

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

December 10, 2015 (Agenda)

LAFCO 15-4 District Property Annexation to the Laguna County Sanitation District

PROPONENT: County Board of Supervisors, Ex Officio the Board of Directors of the Laguna County Sanitation District, by resolution.

OWNERSHIP: The property is owned by the County of Santa Barbara/Laguna County Sanitation District.

ACREAGE &
LOCATION

The Annexation area consists of two parcels: Parcel one (APN 113-240-015) consists of 126.70 acres located on the north side of Orcutt Creek. It is located approximately one mile west of Black Road and about one half mile north of Highway 1. It is near the Laguna County Sanitation District wastewater reclamation plant and is contiguous to other Laguna County Sanitation District owned property. Parcel two (APN 101-020-079) is a 0.18-acre parcel located on the west side of Graciosa Road located approximately 2.75 miles south of Old Town Orcutt (**Exhibits A and B**).

PURPOSE: This proposal was filed to include land recently acquired and owned by the Laguna County Sanitation District within the boundaries of the district. The district's wastewater reclamation plant produces recycled water and discharges the water to offsite users. The larger parcel, was purchased by the district for onsite irrigation of a cattle pasture adjacent to the district. The smaller parcel was obtained to for purposes of installing a recycled water pump station.

GENERAL ANALYSIS:

Description of Project

Project Information

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

Both parcels are zoned AG-II-100 and are under Williamson Act contracts. They are considered to be Prime Agricultural Lands pursuant to Government Code Section 56064.

The district in their application to LAFCO states that the larger parcel will continue to be used for cattle grazing and irrigated pasture, as are the district's adjacent properties. As previously mentioned, the smaller parcel will be used to house a recycled water booster pump station for the purposed of delivering water to agricultural and oil purposes, consistent with adjacent parcels.

There are no changes in zoning or land use proposed for either of the parcels.

2. Sphere of Influence

Both of the parcels proposed for annexation are outside the sphere of influence of the Laguna County Sanitation District. The larger parcel is contiguous to the district boundaries. The small parcel is not contiguous to the district,

Staff is recommending that the Commission amend the Laguna County Sanitation District's sphere of influence to include both parcels, prior to acting to approve the annexation.

3. Environmental Justice:

The annexation will have no effect with respect to the fair treatment of people of all races and income, or the location of public facilities or services.

4. Topography, Natural Features and Drainage Basins:

The 126.70-acre parcel is a triangular area located north of Orcutt Creek west of the property owned by the district. Orcutt Creek meanders in a northwesterly direction along the southerly edge of the property, falling about 120 feet above sea level to about 102 feet above sea level. The northerly bank of the creel is an irregular bluff that climbs to a roughly level bench that is about 165 to 175 feet above sea level. A season wetland is located on the east edge of the property. The property is entirely in pasture grass, except for the creek which has riparian vegetation. The area surrounding the larger site is relatively flat

The smaller 0.18-acre parcel is a small rectangle contiguous to Gracusoia Road and a driveway that provides access to the parcel and adjacent parcels under the same ownership.

5. Population:

The property is uninhabited (11 or less registered voters).

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

The Laguna County Sanitation District is a county dependent special district formed in 1958 and operated pursuant to the County Sanitation District Act (Health and Safety Code Section 4700 et seq. The Board of Supervisors is the District Board of Directors. The County Public Works Department, Resource Recovery & Waste Management Division, administers the District.

No services will be provided to either of the two parcels by the Laguna County Sanitation District. Therefore, a Plan for Providing Services, pursuant to Government Code Section 56653, is not required.

7. Impact on Prime Agricultural Land, Open Space and Agriculture:

The larger parcel will continue to provide cattle grazing. The smaller parcel is not being used for agricultures uses.

The larger parcel was originally under Williamson Act Contract 081-AP-012 and is now in non-renewal action by the Santa Barbara County Agricultural Preserves Advisory Committee. The non-renewal action was reviewed by the Committee on November 12, 2014 and received by the Board of Supervisors on December 9, 2014.

The smaller parcel was originally under Contract 11AGP-00000-00012 and is now in non-renewal per action of the Santa Barbara County Agricultural Preserves Advisory Committee on September 12, 2014 and received by the Board of Supervisors on December 9, 2014.

7. Assessed Value, Tax Rates and Indebtedness:

The assessed value and tax rate of the property will not be affected by this change. The proposal is within Tax Rate Area 080047. The net assessed valuation for APN 113-240-015 is \$0 (owned by a public agency). The net assessed valuation for APN 101-020-079 is \$313 for land with an unsecured value of \$68,500.

8. Environmental Impact of the Proposal:

As CEQA lead agency, the County of Santa Barbara-Laguna County Sanitation District prepared a Categorical Exemption under Section 15319(a), "Annexation of Existing Facilities and Lots of Exempt Facilities," The Notice of Exemption and the Notice of Determination are attached as **Exhibits C and D**.

In addition, a copy of the Notice of Determination is included with this staff report and may be inspected at the following location: 105 East Anapamu Street, Room 407, Santa Barbara, CA, 93101. Additionally, a copy of the document is posted online at: www.sblafco.org.

9. Landowner and Annexing Agency Consent:

The County Board of Supervisors, Ex Officio the Board of Directors of the Laguna County Sanitation District, have consented to this annexation. In addition, as such, the annexing district consents to waiving the conducting authority proceedings (**Exhibit E**).

10. Boundaries, Lines of Assessment and Registered Voters:

The boundaries are definite and certain. There are no conflicts with lines of assessment or ownership. The property is contiguous and surrounded by the District. The parcels are uninhabited; namely, there are less than 12 registered voters.

11. Conclusion:

The proposed sphere of influence amendment and annexation represents a logical expansion of the boundaries of the Laguna County Sanitation District. It also removes district owned land from property taxation by including it within the district's boundaries.

EXHIBITS

Exhibits A&B	Maps of the Proposed Annexation
Exhibit C	Notice of Exemption
Exhibit D	Notice of Determination
Exhibit E	Resolution of Application and Consent to Waive Conducting Authority Proceedings
Exhibit F	Proposed Commission Resolution Approving the Annexation

ALTERNATIVES FOR COMMISSION ACTION

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

OPTION 1 – APPROVE Resolution No. 15-4 (**Exhibit F**) that will take the following actions:

- a) Find that the proposal to be Categorically Exempt (Class 19-CCR Section 15319(a)) "Annexations of Existing Facilities and Lots for Exempt Facilities," from the Environmental Quality Act Certify pursuant to the CEQA Guidelines Section 15303.
- b) Amend the Sphere of Influence for the Laguna County Sanitation District to include the District owned parcels.
- c) Approve the proposal, known as the District Property Annexation to the Laguna Sanitation District, subject to certain terms and conditions, including that the territory shall be liable for any existing or authorized taxes, charges, fees or assessments comparable to properties presently within the District.
- d) Find the subject territory is uninhabited, all affected landowners have given written consent and the annexing agency has given written consent to the waiver of conducting authority proceedings.
- e) Waive the conducting authority proceedings and complete the proceedings.

OPTION 2 –Deny the proposal.

OPTION 3 - Continue the proposal to a future meeting for additional information.

RECOMMENDED ACTION:

Approve OPTION 1.



PAUL HOOD

Executive Officer

LOCAL AGENCY FORMATION COMMISSION



Joseph E. Holland
Clerk - Recorder - Assessor
Registrar of Voters
Mapping Section

LAFCO 2015-04

Part A: District Property Annexation of the Laguna County Sanitation District

Resolution 2015-04

Date of Request:

Recording Date:

Author: Greg Snelling

Mapping Date: 10/27/2015

Attachment to:
LAGUNA COUNTY SANITATION DISTRICT

Detachment from:

TRAs Affected:
080016, 080047

LEGEND

Proposed Change

Tax Rate Area

Cities

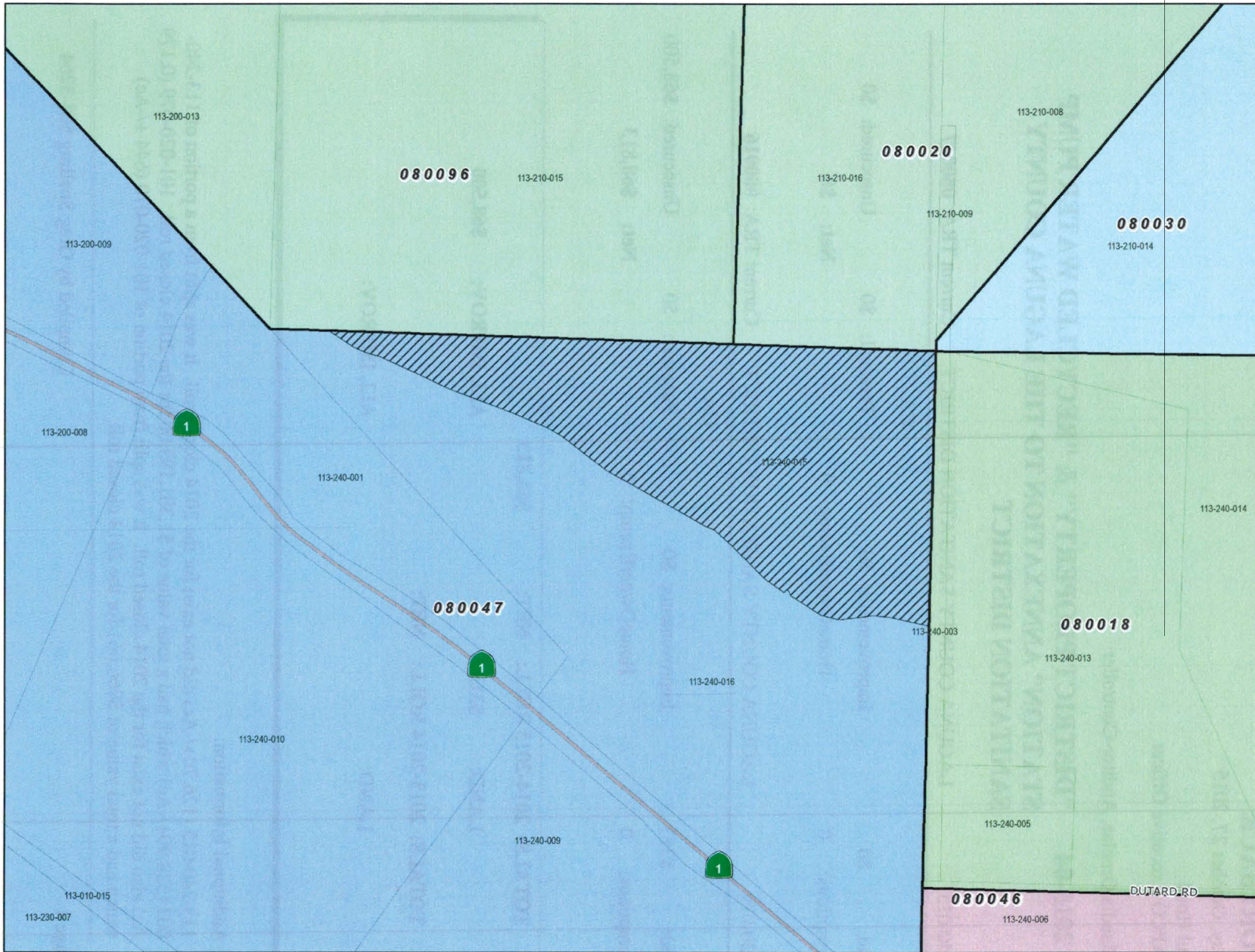
Parcels

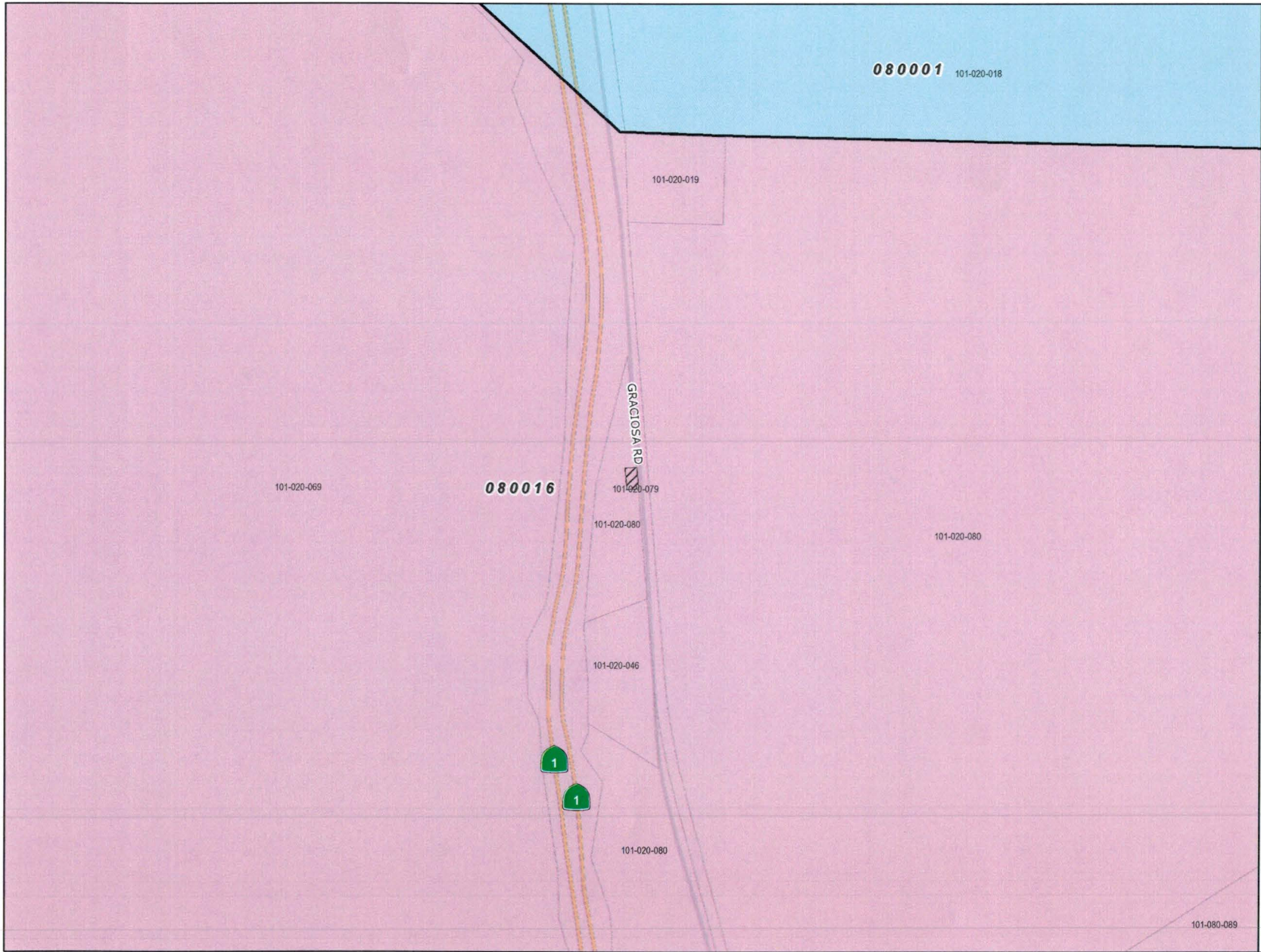


No level of accuracy is claimed for the boundary lines shown hereon and lines should not be used to obtain coordinate values, bearings or distances.

0 187.5375 750 1,125 1,500
Feet

Source: CARE Production @ Geodatabase User Name: ganell Date: 10/27/2015





Joseph E. Holland
 Clerk - Recorder - Assessor
 Registrar of Voters
 Mapping Section

LAFCO 2015-04

Part B: Recycled Water Pump Station Annexation to The Laguna County Sanitation District

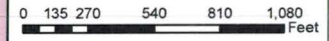
Resolution 2015-04
Date of Request:
Recording Date:
Author: Greg Snelling
Mapping Date: 10/27/2015
Attachment to: LAGUNA COUNTY SANITATION DISTRICT
Detachment from:
TRAs Affected: 080016, 080047

LEGEND

-  Proposed Change
-  Tax Rate Area
-  Cities
-  Parcels



No level of accuracy is claimed for the boundary lines shown hereon and lines should not be used to obtain coordinate values, bearings or distances.



Source: CARE Production Geodatabase User Name: gsnell Date: 10/27/2015

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Directors
FROM: Public Works Department, Laguna County Sanitation District

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN(s): 101-020-079 and 113-240-015

Case No.: Not Applicable

Location: Orcutt and unincorporated areas of the Santa Maria Valley in the 3rd Supervisorial District
Project Title: Annexation to Laguna County Sanitation District

Project Description: The actions involve annexing land owned by the Laguna County Sanitation District into its jurisdictional boundaries.

Name of Public Agency Approving Project: Board of Directors, Laguna County Sanitation District
Name of Person or Agency Carrying Out Project: Laguna County Sanitation District

Exempt Status: (Check one)

- | | |
|---|---|
| <input type="checkbox"/> Ministerial | <input type="checkbox"/> Emergency Project |
| <input type="checkbox"/> Statutory Exemption | <input type="checkbox"/> Declared Emergency |
| <input checked="" type="checkbox"/> Categorical Exemption | |

Cite specific CEQA and/or CEQA Guideline Section: CEQA Guidelines (CCR Section 15319(a), "Annexations of Existing Facilities and Lots for Exempt Facilities".

Reasons to support exemption findings (attach additional material, if necessary): The annexation of land owned by the Laguna County Sanitation District (District) into its own jurisdictional boundaries is an annexation that does not involve the extension of services to existing or proposed structures. Land uses of both parcels are agricultural in nature and not related to residential or commercial development. Therefore, the project is categorically exempt from CEQA per CEQA Guidelines 15319(a) in that the required services are less than (or not required at all) the level of service required for land uses associated with development and structures typically associated with other zoning.

A review of exemption classes pursuant to Section 15300.2 of the State CEQA Guidelines indicates that there is no substantial evidence that there are unusual circumstances (including future activities) resulting in (or which might reasonably result in) significant impacts which threaten the environment. The exceptions to the categorical exemptions are:

- (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.**

The proposed project is an administrative action that modifies the jurisdictional area of the Laguna County Sanitation District. Land uses are consistent with existing agricultural activities and zoning and do not

require utility sewer services. Therefore, no significant impact a sensitive environmental resource is expected to occur and this exception is not applicable

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

There are no changes to existing land uses associated with these actions. Therefore, no cumulative impacts would result and this exception is not applicable.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

There are no unusual circumstances associated with the annexation that are expected to result in a significant effect on the environment. Therefore, this exception does not apply.

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

The action is administrative and not related to scenic resources. Therefore, this exception does not apply.

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The action is administrative and not related to hazardous waste sites. Therefore, this exception does not apply.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The action is administrative and not related to historical resources. Therefore, this exception does not apply.

Lead Agency Contact Person: Martin Wilder, Utilities Manager Phone #: (805) 739-8755

Department/Division Representative: _____ Date: _____

Acceptance Date: _____

Note: A copy of this form must be posted at P&D 6 days prior to a decision on the project. Upon approval, this form must be filed with the Clerk of the Board and posted by the Clerk of the Board for a period of 30 days to begin a 35 day statute of limitations on legal challenges.

DATE POSTED AT PLANNING & DEVELOPMENT

DATE FILED BY CLERK OF THE BOARD

15-04

NOTICE OF DETERMINATION (NOD)

To: Office of Planning and Research
Street Address: 1400 Tenth Street, Room 121
Sacramento, CA 95814
U.S. Mail: P.O. Box 3044
Sacramento, CA 95812-3044

From: County of Santa Barbara
Planning and Development
123 East Anapamu Street
Santa Barbara, CA 93101

2013 NOV 14 AM 8:28

COUNTY OF SANTA BARBARA
CLERK OF THE
BOARD OF SUPERVISORS

County Clerk
County of Santa Barbara

SUBJECT: Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code

Project Numbers	Project Title	County EIR Number
09PPP-00000-00002 12DVP-00000-00008 13LUP-00000-00102	Santa Maria Energy Oil and Gas Drilling and Production Project	12EIR-00000-00003
2011091085	Errin Briggs, Energy Specialist	(805) 568-2047
State Clearinghouse Number	Lead Agency/Contact Person	Area Code/Telephone

Project Applicant: Santa Maria Energy, LLC

Project Location: Santa Barbara County, N 34° 49' 47" W 120° 25' 2"

Project Description: Construction and operation of 136 oil and gas wells, a 3-mile crude oil pipeline, and an 8-mile recycled water pipeline. The proposed wells will produce oil and gas from the diatomite formation using a cyclic steaming method. Tertiary treated (recycled) water from the LCSD plant will be used to generate the steam and will be provided to the project site via the recycled water pipeline. Oil produced from the wells will be delivered to an existing oil pipeline via the new 3-mile oil pipeline for transport to a refinery destination.

This is to advise that the County Board of Supervisors approved the above-described project on November 12, 2013 and made the following determinations regarding the above-described project:

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the Provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [were were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [was was not] adopted for this project.
5. A statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were were not] made pursuant to the provisions of CEQA.
7. The project [did did not] require discretionary approval from a state agency.

This is to certify that the final EIR with comments and responses and record of project approval is available to the general public at the address below, as well as electronically at the link provided here: <http://sbcountyplanning.org/projects/12DVP-00008SMEnergy/index.cfm>

Santa Barbara County Planning and Development: 123 East Anapamu St. Santa Barbara, CA 93101

Signature: Errin Briggs, P&D

November 12, 2013

Date

Energy Specialist

Title

EXHIBIT D

RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA
EX OFFICIO BOARD OF DIRECTORS
LAGUNA COUNTY SANITATION DISTRICT

RESOLUTION OF APPLICATION)
INITIATING PROCEEDINGS FOR)
ANNEXATION OF)
DISTRICT OWNED PROPERTY)

RESOLUTION NO. 15-203

WHEREAS, the Laguna County Sanitation District desires to initiate a proceeding for the adjustment of boundaries specified herein;

NOW, THEREFORE, the Board of Directors does hereby resolve and order as follows:

1. This proposal is made, and it is requested that proceedings be taken, pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, commencing with section 56000 of the California Government Code.

2. This proposal is an annexation of two uninhabited parcels to the Laguna County Sanitation District.

3. A map of the affected territory is set forth in Area 1 Exhibits (A description and B map) and Area 2 Exhibits (A description and B map), attached hereto and by reference incorporated herein.

5. The reasons for the proposal are to place land owned by Laguna County Sanitation District within its jurisdictional territory.

6. The proposal is consistent with the Sphere of Influence of the Laguna County Sanitation District.

7. Consent is hereby given to the waiver of conducting authority proceedings.

PASSED AND ADOPTED this 21st day of July, 2015.

SUPERVISOR CARBAJAL, SUPERVISOR WOLF, SUPERVISOR FARR, SUPERVISOR ADAM

AYES: SUPERVISOR LAVAGNINO

NOES: NONE

ABSTENTIONS: NONE

ABSENT: NONE

Janet Wolf
Chair, Board of Directors
Laguna County Sanitation District

CLERK OF THE BOARD
MONA MIYASATO, COUNTY EXECUTIVE OFFICER

By: *Russ Boukey*
Deputy Clerk

APPROVED AS TO FORM
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By: *[Signature]*
Deputy Counsel

APPROVED AS TO FORM
ROBERT W. GEIS
AUDITOR-CONTROLLER

By: *[Signature]*
Deputy

LAFCO 15-4

RESOLUTION OF THE SANTA BARBARA LOCAL AGENCY FORMATION
COMMISSION MAKING DETERMINATIONS AND APPROVING A SPHERE OF
INFLUENCE EXPANSION AND THE DISTRICT OWNED PROPERTY ANNEXATION TO
THE LAGUNA COUNTY SANITATION DISTRICT

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:

- a) Find that the proposal to be Categorically Exempt (Class 19-CCR Section 15319(a)) "Annexations of Existing Facilities and Lots for Exempt Facilities," from the Environmental Quality Act Certify pursuant to the CEQA Guidelines Section 15303.
- b) Amend the Sphere of Influence for the Laguna County Sanitation District to include the District owned parcels.
- c) Approve the proposal, known as the District Property Annexation to the Laguna Sanitation District, subject to certain terms and conditions, including that the territory shall be liable for any existing or authorized taxes, charges, fees or assessments comparable to properties presently within the District.

- d) Find the subject territory is uninhabited, all affected landowners have given written consent and the annexing agency has given written consent to the waiver of conducting authority proceedings.
- e) Waive the conducting authority proceedings and complete the proceedings.

This resolution was adopted on December 10, 2015 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