

March 4, 2013

TO: Local Agency Formation Commission

FROM: Executive Officer
Assistant Executive Officer

SUBJECT: Five-Year Sphere of Influence and Service Review: Resource Conservation Districts; Small Craft Harbor District; and Recreation and Park District (Ref Nos.: MSR13-06 SR13-06; MSR13-07 SR13-07; MSR13-08 SR13-08; MSR13-09 SR13-09; MSR13-10 SR13-10)

EXECUTIVE SUMMARY

The attached report and recommendations concern the spheres of influence for the Mission Resource Conservation District (RCD); RCD of Greater San Diego County; Upper San Luis Rey RCD; Oceanside Small Craft Harbor District; and Lake Cuyamaca Recreation and Park District. The five agency spheres are being evaluated as part of a comprehensive *Sphere of Influence and Service Review* that will sequentially address all local agency spheres in San Diego County and is required by State Law and San Diego LAFCO Policy. The following report concludes with recommendations to affirm current *larger-than-district* spheres for the RCD of Greater San Diego County and Upper San Luis Rey RCD and coterminous spheres for the Mission RCD, Oceanside Small Craft Harbor District and Lake Cuyamaca Recreation and Park District.

SPHERE OF INFLUENCE BACKGROUND

Over thirty years ago, the State Legislature instructed LAFCOs to establish a sphere of influence for each local governmental agency under LAFCO jurisdiction. Spheres, which are defined in State Law as...*a plan for the probable physical boundaries and service area of a local agency*, promote logical and orderly development and coordination of local agencies, inhibit duplication of services, and support efficient public service delivery. Inclusion within an agency's sphere is a prerequisite for—but not a guarantee of—annexation as spheres are only one of several factors that commissions must consider in reviewing proposals for jurisdictional changes.

San Diego LAFCO has maintained spheres of long standing for all independent and dependent special districts and each city in San Diego County; nevertheless, spheres must be periodically reevaluated to ensure that they reflect current conditions and remain credible planning tools. Changes such as general plan and zoning amendments or new legislation concerning revenue streams can positively or negatively affect agencies' abilities to extend service into new territory. In 1990, San Diego LAFCO adopted Policy L-109, which coupled with adopted implementing procedures, require spheres be revisited at five-year intervals. And commencing in 2008 and every five years thereafter, State Law requires that LAFCOs shall, as necessary, review and update each sphere of influence [Government Code 56425(g)]. LAFCOs are also required to prepare a *Municipal Service Review* (MSR) to analyze information regarding the efficiency and effectiveness of municipal services when adopting a new sphere or updating an existing sphere. MSRs are not required when an existing sphere can be affirmed or adjusted slightly and then affirmed.

Policy L-102 discourages major amendments to a sphere that has been adopted, affirmed or updated—with noteworthy exceptions to accommodate: (1) a public health or safety risk such as septic system failure; (2) a proposal involving property that is split by a sphere boundary; (3) a reorganization between two consenting districts; and (4) a situation where the sphere review failed to anticipate a need for public services—and conditions have significantly changed.

Since your Commission initiated the first sphere review and MSR program in 2001, all local agency spheres have been included in at least one cycle of review and affirmation or update. Selected categories of local agencies, such as Fire Protection Districts, or County Sanitation Districts have been addressed in multiple review cycles. MSRs have been prepared for numerous complex projects, and when warranted, sphere updates have been approved. The chronology of sphere review and MSR activity is annually updated and made available in the Commission's *Directory of Sphere of Influence and Municipal Service Review Actions*.

The current *Five-Year Sphere of Influence and Service Review Program*, which conforms to the five-year cycle requirements of State Law and Commission Policy L-102, was initiated by sending a service-specific questionnaire to each of the 100 local agencies under San Diego LAFCO's jurisdiction. Every agency responded. The information submitted is being analyzed and LAFCO data bases updated. All spheres will be reviewed and recommendations for affirmation, adjustment, or comprehensive update of groups of agencies will be presented to the Commission as completed.

2012 Five-year Sphere of Influence and Service Review

RESOURCE CONSERVATION DISTRICT

Public Resources Code § 9151—9978 empowers RCDs to control runoff; prevent or control soil erosion; develop and distribute water; and improve land capabilities. With consent, RCDs may make improvements or conduct operations on public and private lands for further prevention or control of soil erosion; water conservation and distribution; agricultural and wildlife

enhancement; and stabilization of erosion. RCDs may conduct demonstration projects, and provide technical assistance to private landowners or occupants.

▪ **Mission Resource Conservation District** MSR13-06; SR13-06

Services:	The Mission RCD provides watershed restoration, irrigation water management, conservation planning, and natural resource education programs.
Governance:	Five-member Board of Directors, appointed to four-year terms by the San Diego County Board of Supervisors according to Board Policy A-134: <i>Procedures for Appointment to Resource Conservation District Boards of Directors</i> .
District Area:	185.2 square miles
Population:	114,040 (SANDAG 2010)
Abstract:	The Mission RCD was established in 1944 to assist property owners in the San Luis Rey and Santa Margarita watershed areas to implement soil, water, and other resource conservation practices. The RCD works in conjunction with the U.S. Department of Agriculture Natural Resources Conservation Service to provide conservation programs in the unincorporated communities of Fallbrook, Bonsall, and Rainbow and the northern portion of the City of Oceanside.
Sphere:	LAFCO adopted a coterminous sphere of influence for the Mission RCD in 1986. A coterminous sphere was affirmed in 2007.
Sphere status:	No sphere or jurisdictional changes have occurred since the 2007 affirmation of the coterminous sphere and no new information that would warrant a sphere change has been presented. District responses to the <i>2012 Sphere of Influence and Service Review</i> indicate that no proposals for a sphere change or jurisdictional change are anticipated.
Recommendation:	It is recommended that the existing coterminous sphere for the Mission RCD be affirmed.

▪ **Resource Conservation District of Greater San Diego County** MSR13-07; SR13-07

Services:	The RCD of Greater San Diego County provides technical help and educational programs to assist local property owners in implementing soil, water, and other natural resource conservation practices.
Governance:	Seven-member Board of Directors, appointed to four-year terms by the San Diego County Board of Supervisors according to Board Policy A-134: <i>Procedures for Appointment to Resource Conservation District Boards of Directors</i> .
District Area:	2,889 square miles

Population:	1,321,842 (SANDAG 2010)
Abstract:	The RCD of Greater San Diego County emerged from a succession of RCD consolidations; most recently—the 1995 consolidation of the Greater Mt. Empire and Central San Diego County RCDs. The district works in conjunction with the U.S. Department of Agriculture Natural Resources Conservation Services and coordinates programs and services with other RCDs and related local, state, and federal agencies. The RCD of Greater San Diego County administers the programs of the <i>San Diego Fire Safe Council of San Diego County</i> .
Sphere:	LAFCO adopted a sphere of influence for the RCD in 1995 that was larger than the district boundary. Additional sphere territory covers approximately 614 square miles and includes portions of the Cities of Del Mar, San Diego, Carlsbad, Encinitas, and Solana Beach; and unincorporated territory between the RCD's southwestern boundary and the United States/Mexico border. The larger-than-district sphere was affirmed in 2007.
Sphere Status:	No sphere or jurisdictional changes have occurred since the 2007 affirmation of the larger-than-district sphere and no new information that would warrant a sphere change has been presented. District responses to the <i>2012 Sphere of Influence and Service Review</i> indicate that no proposals for a sphere change or jurisdictional change are anticipated.
Recommendation:	It is recommended that the existing larger-than-district sphere for the RCD of Greater San Diego County be affirmed.

▪ **Upper San Luis Rey Resource Conservation District** MSR13-08; SR13-08

Services:	The Upper San Luis Rey RCD provides educational and technical help to local property owners to assist in implementing soil, water, and other natural resource conservation practices.
Governance:	Five-member Board of Directors, appointed to four-year terms by the San Diego County Board of Supervisors according to Board Policy A-134: <i>Procedures for Appointment to Resource Conservation District Boards of Directors</i> .
District Area:	402 square miles
Population:	11,523 (SANDAG 2010)
Abstract:	The RCD, which was formed in 1945, covers territory just south of the San Diego/Riverside County boundary. The RCD relies on federal and state agencies for technical assistance and works in conjunction with the U.S. Soil Conservation Service to provide erosion control information to local land owners. The RCD is a member of the Upper San Luis Ray

Watershed Authority, which is responsible for maintaining a sustainable San Luis Rey River Basin.

Sphere: LAFCO adopted a sphere of influence for the Upper San Luis Rey RCD in 1986 that was larger-than the District Boundary. Additional sphere territory covers approximately 23.4 square miles and includes unincorporated territory between the RCD's northern boundary and the San Diego/Riverside County boundary. The larger-than-district sphere was affirmed in 2007.

Sphere Status: No sphere or jurisdictional changes have occurred since the 2007 affirmation of the larger-than-district sphere and no new information that would warrant a sphere change has been presented. District responses to the *2012 Sphere of Influence and Service Review* indicate that no proposals for a sphere change or jurisdictional change are anticipated.

Recommendation: It is recommended that the existing larger-than-district sphere for the Upper San Luis Rey Resource Conservation District be affirmed.

SMALL CRAFT HARBOR DISTRICT

Harbors and Navigation Code § 7000—7340 empowers Small Craft Harbor Districts to establish, maintain, and operate harbors and all facilities appurtenant, connected, or incidental thereto, including, but not limited to: (1) dredging of channels, shipways, and basins; (2) acquisition and maintenance of jetties, breakwater, bulkheads, seawalls, parkways, marinas, beach parks, and other recreational facilities; (3) acquisition, operation, and regulation of fueling, loading, repair, warehouse, and other facilities, equipment, or property necessary or incidental to operating a harbor; and (4) acquisition and operation of fireboats, sanitary, and other facilities necessary for the proper protection of the harbor.

▪ Oceanside Small Craft Harbor District MSR13-09; SR13-09

Services: The Oceanside Small Craft Harbor District (OSCHD) is responsible for the public marine facilities and leasehold improvements that are associated with the north and south basins of Oceanside Harbor and adjacent shoreline within the City of Oceanside. The District operates permanent and transient moorings, fueling dock; fishing pier, launching ramp, and tourist facilities.

Governance: The Oceanside City Council presides as the Oceanside Small Craft Harbor District Board of Directors

District Area: 42.16 square miles

Population: 167,344 (SANDAG 2010)

Abstract: The OSCHD was formed in 1960 to access to public funding to construct and operate facilities and services related to small marine craft activity.

The OSCHD boundary is coterminous with the City of Oceanside; however, district operations are confined to approximately 100 acres that are leased from the City. The Oceanside City Council acts as the District Board of Directors; a permanent Harbor and Beaches Advisory Committee advises the Board of Directors.

- Sphere: LAFCO adopted a sphere of influence for the OSCHD in 1986 that is larger than the district boundary. The additional sphere territory, which covers approximately eight acres, corresponds to additional sphere territory that is included in the City of Oceanside sphere. The larger-than-district sphere was affirmed in 2005 and in 2007.
- Sphere Status: No sphere or jurisdictional changes have occurred since the 2007 affirmation of the larger-than-district sphere and no new information that would warrant a sphere change has been presented. District responses to the *2012 Sphere of Influence and Service Review* indicate that no proposals for a sphere change or jurisdictional change are anticipated.
- Recommendation: It is recommended that the existing larger-than-district sphere for the Oceanside Small Craft Harbor District be affirmed.

RECREATION AND PARK DISTRICT

Public Resources Code 5780—5791.7 empowers Park and Recreation Districts to organize, advertise and conduct programs of community recreation including parks and open space, parking, transportation; to establish systems of recreation and recreation facilities; and acquire, construct, improve, maintain, and operate recreation facilities, including, but not limited to parks, and open space—both inside and beyond district boundaries.

▪ Lake Cuyamaca Recreation and Park District MSR13-131-10; SR13-10

- Services: The Lake Cuyamaca Recreation and Park District is specifically authorized by special legislation to oversee water recharge activities that preserve recreational areas, and to develop the recreational potential of Lake Cuyamaca.
- Governance: Seven-member Board of Directors appointed by the Board of Supervisors. The Lake Cuyamaca Recreation and Park District Act of 1961, which established a five-member Board of Directors, was amended in 1978 to increase board membership to seven.
- District Area: 12.1 square miles
- Population: 295 (SANDAG 2010)
- Abstract: Lake Cuyamaca is owned by the Helix Water District and operated as a water storage reservoir. Concern about a declining lake level in the late 1950s prompted owners of surrounding property to seek special

legislation to redress water issues—Chapter 1654 of the Statutes of 1961, as amended by Chapter 1982 of the Statutes of 1963, as amended by Chapter 328 of the Statutes of 1978, as amended by Chapter 354 of the Statutes of 1979 and as amended by Section 3 of Chapter 96 of the Statutes of 1999—empowered landowners to join registered voters as district electors. Voters approved formation of the Lake Cuyamaca Recreation and Park District was approved in 1961.

The District is authorized to oversee water recharge activities, which preserve recreational areas, and to develop the Lake's recreational potential. The District leases recreational facilities from the Helix Water District; annually stocks Lake Cuyamaca with trout; maintains campground and boating facilities, and leases restaurant facilities to a private concessionaire. District activities are funded with user fees and lease revenue.

- Sphere: LAFCO adopted a sphere of influence for the Lake Cuyamaca Recreation and Park District in 2007 that is coterminous with the district boundary.
- Sphere Status: No sphere or jurisdictional changes have occurred since a coterminous sphere was adopted in 2007 and no new information that would warrant a sphere change has been presented. District responses to the *2012 Sphere of Influence and Service Review* indicate that no proposals for a sphere change or jurisdictional change are anticipated.
- Recommendation: It is recommended that the existing coterminous sphere for the Lake Cuyamaca Recreation and Park District be affirmed.

CONCLUSION AND RECOMMENDATIONS

Approval of staff recommendations to affirm the current spheres of the five special districts reviewed in the foregoing report is part of a comprehensive sphere review program that will sequentially review and affirm, minimally adjust, or update all spheres in San Diego County. Affirmation of the existing spheres for the Mission RCD, RCD of Greater San Diego County, Upper San Luis Rey RCD, Oceanside Small Craft Harbor District, and Lake Cuyamaca Recreation and Park District will bring these local agencies into compliance with State Law [Government Code § 56425(g)] and San Diego LAFCO Policy L-102, which require review of all spheres at five-year intervals. It is therefore,

RECOMMENDED: That your Commission

- (1) Find in accordance with the Executive Officer's determination that pursuant to Section 15061(b)(3) of the State CEQA Guidelines, sphere affirmations are not subject to the environmental impact evaluation process 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 and the activity is not subject to CEQA.

- (2) Find in accordance with the Executive Officer's determination that pursuant to Section 15306 of the State CEQA Guidelines, the service review is not subject to the environmental impact evaluation process because the service review consists of basic data collection, research, management, and resource evaluation activities that will not result in a serious or major disturbance to an environmental resource. The project is strictly for information gathering purposes and is a part of a study leading to an action that has not yet been approved, adopted or funded.
- (3) For the reasons set forth in the *2012 Five-Year Sphere of Influence and Service Review*, adopt the written statements on file specifying the functions and classes of services and affirm coterminous spheres for the Mission Resource Conservation District and Lake Cuyamaca Recreation and Park District; and larger than district spheres for the Resource Conservation District of Greater San Diego County, Upper San Luis Rey Resource Conservation District, and Oceanside Small Craft Harbor District.
- (4) Direct the Executive Officer to prepare written Statements of Determinations and associated resolutions, consistent with the recommends in the March 4, 2013 LAFCO staff report.

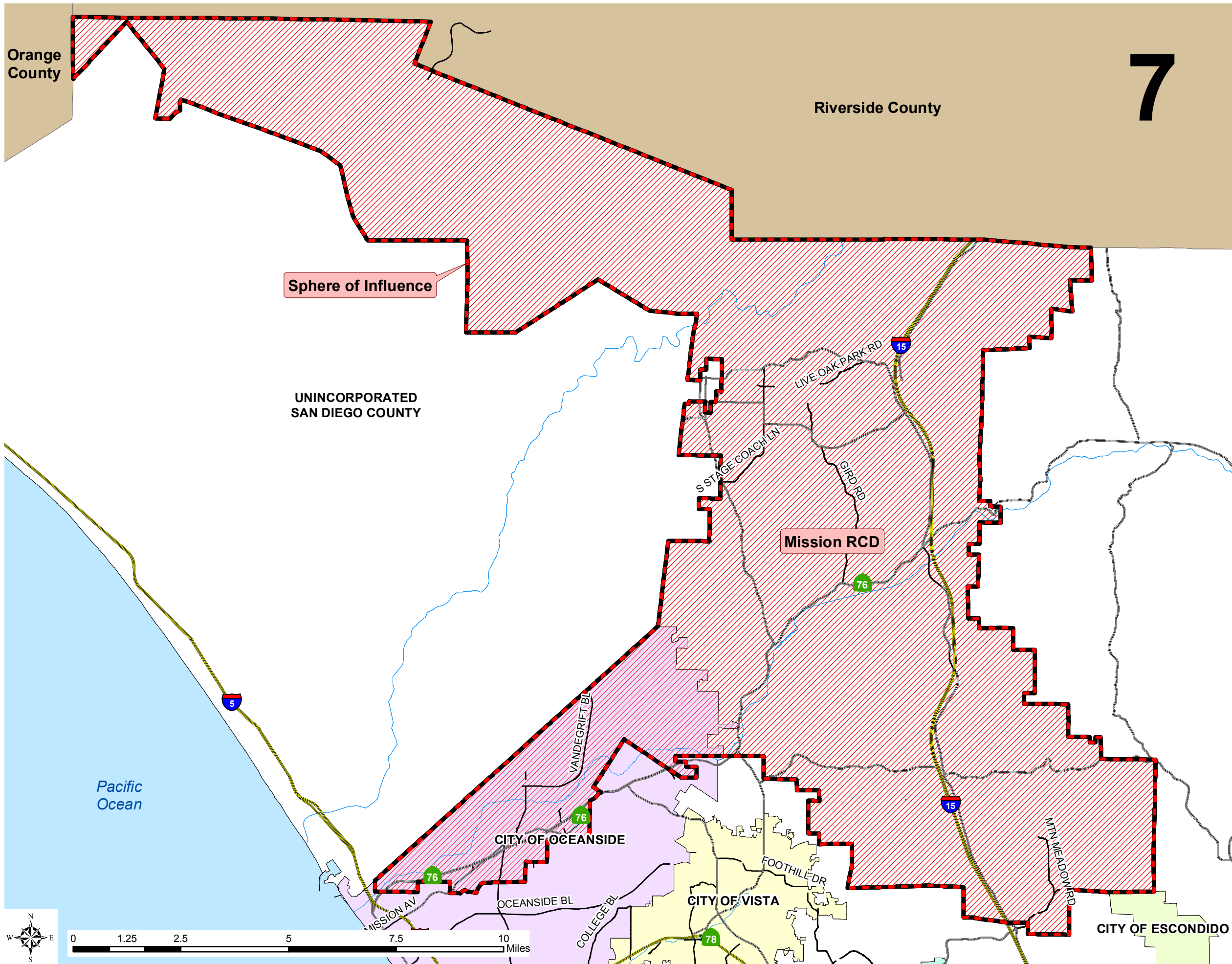
Respectfully Submitted,

MICHAEL D. OTT
Executive Officer

SHIRLEY ANDERSON
Asst. Executive Officer

MDO:SA:ra

Attachments: District Maps

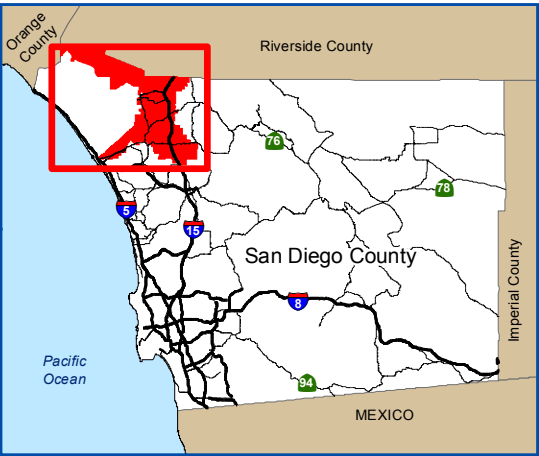


Mission Resource Conservation District

LEGEND

- Mission RCD
- Sphere of Influence (SOI)

SOI Adopted: 6 / 2 / 86
SOI Affirmed: 8 / 6 / 07



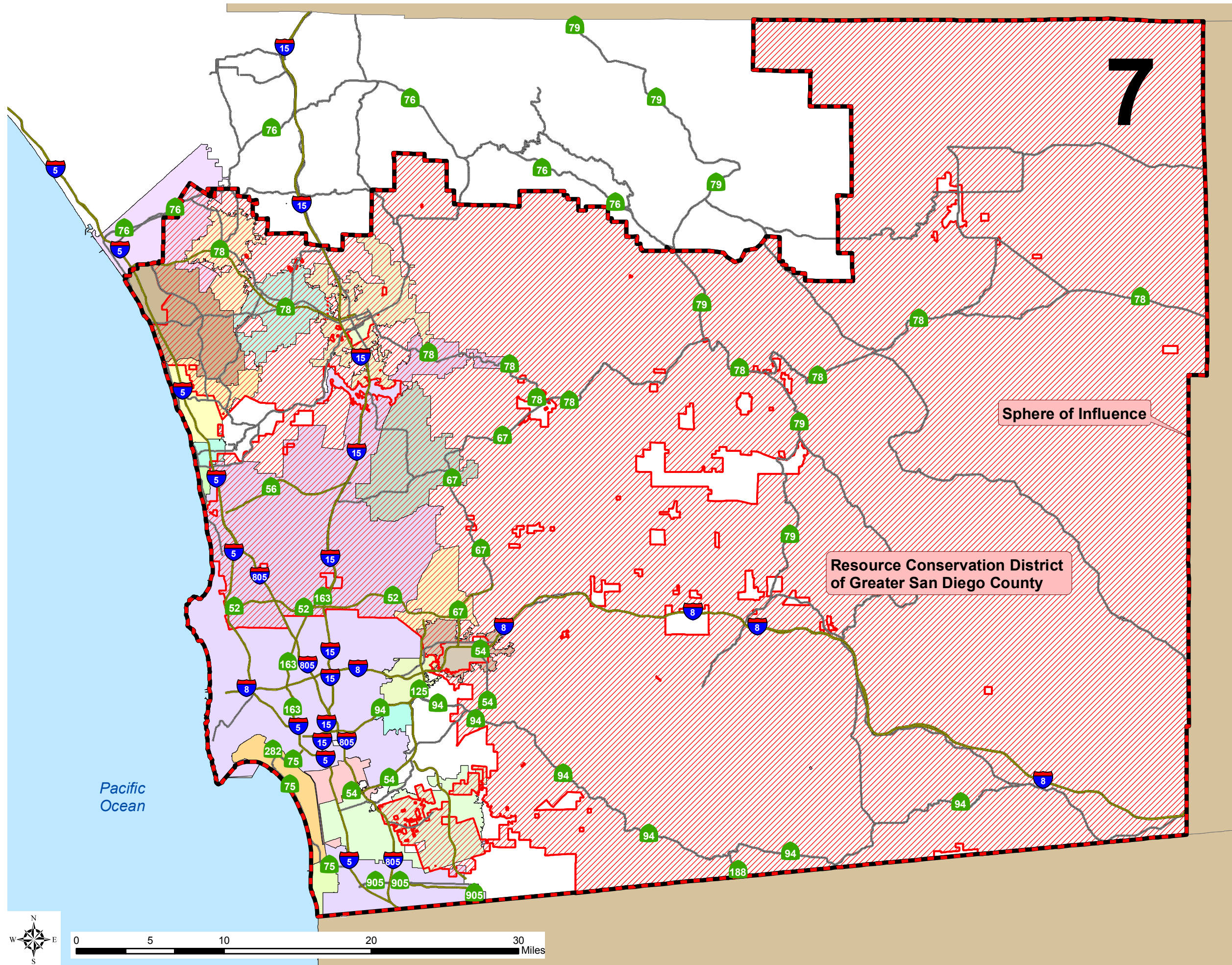
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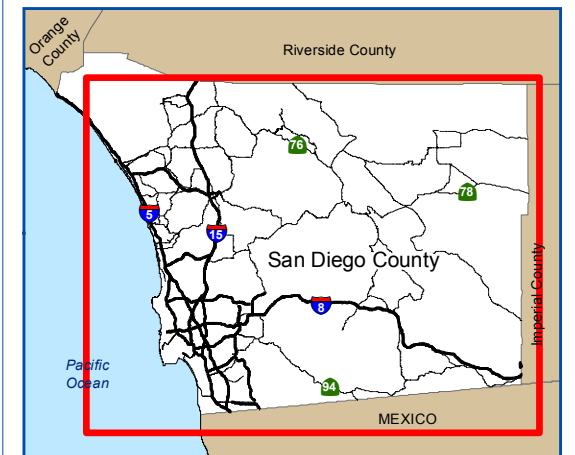


Resource Conservation District of Greater San Diego County

LEGEND

-  Greater San Diego Co RCD
-  Sphere of Influence (SOI)

SOI Adopted: 2 / 6 / 95
SOI Affirmed: 8 / 6 / 07



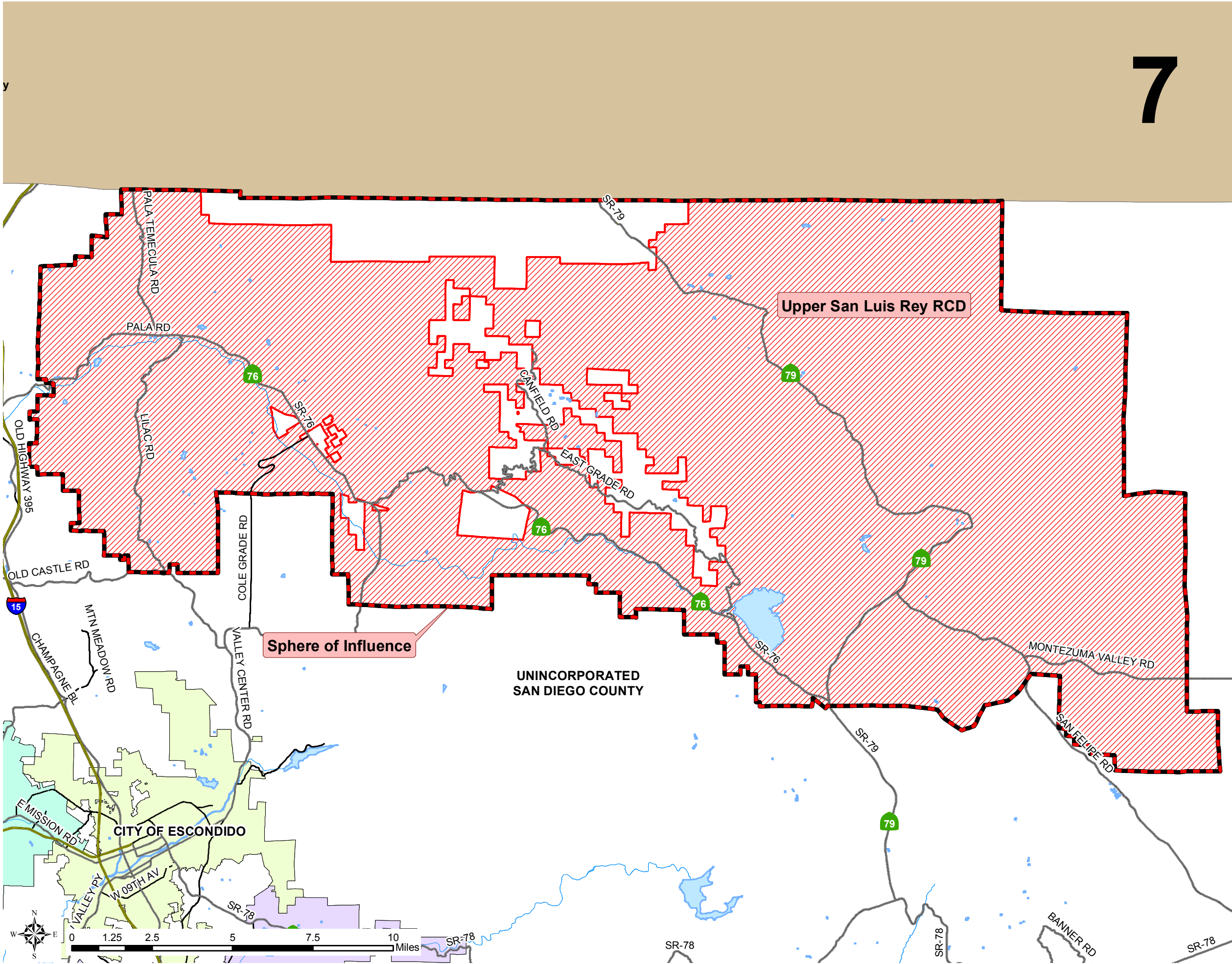
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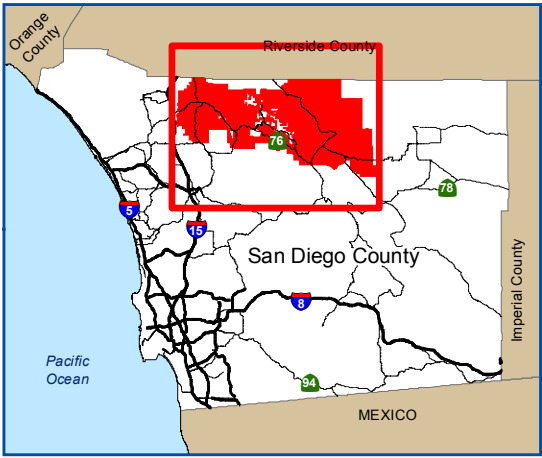


Upper San Luis Rey Resource Conservation District

LEGEND

- Upper San Luis Rey RCD
- Sphere of Influence (SOI)

SOI Adopted: 6 / 2 / 86
SOI Affirmed: 8 / 6 / 07



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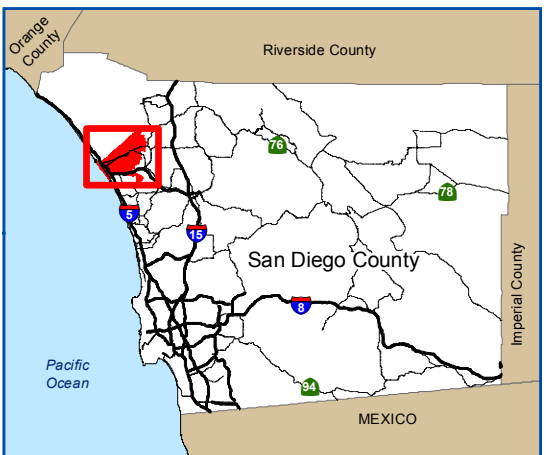
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Oceanside Small Craft Harbor District

LEGEND

-  Oceanside SCHD
-  Sphere of Influence (SOI)

SOI Adopted: 1 / 6 / 86
SOI Affirmed: 11 / 7 / 05
SOI Affirmed: 8 / 6 / 07



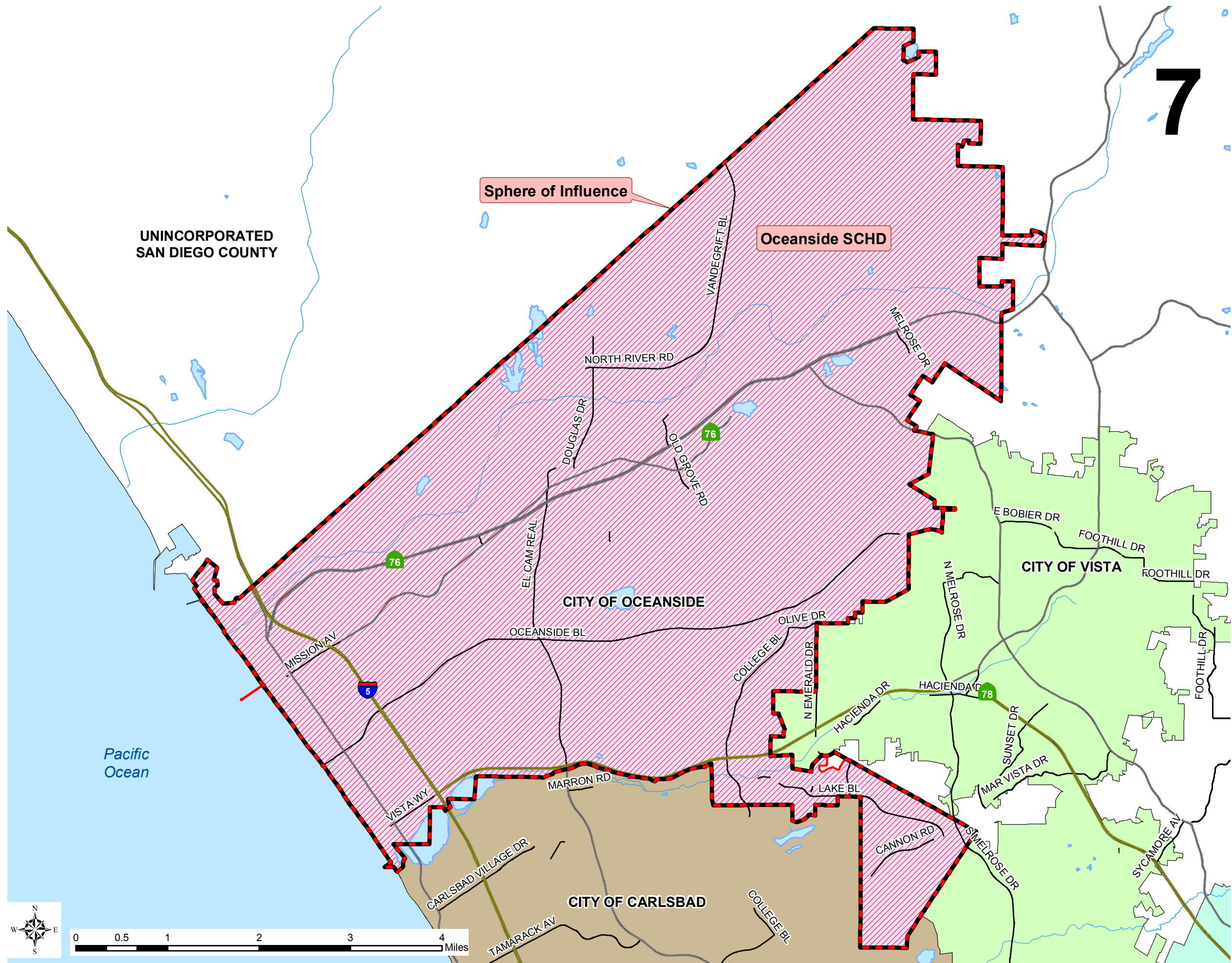
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Lake Cuyamaca Park & Recreation District

LEGEND

-  Lake Cuyamaca Park & Rec
-  Sphere of Influence (SOI)

SOI Adopted: 8 / 6 / 07



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