is not approved by June 30, 2020, or Santa Barbara LAFCO otherwise extends such deadline.
- e) The District, if formed, shall cease to exist if on or before June 30, 2020, it does not succeed to the rights and responsibilities of the Cachuma Resource Conservation District in the Joint Powers Agreement (“JPA”) entered into with the Los Alamos Community Services District on May 16, 2017, which JPA Agency has been designated as the Groundwater Sustainability Agency for the San Antonio Basin under the Sustainable Groundwater Management Act, Water Code section 10720 et. seq.
- f. Should the new Board of Directors levy any of the “Proceeds of Taxes,” described above, it will establish an Appropriations Limit.

This resolution was adopted on July 11, 2019 and is effective on the date signed by the Chair.

AYES:

NOES:

ABSTAINS:

Dated: _____

Chair
Santa Barbara Local Agency
Formation Commission

ATTEST

Jacquelyne Alexander, Clerk
Santa Barbara Local Agency Formation Commission