



San Diego County
Local Agency Formation Commission
 Regional Service Planning | Subdivision of the State of California

6c

AGENDA REPORT
 Public Hearing

August 5, 2019

TO: Commissioners

FROM: Keene Simonds, Executive Officer
 John Traylor, Analyst Consultant
 Linda Zambito, Analyst I

SUBJECT: **Proposed “Pauma Valley Fire Joint-Reorganization” |
 Divestiture of Fire Protection and Emergency Medical Service Powers for
 Mootamai, Pauma, and Yuima Municipal Water Districts and Concurrent
 Expansion of Activated Fire Protection and Emergency Medical Services
 Latent Power Area for County Service Area No. 135 (RO18-13 et al.)**

SUMMARY

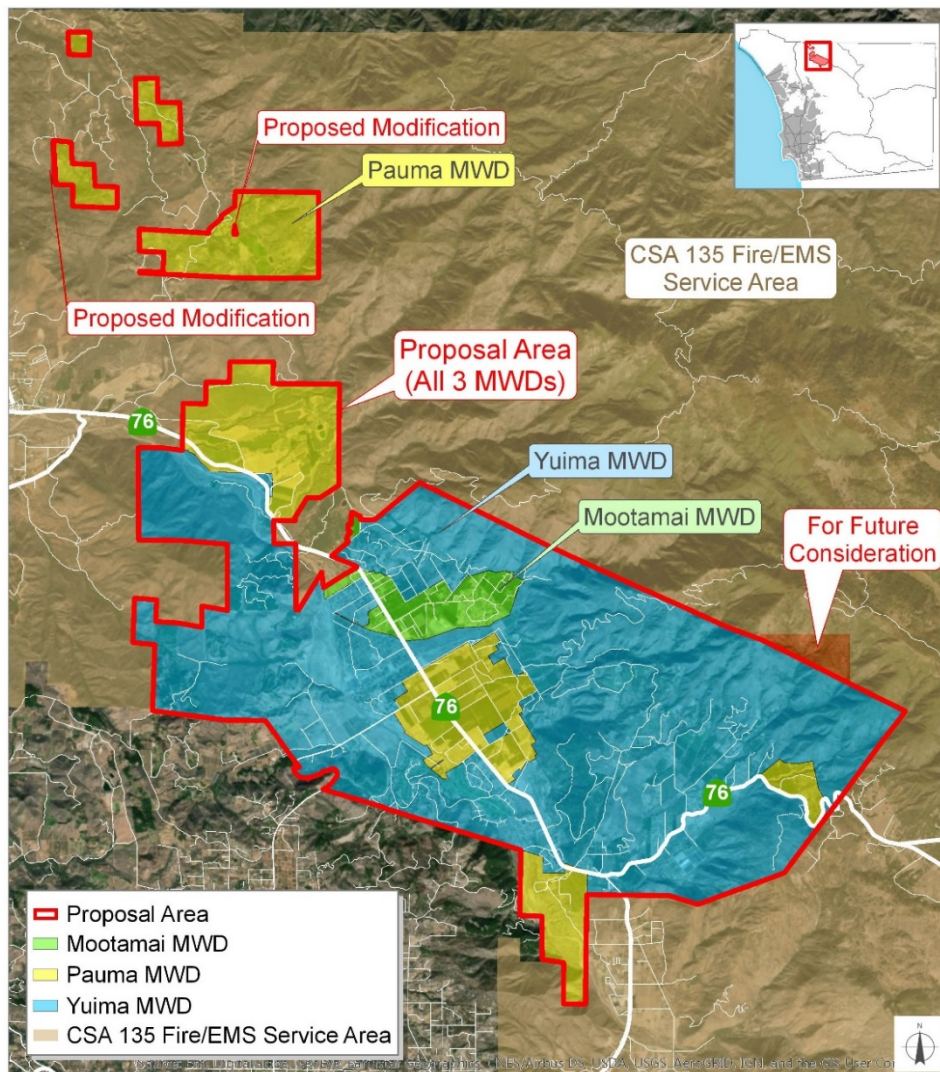
The San Diego County Local Agency Formation Commission (LAFCO) will consider a joint-proposal filed by four subject agencies to transfer fire protection and emergency medical service responsibilities in unincorporated Pauma Valley to the County of San Diego. The transfer would involve concurrently divesting these service powers from the Mootamai, Pauma, and Yuima Municipal Water Districts (MWDs) and expanding the activated latent power area for these services for County Service Area (CSA) No. 135. The purpose of the proposal is to streamline service delivery to the affected territory – which spans approximately 18,565 acres with an estimated 2,237 residents as proposed – and allow the County Fire Authority to directly administer an existing contract with the California Department of Forestry and Fire Protection, or CAL FIRE. Staff recommends approval with modifications to include an additional 18.6 acres of adjacent land to CSA No. 135’s latent power area along with a conforming service-specific sphere of influence amendment. Standard terms are also recommended and delegating protest to the Executive Officer. A listing of all the subject parcels is attached.

Administration Keene Simonds, Executive Officer County Operations Center 9335 Hazard Way, Suite 200 San Diego, California 92123 T 858.614.7755 F 858.614.7766 www.sdlafco.org	Jim Desmond County of San Diego	Mary Casillas Salas City of Chula Vista	Mark Kersey City of San Diego	Chair Jo MacKenzie Vista ID	Andy Vanderlaan General Public
	Dianne Jacob County of San Diego	Bill Wells City of El Cajon	Chris Cate, Alternate City of San Diego	Barry Willis Alpine FPD	Harry Mathis, Alternate General Public
	Greg Cox, Alternate County of San Diego	Serge Dedina, Alternate City of Imperial Beach	Erin Lump, Alternate Rincon Del Diablo MWD		

BACKGROUND

Applicant Request

San Diego LAFCO has received a joint-proposal from Mootamai, Pauma, and Yuima MWDs (lead) as well as CSA No. 135 to reorganize fire protection and emergency medical service responsibilities in Pauma Valley in northern San Diego County. The reorganization would transfer these service responsibilities currently exercised by the three MWDs to the County of San Diego and its Fire Authority through CSA No. 135. Two concurrent LAFCO approvals underlie the applicants' request and involve divesting the fire protection and emergency medical service powers of all three MWDs and expanding the activated latent service power for CSA No. 135 to include all of the affected territory (i.e., all three MWDs' jurisdictional boundaries). The total size of the affected territory as proposed is 18,565 acres with one-fifth under public ownership and highlighted by the Wilderness Gardens County Preserve. The remainder of the affected territory is largely dedicated to low-density residential and agricultural uses as well as some commercial, including the Casino Pauma. LAFCO estimates the total resident population within the affected territory is 2,237.



Subject Agencies

The proposed reorganization involves four subject agencies: CSA No. 135, Mootamai, Pauma, and Yuima MWDs.¹ A summary description of each subject agency follows.

- CSA No. 135 is a dependent special district governed by the County of San Diego. It was formed in 1994 for the initial and limited purpose of providing a public safety regional communications system spanning all of the unincorporated area and within 10 of the 18 cities.² Services were expanded by LAFCO in 2008 through a latent power activation to include fire protection and emergency medical services within a designated portion of the County’s unincorporated jurisdictional boundary, and in doing so facilitated the creation of the County Fire Authority.³ The estimated resident population in CSA No. 135’s fire protection and emergency medical service area is 41,346. The County Fire Authority contracts with CAL FIRE for all field services. The net position of the County is \$2.9 billion as of July 30, 2018.
- Mootamai MWD is an independent special district formed in 1962 and governed by a five-member board consisting of registered voters elected – or appointed in lieu of contested elections – to four-year terms. Mootamai MWD spans 659 acres and presently provides two distinct services: (a) management of groundwater and riparian rights and (b) fire protection and emergency medical services with the latter through a joint-powers authority that contracts with CAL FIRE. The estimated resident population within Mootamai MWD is 412. The net position of Mootamai MWD is \$0.128 million as of July 30, 2018.
- Pauma MWD is an independent special district formed in 1960 and governed by a five-member board consisting of registered voters elected – or appointed in lieu of contested elections – to four-year terms. Pauma MWD spans 4,422 acres and presently provides two distinct services: (a) water rights and (b) fire protection and emergency medical services with the latter through a joint-powers authority that contracts with CAL FIRE. The estimated resident population within Pauma MWD is 167. The net position of Pauma MWD is \$0.346 million as of July 30, 2018.
- Yuima MWD is an independent special district formed in 1963 and governed by a five-member board consisting of registered voters elected – or appointed in lieu of contested elections – to four-year terms. Yuima MWD spans 13,452 acres and presently provides two distinct services: (a) potable retail water service as a member agency of the San Diego County Water Authority and (b) fire protection

¹ State law defines “subject agency” to mean any district or city for which a change of organization or reorganization is proposed.

² CSA No. 135’s regional communications system involves an 800 megahertz radio signal operated by County Sheriff.

³ San Diego LAFCO’s 2008 approval to activate CSA No. 135’s latent powers fulfilled the first of a three-part County plan to extend fire protection throughout the unincorporated area and marked by initially assuming services for nearly one dozen volunteer companies. The second part was approved by LAFCO in December 2011 and expanded the latent powers area by over 136,000 acres and in step with the concurrent dissolutions of five dependent special districts: CSA Nos 109, 110, 111, 112, and 113. The third part involves dissolution of independent special districts and concurrent expansion of CSA No. 135’s latent powers to assume fire protection responsibilities therein. This final step commenced in 2015 with LAFCO approving reorganizations involving Pine Valley and Rural FPDs. The joint-reorganization to dissolve Julian-Cuyamaca FPD and transfer all fire protection and emergency medical services to County Fire Authority through CSA No. 135 is part of this third phase.

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and emergency medical services with the latter through a joint-powers authority that contracts with CAL FIRE. (Yuima MWD also serves as the administrator.) The estimated resident population within Yuima MWD is 1,426. The net position of Yuima MWD is \$16.7 million as of July 30, 2018.

Affected Local Agencies

The affected territory lies within the jurisdictional boundaries of the following local agencies directly subject to San Diego LAFCO.⁴

- Pauma Valley Community Service District
- Rincon Ranch Community Service District
- San Diego County Water Authority
- Metropolitan Water District of Southern California
- CSA No. 135 (Regional Communications)
- Upper San Luis Rey Resource Conservation District
- Valley Center Cemetery District
- Palomar Health District

DISCUSSION

This item is for San Diego LAFCO to consider approving – with or without modifications – the joint-proposal to transfer fire protection and emergency medical services within the affected territory from Mootamai, Pauma, and Yuima MWDs to the County Fire Authority through CSA No. 135. The Commission may also consider applying conditions so long as it does not directly regulate land use, property development, or subdivision requirements. Additional discussion with respect to proposal purpose and Commission focus follows.

Proposal Purpose

The underlying purpose of the joint-proposal as articulated in the application materials is to address two related items. The first item involves County Fire Authority directly assuming the CAL FIRE contract from the three MWDs in an effort to streamline fire protection and emergency medical services in the affected territory and improving the economies of scales by expanding County Service Area No. 135.⁵ The second issue emphasizes cost-avoidance to each MWD now that the County is eliminating its subsidy practice that has provided backfill monies to the Districts to cover their net expenses in contracting with CAL FIRE.⁶

⁴ State law defines “affected local agency” as any entity that contains, or would contain, or whose sphere of influence contains or would contain, any territory for which a change of organization is proposed or ordered.

⁵ The affected territory lies within a State Responsibility Area and accordingly receives fire protection from CAL FIRE between April 15th and December 15th. Mootamai, Pauma, and Yuima MWDs established a joint-powers agreement in 1976 to contract with CAL FIRE to extend service coverage for the remainder of the year; a common practice in California and referred to as a “Amador Contract.”

⁶ The subsidy provided by the County of San Diego to all three MWDs amounted to \$41,004.32 annually from FY 13-14 to FY 16-17.

Development Potential

The affected territory as proposed and detailed in Appendix B is entirely unincorporated and subject to the County of San Diego's land use policies as codified in its General Plan and the Pala-Pauma Community Plan. These policies generally contemplate low-density residential uses in the affected territory paired with open-space and agriculture with minimum lot sizes ranging from 1.0 to 40.0 acres. No new development or changes to existing land uses or zoning are associated with the proposed reorganization.

Commission Focus

Three central and sequential policy items underlie the San Diego LAFCO's consideration of the change of organization. These policy items take the form of new determinations and orient the Commission to consider the stand-alone merits of a (a) conforming service-specific sphere of influence amendment, (b) timing of the change of organization, and (c) whether discretionary boundary modifications or approval terms are appropriate. The Commission must consider other relevant statutes in and outside of LAFCO law as detailed.

ANALYSIS

The analysis of the reorganization is organized into two subsections. The first subsection pertains to evaluating the central issues referenced in the preceding section and specifically the conforming service-specific sphere amendment, reorganization timing, and whether modification and/or terms are appropriate. The second subsection considers other germane issues required under LAFCO law or other applicable State statutes and highlighted by the California Environmental Quality Act (CEQA).

Central Policy Items

Item No. 1 | Sphere of Influence Amendment

The affected territory lies outside the service-specific sphere of influence for fire protection and emergency medical services previously established for CSA No. 135 by San Diego LAFCO.⁷ The reorganization proposal, accordingly, necessitates a conforming amendment and premised on the Commission's statutory task to designate spheres to demark the affected agencies' appropriate current and future service areas relative to community benefits and needs as determined by the membership. The staff review – which includes considering the statutory factors outlined under Government Code Section 56425 – suggests an amendment is sufficiently justified. The merits underlying the sphere amendment draw on two specific and relatively equal policy factors. First, CSA No. 135 appears advantageously positioned to immediately assume service responsibilities within the affected territory through its own and more inclusive contracting relationship with CAL

⁷ The affected territory lies within the parent sphere established for CSA No. 135 by the Commission. The parent sphere, however, is specific to addressing the District's initial service responsibility at the time of its 1994 formation: emergency communications. The CSA No. 135 fire protection/EMS-specific sphere was subsequently established in 2008 as part of a latent power activation.

FIRE. Second, the affected territory is surrounded by CSA No. 135's activated latent power service area and expansion to include the subject lands would facilitate the elimination of non-jurisdictional CSA corridors and associated governance and service inefficiencies.

Conclusion | Merits of the Sphere Amendment

Approval of the service-specific sphere of influence amendment to designate CSA No. 135 as the appropriate current and future provider of fire protection and emergency medical services for the affected territory is warranted. Justification is marked by the preceding analysis and highlighted by further synching local fire protection management for the Pauma Valley region under the County Fire Authority. Additional analysis supporting the conclusion – including addressing the specific factors required under LAFCO law – is provided as part of Appendix A.

A related expansion of the CSA No. 135 service specific sphere to include two additional parcels is recommended and detailed in the proceeding sections.

Item No. 2 | Reorganization Timing

The joint-proposal involves two concurrent jurisdictional changes. These changes involve the divestiture of Mootamai, Pauma, and Yuima MWDs' active fire protection and emergency medical service powers and the corresponding expansion of CSA No. 135's activated latent power area to provide these services to the affected territory. Staff's review of the proposal suggests the timing of these changes is sufficiently justified and highlighted by the analysis of the dozen-plus factors required for consideration under LAFCO law anytime jurisdictional changes are proposed. The majority of the prescribed factors focus on the service and financial capacities of the receiving agency, CSA No. 135. No single factor is determinative and the intent is to provide a uniform baseline for LAFCO in considering all jurisdictional changes in context to the Commission's own adopted policies and practices. A summary of key conclusions generated in the review of these factors follows with more detailed analysis provided in Appendix B.

- Service Needs

The present and planned land uses of the affected territory merits organized fire protection and emergency medical services. This need is highlighted by an existing residential population estimate of 2,237 coupled with serving State Route 76. The need is also reflected in providing front-line defense for the region to encroaching wildland events from surrounding public and open-space areas. The need is further substantiated with demands within the affected territory staying relatively constant over the last 60-month period and averaging 227 onsite responses annually or 18 onsite responses monthly according to CAL FIRE records.

- Service Capacities and Levels

CSA No. 135 serves as an implementing vehicle for the County Fire Authority to provide fire protection and emergency medical services through a significant portion of unincorporated San Diego County. Information collected and analyzed in reviewing the reorganization proposal indicates County Fire Authority has available and greater capacities compared to Mootamai, Pauma, and Yuima MWDs in assuming service responsibilities in the affected territory without adverse impacts to existing constituents. Additional details follow.

- The existing contract provider for the affected territory – CAL FIRE – will continue to provide first response fire protection and emergency medical service to the affected territory should the Commission approve the reorganization. The contract holder, however, will transition to the County Fire Authority, and in doing so help to streamline administrative and governance management of the services in the region and ultimately under the Board of Supervisors.
- The reorganization and associated transfer of the CAL Fire contract from Mootamai, Pauma, and Yuima MWDs through a joint-powers agreement to the County Fire Authority will not diminish existing service levels.

- Service Funding and Costs

CSA No. 135 is funded through General Fund allocations authorized by the County Board of Supervisors. While discretionary, the amount of funding provided to CSA No. 135 is considered reliable given the allocations have progressively increased in step with the creation of the County Fire Authority in 2008 and is currently budgeted at \$4.2 million; the latter representing more than a four-fold budget increase over the last five years. Similarly, overall discretionary funding made by the Board of Supervisors to County Fire Authority as a whole has progressively increased and presently budgeted at \$46.7 million. Conversely, and as inferred in initiating the reorganization, Mootamai, Pauma, and Yuima MWDs ability to continue to fund the CAL FIRE service contract given the pending loss of the County subsidy would necessitate establishing new and/or additional revenues; the latter likely requiring voter approved assessments.

Conclusion | Merits of Reorganization Timing

The timing of the reorganization and transfer therein of fire protection and emergency medical services in the affected territory from Mootamai, Pauma, and Yuima MWDs to the County Fire Authority through CSA No. 135 is warranted. Justification is marked by the preceding analysis and highlighted by the immediate ability of County Fire Authority to assume service responsibilities through its own and more inclusive contracting relationship with CAL FIRE. Additional supporting analysis is provided in Appendix B.

Item No. 3 | Merits of Modification and Terms

Two modifications to the joint-reorganization proposal have been identified by staff during the analysis phase and merit consideration by San Diego LAFCO at this time. The modifications address mapping omissions generated in the original establishment of CSA No. 135's activation of fire protection and emergency medical service in 2008 and would collectively add 18.6 additional acres to the expansion of the District's activated service area. Both modifications – notably – involve adding portions of larger parcels that are part of the joint-proposal and the inclusion therein of the remaining acreage serves to synch the proposed CSA No. 135 latent power boundary to the existing parcel lines. Specific details of the modifications are footnoted and shown as part of Attachment One.⁸ Standard approval terms also appear justified given there are no otherwise unique conditions.

Notwithstanding the above analysis, two additional modifications were identified by staff in the analysis phase and merit attention. These additional modifications involve two entire parcels that collectively total 212.4 acres and are adjacent to the affected territory in Pauma Valley and entirely surrounded by CSA No. 135's latent power boundary for fire protection and emergency medical services. Staff assumes – but is not certain – these two parcels were similarly excluded from the latent power boundary at the time of its establishment in 2008 as part of a mapping omission. Given the referenced uncertainty, however, staff believes it would be appropriate for CSA No. 135 to perform outreach with the two landowners and consider returning to the Commission with a separate proposal in the near future.⁹ This suggestion also serves as an alternative to conditioning approval on receipt of a completed application given the latter would likely delay recording an approved reorganization past the December 1st deadline to enact tax roll changes for 2020-2021.

Conclusion | Merits of Modifications and Terms

Two modifications to the affected territory boundary appears merited at this time to remedy earlier mapping omissions. This adds 18.6 acres of adjacent unincorporated land to the expansion of the CSA No. 135's activated latent power area for fire protection and emergency medical services and involves the remaining portions of 111-030-06 and 109-372-06 that are not already covered. It is separately suggested CSA No. 135 perform outreach to the two landowners of 134-120-08 and 134-120-09 and consider filing a separate proposal to add these lands to the latent power area in the future. Nonetheless, and for purposes of facilitation, expanding CSA No. 135's service specific sphere to include these two parcels is recommended. Standard terms are appropriate.

⁸ The first modification involves the addition of 1.0 acres and is part of a 76.8 acre parcel identified by the Assessor as 111-030-06. The second modification involves the addition of 17.6 acres and is part of a 73.1 acre parcel identified by the Assessor as 109-372-06.

⁹ The affected parcels are identified by the Assessor as 134-120-08 (United States National Forest) and 134-12-09 (American Federal Indian Reservation) and are 130.4 and 82.0 acres, respectively.

Other Statutory Considerations

Exchange of Property Tax Revenues

CEQA requires San Diego LAFCO to assess whether environmental impacts would result from activities approved under the Commission's statutory authority. Accordingly, San Diego LAFCO is tasked with making two distinct determinations as lead agency under CEQA with respect to this proposal. This involves the (a) accommodating the service-specific sphere amendment for CSA No. 135 as described in the preceding sections and the (b) reorganization itself. The Executive Officer has determined both actions qualify as projects under CEQA but are exempt from further review based on the following findings.

- The amendment to the service-specific sphere of influence of County Service Area No. 135 (Fire/EMS) to include the affected territory qualifies as a project but is exempt from additional review per State CEQA Guidelines Section 15061(b)(3). This exemption appropriately applies because spheres of influence are planning policies and amendments therein do not authorize any new uses or services, and as such provide certainty there will be no significant effect on the environment.
- The reorganization of fire protection and emergency medical service powers with the recommended modifications qualifies for exemption under State CEQA Guidelines Section 15320. This exemption appropriately applies given the affected territory is already located within an authorized fire protection and emergency medical services provider and the reorganization will not change the geographic area where previously-existing service powers are authorized and exercised.

Protest Proceedings

An approval of the reorganization by San Diego LAFCO would require protest proceedings under Government Code Section 57000. As allowed under State law and further contemplated under local policy, it is recommended the Commission delegate these proceedings to the Executive Officer and hold a noticed hearing to accept written objections filed by registered voters and/or landowners within the affected territory. The following thresholds would apply in valuing protests and determining next steps:

- Should less than 25% of (a) registered voters and/or (b) landowners holding less than 25% of the assessed value of land within the affected territory file written protests the reorganization will be ordered without an election.
- Should 25% to 50% of (a) registered voters and/or (b) landowners holding 25% to 50% of the assessed value of land within the affected territory file written protests the reorganization will be ordered subject to an election at a future date.
- Should more than 50% of (a) registered voters and/or (b) landowners holding 50% or more of the assessed value of land within the affected territory file written protests the reorganization will be terminated.

Should the Commission proceed with an approval, staff has tentatively scheduled a protest hearing for the reorganization at 10:00 am on September 11th, 2019 in the LAFCO Office at the County Operations Center at 9335 Hazard Way, Suite 200 in San Diego. Notice for the protest hearing would be provided to landowners and registered voters in a manner provided under statute no less than 21-days in advance.¹⁰ Further – and importantly should this apply – all protest forms would need to be signed on or after the date the protest hearing is noticed; signatures dated ahead of the noticing are invalid under statute.

RECOMMENDATION

Staff recommends approval of the proposed reorganization with modifications and a conforming service-specific sphere amendment involving CSA No. 135. Approval provides for an orderly transfer of fire protection and emergency medical services within the affected territory – which includes modifications to add 18.6 acres for reasons detailed above – and in doing so help solidify the County Fire Authority’s role and ability to coordinate services in Pauma Valley region through its contact with CAL FIRE. Approval would also eliminate the need for revenue enhancements for Mootamai, Pauma, and Yuima MWDs in maintaining baseline fire protection and emergency medical levels ahead of the planned elimination of subsidy funding from the County. Reorganization also – *and holistically* – is consistent with an earlier Commission recommendation borne out of extensive studying in the early 2000s and widely communicated thereafter to consolidate fire services in the unincorporated area under one service provider – County Fire Authority – whenever the timing is right (emphasis added). Yuima, Pauma and Mootamai MWD’s decision by its elected representatives to file for divestiture coupled with the analysis of the factors required under LAFCO law serves to sufficiently quantify the timing is right to proceed with reorganization at this time. Specific recommended actions are enumerated as Alternative One in the proceeding section.

ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO and can be accomplished through a single-approved motion.

Alternative One (recommended):

- (a) Approve the reorganization with modifications and a conforming service-specific sphere of influence amendment involving CSA No. 135 with standard terms as detailed in the draft resolution provided as Attachment Two. Also included is approval to further amend CSA No. 135’s service-specific sphere to include two additional parcels identified as 134-120-08 and 134-120-09.

¹⁰ Official protest forms for both landowners and voters are available on the LAFCO website with additional instructions.

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- (b) Encourage CSA No. 135 to perform landowner outreach involving parcels 134-120-08 and 134-120-09 and return with a separate proposal to expand its activated latent power area for fire protection and emergency medical service. Also authorize a fee waiver should CSA No. 135 proceed with filing the proposal.

Alternative Two:

Continue consideration to the next regular meeting set for October 7, 2019 and provide direction to staff concerning additional information, as needed.

Alternative Three:

Disapprove the proposal with direction to the Executive Officer to return at the next regular meeting with a conforming resolution for adoption.

PROCEDURES FOR CONSIDERATION

This item has been placed on the agenda for action as part of a noticed public hearing. The following procedures, accordingly, are recommended in the Commission's consideration.

- 1) Receive verbal report from staff unless waived;
- 2) Invite comments from the applicant;
- 3) Open the hearing and invite audience comments; and
- 4) Close the hearing, discuss item, and consider action on recommendation.

On behalf of staff,



Linda Zambito
Analyst I

Appendices:

- A) Analysis of Proposal Review Factors
- B) Analysis of Jurisdictional Change Factors Per 56668

Attachments:

- 1) Vicinity Map
- 2) Draft Resolution of Approval
- 3) Application Materials
- 4) List of All Subject Parcels Included in Proposal Submittal

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**APPENDIX A
STATEMENT OF DETERMINATIONS
SPHERE OF INFLUENCE FACTORS**

1) The present and planned land uses, including agricultural and open-space lands.

The affected territory spans close to 18,675 acres with recommended modifications as detailed in the Executive Officer report and is entirely unincorporated and subject to the adopted land use policies of the County of San Diego and memorialized under the Pala/Pauma Community Plan. The affected territory is anchored by the unincorporated community of Pauma Valley and largely includes low-density residential uses along with agriculture and open space. LAFCO estimates the total resident population at 2,237. Amending CSA No. 135's service-specific sphere to include the affected territory as modified for fire protection and emergency medical services is consistent with these land uses.

(2) The present and probable need for public facilities and services in the area.

Present and planned uses within the affected territory as described merits organized fire protection and emergency medical services. This need is highlighted by an existing residential population of 2,237 and relatively constant demand with current onsite responses averaging 227 per year or 18 per a month, respectively over last 60-month period. Amending CSA No. 135's service-specific sphere to include the affected territory as modified for fire protection and emergency medical services is consistent with these needs.

(3) The present capacity of public facilities and adequacy of public services the agency provides or is authorized to provide.

CAL FIRE presently provides an adequate level of year-round fire protection and emergency medical services to the affected territory through an existing contract involving Mootamai, Pauma, and Yuima MWDs. CAL FIRE would continue to provide services to the affected territory upon approval of the reorganization with the authorizing contract transferring from the MWDs to the County Fire Authority through CSA No. 135. Amending CSA No. 135's service-specific sphere to include the affected territory as modified for fire protection and emergency medical services is consistent with these capacities.

(4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

The affected territory as modified has established informal social and economic ties with CSA No. 135 given the County Fire Authority's existing role in managing fire protection and emergency medical services in surrounding lands. Inclusion of the affected territory within CSA No. 135's service-specific sphere for fire protection and emergency medical services would formalize these ties through LAFCO policy and clarify the County Fire Authority's expanding role therein in managing services throughout the Pauma Valley.

(5) The present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

A small northern portion of the affected territory equaling less than 1% qualifies as a disadvantaged unincorporated community (DUC) based on statute and implementing LAFCO policy. Adding this portion of the affected territory to CSA No. 135's service-specific sphere for fire protection and emergency medical services does not alter or otherwise impact existing DUC designations involving the subject lands.

APPENDIX B
ANALYSIS OF MANDATORY PROPOSAL REVIEW FACTORS
GOVERNMENT CODE SECTION 56668

- a) **Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.**
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The affected territory with modifications is approximately 18,565 unincorporated acres in size and is located in rural north-eastern San Diego County, east of Interstate-15, and south of Palomar Mountain. Elevation ranges between 1,700 and 2,500 feet above sea-level. The affected territory lies within the County of San Diego's Pala Pauma Community Planning Area. The majority of the estimated 2,237 residents in the affected territory lie within the unincorporated community of Pauma Valley that spans all three MWDs. The County's Zoning Ordinance predominately assigns the affected territory as Village or Rural Residential with minimum lot sizes ranging from one dwelling unit per acre to one dwelling per 40 acres. Existing County land use policies contemplate no significant new growth within or adjacent to the affected territory within the next 10 years. Total assessed value (land and structures) within the affected territory is \$455,697,706 million as of March 2019.

- b) **The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.**
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The County of San Diego acts as the primary purveyor of general governmental services to the affected territory. This includes community planning, roads, street lighting, and law enforcement. There are also a number of smaller local governmental agencies that provide services to the affected territory. This includes the Pauma Valley Community Services District (potable water), Yuima, Pauma and Mootamai MWDs (potable water), Upper San Luis Rey Resource Conservation District (watershed & soil conservation) and San Diego County Flood Control District (flood control). This proposal affects only fire protection and emergency medical services and is the focus of the succeeding analysis.

- **Baseline and Post-Reorganization**

- **CSA No. 135 (County Fire Authority) as Service Provider**

Yuima, Mootamai and Pauma MWDs have an established a joint-powers agreement (JPA) to collectively contract with CAL FIRE for fire protection and emergency medical services within the affected territory as part of its regional coverage. Fire operations serve as the main function and are presently staffed daily by 75 career firefighters and supplemented by 15 on-call reserves and 10 non-paid reserves with the majority of services delivered out of Rincon Fire Station #70 in Pauma Valley.

According to data from CAL FIRE, overall service demands within the affected territory have stayed relatively consistent over the last five years with dispatch calls averaging 246.6 annually or 20.6 monthly and total onsite incidents averaging 227.2 annually or 18.9 monthly. 2019 service demand trends also align with historical data and project a total of dispatched calls averaging 258 annually or 21.5 monthly and total onsite incidents averaging 238 annually or 19.8 monthly.

Annual Incidents in the Affected Territory (Source: CALFIRE)						
Year	2014	2015	2016	2017	2018	Average
Total Dispatched Incidents	210	253	274	263	233	246.6
Total Onsite Incidents	182	238	253	253	210	227.2

Should the reorganization be approved the majority of the operations will largely continue at current levels with CAL FIRE continuing to serve as contract provider to the affected territory. CSA No. 135 has also committed to increase funding for the CAL FIRE contract to increase assigned personnel in the region from 75 to 80, and will presumably improve the ISO rating.

c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on local governmental structure.

Approving the proposed reorganization would recognize existing economic and social ties between CSA No. 135 and the affected territory and serve to streamline fire protection management in the affected territory consistent with surrounding lands.

d) The conformity of the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies/priorities set forth in G.C. Section 56377.

Approval of the proposed reorganization is consistent with an earlier Commission recommendation borne out of extensive studying in the early 2000s and widely communicated thereafter to consolidate fire services in the unincorporated area under one service provider – County Fire Authority – whenever the timing is right (emphasis added). Yuima, Pauma and Mootamai MWD’s decision by its elected representatives to file for divestiture coupled with the analysis of the factors required under LAFCO law serves to sufficiently quantify the timing is right to proceed with reorganization at this time. Additionally, the proposal would not induce or otherwise facilitate the loss of open-space lands, and as such does not conflict with the provisions of Government Code Section 56377.

e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by G.C. Section 56016.

Portions of the affected territory qualify as agricultural land under LAFCO law. The joint-reorganization proposal, nonetheless, is specific to transferring fire protection and emergency medical services between two local governmental agencies and would not adversely affect the physical or economic well-being of the agricultural lands.

f) The definiteness and certainty of the boundaries, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and similar matters affecting the proposed boundaries.

LAFCO is in receipt of a draft map and geographic description of the affected territory that details metes and bounds consistent with the standards of the State Board of Equalization. Approval would be conditioned on a final map and description confirming to the referenced standards and address the recommended modifications if approved by the Commission.

g) A regional transportation plan adopted pursuant to Section 65080.

The proposed reorganization would not conflict with San Diego Forward, the regional transportation plan established by the San Diego Association of Governments (SANDAG).

h) The proposal's consistency with city or county general and specific plans.

The affected territory is entirely unincorporated and subject to the land use policies of the County of San Diego. The County's implementing land use policy document for the affected territory is the Pala-Pauma Community Plan. This latter document prescribes a minimum lot size range for the majority of the affected between 1 and 40 acres.

i) The sphere of influence of any local agency affected by the proposal.

Reorganization approval would necessitate a conforming amendment to CSA No. 135's secondary sphere specific to fire protection and emergency medical services. Consideration of this conforming amendment is detailed in Appendix A.

j) The comments of any affected local agency or other public agency.

Staff provided notice of the proposal to all subject and affected agencies as required under LAFCO law. No written comments were received ahead of preparing this agenda report.

- k) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.**
-

CSA No. 135 is funded through General Fund allocations authorized by the County Board of Supervisors. While discretionary, the amount of funding provided to CSA No. 135 is considered reliable given the allocations have progressively increased in step with the creation of the County Fire Authority in 2008 and is currently budgeted at \$4.2 million; the latter representing more than a four-fold budget increase over the last five years.

- l) Timely availability of water supplies adequate for projected needs as specified in G.C. Section 65352.5.**
-

The majority of the affected territory – and in particular the more densely inhabited areas – already lies within and receives domestic water service from several special districts. Approval of the joint-reorganization proposal is specific to transferring fire protection and emergency medical services between local governmental agencies and would not affect the timely availability of water supplies within the affected territory.

- m) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.**
-

The proposed reorganization would not impact any local agencies in accommodating their regional housing needs. All potential units tied to the lands are already assigned to the County of San Diego by the region’s council of governments, San Diego Association of Governments. The boundary change would not affect this assignment.

- n) Any information or comments from the landowner or owners, voters, or residents of the affected territory.**
-

The affected territory is inhabited as defined LAFCO law (12 registered voters or more). No written or formal comments have been submitted to San Diego LAFCO staff.

- o) Any information relating to existing land use designations.**
-

See earlier analysis for Item H.

- p) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.**
-

The joint-reorganization proposal aims to provide a more uniform and higher level of fire protection and emergency medical services throughout the affected territory and consistent with service provided in the surrounding area. The expected uniformity in service levels treats all subject residents equally and does not raise any environmental justice concerns.

- q) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.**
-

The County of San Diego General Plan contains a hazard mitigation plan for potential fire, flooding and earthquakes. The affected territory lies in a Very-High Fire Hazard Severity Zone.

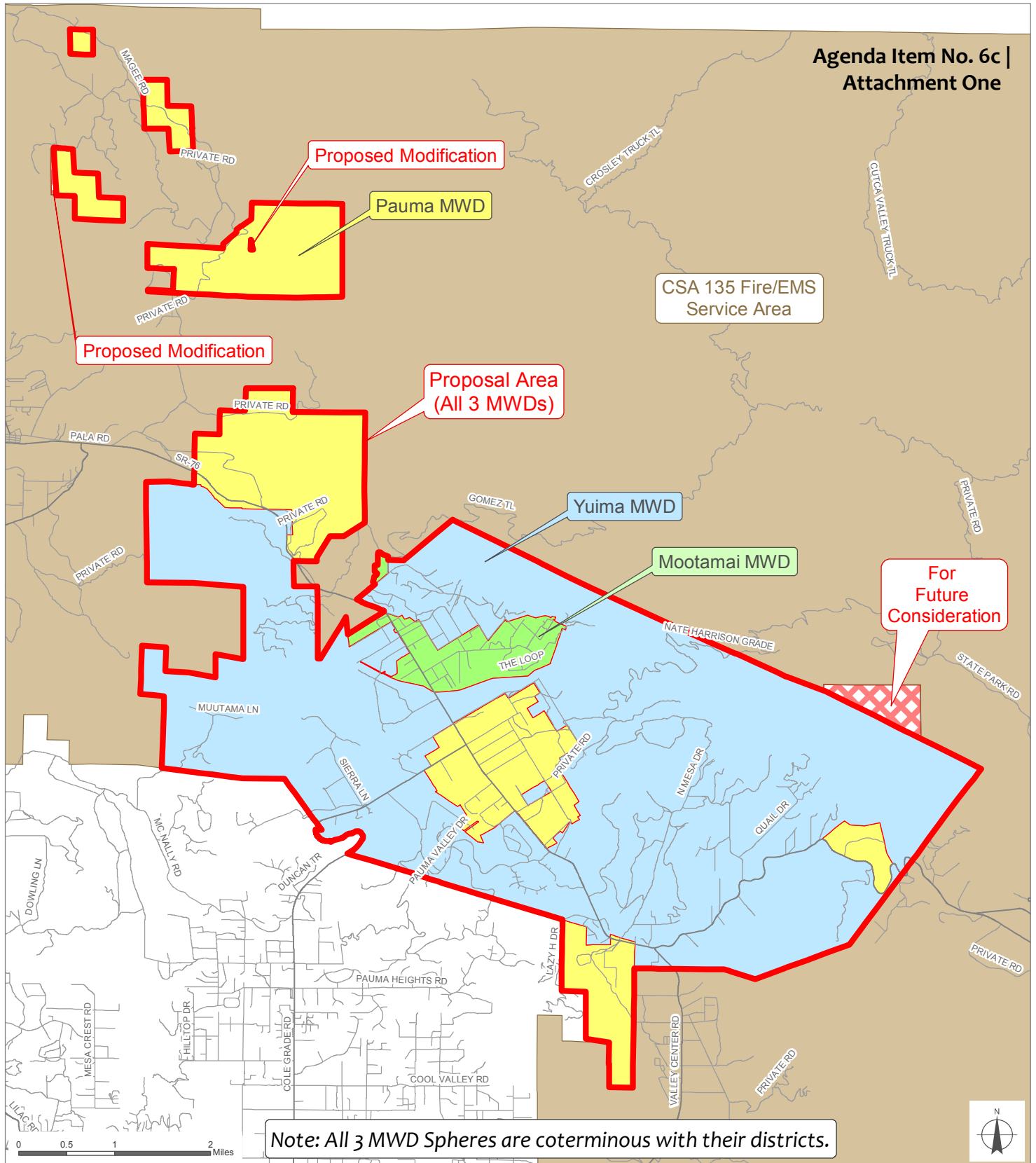
- 56668.3(a)(1) Whether the proposed annexation will be for the interest of the landowners or present or future inhabitants within the district and within the territory proposed to be annex to the district.**
-

Approval of the proposed reorganization would be in the best interest of the current and future landowners and/or residents of the affected territory by providing streamlined fire rescue and emergency medical services going forward. Approval would also benefit the CSA No. 135 as a whole and further eliminate any islands in the service area.

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Proposed Pauma Valley Fire Reorganization (RO18-13, et. al.)

Agenda Item No. 6c | Attachment One



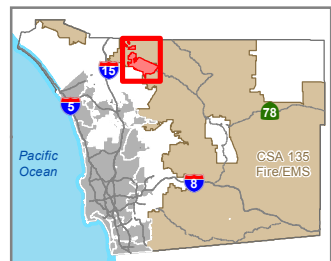
San Diego County
Local Agency Formation Commission
 Regional Service Planning | Subdivision of the State of California

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Created by Dieu Ngu -- 7/25/2019

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- Proposal Area
- Mootamai MWD
- Pauma MWD
- Yuima MWD
- CSA 135 Fire/EMS Service Area



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RESOLUTION NO. ____

SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION

MAKING DETERMINATIONS AND APPROVING A REORGANIZATION AND
ASSOCIATED SPHERE OF INFLUENCE AMENDMENT

PAUMA VALLEY FIRE REORGANIZATION -
DIVESTITURE OF FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE POWERS FOR
PAUMA, YUIMA, AND MOOTAMAI MUNICIPAL WATER DISTRICTS

CONCURRENT AMENDMENT TO SERVICE-SPECIFIC SPHERE OF INFLUENCE AND
EXPANSION OF ACTIVATED FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE POWERS AREA
FOR COUNTY SERVICE AREA NO. 135 (FIRE/EMS)
LAFCO FILE NOS: RO18-13 ET AL.

WHEREAS, on May 2, 2018, the Pauma, Yuima, and Mootamai Municipal Water Districts and the County of San Diego Fire Authority filed a joint resolution of application with the San Diego County Local Agency Formation Commission, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code § 56000, et seq.); and

WHEREAS, the joint application seeks approval for a reorganization involving (1) divestiture of fire protection and emergency medical service powers within approximately 18,500 +/- acres comprising the affected territory; (2) a concurrent amendment to the service-specific sphere of influence for County Service Area No. 135 (Fire/EMS) to include the affected territory; and (3) a concurrent expansion of County Service Area No. 135 (Fire/EMS) activated fire protection and emergency medical services powers area to include the affected territory; and

WHEREAS, on August 7, 2018, the Pauma, Yuima, and Mootamai Municipal Water Districts respectively approved the divestiture of fire protection and emergency medical service powers within the affected territory; and

WHEREAS, on August 7, 2018, the County of San Diego, acting on behalf of CSA No. 135, approved the expansion of the activated latent powers area for fire protection and emergency medical services to include the affected territory; and

WHEREAS, on July 10, 2019, the County of San Diego approved a negotiated property tax exchange for the affected territory; and

WHEREAS, the Commission’s Executive Officer has reviewed the proposal and prepared a report with recommendations; and

WHEREAS, the Executive Officer’s report and recommendations on the proposal and need for a concurrent service-specific sphere of influence amendment with modifications has been presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a noticed public hearing along with reviewing the necessary concurrent sphere of influence amendment for consistency under Government Code § 56375.5 on August 5, 2019.

NOW, THEREFORE, BE IT RESOLVED, the Commission hereby finds, determines, and orders the following:

1. The hearing was held on the date set therefore, and due notice of said hearing was given in the manner required by law.
2. At the hearing, the Commission called for, heard, and considered all public comments by interested parties and read and considered the Executive Officer's report.
3. The Commission serves as lead agency under the California Environmental Quality Act (CEQA) in considering two distinct "projects" associated with the reorganization proposal and as detailed in the Executive Officer's report: (a) accommodating service-specific sphere of influence amendment (b) the reorganization itself. The Commission's findings follow.
 - a) The amendment to the service-specific sphere of influence of County Service Area No. 135 (Fire/EMS) to include the affected territory as modified qualifies as a project but is exempt from additional review per State CEQA Guidelines § 15061(b)(3). This exemption appropriately applies because spheres of influence are planning policies and amendments therein do not authorize any new uses or services, and as such provide certainty there will be no significant effect on the environment.
 - b) The reorganization of fire protection and emergency medical service powers within the affected territory as modified qualifies as a project but is exempt from additional review under CEQA Guidelines § 15320. This exemption appropriately applies given the affected territory is substantially already located within an authorized fire protection and emergency medical services provider and the reorganization will not change the geographic area where previously-existing service powers are authorized and exercised.
4. The Commission APPROVES the following sphere of influence amendment with modifications and subject to conditions as provided. Approval involves all of the following.
 - a) The service-specific sphere of influence for County Service Area No. 135 (Fire/EMS) is amended to include the affected territory as shown in "Exhibit A" and Assessor Parcel Numbers 111-030-06, 109-372-06, 134-120-08, and 134-120-09.
5. The written statements of the Commission addressing the mandatory factors required for consideration any time spheres of influence are adopted, amended, or updated under Government Code § 56425 are provided as "Exhibit B".
6. The Commission APPROVES the joint-reorganization with modifications and subject to conditions as provided. Approval involves all of the following:
 - a) Mootamai, Pauma, and Yuima Municipal Water District's fire protection and emergency medical service powers are divested from their jurisdictional boundaries.

- b) County Service Area No. 135's (Fire/EMS) activated fire protection and emergency medical services power area is expanded to include Mootamai, Pauma, and Yuima Municipal Water District's jurisdictional boundaries and Assessor Parcel Numbers 111-030-06 and 109-372-06.
7. The Commission CONDITIONS the approvals on the following terms being satisfied by August 5, 2020 unless an extension is requested and approved by the Executive Officer:
- a) Completion of the 30-day reconsideration period provided under Government Code § 56895.
- b) Submittal to the Commission of a final map and geographic description of the affected territory as approved by the Commission conforming to the requirements of the State Board of Equalization – Tax Services Division.
- c) Submittal to the Commission of the following payments:
- A check made payable to LAFCO in the amount of \$100.00 to reimburse for filing two CEQA Notices of Exemption consistent with the findings in this resolution.
 - A check made payable to LAFCO in the amount of \$915.20 to reimburse for the public hearing notice publication.
 - A check made payable to the State Board of Equalization for processing fees in the amount of \$3,500.00.
- d) Approximately 1,069 registered voters reside in the affected territory as designated by the Commission and is therefore inhabited as defined in Government Code § 56046.
- e) The Commission delegates to the Executive Officer performing all conducting authority proceeding requirements under Government Code § 57000 and consistent with policy.
- f) Pauma Municipal Water District, Yuima Municipal Water District, and Mootamai Municipal Water District all utilize the regular assessment roll of the County of San Diego.
- g) The effective date of the proposal shall be the date of recordation of the Certificate of Completion.
- h) As allowed under Government Code § 56107, the Commission authorizes the Executive Officer to make non-substantive corrections to this resolution to address any technical defect, error, irregularity, or omission.

**

PASSED AND ADOPTED by the Commission on 5th of August 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

**

ATTEST:

Tamaron Lockett
Executive Assistant

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN DIEGO
TO AMEND THE SPHERE OF INFLUENCE OF THE LATENT POWERS FOR FIRE
PROTECTION AND EMERGENCY MEDICAL SERVICES FOR COUNTY SERVICE
AREA 135 AND EXPAND THE AREA WITHIN COUNTY SERVICE AREA 135
WHERE THE LATENT POWERS OF FIRE PROTECTION AND EMERGENCY
MEDICAL SERVICES ARE EXERCISED INTO THE TERRITORY OF THE
MOOTAMAI MUNICIPAL WATER DISTRICT**

WHEREAS, the Board of Directors of the Mootamai Municipal Water District (“Mootamai MWD”) filed an application to the Local Agency Formation Commission (“LAFCO”) on May 2, 2018 and authorized, pursuant to the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Gov. Code Sec 56000, et seq.), the divestiture of fire and emergency medical services from the Mootamai MWD and the related amendment of the applicable sphere of influence (“Proposed Divestitures”);

WHEREAS, the Board of Supervisors desires that, concurrently with the Proposed Divestiture, the sphere of influence for the latent powers area (fire protection and emergency medical services) of County Service Area (“CSA”) 135 (San Diego Regional Communications/Fire Protection) be amended to reflect the territory of the Mootamai MWD;

WHEREAS, the latent powers of CSA 135 to provide fire protection and emergency medical services, activated by LAFCO on November 19, 2008, have been exercised pursuant to LAFCO authorization for a geographically limited area within the boundaries of the CSA (hereafter, referenced as “latent powers subarea”);

WHEREAS, the Board of Supervisors desires that, concurrently with the Proposed Dissolution, the latent powers subarea of CSA 135 for fire protection and emergency medical services, be expanded to include the territory of the Mootamai MWD;

WHEREAS, the reasons for the proposed sphere of influence amendment and latent powers area expansion are as follows:

- (1) To ensure continuity of fire protection and emergency medical service for the territory of the Mootamai MWD;
- (2) To ensure the long-term security of fire protection service to the communities within the territory of the Mootamai MWD; and
- (3) To eliminate duplication of management, administration, and oversight associated with the operation of multiple Special Districts providing the same service;

WHEREAS, a plan for service prepared pursuant to Government Code Section 56824.12 is provided as Exhibit B;

Resolution No. 18-121
Meeting Date: 08/07/18 (01)

WHEREAS, the boundaries of the affected territory are depicted in Exhibit A;

WHEREAS, CSA 135 shall use best efforts to improve current Insurance Service Office (ISO) ratings within the expanded latent powers subarea;

WHEREAS, pursuant to the Notice of Exemption filed on August 7, 2018 and Sections 15060(c)(3) and 15378(b)(5) of the California Environment Quality Act (CEQA) Guidelines, the project is exempt from CEQA review;

WHEREAS, all other legal prerequisites to the adoption of this Resolution have been met; and

WHEREAS, this request requires a concurrent amendment to CSA 135's fire protection and emergency medical specific sphere of influence and is conditioned on approval of the proposal on file with LAFCO as of August 7, 2018 to divest fire and emergency medical services from the Mootamai MWD.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT, pursuant to California Government Code sections 56428 and 25210.2, subdivision (g), application is hereby made to the LAFCO to:

- (1) Amend the sphere of influence for fire protection and emergency medical services latent powers within CSA 135 to include the territory of the Mootamai MWD; and
- (2) Expand the latent power area for fire protection and emergency medical services within CSA 135 to include the territory of the Mootamai MWD.

IT IS FURTHER RESOLVED THAT:

- (1) The above recitals are true and correct;
- (2) The Director, County Fire Authority, or designee, is hereby authorized and directed to file a certified copy of this Resolution with the Executive Officer of the LAFCO; and
- (3) The Director, County Fire Authority, or designee, is hereby authorized and directed to prepare the necessary LAFCO Application documents, conduct investigations, and take any action necessary to process the application.

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

By Suedy Alfaro
Senior Deputy County Counsel

Resolution No. 18-122
Meeting Date: 08/07/18 (01)

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN DIEGO
TO AMEND THE SPHERE OF INFLUENCE OF THE LATENT POWERS FOR FIRE
PROTECTION AND EMERGENCY MEDICAL SERVICES FOR COUNTY SERVICE
AREA 135 AND EXPAND THE AREA WITHIN COUNTY SERVICE AREA 135
WHERE THE LATENT POWERS OF FIRE PROTECTION AND EMERGENCY
MEDICAL SERVICES ARE EXERCISED INTO THE TERRITORY OF THE PAUMA
MUNICIPAL WATER DISTRICT**

WHEREAS, the Board of Directors of the Pauma Municipal Water District ("Pauma MWD") filed an application to the Local Agency Formation Commission ("LAFCO") on June 4, 2018 and authorized, pursuant to the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Gov. Code Sec 56000, et seq.), the divestiture of fire and emergency medical services from the Pauma MWD and the related amendment of the applicable sphere of influence ("Proposed Divestitures");

WHEREAS, the Board of Supervisors desires that, concurrently with the Proposed Divestiture, the sphere of influence for the latent powers area (fire protection and emergency medical services) of County Service Area ("CSA") 135 (San Diego Regional Communications/Fire Protection) be amended to reflect the territory of the Pauma MWD;

WHEREAS, the latent powers of CSA 135 to provide fire protection and emergency medical services, activated by LAFCO on November 19, 2008, have been exercised pursuant to LAFCO authorization for a geographically limited area within the boundaries of the CSA (hereafter, referenced as "latent powers subarea");

WHEREAS, the Board of Supervisors desires that, concurrently with the Proposed Dissolution, the latent powers subarea of CSA 135 for fire protection and emergency medical services, be expanded to include the territory of the Pauma MWD;

WHEREAS, the reasons for the proposed sphere of influence amendment and latent powers area expansion are as follows:

- (1) To ensure continuity of fire protection and emergency medical service for the territory of the Pauma MWD;
- (2) To ensure the long-term security of fire protection service to the communities within the territory of the Pauma MWD; and
- (3) To eliminate duplication of management, administration, and oversight associated with the operation of multiple Special Districts providing the same service;

WHEREAS, a plan for service prepared pursuant to Government Code Section 56824.12 is provided as Exhibit B;

Resolution No. 18-122
Meeting Date: 08/07/18 (01)

WHEREAS, the boundaries of the affected territory are depicted in Exhibit A;

WHEREAS, CSA 135 shall use best efforts to improve current Insurance Service Office (ISO) ratings within the expanded latent powers subarea;

WHEREAS, pursuant to the Notice of Exemption filed on August 7, 2018 and Sections 15060(c)(3) and 15378(b)(5) of the California Environment Quality Act (CEQA) Guidelines, the project is exempt from CEQA review;

WHEREAS, all other legal prerequisites to the adoption of this Resolution have been met; and

WHEREAS, this request requires a concurrent amendment to CSA 135's fire protection and emergency medical specific sphere of influence and is conditioned on approval of the proposal on file with LAFCO as of August 7, 2018 to divest fire and emergency medical services from the Pauma MWD.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT, pursuant to California Government Code sections 56428 and 25210.2, subdivision (g), application is hereby made to the LAFCO to:

- (1) Amend the sphere of influence for fire protection and emergency medical services latent powers within CSA 135 to include the territory of the Pauma MWD; and
- (2) Expand the latent power area for fire protection and emergency medical services within CSA 135 to include the territory of the Pauma MWD.

IT IS FURTHER RESOLVED THAT:

- (1) The above recitals are true and correct;
- (2) The Director, County Fire Authority, or designee, is hereby authorized and directed to file a certified copy of this Resolution with the Executive Officer of the LAFCO; and
- (3) The Director, County Fire Authority, or designee, is hereby authorized and directed to prepare the necessary LAFCO Application documents, conduct investigations, and take any action necessary to process the application.

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

By Suedy Alfaro
Senior Deputy County Counsel

Resolution No. 18-120
Meeting Date: 08/07/18 (01)

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN DIEGO
TO AMEND THE SPHERE OF INFLUENCE OF THE LATENT POWERS FOR FIRE
PROTECTION AND EMERGENCY MEDICAL SERVICES FOR COUNTY SERVICE
AREA 135 AND EXPAND THE AREA WITHIN COUNTY SERVICE AREA 135
WHERE THE LATENT POWERS OF FIRE PROTECTION
AND EMERGENCY MEDICAL SERVICES ARE EXERCISED INTO THE
TERRITORY OF THE YUIMA MUNICIPAL WATER DISTRICT**

WHEREAS, the Board of Directors of the Yuima Municipal Water District ("Yuima MWD") filed an application to the Local Agency Formation Commission ("LAFCO") on June 6, 2018 and authorized, pursuant to the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Gov. Code Sec 56000, et seq.), the divestiture of fire and emergency medical services from the Yuima MWD and the related amendment of the applicable sphere of influence ("Proposed Divestitures");

WHEREAS, the Board of Supervisors desires that, concurrently with the Proposed Divestiture, the sphere of influence for the latent powers area (fire protection and emergency medical services) of County Service Area ("CSA") 135 (San Diego Regional Communications/Fire Protection) be amended to reflect the territory of the Yuima MWD;

WHEREAS, the latent powers of CSA 135 to provide fire protection and emergency medical services, activated by LAFCO on November 19, 2008, have been exercised pursuant to LAFCO authorization for a geographically limited area within the boundaries of the CSA (hereafter, referenced as "latent powers subarea");

WHEREAS, the Board of Supervisors desires that, concurrently with the Proposed Dissolution, the latent powers subarea of CSA 135 for fire protection and emergency medical services, be expanded to include the territory of the Yuima MWD;

WHEREAS, the reasons for the proposed sphere of influence amendment and latent powers area expansion are as follows:

- (1) To ensure continuity of fire protection and emergency medical service for the territory of the Yuima MWD;
- (2) To ensure the long-term security of fire protection service to the communities within the territory of the Yuima MWD; and
- (3) To eliminate duplication of management, administration, and oversight associated with the operation of multiple Special Districts providing the same service;

WHEREAS, a plan for service prepared pursuant to Government Code Section 56824.12 is provided as Exhibit B;

Resolution No. 18-120
Meeting Date: 08/07/18 (01)

WHEREAS, the boundaries of the affected territory are depicted in Exhibit A;

WHEREAS, CSA 135 shall use best efforts to improve current Insurance Service Office (ISO) ratings within the expanded latent powers subarea;

WHEREAS, pursuant to the Notice of Exemption filed on August 7, 2018 and Sections 15060(c)(3) and 15378(b)(5) of the California Environment Quality Act (CEQA) Guidelines, the project is exempt from CEQA review;

WHEREAS, all other legal prerequisites to the adoption of this Resolution have been met; and

WHEREAS, this request requires a concurrent amendment to CSA 135's fire protection and emergency medical specific sphere of influence and is conditioned on approval of the proposal on file with LAFCO as of August 7, 2018 to divest fire and emergency medical services from the Yuima MWD.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT, pursuant to California Government Code sections 56428 and 25210.2, subdivision (g), application is hereby made to the LAFCO to:

- (1) Amend the sphere of influence for fire protection and emergency medical services latent powers within CSA 135 to include the territory of the Yuima MWD; and
- (2) Expand the latent power area for fire protection and emergency medical services within CSA 135 to include the territory of the Yuima MWD.

IT IS FURTHER RESOLVED THAT:

- (1) The above recitals are true and correct;
- (2) The Director, County Fire Authority, or designee, is hereby authorized and directed to file a certified copy of this Resolution with the Executive Officer of the LAFCO; and
- (3) The Director, County Fire Authority, or designee, is hereby authorized and directed to prepare the necessary LAFCO Application documents, conduct investigations, and take any action necessary to process the application.

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

By Suedy Alfaro
Senior Deputy County Counsel

Resolution No. 184-18

**A RESOLUTION OF APPLICATION
BY THE MOOTAMAI MUNICIPAL WATER DISTRICT
REQUESTING THE LOCAL AGENCY FORMATION COMMISSION
TO TAKE PROCEEDINGS
FOR DIVESTITURE OF FIRE AND EMERGENCY MEDICAL SERVICES**

RESOLVED, by the Board of Directors of the Mootamai Municipal Water District, that

WHEREAS, the Board of Directors of the Mootamai Municipal Water District (Mootamai MWD) desires to initiate proceedings pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code, for the Divestiture of Fire and Emergency Medical Services (EMS); and

WHEREAS, the proposed change of organization includes the following jurisdictional change:

Divestiture of Fire and EMS Services from Mootamai MWD; and

WHEREAS, the reason(s) for the proposed change(s) of organization is/are as follows:

- (1) Ensure continuity of fire protection and emergency medical service for the territory of the former Mootamai MWD;
- (2) Ensure the long-term security of fire protection service to the communities within the territory of Mootamai MWD;
- (3) Eliminate duplication of management, administration, and oversight associated with the operation of multiple Special Districts providing the same service; and

WHEREAS, the map of the current Mootamai MWD territory is attached hereto as Attachment A and by this reference is incorporated herein; and

WHEREAS, terms and conditions for the proposed divestiture of fire and EMS services from Mootamai MWD are set forth in Attachment B; and

WHEREAS, the proposed divestiture of fire and EMS services from Mootamai MWD is contingent upon the designation of CSA No. 135 as successor to Mootamai MWD to deliver at least all of the Mootamai MWD services at levels no less than those provided by Mootamai MWD on the day immediately prior to the effective date of the proposed divestiture; and

NOW, THEREFORE, this Resolution of Application is hereby approved and adopted by the Board of Directors of the Mootamai Municipal Water District. The Local Agency Formation Commission of San Diego County is hereby requested to take proceedings for the proposed change of organization that includes the territory as described in Attachment A according to the terms and conditions in Attachment B and in the manner provided by the Cortese/ Knox/ Hertzberg Local Government Reorganization Act of 2000.

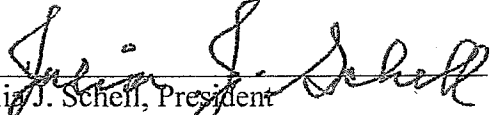
PASSED AND ADOPTED by the Board of Directors of the Mootamai Municipal Water District at a regular meeting thereof held on May 2, 2018 by the following vote:


AYES: Schell, Biendi, Larios, Beresford

NOES: none

ABSENT: none

ABSTAIN: none


Julia J. Schell, President
Mootamai Municipal Water District


Norma Larios, Secretary
Mootamai Municipal Water District

Resolution No. 184-18

Mootamai Municipal Water District

Resolution No. 2018-3

**A RESOLUTION OF APPLICATION
BY THE PAUMA MUNICIPAL WATER DISTRICT
REQUESTING THE LOCAL AGENCY FORMATION COMMISSION
TO TAKE PROCEEDINGS
FOR DIVESTITURE OF FIRE AND EMERGENCY MEDICAL SERVICES**

RESOLVED, by the Board of Directors of the Pauma Municipal Water District, that

WHEREAS, the Board of Directors of the Pauma Municipal Water District (Pauma MWD) desires to initiate proceedings pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code, for the Divestiture of Fire and Emergency Medical Services (EMS); and

WHEREAS, the proposed change of organization includes the following jurisdictional change:

Divestiture of Fire and EMS Services from Pauma MWD; and

WHEREAS, the reason(s) for the proposed change(s) of organization is/are as follows:

- (1) Ensure continuity of fire protection and emergency medical service for the territory of the former Pauma MWD;
- (2) Ensure the long-term security of fire protection service to the communities within the territory of Pauma MWD;
- (3) Eliminate duplication of management, administration, and oversight associated with the operation of multiple Special Districts providing the same service; and

WHEREAS, the map of the current Pauma MWD territory is attached hereto as Attachment A and by this reference is incorporated herein; and

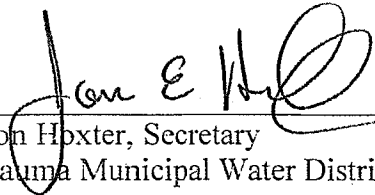
WHEREAS, terms and conditions for the proposed divestiture of fire and EMS services from Pauma MWD are set forth in Attachment B; and

WHEREAS, the proposed divestiture of fire and EMS services from Pauma MWD is contingent upon the designation of CSA No. 135 as successor to Pauma MWD to deliver at least all of the Pauma MWD services at levels no less than those provided by Pauma MWD on the day immediately prior to the effective date of the proposed divestiture; and

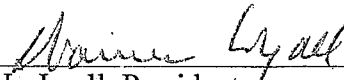
NOW, THEREFORE, this Resolution of Application is hereby approved and adopted by the Board of Directors of the Pauma Municipal Water District. The Local Agency Formation Commission of San Diego County is hereby requested to take proceedings for the proposed change of organization that includes the territory as described in Attachment A according to the terms and conditions in Attachment B and in the manner provided by the Cortese/ Knox/ Hertzberg Local Government Reorganization Act of 2000.

PASSED AND ADOPTED by the Board of Directors of the Pauma Municipal Water District at a special meeting thereof held on June 4, 2018 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:



Jon Hoxter, Secretary
Pauma Municipal Water District



W.L. Lyall, President
Pauma Municipal Water District

Resolution No. 2018-3

Pauma Municipal Water District

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN DIEGO
TO AMEND THE SPHERE OF INFLUENCE OF THE LATENT POWERS FOR FIRE
PROTECTION AND EMERGENCY MEDICAL SERVICES FOR COUNTY SERVICE
AREA 135 AND EXPAND THE AREA WITHIN COUNTY SERVICE AREA 135
WHERE THE LATENT POWERS OF FIRE PROTECTION
AND EMERGENCY MEDICAL SERVICES ARE EXERCISED INTO THE
TERRITORY OF THE YUIMA MUNICIPAL WATER DISTRICT**

WHEREAS, the Board of Directors of the Yuima Municipal Water District (“Yuima MWD”) filed an application to the Local Agency Formation Commission (“LAFCO”) on June 6, 2018 and authorized, pursuant to the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Gov. Code Sec 56000, et seq.), the divestiture of fire and emergency medical services from the Yuima MWD and the related amendment of the applicable sphere of influence (“Proposed Divestitures”);

WHEREAS, the Board of Supervisors desires that, concurrently with the Proposed Divestiture, the sphere of influence for the latent powers area (fire protection and emergency medical services) of County Service Area (“CSA”) 135 (San Diego Regional Communications/Fire Protection) be amended to reflect the territory of the Yuima MWD;

WHEREAS, the latent powers of CSA 135 to provide fire protection and emergency medical services, activated by LAFCO on November 19, 2008, have been exercised pursuant to LAFCO authorization for a geographically limited area within the boundaries of the CSA (hereafter, referenced as “latent powers subarea”);

WHEREAS, the Board of Supervisors desires that, concurrently with the Proposed Dissolution, the latent powers subarea of CSA 135 for fire protection and emergency medical services, be expanded to include the territory of the Yuima MWD;

WHEREAS, the reasons for the proposed sphere of influence amendment and latent powers area expansion are as follows:

- (1) To ensure continuity of fire protection and emergency medical service for the territory of the Yuima MWD;
- (2) To ensure the long-term security of fire protection service to the communities within the territory of the Yuima MWD; and
- (3) To eliminate duplication of management, administration, and oversight associated with the operation of multiple Special Districts providing the same service;

WHEREAS, a plan for service prepared pursuant to Government Code Section 56824.12 is provided as Exhibit B;

Resolution No. 18-120
Meeting Date: 08/07/18 (01)

WHEREAS, the boundaries of the affected territory are depicted in Exhibit A;

WHEREAS, CSA 135 shall use best efforts to improve current Insurance Service Office (ISO) ratings within the expanded latent powers subarea;

WHEREAS, pursuant to the Notice of Exemption filed on August 7, 2018 and Sections 15060(c)(3) and 15378(b)(5) of the California Environment Quality Act (CEQA) Guidelines, the project is exempt from CEQA review;

WHEREAS, all other legal prerequisites to the adoption of this Resolution have been met; and

WHEREAS, this request requires a concurrent amendment to CSA 135's fire protection and emergency medical specific sphere of influence and is conditioned on approval of the proposal on file with LAFCO as of August 7, 2018 to divest fire and emergency medical services from the Yuima MWD.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT, pursuant to California Government Code sections 56428 and 25210.2, subdivision (g), application is hereby made to the LAFCO to:

- (1) Amend the sphere of influence for fire protection and emergency medical services latent powers within CSA 135 to include the territory of the Yuima MWD; and
- (2) Expand the latent power area for fire protection and emergency medical services within CSA 135 to include the territory of the Yuima MWD.

IT IS FURTHER RESOLVED THAT:

- (1) The above recitals are true and correct;
- (2) The Director, County Fire Authority, or designee, is hereby authorized and directed to file a certified copy of this Resolution with the Executive Officer of the LAFCO; and
- (3) The Director, County Fire Authority, or designee, is hereby authorized and directed to prepare the necessary LAFCO Application documents, conduct investigations, and take any action necessary to process the application.

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

By Suedy Alfaro
Senior Deputy County Counsel

Listing of all Affected APNs in Pauma Valley Fire Proposal

1091201100	1111002200	1111800600	1281510700	1300503700	1300804721	1301910500	1310202200
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