



San Diego County Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

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AGENDA REPORT Public Hearing

March 6, 2023

TO: Commissioners

FROM: Keene Simonds, Executive Officer
Carolanne Ieromnimon, Analyst I

SUBJECT: Proposed “Borrego Springs Fire Protection District Reorganization” (RO22-19) |
Dissolution of the Borrego Springs Fire Protection District and Concurrent
Annexation to the San Diego County Fire Protection District

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider a reorganization filed by Borrego Springs Fire Protection District (FPD) to transfer fire protection, emergency medical, and ambulance transport responsibilities in Borrego Springs. The proposed transfer involves two concurrent jurisdictional changes requiring LAFCO approval. These changes involve dissolving the Borrego Springs FPD and concurrently annexing the approximate 198,400-acre affected territory with an estimated 3,105 residents to the San Diego County FPD as successor agency to all duties, assets, and liabilities. This includes transferring current Borrego Springs FPD employees. The purpose of the negotiated proposal is to economize the subject services within the affected territory through the expanded resources of the San Diego County FPD. Staff recommends conditional approval of the proposal as submitted along with conforming sphere of influence amendments. It is also recommended the Commission delegate protest to the Executive Officer and make exemption findings under the California Environmental Quality Act.

Administration:
Keene Simonds, Executive Officer
2550 Fifth Avenue, Suite 725
San Diego, California 92103
T 619.321.3380
E lafco@sdcountry.ca.gov
www.sdlafco.org

Chair Jim Desmond
County of San Diego
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County of San Diego
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County of San Diego

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BACKGROUND

Applicant Filing and Requested Approval Terms

San Diego LAFCO has received a resolution of application from the Borrego Springs FPD requesting approval to reorganize 198,400 acres that comprises its entire jurisdictional boundary. The resolution was approved by Borrego Springs FPD on August 25, 2022 by a vote of 3 to 2. The request involves the concurrent dissolution of Borrego Springs FPD and annexation to San Diego County FPD as the proposed successor agency to the current provision of fire protection, emergency medical, and ambulance transport. Overall, the affected territory consists of 6,287 legal parcels with a total assessed land value of \$639.0 million. The estimated population is 3,105 with a current count of 1,401 registered voters¹.

The proposal includes several requested approval terms that have been negotiated between Borrego Springs and San Diego County FPDs. They include all of the following.

- All existing Borrego Springs FPD employees will be employed either by the State of California via CAL FIRE or offered equivalent employment with San Diego County FPD.
- San Diego County FPD shall provide a full time 3-person staffed paramedic fire engine and a full time 2-person staffed paramedic ambulance at the Borrego Springs Fire Station.
- San Diego County FPD shall ensure the Borrego Springs Fire Station is a must-cover station and means backfilling within 30 minutes.
- San Diego County FPD will ensure a Battalion Chief is assigned to oversee the Borrego Springs Fire Station.

Regional Setting

The affected territory as proposed comprises the entirety of Borrego Springs FPD’s jurisdictional boundary located in far northeast San Diego County and the extreme western edge of the Sonoran Desert. The affected territory largely overlaps with the census designated community of Borrego Springs and Anza-Borrego Desert State Park. Other nearby communities include Ranchita (13.7 miles), Ocotillo Wells (17.9 miles), and Shelter Valley (21.7 miles).² State Route 78 serves as the local connector within the affected territory via Borrego Springs Road. The elevation ranges from 460 feet to 6,200 feet above sea level with the latter point recorded on Combs Peak in the Anza-Borrego Desert State Park. Predominant land uses are low – to – moderate residential density as well as several visitor-serving resorts.

An aerial map of the affected territory and its regional setting follows.

¹ A listing of APNs is available on our website at sdlafco.org

² Approximate travel miles are based on point-to-point distances from the center of Borrego Springs (734 Diamond Bar Road).



Maps showing Borrego Springs FPD and San Diego County FPD’s jurisdictional boundaries are provided as Attachments One and Two.

Subject Agencies

The proposed reorganization filed with San Diego LAFCO involves two subject agencies: Borrego Springs FPD and San Diego County FPD.³ A summary of the subject agencies in terms of governance, population, municipal functions, and financial standings follow.

- **Borrego Springs FPD** is an independent special district governed by a five-member board of directors. An appointed general manager (fire chief) oversees day-to-day activities, and this includes a current full-time budgeted staff of 14.0. Borrego Springs FPD was formed in 1961 with an existing jurisdictional boundary spanning 198,400 acres or 310 square miles and anchored by Borrego Springs and its mix of residential, commercial, and tourist-serving land uses and related amenities. Borrego Springs FPD provides three municipal service functions: fire protection; emergency medical; and ambulance transport. LAFCO last updated Borrego Springs FPD’s sphere of influence in 2007 with a coterminous designation. The most recent audit shows Borrego Springs

³ State law defines “subject agency” to mean any district or city for which a change of organization or reorganization is proposed.

FPD net position at \$1.556 million as of June 30, 2022. This accrued amount reflects an overall three-year change of 34.7% and includes an unrestricted portion of \$0.493 million. The audited balance sheet shows a total of \$1.713 million with \$1.337 million unassigned and readily spendable.

- **San Diego County FPD** is a dependent special district formed in December 2020 as part of a LAFCO-approved reorganization to separate and transfer County Service Area No. 135’s fire protection and emergency medical service functions to a stand-alone FPD. San Diego County FPD is governed by the County Board of Supervisors with administration tasked to the Public Safety Group’s Fire Authority Division – which includes a current budgeted staff of 59. Field operations are contracted with CAL FIRE with 240 personnel currently assigned to San Diego County FPD. LAFCO established a coterminous sphere of influence designation for San Diego County FPD in 2020 to match its jurisdictional boundary, which spans 2,500 square miles and 45 unincorporated communities, including Julian, Pauma Valley, Descanso, Pine Valley, Ramona, Ranchita, Warner Springs, and Boulevard. The most recent audit shows the County of San Diego’s total net position at \$4.065 billion as of June 30, 2022. This accrued amount reflects an overall three-year change of 21.9% and includes an unrestricted portion of (\$1.099 billion).⁴ The audited balance sheet shows a total of \$3.327 billion with \$616.5 million unassigned and readily spendable.

Affected Local Agencies

The affected territory presently lies within the jurisdictional boundaries and/or spheres of influence of seven local agencies directly subject to San Diego LAFCO’s planning and regulatory responsibilities. These seven qualify as “affected agencies” and have received written notice of the proposal and opportunity to comment.⁵

- County Service Area No. 135 (Regional Communications)
- Borrego Springs FPD
- Borrego Water District
- Coachella Valley Water District
- Resource Conservation District of Greater San Diego County
- San Diego County Street Lighting District
- San Diego County Flood Control District

The affected territory also lies within the following school and college districts, and accordingly also received notice of the reorganization proposal: Borrego Springs Unified (elementary, middle, and high school) and Palomar Community College.

⁴ The unrestricted portion of the net position adjusts to 1.610 billion less employee retirement liabilities.

⁵ State law defines “affected local agency” as any entity that contains, or would contain, or whose sphere contains or would contain, any territory for which a change of organization is proposed or ordered. Notice of the proposal and hearing were provided to the agencies.

DISCUSSION

This item is for San Diego LAFCO to consider approving – with or without discretionary modifications to the physical footprint – the reorganization proposal and its underlying action to dissolve Borrego Springs FPD and transfer its fire, emergency medical and ambulance transport service functions to the San Diego County FPD via concurrent annexation. 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, related development opportunities, and Commission focus follows.

Proposal Purpose

The purpose of the proposed reorganization is to help economize fire, emergency medical, and ambulance transport services within the affected territory through the expanded resources of San Diego County FPD. The timing of the proposal follows voters in Borrego Springs FPD disapproving a special parcel tax increase (Measure PP) in November 2018 that otherwise would have provided an additional \$0.720 million in annual revenues. Subsequent negotiations between both FPDs proved successful with San Diego County FPD agreeing to assume all service function responsibilities while also committing to specific terms – including retention of all existing Borrego Springs FPD employees post reorganization.

Current and Planned Development & Related Policies

No development plans are associated with the reorganization proposal.

All of the affected territory is unincorporated and under the land use authority of the County of San Diego and its adopted policies. Specific development policies for the affected territory are delegated in the County General Plan to the Borrego Springs Community Plan, which is one of 22 designated communities identified by the Board of Supervisors meriting stand-alone land use provisions. A nine-member advisory body - Borrego Springs Community Sponsor Group - assists in implementing the Borrego Springs Community Plan. Addressing the overdraft of the local groundwater basis serves as an explicit premise to the Community Plan and its leading vision statement to be recognized “as a major designation for tourism.”

Commission Focus

Three central and sequential policy items underlie San Diego LAFCO’s consideration for the proposed reorganization. These policy items ultimately take the form of determinations and orient the Commission to consider the interrelated merits of (a) accommodating sphere of influence amendments for both subject agencies, (b) timing of the reorganization, and (c) whether modifications or approval terms are appropriate. The Commission must also consider other relevant statutes in and outside LAFCO law as detailed.

ANALYSIS

San Diego County LAFCO’s analysis of the proposed reorganization is divided into two distinct subsections. The first subsection pertains to evaluating the central policy issues referenced in the preceding section. This includes the headlining action to transfer fire protection, emergency medical, and ambulance transport functions within the affected territory to the County of San Diego via the San Diego County FPD. The second subsection considers other germane issues required for LAFCO proposal consideration, and this includes complying with the California Environmental Quality Act (CEQA).

Central Policy Items

Item No. 1 | Conforming Sphere of Influence Amendments

The proposed reorganization necessitates San Diego LAFCO to consider conforming sphere of influence actions for the two subject agencies to achieve consistency with the requested jurisdictional changes as required under statute. Consideration of the amendments are premised on LAFCO’s statutory responsibility to designate spheres to demark the affected agencies’ appropriate jurisdictional boundary and/or service areas now and into the immediate future as determined by the Commission. This includes demarking the Commission’s expectation of exclusive responsibilities for one or more municipal services.

Amendments prompted by the proposed reorganization involve (a) eliminating Borrego Springs FPD’s sphere and concurrently (b) expanding San Diego County FPD’ sphere to capture all of the affected territory. Three related factors drawn from statute and local policy guide the amendments’ analysis. The statutory factors relate to an informing municipal service review along with addressing the general relationship between the agencies and affected territory.⁶ Local policy requires consideration of L-102 and its provisions to guide sphere actions in San Diego County. Analysis of these three sphere factors follow.

- Sphere Factor No. 1:
Consideration of a Municipal Service Review

Statute requires LAFCO to prepare municipal service reviews to inform its related task to regularly review and update all local agencies’ spheres of influence. The statute further directs LAFCO perform sphere updates every five years as needed. The most recent municipal service review prepared by LAFCO germane to the proposal was less than three years ago in May 2020 with a review of County Service Area (CSA) No. 135, which at the time operated the County Fire Authority. The municipal service review – notably – recommended and ultimately served as the Commission’s basis for approving a reorganization in October 2020 to divest CSA No. 135 of its fire protection and related functions and concurrently transfer as part of the formation of the San Diego County FPD. The information provided in the recent municipal service review

⁶ Reference to Government Codes 56430 and 56425, respectively.

remains relevant and timely. Among other features, the municipal service review sufficiently attests to San Diego County FPD’s overall resources and justification therein to be designated as the most appropriate provider of fire protection, emergency medical, and ambulance transport for the lands going forward.

- Sphere Factor No. 2:
Consideration of the Agency-Affected Territory Relationship

The Legislature prescribes consideration of five factors anytime LAFCOs act on spheres of influence. These factors parallel the macro topics in municipal service reviews with a generalized focus on the relationship with the affected territory – including service needs and adequacy of available services. The factors also orient the Commission to broadly consider the relationship between current and planned land uses in the affected territory plus – and as needed – effects on qualifying disadvantaged unincorporated communities. The factors and staff analysis follows.

- With respect to **present and planned land uses**, the affected territory as submitted spans 198,300 acres and three-fourths – or 75.0% – is largely dedicated to the Anza-Borrego Desert State Park. The remainder of the affected territory includes a mix of residential, commercial, and resort uses in the central “village” Borrego Springs area. A considerable portion of land uses are directly tied – economically and socially – to tourism.
- With respect to **present and probable need for one or more public services**, the affected territory’s existing and planned land uses and their prominent relationship with tourism merit a variety of organized public services. This includes reliable fire protection, emergency medical, and ambulance transport.
- With respect to **adequacy of the agencies’ public services**, a 2019 municipal service review on San Diego County FPD attests to the overall sufficiency of resources to provide fire protection, emergency medical, and ambulance transport.
- With respect to **relevant social or economic communities of interest**, the affected territory has established informal ties with San Diego County FPD that are germane to the proposal given its current role in managing fire protection and related services in surrounding lands. Inclusion of the affected territory within San Diego County FPD’s sphere would formalize these social and economic ties through LAFCO policy and clarify San Diego County FPD’s expanding role therein in managing services throughout the greater “backcountry” region.
- With respect to **present and probable need for water, wastewater, or fire protection services involving any disadvantaged unincorporated communities**, all the affected territory qualifies for the referenced designation under LAFCO statute. Most developed lands are within the Borrego Water District and receive and/or are eligible to receive water and wastewater services.

- Sphere Factor No. 3:
Consideration of Policy L-102

San Diego LAFCO’s policies guiding sphere of influence actions are primarily codified under L-102. This policy was adopted in August 1990 and last substantively updated in June 2000. It directs the Commission to utilize spheres to guide deliberations on future changes of organizations and in doing so – among other growth management objectives – help reflect and preserve community identities. The policy further directs LAFCO to use spheres to discourage duplication of municipal services and similarly encourages local agency consolidations, whether functional or political.

The sphere of influence amendments necessary to accommodate the proposed reorganization conforms with L-102. The amendments would facilitate known and complimentary jurisdictional changes that concurrently recognize and keep whole an existing community. The amendments would also continue to serve as policy tool in protecting against unnecessary service duplications by designating San Diego County FPD as the preferred fire protection, emergency medical, and ambulance transport server within the affected territory.

CONCLUSION | MERITS OF CONFORMING SPHERE OF INFLUENCE AMENDMENTS

The conforming sphere of influence amendments to accommodate the proposed reorganization are sufficiently justified under both statute and local policy. Justification is marked by the preceding analysis and largely premised on two related assumptions. First, it is assumed the Commission determines the 2019 municipal service review completed on San Diego County FPD (via CSA No. 135) adequately informs the membership in assessing FPD’s overall abilities and resources. Second, it is assumed the Commission agrees the transition of the affected territory into San Diego County FPD’s sphere is in the best interest of the community’s economic and social well-being now and going forward.

Item No. 2 | Reorganization Timing

San Diego LAFCO’s consideration of the proposed reorganizations’ timing draws on analyzing baseline factors required in statute well as applicable policies set by the Commission. Most of the baseline factors in statute focuses on disclosing and otherwise addressing compatibility issues with external goals and policies of other State, regional, and local agencies.⁷ Applicable local policies prompted for consideration are headlined by L-107 and its attention to disclosing and/or addressing any known or perceived jurisdictional disputes.

⁷ Reference to Government Code Section 56668.

Analysis of these two related timing factors follows.

- Timing Factor No. 1:

Baseline Considerations: Regional Policies + Service Relationships

State law prescribes the mandatory consideration of certain and multifaceted factors anytime LAFCOs consider jurisdictional changes. These factors range in substance from disclosures – such as the affected territory’s current land uses, assessed values, register voter counts, and so on – to discretionary analyses. This latter category is highlighted by evaluating the proposed jurisdictional changes’ relationship to community needs as well as the service capacities and related financial resources of the subject agencies with an emphasis on the receiving – or annexing – agencies. A summary of key conclusions generated in the review of these discretionary matters for the proposed reorganizations regarding (a) service needs, (b) service availability and capacities, and (c) related financial considerations follow.

- With respect to **service needs**, the present and planned land uses of the affected territory merits organized fire protection, emergency medical, and ambulance transport services. This need is highlighted by an established residential population of more than 3,000 as well as accommodating weekend and summer visitors associated with the local tourism economy. The need is also reflected in providing front-line defense for wildland events from surrounding public and open-space areas from the east via Santa Ana winds. The need is further quantified with an overall onsite demand of 1.6 incidents each day over the prior three years.
- With respect to **service availability and capacities**, the reorganization and associated transfer of the fire protection, emergency medical, and ambulance transport from Borrego Springs FPD to San Diego County FPD will maintain and/or improve existing service levels. Staffing will continue at 24-hour coverage, seven days a week, 365 days per year. Career firefighters will also continue to provide advanced life support (ALS). Improvements involve both staffing levels and equipment replacements. Currently, Borrego Springs FPD staffs its one station (No. 91) with a total of 4 personnel, with the fire engine and ambulance each staffed with two personnel. As a component of this dissolution and reorganization, San Diego County FPD has committed to add one additional position to the fire engine per day, so that the engine will be staffed with 3 personnel, in accordance with San Diego County FPD staffing standards. San Diego County FPD will also add Station No. 91 to its adopted Capital Replacement Plan and help ensure all engines and ancillary equipment is being replaced consistent with industry standards.
- With respect to **related financial considerations**, San Diego County FPD has adequate financial resources and administrative controls to assume fire protection, emergency medical, and ambulance transport to the affected territory. San Diego County FPD is primarily funded through General Fund allocations authorized by the Board of Supervisors. The amount of General Fund monies provided to the FPD is considered reliable given voters recently approved an amendment to the County

Charter in 2019 to add fire protection and related functions as a formal service commitment. Relatedly, overall budget allocations have increased over the last three fiscal years by 58.0% from \$56.0 million to \$88.2 million.

- Timing Factor No. 2:
Consideration of Policy L-107

San Diego LAFCO adopted L-107 in May 2010 to require all applicants to disclose jurisdictional disputes or related items that are associated with their proposal filings. If applicable, and unless waived by the Executive Officer, the policy requires applicants and/or their representatives to consult with opponents to resolve any known issues – concerns, disputes, etc. – before the item is formally considered by the Commission.⁸ If an agreement is reached through the consultation process, the policy states the Commission shall consider the provisions as part of the application. If an agreement is not reached despite exhausting good-faith efforts, the policy states the Commission shall proceed to consider the application as submitted.

No jurisdictional disputes have been disclosed by the Borrego Springs FPD in filing the reorganization proposal with LAFCO. In contrast, the applicant has provided supporting resolution from the San Diego County FPD. No objections to the proposal have been separately received from any other local agencies.

CONCLUSION | MERITS OF REORGANIZATION TIMING

The timing of the reorganization to transfer fire protection, emergency medical, and ambulance transport services in the affected territory from Borrego Springs FPD to San Diego County FPD is warranted. The reorganization represents an appropriate and reasonable pivot given voters within the affected territory rejected a special parcel tax increase (Measure PP) in November 2018 that would have provided Borrego Springs FPD needed monies to cover its increasing pension liabilities. San Diego County FPD’s economies of scale allow it to immediately assume service responsibilities and related debts for the affected territory and in doing so separately aid its ability to effectively coordinate fire protection for the larger backcountry region. Additional analysis supporting the conclusion is provided in Appendix A.

⁸ The Executive Officer retains discretion to determine the extent of consultation needed

Item No. 3 |

Modifications and Terms

No modifications to the submitted reorganization have been identified by San Diego LAFCO staff meriting Commission consideration at this time. This includes confirmation that the annexation of the affected territory would not generate any corridors and/or otherwise illogical jurisdictional features for San Diego County FPD.

Approval terms are recommended and include standard LAFCO provisions under Government Code Section 57302 for all jurisdictional change. Special terms are also recommended to incorporate the conditions included in Borrego Springs FPD’s resolution of application and the result of negotiations with San Diego County FPD. This includes requiring all Borrego Springs FPD employees will become employees of the State of California via CAL FIRE or offered equivalent employment by San Diego County FPD. A listing of all proposed terms is provided in the draft resolution of approval presented as Attachment Two.

CONCLUSION | MODIFICATIONS AND TERMS

No modifications appear warranted. Terms are recommended and include both standard provisions under LAFCO statute as well as incorporating all conditions requested by the Borrego Springs FPD in their resolution of application.

Other Statutory Considerations

Exchange of Property Tax Revenues

California Revenue and Taxation Code (RTC) Section 99(b)(6) requires the adoption of a property tax exchange agreement by the affected local agencies before LAFCOs can consider jurisdictional changes. Markedly, and pertinent to this reorganization proposal, RTC Section 99(b)(5) allows the County Board of Supervisors to adopt a single resolution establishing a tax exchange on behalf of special districts. Towards this end, at its February 7, 2023 meeting, the Board of Supervisors adopted tax exchange covering the proposal to transfer 100% of all property tax proceedings assigned to Borrego Springs FPD to San Diego County FPD. The total monetary value of the adopted exchange for the current fiscal year is \$1.386 million.

Environmental Review

San Diego LAFCO is obligated under CEQA to assess whether environmental impacts would result from activities approved under the Commission’s authority. Accordingly, the Commission is tasked with making two distinct findings under CEQA in consideration of the proposed reorganization. Staff’s analysis follows.

- LAFCO serves as lead agency under CEQA for the confirming sphere of influence amendments associated with accommodating the reorganization. It is recommended the Commission find these actions – and specifically the actions summarized on page 8 of the agenda report – are a “project” under CEQA but exempt from further review under State Guidelines 15061(b)(3). Staff believes this exemption appropriately applies given it can be seen with certainty spheres are planning policies and associated actions (establishment, update, or amendment) in and of itself does not change the environment or authorize any new uses or services.
- Borrego Springs FPD serves as lead agency under CEQA for considering the physical effects of the reorganization proposal as the initiating party. In this role as lead agency, Borrego Springs FPD has determined the reorganization proposal is a “project” under CEQA but is exempt from environmental review under provisions of State CEQA Guidelines Section 15320 (Changes in Organization of Local Agencies) because it can be seen with certainty that there is no possibility that the proposed reorganization would not have any significant effect on the environment. Staff independently concurs with Borrego Springs FPD’s finding.

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 threshold would apply in valuing protests and determining next steps:

- Should less than 25.0% 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 25.0% to 50.0% of (a) registered voters and/or (b) landowners holding 25.0% to 50.0% 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 50.0% of (a) registered voters and/or (b) landowners holding 50.0% 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 April 13, 2023 at the Borrego Springs FPD Fire State No. 91 located at 2324 Stirrup Road, Borrego Springs, California 92004. Notice for the

protest hearing would be provided to landowners and voters in a manner provided under statute no less than 21-days in advance.⁹

RECOMMENDATION

Staff recommends conditional approval of the reorganization proposal as submitted along with conforming sphere of influence amendments as detailed. This recommendation and ancillary actions are consistent with Alternative One in the proceeding section.

ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO:

Alternative One (recommended):

Adopt the attached draft resolution conditionally approving the reorganization proposal as submitted (without modifications) and conforming sphere of influence amendments as detailed along with making required findings under CEQA.

Alternative Two:

Continue consideration to the next regular meeting.

Alternative Three:

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

PROCEDURES FOR CONSIDERATION

This item has been placed on San Diego LAFCO’s agenda for action as part of a noticed public hearing. The following procedures are suggested.

1. Commissioner disclosures, if any.
2. Receive verbal presentation from staff unless waived.
3. Open the public hearing and invite testimony beginning with the applicant(s).
4. Discuss item and consider the staff recommendation.

On behalf of the Executive Officer,



Carolanne Ieromnimon
Analyst I

Appendices:

- A) Analysis of Jurisdictional Change Factors

Attachments:

- 1) Map of Borrego Springs FPD Boundaries
- 2) Map of San Diego County FPD Boundaries
- 3) Municipal Service Review Summary: SDCFPD (CSA 135)
- 4) Draft Resolution of Approval
- 5) Application Materials

⁹ Official protest forms for both landowners and voters are available on the LAFCO website with additional instructions.

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APPENDIX A

Government Code Section 56668 Mandatory Proposal Review Factors

- a) **Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to populated areas; the likelihood of significant growth in the area, and adjacent areas, in the next 10 years.**

The affected territory as proposed comprises the entirety of Borrego Springs FPD’s jurisdictional boundary located in northeast San Diego County. The entire affected territory is unincorporated and anchored by the Borrego community and its current resident estimate of 3,100. The communities of Ocotillo Wells, Shelter Valley and Ranchita neighbor the affected territory. State Routes 78 serve as the local connector within the affected territory via Borrego Springs Road. The elevation ranges from 460 feet to 6,200 feet above sea level with the latter point recorded on Combs Peak in the Anza-Borrego Desert State Park. Predominant land uses are low – to – moderate residential density visitor serving uses – including several resorts. Total assessed value (land) within the affected territory is \$639.0 million.

- b) **The need for municipal services; the present cost and adequacy of municipal 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.**

The County of San Diego serves as the primary purveyor of general governmental services to the affected territory. These services include community planning, roads, street lighting, and law enforcement. Other pertinent service providers Borrego Water District (water, wastewater, parks and recreation, flood control, vector control) and Borrego Springs FPD (fire protection, emergency medical, and ambulance transport). The proposal affects only Borrego Springs FPD’s functions and the proposed transfer to San Diego County FPD and is the focus of the following analysis.

- **Fire Protection, Emergency Medical, and Ambulance Transport**

Borrego Springs FPD’s present service levels include staffing Borrego Springs FPD’s one fire station (Station No. 91) 24/7/365 with 4 personnel daily, two on the fire engine and two on the paramedic ambulance. Should the reorganization be approved by the Commission, San Diego County FPD has committed to increase funding to increase assigned personnel on the engine by one, thereby elevating daily staffing levels from 4 to 5. This would add one additional position to the fire engine daily, in alignment with San Diego County FPD’s standard staffing of 3 personnel per engine company. Recent service demands in Borrego Springs FPD follow.

Annual Incidents in the Affected Territory (Borrego Springs FPD) (Source: San Diego County FPD)							
Year	2017	2018	2019	2020	2021	Average	Trend
Total Dispatched Incidents	554	637	621	601	622	607	12.27%
Total Onsite Incidents (arrival at scene)	501	598	582	584	579	569	15.57%
... Daily Incidents	1.37	1.64	1.59	1.60	1.59	1.56	16.06%

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.

The affected territory recommended for reorganization would formalize social and economic ties existing between San Diego County FPD and the affected territory. These existing ties relate to San Diego County FPD’s current role in managing fire protection and related services in surrounding lands to the affected territory. Reorganization would formalize and expand these social and economic ties and clarify San Diego County FPD’s expanding role and charge in managing services throughout the greater “backcountry” region.

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 recommended reorganization is consistent with the Commission’s preference to consolidate fire services in the unincorporated areas under one service provider – San Diego County FPD – *whenever the timing is right*. Borrego Springs FPD’s decision by its elected representatives to file for dissolution coupled with the analysis of the factors required under LAFCO law serve to sufficiently quantify the timing is right to proceed 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 recommended for reorganization qualify as agricultural land under LAFCO law. The reorganization proposal, nonetheless, is specific to transferring fire protection, emergency medical, and ambulance transport 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 of the territory, the nonconformance of proposed boundaries with lines of assessment, the creation of islands or corridors of unincorporated territory, and other similar matters.

LAFCO is in receipt of a draft map and geographic description of the affected territory that details metes and bounds that appears consistent with the standards of the State Board of Equalization and conforming with lines of assessment. LAFCO approval would be conditioned on approval of the map and geographic description by the County Assessor’s Office and address any modifications enacted by the Commission.

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

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

h) Consistency with the city or county general and specific plans.

The affected territory recommended for reorganization 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 Borrego Community Plan. This latter document prescribes limiting residential development to accommodate a maximum of 8,000 residents.

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

See agenda report analysis.

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

Notice of the submitted reorganization proposal was distributed to all affected and subject agencies as required under LAFCO law. Notices were also provided to all local college and school districts. No written comments on the proposal were received ahead of preparing this agenda report for distribution on February 27, 2023.

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.

San Diego FPD is funded through General Fund allocations authorized by the Board of Supervisors. The amount of the funding provided to San Diego FPD is considered reliable given the allocations have increased since 2008. At the end of FY 21/22, San Diego County FPD’s funding has increased over the last 5 years, with a budget of \$80.9 million. Further, a 2020 amendment to the County Charter commits the County Board of Supervisors to provide and/or fund fire protection services in unincorporated areas.

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

The affected territory lies within Borrego Water District and eligible to receive potable water service with all water supplies currently dependent on groundwater. The reorganization does not change these baseline conditions.

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.

The proposed reorganization would not impact any local agencies in accommodating their regional housing needs.

n) Any information or comments from the landowners, voters, or residents.

No written or formal comments have been submitted to San Diego LAFCO staff as of the date of the posting of the agenda report on February 27, 2023.

o) Any information relating to existing land use designations.

See above analysis for (h).

p) The extent to which the proposal will promote environmental justice.

The reorganization is expected to aid and/or otherwise promote environmental justice by enhancing integrated fire protection and emergency medical services within the affected territory and for any groups that are susceptible to pollution burdens and their effects. This latter category – notably – low-income communities, communities of color, tribal nations, and other disadvantaged groups. Consideration of existing environmental justice factors within the affected territory draw on staff analyzing data available from the California Environmental Protection Agency through its online assessment tool (CalEnviroScreen 4.0). Two composite percentile rankings for the affected territory are generated within this analysis and involves pollution burdens (exposures and environmental effects) and at-risk population characteristics (sensitive populations and socioeconomic factors) relative to all census tracts in California. Key results are summarized below followed by fulling table listings.

- The affected territory’s composite **pollution burdens** ranking falls in the 33 percentile. Five pollution burden measurements exceed the 50 percentile and considered relatively high. These five measurements comprise (a) two exposures involving ozone and drinking water containments as well as (b) three environmental effects involving cleanup sites, groundwater threats, and solid waste sites.

- The affected territory’s composite **at-risk population** ranking falls in the 24 percentile. Four at-risk population measurements exceed the 50 percentile and considered relatively high. These four measurements comprise (a) one sensitive population involving low birth weights as well as (b) three socioeconomic factors involving educational attainment, poverty, and housing burden.

Census Tract 6073021000	
Pollution Burdens and At-Risk Population	
Table 2.6a (Source: California Environmental Protection Agency and SD LAFCO)	
Factor	Census Tract 6073021000
No. of Census Tracts	1
Estimated Population	2,706
Pollution Burden	Weighted Percentile
... Composite Score	23.85
... Percentile	33-35
Indicator Air Quality: Ozone	59.93
Indicator Air Quality: PM 2.5:	7.49
Indicator Air Quality: Diesel PM:	1.24
Indicator Pesticides:	35.90
Indicator Toxic Releases:	3.64
Indicator Traffic:	1.75
Indicator Drinking Water Contaminants:	62.25
Indicator Lead in Housing:	24.35
Effects Cleanup Sites:	81.91
Effects Groundwater Threats:	72.49
Effects Hazardous Waste:	0.00
Effects Impaired Water:	0.00
Effects Solid Waste:	93.24
At Risk Population Characteristics	Weighted Percentile
... Percentile	40.82
Sensitive Population Asthma:	1.63
Sensitive Population Low Birth Weight:	56.88
Sensitive Population Cardiovascular Disease:	17.75
Socioeconomic Factor Education Attainment:	53.58
Socioeconomic Factor Linguistic Isolation:	n/a
Socioeconomic Factor Poverty:	66.31
Socioeconomic Factor Unemployment:	n/a
Socioeconomic Factor Housing Burden:	66.51

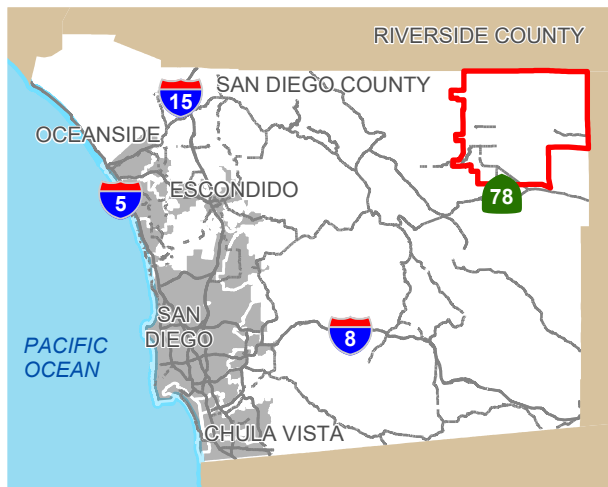
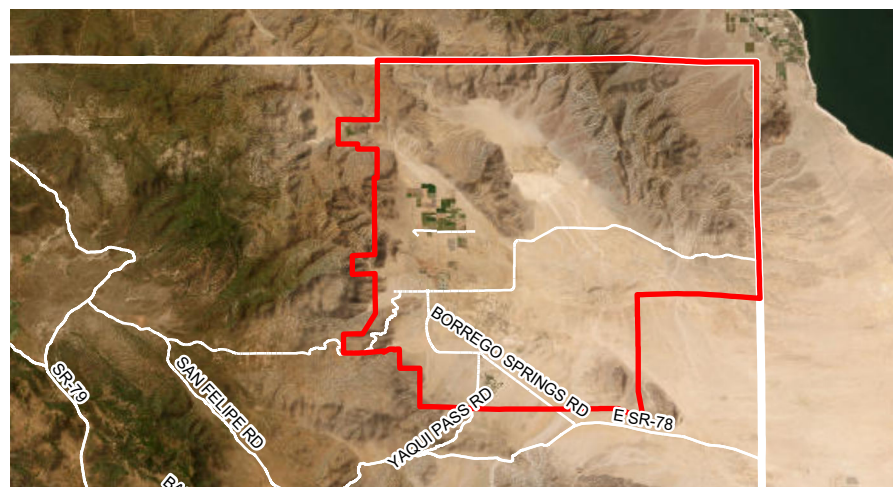
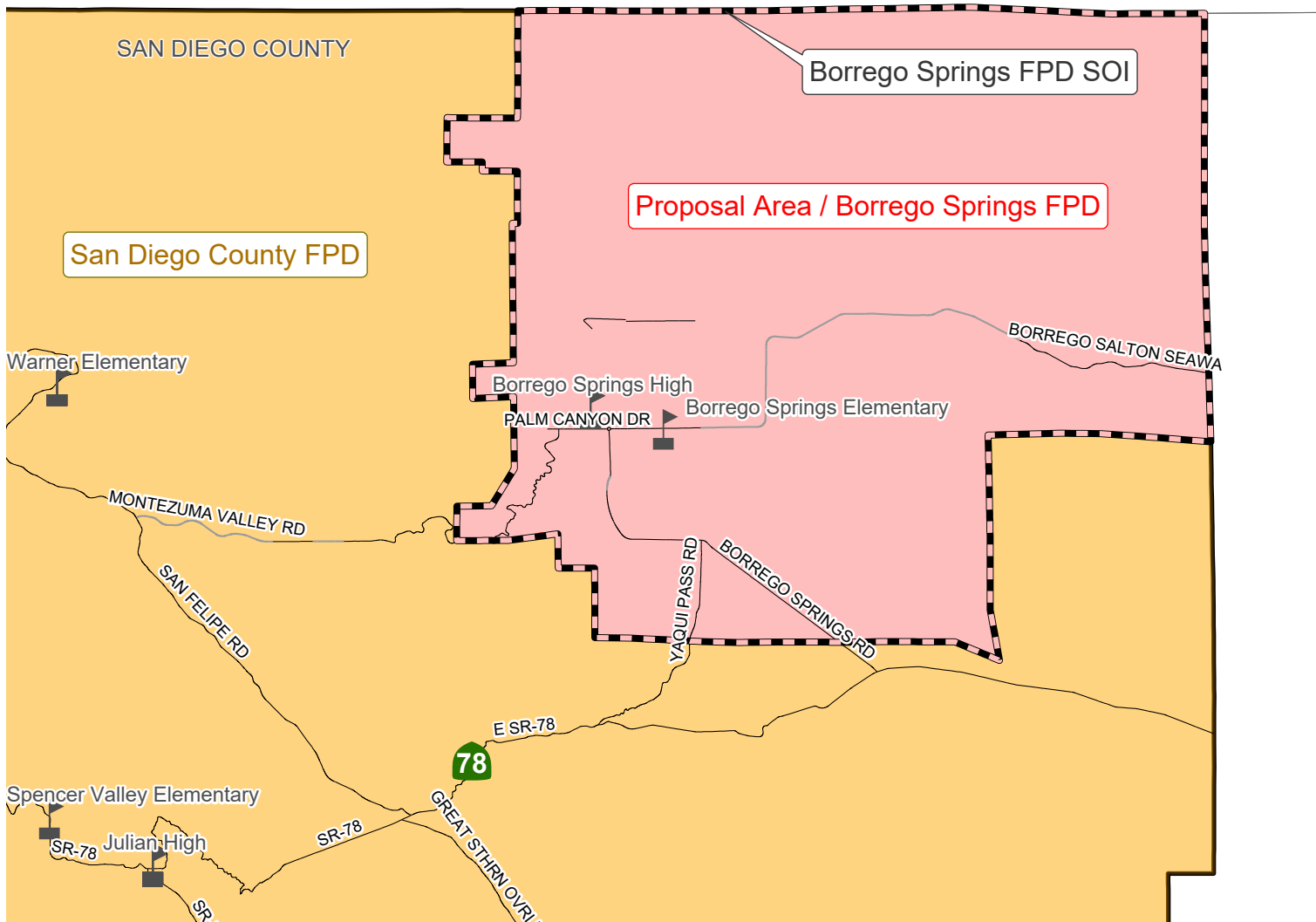
q) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone or maps that identify land determined to be in a state responsibility area, if it is determined that such information is relevant to the affected territory.

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.




- r) Section 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 reorganization would be in the best interest of the current and future landowners and/or residents of the affected territory by providing streamlined fire protection, emergency medical and ambulance transport services going forward.

RIVERSIDE COUNTY

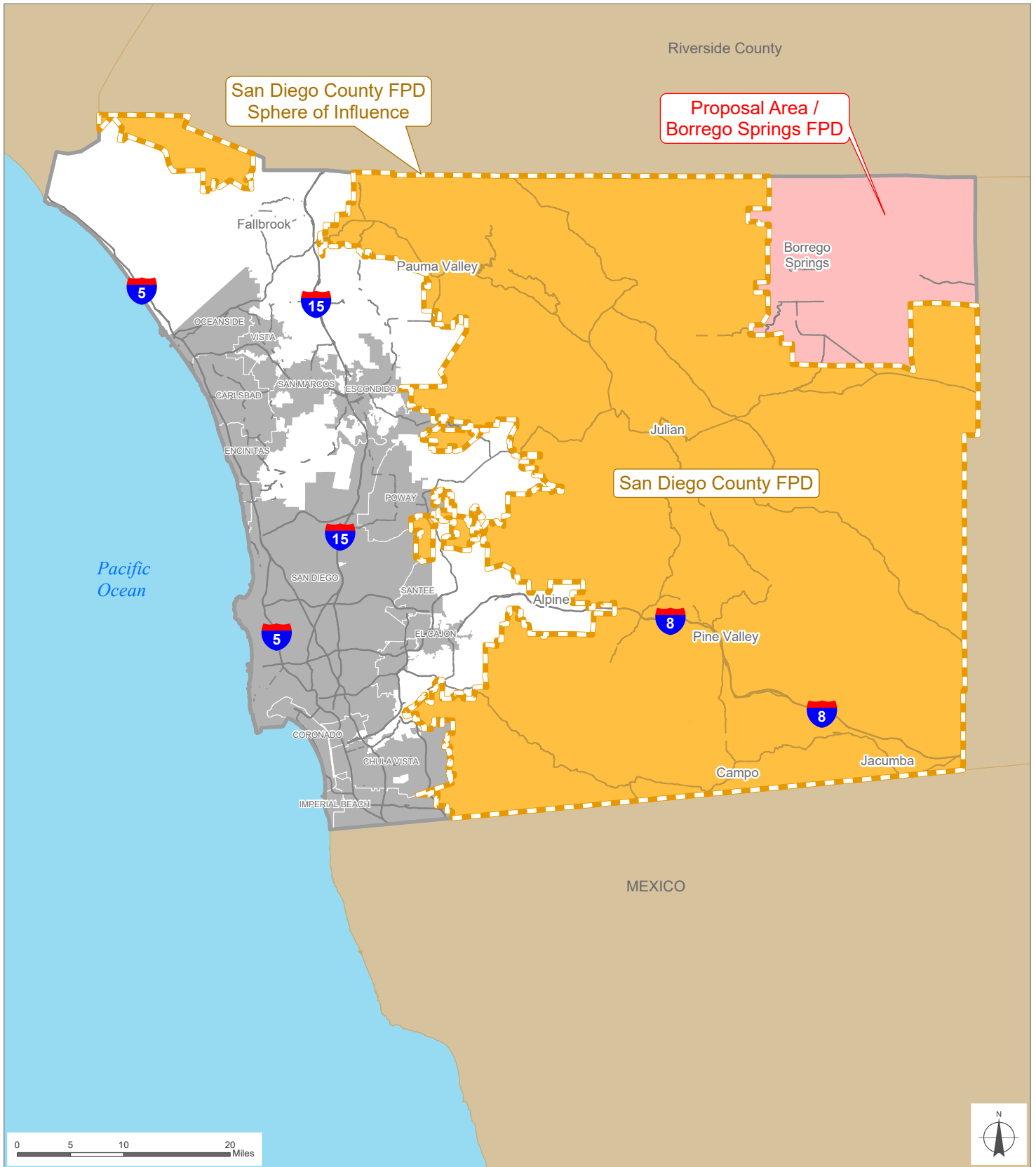


RO22-19 "BORREGO SPRINGS FPD REORGANIZATION" | DISSOLUTION OF BORREGO SPRINGS FPD AND DESIGNATION OF SAN DIEGO COUNTY FPD AS THE SUCCESSOR AGENCY AND RELATED ACTIONS

-  Borrego Springs FPD SOI
 -  Proposal Area / Borrego Springs FPD
 -  San Diego County FPD
- SOI = Sphere of Influence

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San Diego County FPD and Borrego Springs FPD

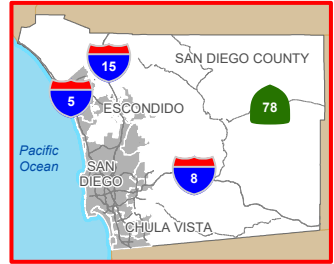


San Diego County
Local Agency Formation Commission
 Regional Service Planning | Subdivision of the State of California

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Created by Dieu Ngu -- 2/27/2023

RO22-19
**"BORREGO SPRINGS FPD REORGANIZATION" |
 DISSOLUTION OF BORREGO SPRINGS FPD AND
 DESIGNATION OF SAN DIEGO COUNTY FPD AS THE
 SUCCESSOR AGENCY AND RELATED ACTIONS**



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Municipal Service Review

COUNTY SERVICE AREA NO. 135

FINAL

REPORT SUMMARY | May 2020



General Themes and Conclusions

CSA No. 135 serves two distinct municipal roles on behalf of the County of San Diego and a considerable portion of its constituents. The first and initial role of CSA No. 135 was established at the time of its formation in 1994 to provide enhanced public safety radio communications in the unincorporated area as well as in participating incorporated communities in San Diego County (Carlsbad, Del Mar, Encinitas, Imperial Beach, Lemon Grove, Poway, San Marcos, Santee, Solana Beach, and Vista). This involved establishing the governmental means to create a dedicated funding mechanism to support a regional communication system and in doing so sync otherwise incompatible radio systems among first-responders. It was similarly expected the County and affected cities would establish a fixed fee within their jurisdictions to directly fund the regional communication system through CSA No. 135. However, the subsequent passage of Proposition 218 (1996) and requirement to

receive voter approval for new fees changed direction and only three member agencies – Del Mar, Poway, and Solana Beach – proceeded to establish fixed fees for CSA No. 135; the remaining member agencies fund the regional communication system through general fund monies. The result is a substantive deviation in CSA No. 135's implementation given only three of the eleven member agencies directly fund the resulting 800-megahertz public safety radio system operated by Regional Communication Systems through a District fixed fee.

While CSA No. 135's role in providing public safety radio communications has decreased in scale relative to initial formation expectations the opposite applies to the District's functions with respect to fire protection and emergency medical services. These integrated functions were established in 2008 as part of a LAFCO-approved latent power activation and corresponded with the creation of the

» General Themes and Conclusions

County Fire Authority and produces an internal service zone covering close to two-thirds of the District boundary. The expansion CSA No. 135 followed an earlier recommendation by LAFCO by way of two earlier Commission reports on reorganizing fire protection in the unincorporated area titled “Macro” and “Micro” as well as the County’s responding document titled as the “Hybrid Plan.” The Hybrid Plan directly informed the County in proceeding with an application subsequently approved by LAFCO to utilize CSA No. 135 as the governance means to organize and fund fire protection and emergency medical services in the unincorporated area over three distinct steps. All three steps in the Hybrid Plan have been completed and the County Fire Authority is now the successor to 18 former fire service agencies and/or companies. The County also has memorialized its commitment to providing fire services through a voter-approved amendment to the County Charter in November 2018 by formally adding the County Fire Authority as an organizational unit.

A review of CSA No. 135 relative to San Diego LAFCO’s growth management tasks and interests as prescribed under statute produces five central themes or conclusions. These conclusions collectively address the availability, need, and adequacy of CSA No. 135 services. The conclusions are independently drawn and sourced to information collected and analyzed between 2014 and 2018 and detailed in the agency profile.

No. 1

Two Distinct and Separate Municipal Roles

Two distinct municipal roles comprise CSA No. 135 and divided between (a) public safety radio communications and (b) integrated fire protection and emergency medical services. These two roles are separately organized within the County of San Diego and other than sharing enabling powers through CSA No. 135 have no substantive connection with one another in terms of administration, budgeting, and operations.

No. 2

Different and Reduced Role in Public Safety Radio Communications

CSA No. 135 was initially formed in 1994 to organize and directly fund public safety radio communication system throughout the District’s jurisdictional boundary and on behalf of 11 member agencies. CSA No. 135’s direct funding of public safety radio communications, however, has diverged and is limited to only three member agencies – Cities of Del Mar, Poway, and Solana Beach – to date. The other eight member agencies in CSA No. 135 fund the associated services through other discretionary resources outside the intended role of the District.



The San Elijo Lagoon in Cardiff-by-the-Sea



San Diego County
Administration
Center Building

» General Themes and Conclusions

No. 3
**Expanding Role in Fire Protection and
Emergency Medical Services**

CSA No. 135 has been successful in fulfilling its role to organize and fund fire protection and emergency medical services in the unincorporated area through the County Fire Authority following LAFCO’s approval of a latent power activation in 2008. This includes completing all three steps in the County’s Hybrid Plan and marked by serving as successor to 18 merged fire agencies and/or companies and in doing so becoming first responder for approximately 70% of the unincorporated area. The role of the County Fire Authority has also expanded beyond initial formation expectations and now a formal commitment under the County of San Diego Charter.

No. 4
Positive Financial Standing

The County of San Diego – which is fiducially responsible for CSA No. 135 and its municipal functions – improved its financial standing during the five-year report period as measured by its audited net position with an overall 42.7% increase less pension obligations. This improvement is also reflected and aided by an average total margin of 4.7% over the corresponding 60-month period. Further, while decreasing by (6.5%), the County’s funded ratio – i.e. the portion of pension assets to pension liabilities – finished the period favorably relative to industry standards at 78%.



Potato
Chip Rock
in Poway

No. 5
**Merits to Reorganize and Establish a
New Fire Protection District**

The distinct and separate municipal roles within CSA No. 135 suggest there is sufficient merit to pursue a reorganization of the District to formally separate into two entities and further sync its active service activities with current and future demands. The preferred option involves reorganizing CSA No. 135 to divest its fire protection and emergency medical service powers and concurrently form a new dependent fire protection district governed by the Board of Supervisors to serve as successor agency.



Recommendations

The following recommendations call for specific action either from San Diego LAFCO and/or CSA No. 135 based on information generated as part of this report and outlined below in order of their placement in Section 5.0 (Written Determinations). Recommendations for Commission action are dependent on a subsequent directive from the membership and through the adopted work plan.

1. San Diego LAFCO should coordinate with the County of San Diego and SANDAG to develop buildout estimates specific to CSA No. 135 and for its two distinct service areas – public safety radio communications and fire protection/emergency medical services – and incorporate the information into the next scheduled municipal service review.
2. San Diego LAFCO should perform additional review to fully determine the scale of qualifying disadvantaged unincorporated community lands adjacent to CSA No. 135 that are not already within the boundary of fire protection provider. This additional review appropriately satisfies statutory prompts and should be incorporated into future municipal service reviews as needed.
3. San Diego LAFCO should coordinate with CSA No. 135 and assess the present and future role of the District in meeting all participating agencies' needs specific to its public safety radio communications function. This includes assessing whether other participating agencies are interested in establishing a fixed District fee and evaluating thereafter the merits/demerits of boundary adjustments.
4. The distinct and separate municipal roles within CSA No. 135 suggests a reorganization of the District to formally separate into two entities and further sync its active service activities with current and future demands is appropriate at this time.
5. San Diego LAFCO believes the preferred reorganization option involving CSA No. 135 is to divest its fire protection and emergency medical service powers and concurrently form a new dependent fire protection district to serve as successor agency.
6. County of San Diego should proceed with a proposal request to San Diego LAFCO to reorganize CSA No. 135 as provided above and with the incentive of a fee waiver.
7. San Diego LAFCO should proceed and update CSA No. 135's sphere with no changes and in doing so satisfy its planning requirement under G.C. Section 56425.



Lake Hodges in
Poway, CA

RESOLUTION NO. _____

SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION

**MAKING DETERMINATIONS AND APPROVING A REORGANIZATION AND
ASSOCIATED SPHERE OF INFLUENCE AMENDMENTS**

**“BORREGO SPRINGS FIRE PROTECTION DISTRICT REORGANIZATION”
DISSOLUTION OF BORREGO SPRINGS FIRE PROTECTION DISTRICT AND CONCURRENT
ANNEXATION TO SAN DIEGO COUNTY FIRE PROTECTION DISTRICT
LAFCO FILE NO: RO22-19**

WHEREAS, the Borrego Springs Fire Protection District (FPD) filed a resolution of application on November 4, 2022 with the San Diego County Local Agency Formation Commission (Commission) pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the application seeks approval for reorganization of approximately 198,400 acres of unincorporated territory in San Diego County involving the dissolution of Borrego Springs FPD and concurrent annexation to the San Diego County FPD as successor agency; and

WHEREAS, on October 11, 2022, the Board of Directors of the San Diego County FPD, adopted a resolution in support of Borrego Springs FPD’s resolution and directed San Diego County FPD staff to take all necessary actions to assume responsibility for fire protection, emergency medical, and ambulance transport services; and

WHEREAS, the subject agencies have agreed to a property tax exchange applicable to the proposed reorganization adopted by the County of San Diego on February 7, 2023; and

WHEREAS, the proposed reorganization necessitates the Commission consider certain conforming sphere of influence amendments to accommodate the jurisdictional changes; and

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

WHEREAS, the Executive Officer’s report and recommendations on the proposal and need for a conforming sphere of influence amendments has been presented to the Commission in the manner provided by law; and

WHEREAS, staff published an advertisement notice of public hearing regarding this proposal in the San Diego Union Tribune on February 13, 2023;

WHEREAS, the Commission heard and fully considered all the evidence presented at a noticed public meeting on the proposal on March 6, 2023;

WHEREAS, the Commission considered all the factors required by law under Government Code Sections 56425(e) and 56668 as well as adopted local policies and procedures.

NOW, THEREFORE, BE IT RESOLVED, the Commission hereby finds and determines 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 makes the following findings under the California Environmental Quality Act:
 - a) The Commission serves as lead agency under CEQA for the confirming sphere of influence amendments associated with accommodating the proposal – and specifically eliminating the sphere for Borrego Springs FPD and expanding the sphere for San Diego County FPD to include the affected territory. The Commission find these actions are a “project” under CEQA but exempt from further review under State Guidelines 15061(b)(3). This exemption appropriately applies given it can be seen with certainty spheres are planning policies and associated actions (establishment, update, or amendment) in and of itself does not change the environment or authorize any new uses or services.
 - b) The Commission serves as responsible agency under CEQA for considering the physical effects of the proposal. The Commission has considered and independently concurs with the finding of the lead agency – Borrego Springs FPD – that the proposal is a “project” under CEQA but is exempt from environmental review under provisions of State CEQA Guidelines Section 15320. This exemption appropriately applies given the proposal involves the transfer of municipal service functions – and specifically fire protection, emergency medical, and ambulance transport – that are already provided within the affected territory.
4. The Commission CONDITIONALLY APPROVES the following sphere of influence amendments subject to recordation of a certificate of completion for the proposal.
 - a) The sphere of influence for Borrego Springs FPD is eliminated as shown as EXHIBIT A.
 - b) The sphere of influence for San Diego County FPD is expanded to include the affected territory as shown in EXHIBIT B.
5. The Commission's written statement of determinations addressing the mandatory factors required for consideration any time spheres of influence are adopted, amended, or updated under Government Code § 56425 are addressed in the Executive Officer's written report and incorporated herein.
6. The Commission CONDITIONALLY APPROVES the reorganization as submitted (no modifications) and subject to conditions as provided under No. 7. Approval involves all of the following:
 - a) Dissolution of Borrego Springs FPD as shown in EXHIBIT C

- b) Annexation of the entire 198,400 acre-affected territory to the San Diego County FPD as shown in EXHIBIT D for the purposes of assuming successor agency status from Borrego Springs FPD and provide fire protection, emergency medical, and ambulance transport.
7. Proposal APPROVAL CONDITIONS involve all of the following.
- a) San Diego County FPD will assume responsibility for fire protection, emergency medical and ambulance transport services within the affected territory in the same or increased scope and manner as is currently provided with the following key features:
- Provide a full time 3-person staffed Paramedic Fire Engine at the Borrego Springs Fire Station – also known at Station No. 91;
 - Provide a full time 2-person staffed Paramedic Ambulance at the Borrego Springs Fire Station;
 - Ensure Borrego Springs Fire Station #91 is a must-cover station (move up after 30 minutes);
 - Ensure a Battalion Chief is assigned to oversee the Borrego Springs Fire Station;
 - Ensure San Diego County FPD and/or state firefighters stationed at Borrego Springs will participate in community events as requested;
- b) San Diego County FPD assumes the authority to levy, assess and/or collect all previously authorized fees, taxes and charges, levied and collected in support of fire or emergency medical services including ambulance transport fees, including but not limited to the Special Tax adopted by the voters of Borrego Springs FPD in November 2004. Further, all property tax revenues and voter-approved special tax or special assessment revenues (if any), received or receivable by the Borrego Springs FPD as of the effective date of the proposal shall be collected or collectible by the San Diego County FPD for the exclusive use of funding services within the territory.
- San Diego County FPD shall be the successor to, and shall have the authority to, administer Borrego Springs FPD CFD No. 2014-01, s the legislative body thereto, including but not limited to (i) levying, assessing and/or collecting all previously authorized special taxes related thereto and all such special taxes shall accrue and be transferred to San Diego County FPD as successor thereto; (ii) San Diego County FPD succeeding to all of the rights, duties, responsibilities, properties, contracts, equipment, assets, functions and obligations of CFO No. 2014-01; (iii) the continued provision of authorized services provided therein by San Diego County FPD as successor thereto; (iv) the management of all funds of CFO No. 2014-01 by San Diego County FPD as successor thereto;" and (v) the issuance of bonds of CFO No. 2014-01 which are authorized but not yet issued at the time of transfer.
- c) San Diego County FPD shall provide evidence to LAFCO prior to the effective date of the proposal, which may be in the form of an agreement by and between the San Diego County

FPD and CAL FIRE, which evidence shall ensure that as of the effective date of the proposal all Borrego Springs FPD employees employed by the Borrego Springs FPD immediately prior to the effective date of the proposal will be blanketed in as employees of the State of California or offered equivalent employment as determined by San Diego County FPD.

- d) San Diego County FPD will make best effort to ensure Borrego Springs FPD Fire Chief Hardcastle, and any other qualified employee upon retirement, is provided a photographic identification card that identifies them as a “qualified retired law enforcement officer” under 18 U.S.C Sections 926B and 926C (also known as HR 218), to the extent all conditions under the law are met. Prior to the effective date of the proposal, the Borrego Springs FPD will provide documentation to San Diego County FPD of any such law enforcement officer status.
 - e) As of the effective date of the proposal, all real property (including but not limited to Station No. 91 and any and all lands owned by the Borrego Springs FPD) and personal property (including but not limited to all vehicles or other rolling stock (with remaining fire apparatus to be disposed by the Borrego Springs FPD as approved by San Diego County FPD), tools, office furniture, fixtures, equipment, books, records, papers, office, equipment, supplies, money, funds, appropriations, licenses, permits, entitlements, agreements, contracts, claims, judgements, and all other assets shall transfer from the Borrego Springs FPD to San Diego County FPD in “as-is” condition, without any payment or report obligation from the Borrego Springs FPD.
 - f) All liabilities of Borrego Springs FPD shall be transferred to San Diego County FPD including:
 - Borrego Springs FPD’s unfunded actuarial liability loan with First Foundation Bank dated October 2020.
 - All current and future Borrego Springs FPD’s unfunded liability (CalPERS) for employees.
 - Borrego Springs FPD’s copy machine lease with Image Source/Xerox dated April 7, 2020.
 - San Diego County FPD will assume the current tower site lease agreements with T-Mobile, Verizon, AT&T, American Messaging, AirTouch Paging and Santa Monica College.
8. The Commission’s approval conditions for the reorganization are subject to the following terms being satisfied by March 6, 2024 unless an extension is requested and approved by the Executive Officer.
- a) Completion of the 30-day reconsideration period provided under Government Code Section 56895.
 - b) Submittal to the Commission of final maps and geographic descriptions of the affected territory as approved by the Commission conforming to the requirements of the State Board of Equalization – Tax Services Division as determined by the County of San Diego Assessor’s Office.
 - 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 \$1,401.92 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.
 - Any other fees required under the adopted LAFCO fee schedule as attested by the Executive Officer.
- d) Upon the Commission’s order giving approval of the reorganization, Borrego Springs FPD is prohibited from taking any of the actions contained in Government Code Section 56885.5, including:
- Approving any increase in compensation or benefits for members of the governing board, its officers, or the executive officer of the agency.
 - Appropriating, encumbering, expending, or otherwise obligating, any revenue of the agency beyond that provided in the current budget at the time the dissolution is approved by the Commission.
- e) Provide evidence to LAFCO prior to the effective date, committing to evaluate the need for a replacement fire station to serve Borrego Springs as part of the San Diego County FPD’s Capital Improvement Program.
9. The proposal is assigned the following distinctive short-term designation:
- “Borrego Springs FPD Reorganization”
10. The affected territory as designated by the Commission is inhabited as defined in Government Code 56046.
11. The Commission delegates to the Executive Officer performing all conducting authority proceeding requirements under Government Code Section 57000.
12. Borrego Springs FPD and San Diego County FPD utilize the regular assessment roll of the County of San Diego.
13. As applicable, the affected territory will be liable for any existing bonds, contracts, and/or obligations of the annexing subject agency provided under Government Code Section 57328, and will be subject to any previously authorized taxes, benefit assessments, fees, or charges under Government Code Section 57330.

14. Per Government Code Section 57202, the effective date of the approval shall be the date of recordation of the Certificate of Completion.
15. 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.
16. The Executive Officer is hereby authorized and directed to mail copies of this resolution as provided in Sections 56880-56882 of the Government Code.
17. All general terms governing annexations authorized under Government Code Section 57300-57354 apply to this reorganization.
18. The Executive Officer is further authorized and directed to prepare, execute, and record a Certificate of Completion, make the required filings with the County Assessor, County Auditor, and the State Board of Equalization as required by Section 57200, et seq., of the Government Code.

**

PASSED AND ADOPTED by the Commission on March 6, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

**

ATTEST:

Keene Simonds
Executive Officer

EXHIBIT A
APPROVED SPHERE OF INFLUENCE AMENDMENT
ELIMINATION OF BORREGO SPRINGS FPD SPHERE OF INFLUENCE

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EXHIBIT B
APPROVED SPHERE OF INFLUENCE AMENDMENT
EXPANSION OF SAN DIEGO COUNTY FPD SPHERE OF INFLUENCE

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EXHIBIT C
APPROVED JURISDICTIONAL CHANGE
DISSOLUTION OF BORREGO SPRINGS FPD

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EXHIBIT D
APPROVED JURISDICTIONAL CHANGE
ANNEXATION TO SAN DIEGO COUNTY FPD

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RECEIVED

NOV 04 2022

SAN DIEGO LOCAL AGENCY FORMATION COMMISSION
CHANGE OF ORGANIZATION OR REORGANIZATION APPLICATION SAN DIEGO LAFCO

The following information must be submitted when filing a change of organization or reorganization proposal with the San Diego Local Agency Formation Commission (LAFCO); additional information may be requested during review of the proposal.

- 1. **Completed CHANGE OF ORGANIZATION OR REORGANIZATION APPLICATION.**
- 2. (a) A **certified resolution of application** from an affected city or district; or
 (b) A **landowner or registered voter petition** making application to San Diego LAFCO (available from LAFCO or <http://www.sdlafco.org/forms/petition.pdf>).
- 3. A **metes-and-bounds legal description of the proposal territory perimeter** for the proposed boundary change(s), a **reproducible parcel/plat map**, and a **vicinity map**. For information about mapping requirements, refer to: http://www.sdlafco.org/forms/legal_description.pdf, and contact the County Assessor's Mapping Division at 619/531-5588. The Thomas Brother's Guide may be used for the vicinity map.
- 4. **Environmental documentation** to comply with the California Environmental Quality Act (CEQA); submit documents for applicable category only:
 - (a) **INITIAL STUDY:** Submit completed form (available from LAFCO) if no environmental review has been conducted;
 - (b) **CATEGORICAL EXEMPTION:** Submit document if an agency has certified that the project qualifies for a categorical exemption from CEQA;
 - (c) **NEGATIVE DECLARATION (ND):** Submit document with certifying resolution and Initial Study*;
 - (d) **ENVIRONMENTAL IMPACT REPORT (EIR):** Submit 15 copies of the Final EIR and certifying resolution, plus one copy of the EIR Appendix*.

* For an ND or EIR, a copy of the receipt for the fee paid to the California Department of Fish and Game must be submitted.
- 5. If annexation to a city is proposed, submit one copy of the **city resolution approving rezoning and general plan land-use designations** for the proposal territory.
- 6. **JURISDICTIONAL CONFLICTS:** If the response to question number 6 on page 3 is "Yes", complete and sign the Policy L-107 form at http://www.sdlafco.org/forms/Legislative_Policy_L_107.pdf.
- 7. **Completed CAMPAIGN CONTRIBUTION DISCLOSURE FORM AND EVALUATION CHECKLIST for DISCLOSURE OF POLITICAL EXPENDITURES** (pages 7 and 8 of application).
- 8. **PROPERTY-OWNER CONSENT FORM FOR INCLUSION OF PROPERTY** (page 9 of application).
- 9. Completed **SUBJECT AGENCY SUPPLEMENTAL INFORMATION FORM** (pages 10-12 of application) from **each** subject agency.
- 10. **LAFCO processing fees.** The San Diego LAFCO FEE SCHEDULE is available at <http://www.sdlafco.org/document/feeschedule.pdf>, or contact LAFCO staff.

SAN DIEGO LOCAL AGENCY FORMATION COMMISSION
9335 Hazard Way · Suite 200 · San Diego, CA 92123
(858) 614-7755 · www.sdlafco.org

CHANGE OF ORGANIZATION OR REORGANIZATION APPLICATION

The information in this application is used by LAFCO staff to evaluate proposals for changes of government organization. Please respond to **all** items in this form, indicating "NA" when an item does *not* apply.

SUBJECT AGENCY(IES) (City or Special District)	PROPOSED CHANGE OF ORGANIZATION/ACTION (Annexation, detachment, sphere amendment, etc.)
1. <u>Borrego Springs Fire Protection District</u>	1. <u>Dissolution</u>
2. _____	2. <u>Concurrent Annexation of Territory</u>
3. _____	3. <u>Sphere of Influence Amendment</u>
4. _____	4. _____

As part of this application, the City of NA or the Borrego Springs Fire Protection District, NA (the applicant), and/or the NA (real party in interest): subject landowner and/or registered voter agrees to defend, indemnify, hold harmless, and release the San Diego LAFCO, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any or all of them, the purpose of which is to attack, set aside, void, or annul San Diego LAFCO's review, approval or denial of this application or adoption of or refusal to adopt the environmental document which accompanies it or any other action San Diego LAFCO takes with respect to this application. This defense and indemnification obligation shall include, but not be limited to, attorneys' fees, expert witness fees and other costs of defense, damages, costs, and expenses, including attorney fees payable to another party. Applicant and/or real party in interest agree that San Diego LAFCO shall have the right to appoint its own counsel to defend it and conduct its own defense in the manner it deems in its best interest and that San Diego LAFCO's taking such action does not limit the obligations to indemnify and reimburse San Diego LAFCO's defense costs. This defense and indemnification obligation shall apply whether or not there is concurrent passive or active negligence on the part of the San Diego LAFCO, its agents, officers, attorneys, or employee. The person signing this application will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. San Diego LAFCO's acceptance of this application is sufficient to make this agreement a binding, bilateral contract between us.

I acknowledge that annexation to the city of NA or the San Diego County Fire Protection District district may result in the imposition of taxes, fees and assessments **existing within the (city or district)** on the effective date of annexation. I hereby waive any rights I may have under Articles XIII C and XIII D of the State Constitution (Proposition 218) to a hearing, assessment ballot proceeding or an election on those **existing taxes, fees and assessments**.

Agreed:
 Signature: _____ Date: 11/3/2022
 Print/Type Name: John W. Hardcastle, Fire Chief, Borrego Springs Fire Protection District
 Address: 2324 Stirrup Road, P.O. Box 9, Borrego Springs, CA 92004
 Telephone: (760) 767-5436

Property Address: NA
 Cross Street(s): NA
 Assessor Parcel Number(s): Multiple Acres: 198,400 (310 square miles)

Indicate below if anyone, in addition to the person signing this application, is to receive notices of these proceedings.
 Name: San Diego County Fire Protection District, Attn: Jeff Collins/ Kat Anady
 Address: 5560 Overland Avenue, Suite 400, San Diego, CA 92123
 Telephone: (619) 857-6403

A. PROPOSAL DESCRIPTION/JUSTIFICATION

1. Explain in detail why the proposal is necessary *at this time* (e.g., condition of an approved tentative map, an existing structure requires new services, etc.). _____

Please refer to Resolution No. 2022-03, adopted on August 25, 2022 by the Board of Directors of the Borrego Springs Fire Protection District (attached).

2. Describe the use of *developed* property within the proposal territory, including details about existing structures. Describe anticipated development of *vacant* property, including types of buildings, number of units, supporting facilities, etc., and when development is scheduled to occur. _____

The proposed actions will not change the use of developed or vacant property within the proposal territory.

3. Describe the topography and physical features of the proposal territory, as well as its general location in relation to communities, major freeways/highways, roads, etc. _____

The proposal territory includes the community of Borrego Springs, a small, isolated desert town located in the Northeastern portion of San Diego County and surrounded by the Anza-Borrego Desert State Park. The closest communities include Ocotillo Wells, Shelter Valley, and Ranchita.

4. How many residents live within the proposal territory? Estimated 3,800 permanent/ 10,000 seasonal residents

5. How many of these residents are registered voters? 1,767 (2022, San Diego County Registrar of Voters)

6. Are there any jurisdictional issues associated with the LAFCO proposal or pending LAFCO action?

NO YES (If yes, please complete the Policy L-107 form at http://www.sdlafco.org/forms/Legislative_Policy_L_107.pdf)

B. LAND USE INFORMATION

GENERAL PLAN AND ZONING:

If the proposal territory is *not* within an incorporated city, San Diego County General Plan and zoning information may be obtained by calling (858) 565-5981 or toll-free (888) 267-8770 with the Assessor Parcel Number(s) of the subject property. If the proposal territory is within a city, please call the appropriate city's planning department for General Plan and zoning information.

1. COUNTY:

(a) The territory is within the Borrego Springs community plan.

(b) The County General Plan or community plan designation and allowed density: _____
Please refer to the County General Plan Land Use Maps Appendix.

(c) Current County zoning and allowed density: _____
Please refer to the County General Plan Land Use Maps Appendix.

2. CITY:

(a) The territory is within the general plan area for the City of NA

(b) The City General Plan land use designation and allowed density: NA

(c) Current City zoning and allowed density: NA

(d) Current City rezoning and allowed density: NA

3. Indicate below **all** permits or approvals that will be needed by the County or any city to complete the project. If already granted, please note the date of approval and attach a copy of each resolution of approval. If approval is pending, please note the anticipated approval date.

Type of Approval or Permit	File No.	Approval Date	Is Resolution Attached?
Tentative Subdivision Map	NA		<input type="checkbox"/> YES <input type="checkbox"/> NO
Tentative Parcel Map	NA		<input type="checkbox"/> YES <input type="checkbox"/> NO
Major Use Permit	NA		<input type="checkbox"/> YES <input type="checkbox"/> NO
City/County General Plan Amendment	NA		<input type="checkbox"/> YES <input type="checkbox"/> NO
City Rezoning	NA		<input type="checkbox"/> YES <input type="checkbox"/> NO
County Rezone	NA		<input type="checkbox"/> YES <input type="checkbox"/> NO
(Other)	NA		<input type="checkbox"/> YES <input type="checkbox"/> NO

4. Describe the land uses surrounding the proposal territory (e.g., residential, commercial, agricultural, industrial, open space, etc.).

North: Public Agency Lands East: Public Agency Lands

South: Public Agency Lands West: Public Agency Lands

5. Indicate with a if any portion of the proposal territory contains the following:

- Agricultural land uses Agricultural Preserve
- Open Space Easement Slopes greater than 25%
- Sewer moratorium area Coastal Permit Zone
- Unusual features such as: _____

6. For city annexation proposals: Is any part of the proposal territory under a Williamson Act contract? If yes, please contact the LAFCO office for special instructions regarding petition/resolution of application requirements. YES NO

C. PUBLIC SERVICES INFORMATION

SEWER SERVICE: *NA - The proposed actions will not change the Sewer Services within the proposal territory.*

1. (a) Is the proposal territory within a district or city that provides public sewer service? YES NO
(b) *If yes*, which agency? NA
2. (a) Is a developed parcel in need of annexation due to failed septic system? YES NO
(b) *If yes*, include a copy of any letters from the San Diego County Department of Environmental Health or private septic-system company.
(c) *If no*, is annexation for sewer service part of this application? YES NO
3. If annexation for sewer service is proposed, which district or city would serve the territory if this jurisdictional change is approved? NA
4. (a) Has the agency that will be providing service issued a letter of sewer availability? YES NO
(b) *If yes*, please provide a copy of the letter with this application. (This documentation should be completed by the agency no longer than 6 months prior to submittal to LAFCO.)
5. (a) Will the agency be prepared to furnish sewer service upon annexation? YES NO
(b) *If no*, please explain: NA

WATER SERVICE: *NA - The proposed actions will not change the Water Service within the proposal territory.*

1. (a) Is the proposal territory within a district or city that provides public water service? YES NO
(b) *If yes*, which agency? NA
2. Is a well or other on-site water system currently used on the property? YES NO
3. Is an on-site system proposed to be used when the property is developed? YES NO
4. (a) Is annexation for water service part of this application? YES NO
(b) *If yes*, which district or city would serve the territory if this jurisdictional change is approved? NA
(c) Will the agency that will be providing service be prepared to furnish water service upon annexation? YES NO
5. (a) Has the agency that will be providing service issued a letter of water availability? YES NO
(b) *If yes*, please provide a copy of the letter with this application. (This documentation should be completed by the agency no longer than 6 months prior to submittal to LAFCO.)

FIRE PROTECTION SERVICES: NOTE: Complete the following section *only* if annexation to a fire protection service provider is proposed—or if the current fire protection service provider is proposed to change.

1. (a) Is the proposal territory *currently* within an agency that provides fire protection? YES NO

(b) *If yes*, provide name and address/location of current fire service provider

Borrego Springs Fire Protection District

2324 Stirrup Road, P.O. Box 9, Borrego Springs, CA 92004

(c) Provide estimated response times to the proposal territory:

priority _____ minutes; non-priority _____ minutes

2. Is annexation for fire protection service part of this application? YES NO

3. Which city or district would serve the proposal territory if this jurisdictional change is approved?

San Diego County Fire Protection District

(a) Location/address of the proposed fire service provider: _____

5560 Overland Avenue, Suite 400, San Diego, CA 92123

(b) Estimated response times to the proposal territory: *Please refer to the Travel Time Standards set forth in the*

Priority _____ minutes; non-priority _____ minutes

Safety Element of the San Diego County General Plan.

POLICE PROTECTION SERVICES: NOTE: Complete the following section *only* if the police protection provider is proposed to change.

1. Which police agency *currently* serves the proposal territory?

(a) Location/address of nearest police station: _____

(b) Estimated response times to the proposal territory: priority _____ minutes; non-priority _____ minutes

2. Which police agency would serve the proposal territory if this jurisdictional change is approved?

(a) Location/address of nearest police station: _____

(b) Estimated response times to the proposal territory:

Priority _____ minutes; non-priority _____ minutes

CAMPAIGN CONTRIBUTION DISCLOSURE PROVISIONS

LAFCOs are subject to the campaign disclosure provisions detailed in Government Code Section 84308, and the Regulations of the Fair Political Practices Commission (FPPC), Section 18438.

Please carefully read the following information to determine if the provisions apply to you. If you determine that the provisions are applicable, the Campaign Disclosure Form must be completed and returned to San Diego LAFCO with your application.

1. No LAFCO commissioner shall accept, solicit, or direct a contribution of more than \$250 from any party¹ or agent² while a change of organization proceeding is pending, and for three months subsequent to the date a final decision is rendered by LAFCO. This prohibition commences when your application has been filed, or the proceeding is otherwise initiated.

2. A party to a LAFCO proceeding shall disclose on the record of the proceeding any contribution of more than \$250 made to any commissioner by the party, or agent, during the preceding 12 months. No party to a LAFCO proceeding, or agent, shall make a contribution to a commissioner during the proceeding and for three months following the date a final decision is rendered by LAFCO.

3. Prior to rendering a decision on a LAFCO proceeding, any commissioner who received contribution of more than \$250 within the preceding 12 months from any party, or agent, to a proceeding shall disclose that fact on the record of the proceeding, and shall be disqualified from participating in the proceeding. However, if any commissioner receives a contribution that otherwise would require disqualification, and returns the contribution within 30 days of knowing about the contribution and the relevant proceeding, that commissioner shall be permitted to participate in the proceeding.

¹ "Party" is defined as any person who files an application for, or is the subject of, a proceeding.

² "Agent" is defined as a person who represents a party in connection with a proceeding. If an individual acting as an agent also is acting as an employee or member of a law, architectural, engineering, or consulting firm, or a similar entity or corporation, both the individual and the entity or corporation are agents. When a closed corporation is a party to a proceeding, the majority shareholder is subject to these provisions.

To determine whether a campaign contribution of more than \$250 has been made by you or your agent to a commissioner within the preceding 12 months, all contributions made by you or your agent during that period must be aggregated.

Names of current LAFCO commissioners are available at <http://www.sdlafco.org/document/CommRoster.pdf>. If you have questions about Government Code Section 84308, FPPC regulations, or the Campaign Disclosure Form, please contact San Diego LAFCO at 9335 Hazard Way, Suite 200, San Diego, CA 92123, (858) 614-7755.

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

(a) Proposed change(s) of organization: _____

Includes the dissolution of BSFPD and concurrent annexation
of territory within the BSFPD's boundaries into the SDCFPD.

(b) Name and address of any party, or agent, who has contributed more than \$250 to any commissioner within the preceding 12 months:

1. NA

2. NA

(c) Date and amount of contribution:

Date NA Amount \$ NA

Date NA Amount \$ NA

(d) Name of commissioner to whom contribution was made:

1. NA

2. NA

(e) I certify that the above information is provided to the best of my knowledge.

Printed Name John W. Hardcastle, BSFPD Fire Chief

Signature [Signature]

Date 11/3/2022 Phone (760) 767-5436

To be completed by LAFCO:

Proposal:

Ref. No.

DISCLOSURE OF POLITICAL EXPENDITURES

Effective January 1, 2008, expenditures for political purposes, which are related to a change of organization or reorganization proposal that will be or has been submitted to LAFCO, are subject to the reporting and disclosure requirements of the Political Reform Act of 1974 and the Cortese-Knox-Hertzberg Act of 2000.

Please carefully read the following information to determine if reporting and disclosure provisions apply to you.

- Any person or combination of persons who, for political purposes, directly or indirectly contributes \$1,000 or more, or expend \$1,000 or more in support of, or in opposition to a proposal for a change of organization or reorganization that will be submitted to the Commission, shall disclose and report to the Commission to the same extent and subject to the same requirements of the Political Reform Act of 1974 (Government Code Section 81000 et seq.) as provided for local initiative measures, and Section 56700.1 of the Cortese-Knox-Hertzberg Act of 2000.
- Pursuant to Government Code Section 57009, any person or combination of persons who directly or indirectly contributes \$1,000 or more, or expends \$1,000 or in support of, or in opposition to, the conducting authority proceedings for a change of organization or reorganization, must comply with the disclosure requirements of the Political Reform Act of 1974, (Government Code section 81000 et seq.). Applicable reports must be filed with the Secretary of State and the appropriate city or county clerk. Copies of the report must also be filed with the Executive Officer of San Diego LAFCO.
- A roster of current San Diego LAFCO commissioners is available from the LAFCO office: 9335 Hazard Way, Suite 200, San Diego, CA 92123, (858) 614-7755, or from <http://www.sdlafco.org/document/CommRoster.pdf>

EVALUATION CHECKLIST FOR DISCLOSURE OF POLITICAL EXPENDITURES

The following checklist is provided to assist you in determining if the requirements of Government Code Sections 81000 et seq. apply to you. For further assistance contact the Fair Political Practices Commission at 428 J Street, Suite 450, Sacramento, CA 95814, (866) 275-3772 or at <http://www.fppc.ca.gov>.

1. Have you directly or indirectly made a contribution or expenditure of \$1,000 or more related to the support or opposition of a proposal that has been or will be submitted to LAFCO?

Yes

No

Date of contribution _____ Amount \$ _____

Name/Ref. No. of LAFCO proposal _____

Date proposal submitted to LAFCO _____

2. Have you, in combination with other person(s), directly or indirectly contributed or expended \$1,000 or more related to the support or opposition of a proposal that has been or will be submitted to LAFCO?

Yes

No

Date of contribution _____ Amount \$ _____

Name/Ref. No. of LAFCO proposal _____

Date proposal submitted to LAFCO _____

3. If you have filed a report in accordance with FPPC requirements, has a copy of the report been filed with San Diego LAFCO?

Yes

No

PROPERTY-OWNER CONSENT FORM FOR INCLUSION OF PROPERTY

Note: Processing of jurisdictional boundary change proposals, which involve *uninhabited*¹ territory, can be expedited by approximately 60 days if all affected landowners consent to the proposal. If you wish to take advantage of this option, please return the completed PROPERTY-OWNER CONSENT FORM FOR INCLUSION OF PROPERTY to San Diego LAFCO with your application for a jurisdictional boundary change. If consenting signatures of **100%** of the affected property owners are affixed and LAFCO does not receive any opposition from subject agencies, the Commission may consider the proposal without public notice, public hearing and/or an election.

¹ Territory included within a proposed boundary change that includes less-than 1/2 registered voters is considered *uninhabited* (Government Code 56045).

The undersigned owners(s) of property hereby consent(s) to inclusion of that property within a proposed change of organization or reorganization consisting of:

(Please list all proposed actions)

Annexation to: 1. _____
2. _____
3. _____


Detachment from: 1. _____
2. _____
3. _____

<u>Date</u>	<u>Signature</u>	<u>Assessor's Parcel Number(s)</u>
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____

Attach additional sheets if necessary

SUBJECT AGENCY SUPPLEMENTAL INFORMATION FORM

NOTE: A copy of this form must be completed and signed by **each** local agency that will gain or lose territory as a result of the proposed jurisdictional boundary change. Attach additional sheets if necessary.

	John W. Hardcastle
Signature of agency representative	Print name
Fire Chief, Borrego Springs Fire Protection District	
Title	
(760) 767-5436	11/3/2022
Telephone	Date

A. JURISDICTIONAL INFORMATION:

Name of agency:
Borrego Springs Fire Protection District

1. Is the proposal territory within the agency's sphere of influence? Yes No
2. Upon annexation, will the proposal territory be included within an assessment district and be subject to assessment for new or extended services? Yes No
3. Does the agency have plans to establish any new assessment district that would include the proposal territory? Yes No
4. Will the proposal territory assume any existing bonded indebtedness? Yes No
If yes, indicate any taxpayer cost: \$ _____
5. Will the proposal territory be subject to any special taxes, benefit charges, or fees? Yes No
If yes, please provide details of all costs: Existing revenue sources include: ambulance transport fees, Special Benefit Fees, Community Facility District and mitigation fees which will be continued to be collected by SDCFPD.
6. Is the agency requesting an exchange of property tax revenues as a result of this proposal? Yes No
7. Is this proposed jurisdictional change subject to a master property tax agreement or master enterprise district resolution? Yes No
8. FOR CITY ANNEXATIONS: Does the proposal territory contain existing commercial development that generates retail sales of ten million dollars or more per year? Yes No
9. FOR CITY ANNEXATIONS: If any part of the proposal territory is under a Williamson Act contract, please contact the LAFCO office for special instructions regarding petition or resolution of application requirements.

EXPEDITED PROPOSAL PROCESSING: *Processing of jurisdictional boundary change proposals can be expedited by approximately 60 days if all affected landowners consent to the waiver of protest and termination (conducting authority) proceedings and subject agencies do not oppose the waiver. If you do NOT want to waive these proceedings, then attach a written statement to the subject agency information form containing a signature, date, and declaration of opposition to a waiver of such proceedings.*

B. SEWER SERVICE: *NA - The proposed actions will not result in changes to the Sewer Service in the proposal territory.*

1. What is the agency's current wastewater treatment capacity (expressed in million gallons per day and equivalent dwelling units)? NA

2. What is the average volume of influent currently being treated by the agency (expressed in million gallons per day and equivalent dwelling units)? NA

3. (a) What is the agency's peak flow volume (expressed in million gallons per day)? NA

(b) What is the agency's peak flow capacity (expressed in million gallons per day)? NA

(c) Has the agency exceeded the flow (peak) capacity within the past two years?

(d) *If yes*, please describe the frequency and volume of incidents that exceeded the agency's peak capacity: NA

YES NO

4. (a) Has the agency issued a letter of sewer availability for the proposal territory?

YES NO

(b) *If yes*, please provide a copy of the letter. (This documentation should be completed by the agency no longer than 6 months prior to submittal to LAFCO.)

5. (a) How many future equivalent dwelling units have been reserved or committed for proposed projects? NA

(b) Can all projects that have received commitments of sewer availability (e.g., "will serve letters") be accommodated with planned capacity?

YES NO

6. (a) Does the agency have the necessary contractual and/or operational treatment capacity to provide sewer service to the proposal territory?

YES NO

(b) *If yes*, please specify the proposal territory's estimated sewer demand and the agency's available sewer capacity (expressed in million gallons per day and equivalent dwelling units):

NA

(c) *If no*, please describe the agency's plans to upgrade capacity to resolve any capacity related issues: NA

7. Will the proposal territory be annexed to a sewer improvement district?

YES NO

8. (a) The distance for connection of the proposal territory to the agency's existing sewer system is NA feet.

(b) Describe the location of the connection to the agency's existing sewer system:

NA

C. WATER SERVICE: NA - The proposed actions will not result in changes to the Water Service in the proposal territory.

1. (a) Does the subject agency have adequate water supply and sufficient contractual and/or operational capacity available to serve the proposal territory? YES NO

(b) **If yes**, describe the proposal territory's estimated water demand and the agency's available water supply and capacity (expressed in acre-feet or million gallons per day):

NA

(c) **If no**, what plans does the agency have to increase its water capacity?

NA

2. Specify any improvements (on and off-site) that will be necessary to connect and serve the anticipated development. Indicate the total cost of these improvements and method of financing (e.g., general property tax, assessment district, landowner or developer fees): YES NO

NA

3. (a) Has the agency issued a letter of water availability for the proposal territory? YES NO

(b) **If yes**, please provide a copy of the letter. (This documentation should be completed by the agency no longer than 6 months prior to submittal to LAFCO.)

4. (a) The distance for connection of the proposal territory to the agency's existing water system is NA feet.

(b) Describe the location of the connection to the agency's existing water system:

NA

5. (a) Is the agency currently under any drought-related conditions and/or restrictions? YES NO

(b) **If yes**, describe the conditions and specify any related restrictions:

NA

6. (a) Will the proposal territory utilize reclaimed water? YES NO

(b) **If yes**, describe the proposal territory's reclaimed water use and the agency's available reclaimed water supply and capacity (expressed in acre-feet or million gallons per day):

(c) The distance for connection of the proposal territory to the agency's existing reclaimed water system is _____ feet.

(d) Describe the location of the connection to the agency's existing reclaimed water system: _____

(e) **If no**, has the agency considered availability of reclaimed water to the proposal territory? YES NO

(f) What restrictions prevent use of reclaimed water? NA

7. Will the proposal territory be annexed to an improvement district? YES NO

SAN DIEGO LOCAL AGENCY FORMATION COMMISSION
CHANGE OF ORGANIZATION OR REORGANIZATION APPLICATION

The following information must be submitted when filing a change of organization or reorganization proposal with the San Diego Local Agency Formation Commission (LAFCO); additional information may be requested during review of the proposal.

- 1. **Completed CHANGE OF ORGANIZATION OR REORGANIZATION APPLICATION.**
- 2. (a) A **certified resolution of application** from an affected city or district; or
(b) A **landowner or registered voter petition** making application to San Diego LAFCO (available from LAFCO or <http://www.sdlafco.org/forms/petition.pdf>).
- 3. A **metes-and-bounds legal description of the proposal territory perimeter** for the proposed boundary change(s), a **reproducible parcel/plat map**, and a **vicinity map**. For information about mapping requirements, refer to: http://www.sdlafco.org/forms/legal_description.pdf, and contact the County Assessor's Mapping Division at 619/531-5588. The Thomas Brother's Guide may be used for the vicinity map.
- 4. **Environmental documentation** to comply with the California Environmental Quality Act (CEQA); submit documents for applicable category only:
 - (a) **INITIAL STUDY:** Submit completed form (available from LAFCO) if no environmental review has been conducted;
 - (b) **CATEGORICAL EXEMPTION:** Submit document if an agency has certified that the project qualifies for a categorical exemption from CEQA;
 - (c) **NEGATIVE DECLARATION (ND):** Submit document with certifying resolution and Initial Study*;
 - (d) **ENVIRONMENTAL IMPACT REPORT (EIR):** Submit 15 copies of the Final EIR and certifying resolution, plus one copy of the EIR Appendix*.

* For an ND or EIR, a copy of the receipt for the fee paid to the California Department of Fish and Game must be submitted.
- 5. If annexation to a city is proposed, submit one copy of the **city resolution approving rezoning and general plan land-use designations** for the proposal territory.
- 6. **JURISDICTIONAL CONFLICTS:** If the response to question number 6 on page 3 is "Yes", complete and sign the Policy L-107 form at http://www.sdlafco.org/forms/Legislative_Policy_L_107.pdf.
- 7. **Completed CAMPAIGN CONTRIBUTION DISCLOSURE FORM AND EVALUATION CHECKLIST for DISCLOSURE OF POLITICAL EXPENDITURES** (pages 7 and 8 of application).
- 8. **PROPERTY-OWNER CONSENT FORM FOR INCLUSION OF PROPERTY** (page 9 of application).
- 9. Completed **SUBJECT AGENCY SUPPLEMENTAL INFORMATION FORM** (pages 10-12 of application) from **each** subject agency.
- 10. **LAFCO processing fees.** The San Diego LAFCO FEE SCHEDULE is available at <http://www.sdlafco.org/document/feeschedule.pdf>, or contact LAFCO staff.

SAN DIEGO LOCAL AGENCY FORMATION COMMISSION
9335 Hazard Way · Suite 200 · San Diego, CA 92123
(858) 614-7755 · www.sdlafco.org

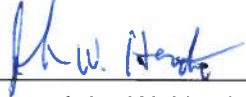
CHANGE OF ORGANIZATION OR REORGANIZATION APPLICATION

The information in this application is used by LAFCO staff to evaluate proposals for changes of government organization. Please respond to **all** items in this form, indicating "NA" when an item does *not* apply.

SUBJECT AGENCY(IES) (City or Special District)	PROPOSED CHANGE OF ORGANIZATION/ACTION (Annexation, detachment, sphere amendment, etc.)
1. <u>Borrego Springs Fire Protection District</u>	1. <u>Dissolution</u>
2. _____	2. <u>Concurrent Annexation of Territory</u>
3. _____	3. <u>Sphere of Influence Amendment</u>
4. _____	4. _____

As part of this application, the City of NA or the Borrego Springs Fire Protection District, NA (the applicant), and/or the NA (real party in interest): subject landowner and/or registered voter agrees to defend, indemnify, hold harmless, and release the San Diego LAFCO, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any or all of them, the purpose of which is to attack, set aside, void, or annul San Diego LAFCO's review, approval or denial of this application or adoption of or refusal to adopt the environmental document which accompanies it or any other action San Diego LAFCO takes with respect to this application. This defense and indemnification obligation shall include, but not be limited to, attorneys' fees, expert witness fees and other costs of defense, damages, costs, and expenses, including attorney fees payable to another party. Applicant and/or real party in interest agree that San Diego LAFCO shall have the right to appoint its own counsel to defend it and conduct its own defense in the manner it deems in its best interest and that San Diego LAFCO's taking such action does not limit the obligations to indemnify and reimburse San Diego LAFCO's defense costs. This defense and indemnification obligation shall apply whether or not there is concurrent passive or active negligence on the part of the San Diego LAFCO, its agents, officers, attorneys, or employee. The person signing this application will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. San Diego LAFCO's acceptance of this application is sufficient to make this agreement a binding, bilateral contract between us.

I acknowledge that annexation to the city of NA or the San Diego County Fire Protection District district may result in the imposition of taxes, fees and assessments **existing within the (city or district)** on the effective date of annexation. I hereby waive any rights I may have under Articles XIII C and XIII D of the State Constitution (Proposition 218) to a hearing, assessment ballot proceeding or an election on those **existing taxes, fees and assessments**.

Agreed: _____
 Signature:  Date: 11/3/2022
 Print/Type Name: John W. Hardcastle, Fire Chief, Borrego Springs Fire Protection District
 Address: 2324 Stirrup Road, P.O. Box 9, Borrego Springs, CA 92004
 Telephone: (760) 767-5436

Property Address: NA
 Cross Street(s): NA
 Assessor Parcel Number(s): Multiple Acres: 198,400 (310 square miles)

Indicate below if anyone, in addition to the person signing this application, is to receive notices of these proceedings.
 Name: San Diego County Fire Protection District, Attn: Jeff Collins/ Kat Anady
 Address: 5560 Overland Avenue, Suite 400, San Diego, CA 92123
 Telephone: (619) 857-6403

A. PROPOSAL DESCRIPTION/JUSTIFICATION

1. Explain in detail why the proposal is necessary *at this time* (e.g., condition of an approved tentative map, an existing structure requires new services, etc.). _____

Please refer to Resolution No. 2022-03, adopted on August 25, 2022 by the Board of Directors of the Borrego Springs Fire Protection District (attached).

2. Describe the use of *developed* property within the proposal territory, including details about existing structures. Describe anticipated development of *vacant* property, including types of buildings, number of units, supporting facilities, etc., and when development is scheduled to occur. _____

The proposed actions will not change the use of developed or vacant property within the proposal territory.

3. Describe the topography and physical features of the proposal territory, as well as its general location in relation to communities, major freeways/highways, roads, etc. _____

The proposal territory includes the community of Borrego Springs, a small, isolated desert town located in the Northeastern portion of San Diego County and surrounded by the Anza-Borrego Desert State Park. The closest communities include Ocotillo Wells, Shelter Valley, and Ranchita.

4. How many residents live within the proposal territory? Estimated 3,800 permanent/ 10,000 seasonal residents

5. How many of these residents are registered voters? 1,767 (2022, San Diego County Registrar of Voters)

6. Are there any jurisdictional issues associated with the LAFCO proposal or pending LAFCO action?

NO YES (If yes, please complete the Policy L-107 form at http://www.sdlafco.org/forms/Legislative_Policy_L_107.pdf)

B. LAND USE INFORMATION

GENERAL PLAN AND ZONING:

If the proposal territory is *not* within an incorporated city, San Diego County General Plan and zoning information may be obtained by calling (858) 565-5981 or toll-free (888) 267-8770 with the Assessor Parcel Number(s) of the subject property. If the proposal territory is within a city, please call the appropriate city's planning department for General Plan and zoning information.

1. COUNTY:

(a) The territory is within the Borrego Springs community plan.

(b) The County General Plan or community plan designation and allowed density: _____
Please refer to the County General Plan Land Use Maps Appendix.

(c) Current County zoning and allowed density: _____
Please refer to the County General Plan Land Use Maps Appendix.

2. CITY:

(a) The territory is within the general plan area for the City of NA

(b) The City General Plan land use designation and allowed density: NA

(c) Current City zoning and allowed density: NA

(d) Current City prezoning and allowed density: NA

3. Indicate below *all* permits or approvals that will be needed by the County or any city to complete the project. If already granted, please note the date of approval and attach a copy of each resolution of approval. If approval is pending, please note the anticipated approval date.

Type of Approval or Permit	File No.	Approval Date	Is Resolution Attached?
Tentative Subdivision Map	NA		<input type="checkbox"/> YES <input type="checkbox"/> NO
Tentative Parcel Map	NA		<input type="checkbox"/> YES <input type="checkbox"/> NO
Major Use Permit	NA		<input type="checkbox"/> YES <input type="checkbox"/> NO
City/County General Plan Amendment	NA		<input type="checkbox"/> YES <input type="checkbox"/> NO
City Prezoning	NA		<input type="checkbox"/> YES <input type="checkbox"/> NO
County Rezone	NA		<input type="checkbox"/> YES <input type="checkbox"/> NO
(Other)	NA		<input type="checkbox"/> YES <input type="checkbox"/> NO

4. Describe the land uses surrounding the proposal territory (e.g., residential, commercial, agricultural, industrial, open space, etc.).

North: Public Agency Lands East: Public Agency Lands

South: Public Agency Lands West: Public Agency Lands

5. Indicate with a if any portion of the proposal territory contains the following:

- Agricultural land uses Agricultural Preserve
- Open Space Easement Slopes greater than 25%
- Sewer moratorium area Coastal Permit Zone
- Unusual features such as: _____

6. For city annexation proposals: Is any part of the proposal territory under a Williamson Act contract? If yes, please contact the LAFCO office for special instructions regarding petition/resolution of application requirements. YES NO

C. PUBLIC SERVICES INFORMATION

SEWER SERVICE: *NA - The proposed actions will not change the Sewer Services within the proposal territory.*

1. (a) Is the proposal territory within a district or city that provides public sewer service? YES NO
(b) *If yes*, which agency? NA
2. (a) Is a developed parcel in need of annexation due to failed septic system? YES NO
(b) *If yes*, include a copy of any letters from the San Diego County Department of Environmental Health or private septic-system company.
(c) *If no*, is annexation for sewer service part of this application? YES NO
3. If annexation for sewer service is proposed, which district or city would serve the territory if this jurisdictional change is approved? NA
4. (a) Has the agency that will be providing service issued a letter of sewer availability? YES NO
(b) *If yes*, please provide a copy of the letter with this application. (This documentation should be completed by the agency no longer than 6 months prior to submittal to LAFCO.)
5. (a) Will the agency be prepared to furnish sewer service upon annexation? YES NO
(b) *If no*, please explain: NA

WATER SERVICE: *NA - The proposed actions will not change the Water Service within the proposal territory.*

1. (a) Is the proposal territory within a district or city that provides public water service? YES NO
(b) *If yes*, which agency? NA
2. Is a well or other on-site water system currently used on the property? YES NO
3. Is an on-site system proposed to be used when the property is developed? YES NO
4. (a) Is annexation for water service part of this application? YES NO
(b) *If yes*, which district or city would serve the territory if this jurisdictional change is approved? NA
(c) Will the agency that will be providing service be prepared to furnish water service upon annexation? YES NO
5. (a) Has the agency that will be providing service issued a letter of water availability? YES NO
(b) *If yes*, please provide a copy of the letter with this application. (This documentation should be completed by the agency no longer than 6 months prior to submittal to LAFCO.)

FIRE PROTECTION SERVICES: NOTE: Complete the following section *only* if annexation to a fire protection service provider is proposed—or if the current fire protection service provider is proposed to change.

1. (a) Is the proposal territory *currently* within an agency that provides fire protection? YES NO

(b) *If yes*, provide name and address/location of current fire service provider

Borrego Springs Fire Protection District

2324 Stirrup Road, P.O. Box 9, Borrego Springs, CA 92004

(c) Provide estimated response times to the proposal territory:

priority _____ minutes; non-priority _____ minutes

2. Is annexation for fire protection service part of this application? YES NO

3. Which city or district would serve the proposal territory if this jurisdictional change is approved?

San Diego County Fire Protection District

(a) Location/address of the proposed fire service provider: _____

5560 Overland Avenue, Suite 400, San Diego, CA 92123

(b) Estimated response times to the proposal territory: *Please refer to the Travel Time Standards set forth in the*

Priority _____ minutes; non-priority _____ minutes

Safety Element of the San Diego County General Plan.

POLICE PROTECTION SERVICES: NOTE: Complete the following section *only* if the police protection provider is proposed to change.

1. Which police agency *currently* serves the proposal territory?

(a) Location/address of nearest police station: _____

(b) Estimated response times to the proposal territory: priority _____ minutes; non-priority _____ minutes

2. Which police agency would serve the proposal territory if this jurisdictional change is approved?

(a) Location/address of nearest police station: _____

(b) Estimated response times to the proposal territory:

Priority _____ minutes; non-priority _____ minutes

CAMPAIGN CONTRIBUTION DISCLOSURE PROVISIONS

LAFCOs are subject to the campaign disclosure provisions detailed in Government Code Section 84308, and the Regulations of the Fair Political Practices Commission (FPPC), Section 18438.

Please carefully read the following information to determine if the provisions apply to you. If you determine that the provisions are applicable, the Campaign Disclosure Form must be completed and returned to San Diego LAFCO with your application.

1. No LAFCO commissioner shall accept, solicit, or direct a contribution of more than \$250 from any party¹ or agent² while a change of organization proceeding is pending, and for three months subsequent to the date a final decision is rendered by LAFCO. This prohibition commences when your application has been filed, or the proceeding is otherwise initiated.

2. A party to a LAFCO proceeding shall disclose on the record of the proceeding any contribution of more than \$250 made to any commissioner by the party, or agent, during the preceding 12 months. No party to a LAFCO proceeding, or agent, shall make a contribution to a commissioner during the proceeding and for three months following the date a final decision is rendered by LAFCO.

3. Prior to rendering a decision on a LAFCO proceeding, any commissioner who received contribution of more than \$250 within the preceding 12 months from any party, or agent, to a proceeding shall disclose that fact on the record of the proceeding, and shall be disqualified from participating in the proceeding. However, if any commissioner receives a contribution that otherwise would require disqualification, and returns the contribution within 30 days of knowing about the contribution and the relevant proceeding, that commissioner shall be permitted to participate in the proceeding.

¹ "Party" is defined as any person who files an application for, or is the subject of, a proceeding.

² "Agent" is defined as a person who represents a party in connection with a proceeding. If an individual acting as an agent also is acting as an employee or member of a law, architectural, engineering, or consulting firm, or a similar entity or corporation, both the individual and the entity or corporation are agents. When a closed corporation is a party to a proceeding, the majority shareholder is subject to these provisions.

To determine whether a campaign contribution of more than \$250 has been made by you or your agent to a commissioner within the preceding 12 months, all contributions made by you or your agent during that period must be aggregated.

Names of current LAFCO commissioners are available at <http://www.sdlafco.org/document/CommRoster.pdf>. If you have questions about Government Code Section 84308, FPPC regulations, or the Campaign Disclosure Form, please contact San Diego LAFCO at 9335 Hazard Way, Suite 200, San Diego, CA 92123, (858) 614-7755.

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

(a) Proposed change(s) of organization: _____

Includes the dissolution of BSFPD and concurrent annexation
of territory within the BSFPD's boundaries into the SDCFPD.

(b) Name and address of any party, or agent, who has contributed more than \$250 to any commissioner within the preceding 12 months:

1. NA

2. NA

(c) Date and amount of contribution:

Date NA Amount \$ NA

Date NA Amount \$ NA

(d) Name of commissioner to whom contribution was made:

1. NA

2. NA

(e) I certify that the above information is provided to the best of my knowledge.

Printed Name John W. Hardcastle, BSFPD Fire Chief

Signature 

Date 11/3/2022 Phone (760) 767-5436

To be completed by LAFCO:

Proposal:

Ref. No.

DISCLOSURE OF POLITICAL EXPENDITURES

Effective January 1, 2008, expenditures for political purposes, which are related to a change of organization or reorganization proposal that will be or has been submitted to LAFCO, are subject to the reporting and disclosure requirements of the Political Reform Act of 1974 and the Cortese-Knox-Hertzberg Act of 2000.

Please carefully read the following information to determine if reporting and disclosure provisions apply to you.

- Any person or combination of persons who, for political purposes, directly or indirectly contributes \$1,000 or more, or expend \$1,000 or more in support of, or in opposition to a proposal for a change of organization or reorganization that will be submitted to the Commission, shall disclose and report to the Commission to the same extent and subject to the same requirements of the Political Reform Act of 1974 (Government Code Section 81000 et seq.) as provided for local initiative measures, and Section 56700.1 of the Cortese-Knox-Hertzberg Act of 2000.
- Pursuant to Government Code Section 57009, any person or combination of persons who directly or indirectly contributes \$1,000 or more, or expends \$1,000 or in support of, or in opposition to, the conducting authority proceedings for a change of organization or reorganization, must comply with the disclosure requirements of the Political Reform Act of 1974, (Government Code section 81000 et seq.). Applicable reports must be filed with the Secretary of State and the appropriate city or county clerk. Copies of the report must also be filed with the Executive Officer of San Diego LAFCO.
- A roster of current San Diego LAFCO commissioners is available from the LAFCO office: 9335 Hazard Way, Suite 200, San Diego, CA 92123, (858) 614-7755, or from <http://www.sdlafco.org/document/CommRoster.pdf>

EVALUATION CHECKLIST FOR DISCLOSURE OF POLITICAL EXPENDITURES

The following checklist is provided to assist you in determining if the requirements of Government Code Sections 81000 et seq. apply to you. For further assistance contact the Fair Political Practices Commission at 428 J Street, Suite 450, Sacramento, CA 95814, (866) 275-3772 or at <http://www.fppc.ca.gov>.

1. Have you directly or indirectly made a contribution or expenditure of \$1,000 or more related to the support or opposition of a proposal that has been or will be submitted to LAFCO?

- Yes
 No

Date of contribution _____ Amount \$ _____

Name/Ref. No. of LAFCO proposal _____

Date proposal submitted to LAFCO _____

2. Have you, in combination with other person(s), directly or indirectly contributed or expended \$1,000 or more related to the support or opposition of a proposal that has been or will be submitted to LAFCO?

- Yes
 No

Date of contribution _____ Amount \$ _____

Name/Ref. No. of LAFCO proposal _____

Date proposal submitted to LAFCO _____

3. If you have filed a report in accordance with FPPC requirements, has a copy of the report been filed with San Diego LAFCO?

- Yes
 No

PROPERTY-OWNER CONSENT FORM FOR INCLUSION OF PROPERTY

Note: Processing of jurisdictional boundary change proposals, which involve *uninhabited*¹ territory, can be expedited by approximately 60 days if all affected landowners consent to the proposal. If you wish to take advantage of this option, please return the completed PROPERTY-OWNER CONSENT FORM FOR INCLUSION OF PROPERTY to San Diego LAFCO with your application for a jurisdictional boundary change. If consenting signatures of **100%** of the affected property owners are affixed and LAFCO does not receive any opposition from subject agencies, the Commission may consider the proposal without public notice, public hearing and/or an election.

¹ Territory included within a proposed boundary change that includes less-than 12 registered voters is considered *uninhabited* (Government Code 56045).

The undersigned owners(s) of property hereby consent(s) to inclusion of that property within a proposed change of organization or reorganization consisting of:

(Please list all proposed actions)

Annexation to: 1. _____
2. _____
3. _____

Detachment from: 1. _____
2. _____
3. _____

<u>Date</u>	<u>Signature</u>	<u>Assessor's Parcel Number(s)</u>
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____

Attach additional sheets if necessary

SUBJECT AGENCY SUPPLEMENTAL INFORMATION FORM

NOTE: A copy of this form must be completed and signed by **each** local agency that will gain or lose territory as a result of the proposed jurisdictional boundary change. Attach additional sheets if necessary.

	John W. Hardcastle
Signature of agency representative	Print name
Fire Chief, Borrego Springs Fire Protection District	
Title	
(760) 767-5436	11/3/2022
Telephone	Date

A. JURISDICTIONAL INFORMATION:

Name of agency:
Borrego Springs Fire Protection District

1. Is the proposal territory within the agency's sphere of influence? Yes No
2. Upon annexation, will the proposal territory be included within an assessment district and be subject to assessment for new or extended services? Yes No
3. Does the agency have plans to establish any new assessment district that would include the proposal territory? Yes No
4. Will the proposal territory assume any existing bonded indebtedness? Yes No
If yes, indicate any taxpayer cost: \$ _____
5. Will the proposal territory be subject to any special taxes, benefit charges, or fees? Yes No
If yes, please provide details of all costs: Existing revenue sources include: ambulance transport fees, Special Benefit Fees, Community Facility District and mitigation fees which will be continued to be collected by SDCFPD.
6. Is the agency requesting an exchange of property tax revenues as a result of this proposal? Yes No
7. Is this proposed jurisdictional change subject to a master property tax agreement or master enterprise district resolution? Yes No
8. FOR CITY ANNEXATIONS: Does the proposal territory contain existing commercial development that generates retail sales of ten million dollars or more per year? Yes No
9. FOR CITY ANNEXATIONS: If any part of the proposal territory is under a Williamson Act contract, please contact the LAFCO office for special instructions regarding petition or resolution of application requirements.

EXPEDITED PROPOSAL PROCESSING: *Processing of jurisdictional boundary change proposals can be expedited by approximately 60 days if all affected landowners consent to the waiver of protest and termination (conducting authority) proceedings and subject agencies do not oppose the waiver. If you do NOT want to waive these proceedings, then attach a written statement to the subject agency information form containing a signature, date, and declaration of opposition to a waiver of such proceedings.*

B. SEWER SERVICE: *NA - The proposed actions will not result in changes to the Sewer Service in the proposal territory.*

1. What is the agency's current wastewater treatment capacity (expressed in million gallons per day and equivalent dwelling units)? NA

2. What is the average volume of influent currently being treated by the agency (expressed in million gallons per day and equivalent dwelling units)? NA

3. (a) What is the agency's peak flow volume (expressed in million gallons per day)? NA

(b) What is the agency's peak flow capacity (expressed in million gallons per day)? NA

(c) Has the agency exceeded the flow (peak) capacity within the past two years?

(d) *If yes*, please describe the frequency and volume of incidents that exceeded the agency's peak capacity: NA

YES NO

4. (a) Has the agency issued a letter of sewer availability for the proposal territory?

YES NO

(b) *If yes*, please provide a copy of the letter. (This documentation should be completed by the agency no longer than 6 months prior to submittal to LAFCO.)

5. (a) How many future equivalent dwelling units have been reserved or committed for proposed projects? NA

(b) Can all projects that have received commitments of sewer availability (e.g., "will serve letters") be accommodated with planned capacity?

YES NO

6. (a) Does the agency have the necessary contractual and/or operational treatment capacity to provide sewer service to the proposal territory?

YES NO

(b) *If yes*, please specify the proposal territory's estimated sewer demand and the agency's available sewer capacity (expressed in million gallons per day and equivalent dwelling units):

NA

(c) *If no*, please describe the agency's plans to upgrade capacity to resolve any capacity related issues: NA

7. Will the proposal territory be annexed to a sewer improvement district?

YES NO

8. (a) The distance for connection of the proposal territory to the agency's existing sewer system is NA feet.

(b) Describe the location of the connection to the agency's existing sewer system:

NA

C. WATER SERVICE: NA - The proposed actions will not result in changes to the Water Service in the proposal territory.

1. (a) Does the subject agency have adequate water supply and sufficient contractual and/or operational capacity available to serve the proposal territory? YES NO

(b) **If yes**, describe the proposal territory's estimated water demand and the agency's available water supply and capacity (expressed in acre-feet or million gallons per day):

NA _____

(c) **If no**, what plans does the agency have to increase its water capacity?

NA _____

2. Specify any improvements (on and off-site) that will be necessary to connect and serve the anticipated development. Indicate the total cost of these improvements and method of financing (e.g., general property tax, assessment district, landowner or developer fees): YES NO
- NA _____

3. (a) Has the agency issued a letter of water availability for the proposal territory? YES NO

(b) **If yes**, please provide a copy of the letter. (This documentation should be completed by the agency no longer than 6 months prior to submittal to LAFCO.)

4. (a) The distance for connection of the proposal territory to the agency's existing water system is NA feet.

(b) Describe the location of the connection to the agency's existing water system:
NA _____

5. (a) Is the agency currently under any drought-related conditions and/or restrictions? YES NO

(b) **If yes**, describe the conditions and specify any related restrictions:
NA _____

6. (a) Will the proposal territory utilize reclaimed water? YES NO

(b) **If yes**, describe the proposal territory's reclaimed water use and the agency's available reclaimed water supply and capacity (expressed in acre-feet or million gallons per day):

(c) The distance for connection of the proposal territory to the agency's existing reclaimed water system is _____ feet.

(d) Describe the location of the connection to the agency's existing reclaimed water system: _____

- (e) **If no**, has the agency considered availability of reclaimed water to the proposal territory? YES NO

(f) What restrictions prevent use of reclaimed water? NA _____

7. Will the proposal territory be annexed to an improvement district? YES NO

Plan for Service

Pursuant to Government Code Section 56653, this plan describes services to be provided by the San Diego County Fire Protection District (SDCFPD) within the Borrego Springs Fire District (BSFPD) territory upon the dissolution of BSFPD and concurrent annexation of territory within the BSFPD's boundaries into the SDCFPD.

(1) An enumeration and description of the services to be provided:

Fire Protection and Emergency Medical Services: Upon the Effective Date, SDCFPD shall meet or exceed the service levels within the BSFPD, including, but not limited to, the following:

- (a) Paramedic Fire Engine. SDCFPD shall provide a full time 3-person staffed Paramedic Fire Engine at the Borrego Springs Fire Station (Fire Station 91).
- (b) Paramedic Ambulance. SDCFPD shall provide a full time 2-person staffed Paramedic Ambulance at Fire Station 91.
- (c) Cover Station. SDCFPD shall ensure Fire Station 91 is a must-cover station (move up after 30 minutes).
- (d) Administration/Operation. SDCFPD will ensure a Battalion Chief is assigned to oversee Fire Station 91.
- (e) Fire Station Assessment. SDCFPD shall provide evidence to LAFCO prior to the Effective Date, committing to evaluate the need for a replacement fire station to serve Borrego Springs as part of SDCFPD's Capital Improvement Program.
- (f) Community Events. SDCFPD and/or state firefighters stationed at Borrego Springs will participate in community events as requested.

Fire Prevention Services: Fire prevention services within the affected territory are currently provided by BSFPD and will be provided by County Staff after the dissolution of BSFPD.

(2) The level and range of services to be provided:

SDCFPD will implement Advanced Life Support (ALS) service for Fire Station 91, bringing the total number of SDCFPD ALS stations up to twenty. Staffing is 24-hour coverage, seven days per week, 365 days per year. SDCFPD will ensure a Battalion Chief is on duty in Battalion 5 (Borrego Springs) 24 hours per day.

(3) An indication of when services can be feasibly extended to the reorganization territory:

Fire Protection and Emergency Medical Services: The BSFPD currently provides fire protection and emergency medical services within the affected territory. Under this proposal, these services will be provided by CAL FIRE employees under contract with SDCFPD and San Diego County Reserve firefighters. No extension of services is anticipated.

Fire Prevention Services: Fire prevention services within the affected territory are currently provided by BSFPD and will be provided by County Staff after the dissolution of BSFPD.

- (4) An indication of any improvements or upgrades of facilities that the reorganized agency will make or require:

No immediate improvements are required because of the LAFCO process, but significant improvements could be made in the future.

- (5) Information with respect to how services will be financed:

The services will be financed using BSFPD and SDCFPD existing funding, including Property Tax Revenue, County General Purpose Revenue, and Special Taxes Revenue (in particular the Special Tax adopted by the voters of Borrego Springs FPD in November 2004, which SDCFPD shall be authorized to assess, levy and/or collect). In addition SDCFPD shall be the successor to, and shall have the authority to, administer Borrego Springs Fire Protection District CFD No. 2014-01, as the legislative body thereto, including but not limited to (i) levying, assessing and/or collecting all previously authorized special taxes related thereto and all such special taxes shall accrue and be transferred to SDCFPD as successor thereto; (ii) SDCFPD succeeding to all of the rights, duties, responsibilities, properties, contracts, equipment, assets, functions and obligations of CFD No. 2014-01; (iii) the continued provision of authorized services provided therein by SDCFPD as successor thereto; (iv) the management of all funds of CFD No. 2014-01 by SDCFPD as successor thereto;” and (v) the issuance of bonds of CFD No. 2014-01 which are authorized but not yet issued at the time of transfer. It is anticipated that the funding will continue to be budgeted within the same categories of services after the reorganization is complete.

Borrego Springs Fire Protection District
2324 Stirrup Road
P.O. Box 9
Borrego Springs, CA 92004

Keene Simonds
San Diego LAFCO
2550 Fifth Avenue, Suite 725
San Diego, CA 92103

November 3, 2022

Request for Fee Waiver Associated with the Proposed Dissolution of the Borrego Springs Fire Protection District and Concurrent Annexation of the Territory and Transfer of Fire Protection and Emergency Medical Services to the San Diego County Fire Protection District

Dear Mr. Simonds,

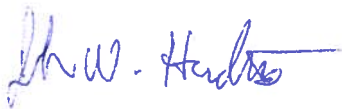
Due to the small population and rural area, the Borrego Springs Fire Protection District (BSFPD) has been unable to provide the same level of services to its residents as other areas of the County. This includes a reduced number of staff on engines and outdated medical equipment. In addition, the community of Borrego Springs has been designated as a disadvantaged unincorporated community.

As a result, on August 25, 2022, the Board of Directors of the BSFPD took action to adopt a resolution to initiate proceedings with the San Diego Local Agency Formation Commission (LAFCO) for the dissolution of the BSFPD and concurrent annexation of the territory, including the transfer of responsibility for fire protection and emergency medical services, to the San Diego County Fire Protection District (SDCFPD).

With the preceding in mind, and in consultation with the SDCFPD, the BSFPD requests the San Diego LAFCO consider waiving all fees associated with the above referenced proposal to mitigate additional financial hardship to the BSFPD and allow the SDCFPD to preserve and direct its own resources in providing administrative and operational support to the BSFPD.

Thank you for your consideration of this request. Should you have any questions, please contact me by email at jhardcastle@borrego-fire.org.

Respectfully,



John W. Hardcastle
Fire Chief
Borrego Springs Fire Protection District

Cc: Carol Ieromnimon, San Diego LAFCO
Jeff Collins, San Diego County Fire



Borrego Springs Fire Protection District

P.O. Box 9 • 2324 Stirrup Road • Borrego Springs, California 92004

CERTIFIED TRUE COPY OF THE ORIGINAL

Phone: (760) 767-5436 • Fax (760) 767-5193

[Handwritten Signature]

NAME

(760) 767-5436 09.13.22

PHONE

DATE

Resolution No. 2022-03

A Resolution of Application of the Borrego Springs Fire Protection District Initiating Proceedings with the San Diego Local Agency Formation Commission for Dissolution of Borrego Springs Fire Protection District and Concurrent Annexation of the Territory Within the District’s Boundaries into the San Diego County Fire Protection District with a Corresponding Sphere of Influence Amendment, and Finding that the Action is Not a “Project” Under CEQA or is, Alternatively, Exempt from CEQA

WHEREAS, the Borrego Springs Fire Protection District (“District”) operates and exists pursuant to the provisions of the Fire Protection District Law of 1987, Health and Safety Code section 13800 et seq.; and

WHEREAS, formed in 1961, the District currently provides structural fire protection, advanced life support-level emergency medical services, rescue services, ambulance transport, and related functions throughout its boundaries—covering approximately 310 square miles (together the “Services”); and

WHEREAS, the cost of providing the Services has increased at a greater rate than the increase in revenues available to fund the Services; and

WHEREAS, in the last few years, the County of San Diego has strategically positioned itself to provide fire protection and emergency medical services in unincorporated San Diego County, including taking action to create the San Diego County Fire Protection District (“SDCFPD”); and

WHEREAS, SDCFPD currently operates a cooperative, regionalized integrated fire protection and emergency medical service system, which mostly surrounds the District’s jurisdictional boundaries; and

WHEREAS, the District has worked with SDCFPD to develop a framework including terms and conditions on how a potential transfer of the Services from the District to SDCFPD could be accomplished; and

WHEREAS, the District and SDCFPD have identified the potential dissolution of the District and concurrent annexation of the territory within the District’s boundaries into SDCFPD, together with a corresponding amendment to SDCFPD’s sphere of influence, as a potential option to be explored by the District; and

WHEREAS, after review by the District Board of Directors, the District Board 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 to effectuate the transfer of the Services to SDCFPD, by seeking approval of the San Diego Local

Agency Formation Commission (“LAFCO”) to dissolve the District (the “Dissolution”) and concurrently annex the territory within the District’s boundaries (“District Territory”) to SDCFPD, and correspondingly amend the SDCFPD sphere of influence, on terms and conditions consistent with those specified herein (“Dissolution/Concurrent Annexation”); and

WHEREAS, the reasons for the proposed Dissolution/Concurrent Annexation include, but are not limited to, the following:

- (1) Ensure continuity and long-term security of the Services for the communities within the boundaries of the District, including increasing and improving staffing levels;
- (2) Produce savings by eliminating duplication of management, administration, and oversight associated with the operation of multiple Special Districts providing the same service; and
- (3) Create greater efficiencies within facility and fleet management programs.

WHEREAS, the Dissolution/Concurrent Annexation is not a project requiring environmental review under the California Environmental Quality Act (“CEQA”), Public Resources Code section 21000 *et seq.* and accompanying regulations in Title 14 of the California Code of Regulations, section 15000 *et seq.* (“State CEQA Guidelines”) because it does not have the potential to result in a direct physical change in the environment or a reasonably foreseeable indirect physical change to the environment. (Pub. Resources Code, § 21065; State CEQA Guidelines, § 15378). The Dissolution/Concurrent Annexation itself will not change any existing land use or result in construction of new facilities. Further, the Dissolution/Concurrent Annexation does not authorize any construction or development of land; and

WHEREAS, even if the Dissolution/Concurrent Annexation is considered a “project” under CEQA, it is exempt from environmental review under the Class 20 exemption for changes in the organization of local agencies. (State CEQA Guidelines, § 15320.) Under section 15320, changes in the organization of a local governmental agency are exempt if the changes do not modify the geographical area in which previously existing powers are exercised. This exemption applies because Dissolution/Concurrent Annexation constitutes a “change of organization” or “changes of organization” under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, and does not change the geographical area within which the power to provide the Services will be exercised. There is no evidence that the Dissolution/Concurrent Annexation involves any unusual circumstances that might cause a significant effect on the environment. (State CEQA Guidelines, § 15300.2(c).); and

WHEREAS, even if the approval of Dissolution/Concurrent Annexation is considered a “project,” it is also exempt under the “common sense” exemption because it can be seen with certainty that there is no possibility that it may have a significant effect on the environment. (State CEQA Guidelines, § 15061(b)(3).) Dissolution/Concurrent Annexation itself does not authorize any construction or development of land. If a construction or development project is proposed in the future, the construction or development would be subject to environmental review, as required under CEQA, at that time. Because the site and project-specific details of any potential future

construction or development project are unknown at this time, impacts of such potential future development are speculative.

THEREFORE, BE IT RESOLVED, ORDERED AND DETERMINED by the Board of Directors of the Borrego Springs Fire Protection District as follows:

1. Effect of Recitals. The recitals set forth hereinabove are true and are hereby incorporated as substantive findings for this Resolution of Application.
2. Proposal. A proposal is hereby made by the Borrego Springs Fire Protection District (“District”) to LAFCO as follows:
 - a. This proposal for the Reorganization is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 commencing with Section 56000 of the California Government Code.
 - b. The nature of the proposed Reorganization is Dissolution of the District and Concurrent Annexation of the District Territory into SDCFPD for the provision of the Services upon terms and conditions consistent with those specified herein. It is the District Board’s intent that the Dissolution/Concurrent Annexation not occur unless it is consistent with the terms and conditions specified herein, or as otherwise agreed by the District.
 - c. The District’s proposal for Dissolution/Concurrent Annexation is not consistent with SDCFPD’s sphere of influence; accordingly the District requests LAFCO take action make the necessary corresponding amendment to the SDCFPD sphere of influence.
 - d. The boundaries of the proposal area are depicted on the corresponding map attached hereto as Exhibit “A,” and by this reference incorporated herein.
 - e. The District is inhabited.
 - f. The reasons for proposed Reorganization are as follows:
 - (1) Ensure continuity and long-term security of the Services for the communities within the boundaries of the District;
 - (2) Produce savings by eliminating duplication of management, administration, and oversight associated with the operation of multiple Special Districts providing the same service; and
 - (3) Create greater efficiencies within facility and fleet management programs.
 - g. It is desired by the District that the Dissolution/Concurrent Annexation provide for and made subject to the following terms and conditions:

- (1) SDCFPD as Successor to District. Upon and after the Effective Date of the Dissolution/Concurrent Annexation (“Effective Date”), SDCFPD shall be the successor to the District for purpose of providing the Services, and succeeding to all of the rights, duties, and obligations of the extinguished District with respect to enforcement, performance, or payment of any outstanding bonds, including revenue bonds, or other contracts and obligations within the territory previously included within the extinguished District, and the authority to assess, levy and/or collect any previously authorized fees, charges, assessments, and/or taxes of the District, including, but not limited to, the Special Tax adopted by the voters of Borrego Springs FPD in November 2004. (Government Code Section 56700 and 56886(b) and (m)). Further, all property tax revenues and voter-approved special tax or special assessment revenues (if any), received or receivable by the District as of the Effective Date shall be collected or collectible by SDCFPD for the exclusive use of funding the services within the territory. SDCFPD property taxes, special taxes, and special assessments shall not be available for other SDCFPD or County purposes.
 - i. In addition to the above, SDCFPD shall be the successor to, and shall have the authority to, administer Borrego Springs Fire Protection District CFD No. 2014-01, as the legislative body thereto, including but not limited to (i) levying, assessing and/or collecting all previously authorized special taxes related thereto and all such special taxes shall accrue and be transferred to SDCFPD as successor thereto; (ii) SDCFPD succeeding to all of the rights, duties, responsibilities, properties, contracts, equipment, assets, functions and obligations of CFD No. 2014-01; (iii) the continued provision of authorized services provided therein by SDCFPD as successor thereto; (iv) the management of all funds of CFD No. 2014-01 by SDCFPD as successor thereto;” and (v) the issuance of bonds of CFD No. 2014-01 which are authorized but not yet issued at the time of transfer.
- (2) Transfer of Employees. SDCFPD shall provide evidence to LAFCO prior to the effective date of the Dissolution/Concurrent Annexation (“Effective Date”), which may be in the form of an agreement by and between SDCFPD and CAL FIRE, which evidence shall ensure that as of the Effective Date, all District employees employed by the District immediately prior to the Effective Date, will be blanketed in as employees of the State of California or offered equivalent employment as determined by SDCFPD (Government Code section 56886(l)).
- (3) Service Levels. Upon the Effective Date, SDCFPD shall meet or exceed the service levels within the District, including, but not limited to, the following:
 - i. Paramedic Fire Engine. SDCFPD shall provide a full time 3-person staffed Paramedic Fire Engine at the Borrego Springs Fire Station.

- ii. Paramedic Ambulance. SDCFPD shall provide a full time 2-person staffed Paramedic Ambulance at the Borrego Springs Fire Station.
 - iii. Cover Station. SDCFPD shall ensure Station 91 is a must-cover station (move up after 30 minutes).
 - iv. Administration/Operation. SDCFPD will ensure a Battalion Chief is assigned to oversee the Borrego Springs Fire Station.
 - v. Fire Station Assessment. SDCFPD shall provide evidence to LAFCO prior to the Effective Date, committing to evaluate the need for a replacement fire station to serve Borrego Springs as part of SDCFPD's Capital Improvement Program.
 - vi. Community Events. SDCFPD and/or state firefighters stationed at Borrego Springs will participate in community events as requested.
- (4) Monetary Allocation. The District agrees to work in good faith with SDCFPD to allocate reserve and capital funds for equipment and facility upgrades prior to the Effective Date.
- (5) HR218 ID: As successor in interest to the District, SDCFPD will make a best effort to ensure District Fire Chief Hardcastle and any other qualified employee upon retirement, is provided a photographic identification card that identifies them as a "qualified retired law enforcement officer" under 18 U.S.C. Sections 926B, 926C (also known as HR 218), to the extent all conditions under the law are met. Prior to dissolution, the District will provide documentation to SDCFPD of any such law enforcement officer status.
- (6) Transfer of Property and Other Assets to SDCFPD. As of the Effective Date, all real property (including, but not limited to, District Station 91 and any and all lands owned by the District) and personal property (including, but not limited to, all vehicles or other rolling stock (with remaining fire apparatus to be disposed by the District as approved by SDCFPD), tools, office furniture, fixtures, equipment, books, records, papers, offices, equipment, supplies, moneys, funds, appropriations, licenses, permits, entitlements, agreements, contracts, claims, judgments, and all other assets shall transfer from the District to SDCFPD in "as-is" condition, without any payment or repair obligation from the District (Government Code Section 56886(h)).
- (7) Transfer of Liabilities to SDCFPD. As of the Effective Date any and all liabilities of the District, such as accounts payable, contract obligations and consumer deposits, shall be transferred to SDCFPD's appropriate, respective,

isolated accounts, and in addition the following liabilities shall transfer to SDCFPD:

- i. The District's Unfunded Actuarial Liability loan with First Foundation Bank dated October 2020 (to pay down unfunded CalPERS liability as of that date).
- ii. All current and future unfunded liability (CalPERS) for employees of the District (past and as of the Effective Date).
- iii. The District's Copy Machine lease with Image Source/ Xerox dated April 7, 2020.

Additionally, SDCFPD will assume the current District tower site lease agreements with T-Mobile, Verizon, AT&T, American Messaging, AirTouch Paging and Santa Monica College.

(8) Prohibition on Dissolved Agency. Upon approval from LAFCO for the dissolution of the District, the District is prohibited from taking any of the actions contained in Government Code Section 56885.5, including:

- i. Approving any increase in compensation or benefits for members of the governing board, its officers, or the executive officer of the agency.
- ii. Appropriating, encumbering, expending, or otherwise obligating, any revenue of the agency beyond that provided in the current budget at the time the dissolution is approved by LAFCO.

(9) Effective Date. The later of July 1, 2023, or upon the date LAFCO records the Certificate of Completion.

3. CEQA Compliance. For all the reasons set forth in the above Recitals, and based upon all of the substantial evidence in the record as a whole, the Board of Directors of the District finds that the Dissolution/Concurrent Annexation: (1) is not a "project" subject to environmental review under CEQA (Pub. Resources Code, § 21065; State CEQA Guidelines, § 15378); (2) alternatively, is exempt from CEQA under the Class 20 exemption as a "change in organization" (State CEQA Guidelines, § 15320); (3) alternatively, is exempt from CEQA under the "common sense" exemption because it can be seen with certainty that there is no possibility that Dissolution/Concurrent Annexation may have a significant effect on the environment. (State CEQA Guidelines, § 15061(b)(3)); and (4) none of the exceptions to the application of these exemption exist (State CEQA Guidelines, § 15300.2).

- a. The Board of Directors hereby directs that all documents and other materials constituting the record of proceedings related to this Resolution of Application for approval of Dissolution/Concurrent Annexation, be maintained by the District Fire Chief of the District, or designee, on file at the District offices at 2324 Stirrup Road, Borrego Springs CA, 92004.

- b. The Board of Directors directs Staff to file a Notice of Exemption with the County Clerk for the County of San Diego.
- 4. Adoption. This Resolution of Application is hereby adopted and approved by the Board of Directors of the District and San Diego LAFCO is hereby requested to initiate proceedings as authorized and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 for the Dissolution of the District and Concurrent Annexation of the District Territory into SDCFPD for the provision of the Services upon terms and conditions consistent with those specified herein.
- 5. Submission of Resolution of Application and other Application Materials. The Board of Directors authorizes and directs the District Fire Chief to file a certified copy of this Resolution of Application together with the required LAFCO application, finalized plan for services as required by Government Code section 56653, map, and other documents with LAFCO's Executive Officer.
- 6. Further Authority Granted to the District Fire Chief. The District Fire Chief is authorized to sign any and all documents and agreements with LAFCO and the County of San Diego or SDCFPD to carry out the intent of this Resolution of Application based on the terms in this Resolution of Application.
- 7. Effective Date. This Resolution of Application shall take effect immediately upon adoption by the Board of Directors of the District.

PASSED AND ADOPTED by the following vote of the Board of Directors of the Borrego Springs Fire Protection District on August 25, 2022.

AYES: 3

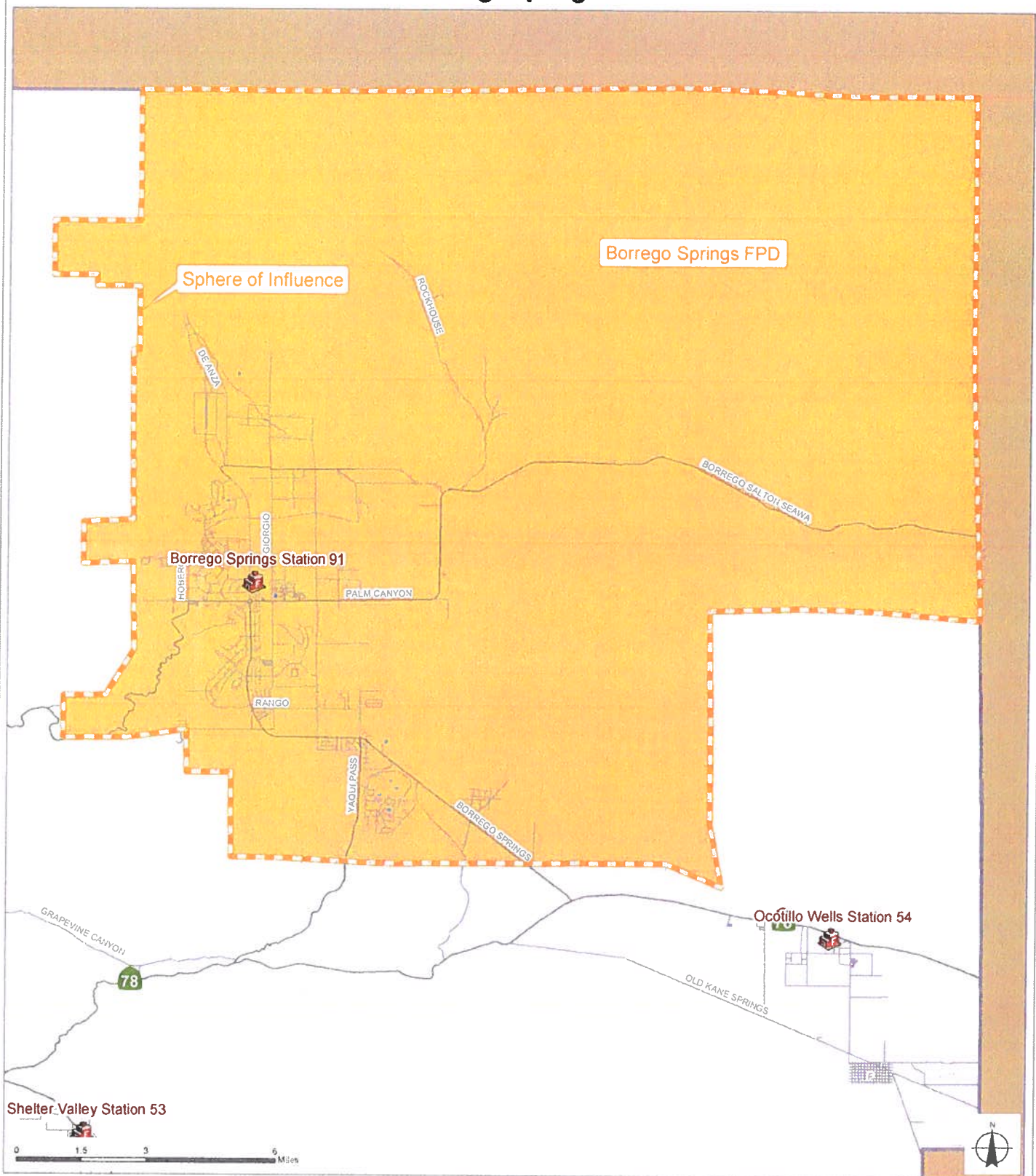
NOES: 2

ABSENT:: 0

Bradley Tidwell
 Bradley Tidwell
 President, Board of Directors

EXHIBIT A

Borrego Springs FPD



SOI Adopted: 5 / 7 / 2007
SOI Affirmed: 8 / 6 / 2007
SOI Affirmed: 11 / 4 / 2013

SOI = Sphere of Influence



GEOGRAPHIC DESCRIPTION

“BORREGO SPRINGS FIRE PROTECTION DISTRICT REORGANIZATION”

**DIVESTURE OF FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES AND CONCURRENT ANNEXATION TO
THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT**

LAFCO REFERENCE NO.: ROXX-XX

THE TERRITORY WITHIN BOUNDARIES OF THE BORREGO SPRINGS FIRE PROTECTION DISTRICT SHALL BE THE TERRITORY WITHIN THE EXISTING BOUNDARIES OF SAID DISTRICT AT THE TIME OF THE SAN DIEGO COUNTY LOCAL AREA FORMATION COMMISSION’S RESOLUTION ORDERING ITS ANNEXATION TO THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT FOR FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT TERRITORY, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, LYING WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:

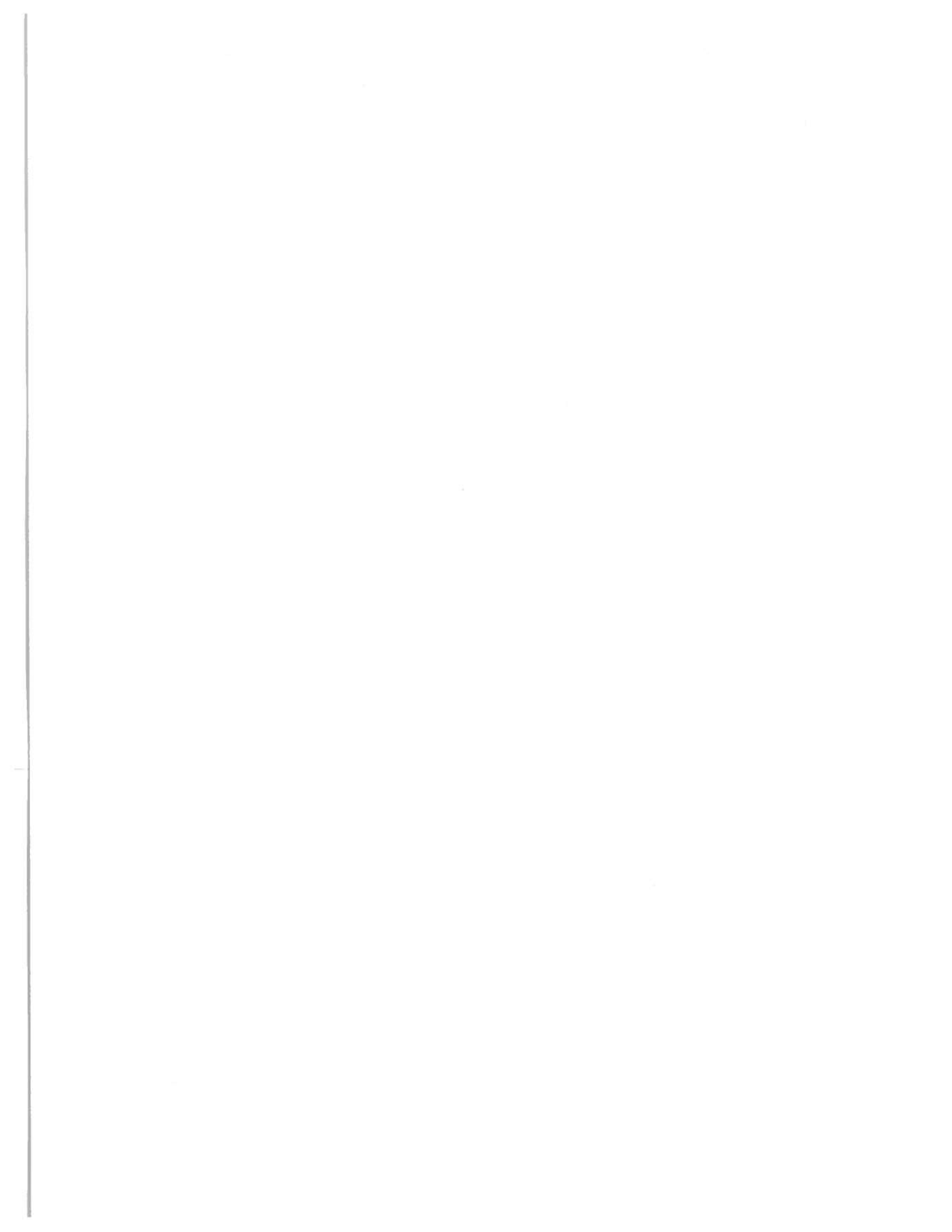
BEGINNING AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 9 SOUTH, RANGE 5 EAST, SAN BERNARDINO BASE AND MERIDIAN, BEING ALSO A POINT ON THE EXISTING BOUNDARY OF THE BORREGO SPRINGS FIRE PROTECTION DISTRICT;

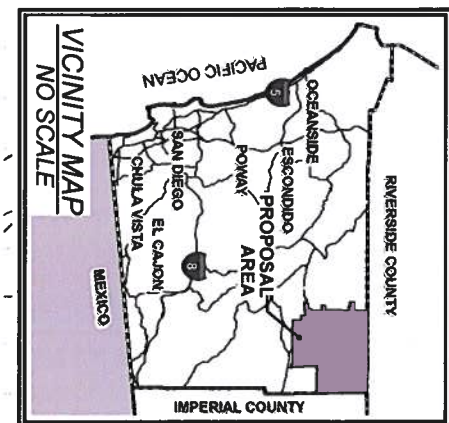
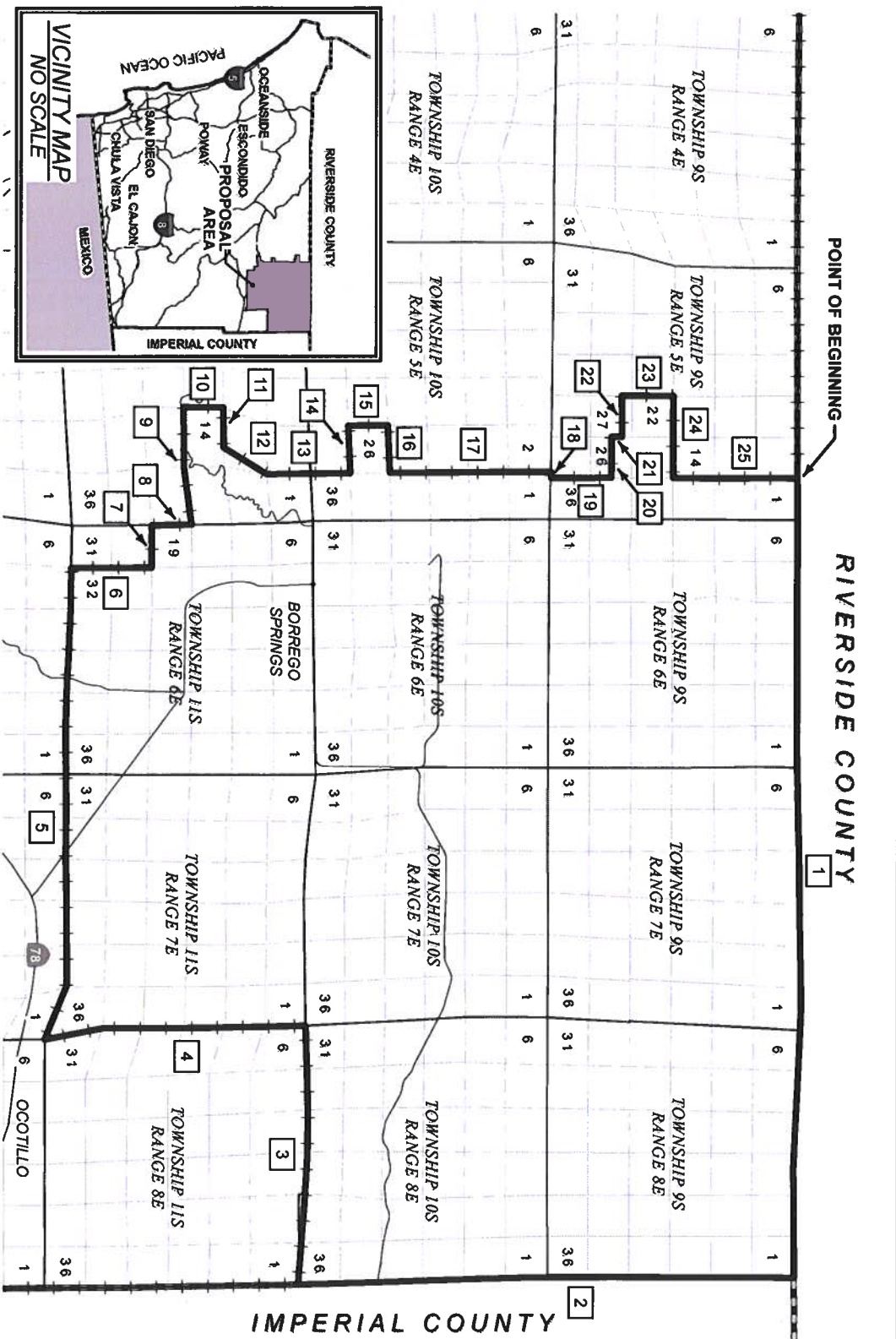
1. THENCE RUNNING EASTERLY TO THE NORTHEAST CORNER OF SAID COUNTY OF SAN DEIGO;
2. THENCE SOUTHERLY ALONG TOWNSHIP LINES TO THE SOUTHEAST CORNER OF SECTION 36, TOWNSHIP 10 SOUTH, RANGE 8 EAST;
3. THENCE WESTERLY ALONG THE TOWNSHIP LINE TO THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 10 SOUTH, RANGE 8 EAST;
4. THENCE SOUTHERLY ALONG SECTION LINES TO THE SOUTHEAST CORNER OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 7 EAST;
5. THENCE WESTERLY ALONG TOWNSHIP LINES TO THE SOUTHWEST CORNER OF SECTION 32, TOWNSHIP 11 SOUTH, RANGE 6 EAST;
6. THENCE NORTH ALONG SECTION LINES TO THE SOUTHEAST CORNER OF SECTION 19 OF SAID TOWNSHIP AND RANGE;
7. THENCE WEST TO THE SOUTHWEST CORNER OF SAID SECTION 19;
8. THENCE NORTH TO THE NORTHWEST CORNER OF SAID SECTION 19
9. THENCE WESTERLY ALONG SECTION LINES TO THE SOUTHWEST CORNER OF SECTION 14, TOWNSHIP 11 SOUTH, RANGE 5 EAST;
10. THENCE NORTH TO THE NORTHWEST CORNER OF SAID SECTION 14;

11. THENCE EAST ALONG THE NORTH LINE OF SAID SECTION 14 TO A POINT OF A LINE BEARING SOUTH 31°35'41" WEST FROM THE NORTHEAST CORNER OF SECTION 11 OF SAID TOWNSHIP AND RANGE;
12. THENCE NORTH 31°35'41" EAST ALONG SAID LINE TO THE NORTHEAST CORNER OF SAID SECTION 11;
13. THENCE NORTH ALONG SECTION LINES TO THE SOUTHEAST CORNER OF SECTION 26, TOWNSHIP 10 SOUTH, RANGE 5 EAST;
14. THENCE WEST TO THE SOUTHWEST CORNER OF SAID SECTION 26;
15. THENCE NORTH TO THE NORTHWEST CORNER OF SAID SECTION 26;
16. THENCE EAST TO THE NORTHEAST CORNER OF SAID SECTION 26;
17. THENCE NORTH ALONG SECTION LINES TO THE NORTHEAST CORNER OF SECTION 2, TOWNSHIP 10 SOUTH, RANGE 5 EAST;
18. THENCE EAST TO THE SOUTHEAST CORNER OF SECTION 35, TOWNSHIP 9 SOUTH, RANGE 5 EAST;
19. THENCE NORTH TO THE EAST QUARTER CORNER OF SECTION 26 OF SAID TOWNSHIP AND RANGE;
20. THENCE WEST ALONG THE QUARTER SECTION LINES TO THE WEST QUARTER CORNER OF SAID SECTION 26;
21. THENCE NORTH TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, OF SAID TOWNSHIP AND RANGE;
22. THENCE WEST ALONG QUARTER-QUARTER SECTION LINES TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 27;
23. THENCE NORTH ALONG SECTION LINES TO THE NORTHWEST CORNER OF SECTION 22 OF SAID TOWNSHIP AND RANGE;
24. THENCE EAST ALONG SECTION LINES TO THE SOUTHEAST CORNER OF SECTION 14 OF SAID TOWNSHIP AND RANGE;
25. THENCE NORTH TO THE POINT OF BEGINNING.

CONTAINING **198,835.63 ACRES** OF LAND MORE OR LESS

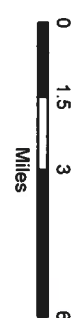
FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.





LEGEND

- SAN DIEGO COUNTY FIRE PROTECTION DISTRICT BOUNDARY
- BORREGO SPRINGS FIRE PROTECTION DISTRICT BOUNDARY
- CONTAINING APPROX. 198,835.63 ACRES MORE OR LESS



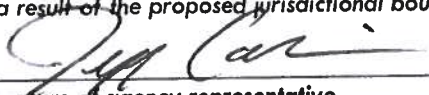
SanGIS
We Have San Diego Covered

DISCLAIMER:
FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.
THIS MAP/DATA IS PROVIDED WITHOUT WARRANTY OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

<p>"BORREGO SPRINGS FIRE PROTECTION DIST REORGANIZATION" DIVESTITURE OF FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES AND CONCURRENT ANNEXATION TO THE SAN DIEGO COUNTY FPD LAFCO REFERENCE NO.: ROXX-XX</p>		<p>COUNTY OF SAN DIEGO Assessor/Recorder/County Clerk Assessor's Mapping Division</p>	
AREA: 198,835.63 ACRES	DATE: 9/24/2022	APN: VARIOUS	DRAWN BY: J. DELAROSA
SCALE: 1" = 3 MILES		SHEET: 1 OF 1	

SUBJECT AGENCY SUPPLEMENTAL INFORMATION FORM

NOTE: A copy of this form must be completed and signed by each local agency that will gain or lose territory as a result of the proposed jurisdictional boundary change. Attach additional sheets if necessary.

	Jeff Collins
Signature of agency representative	Print name
Director, San Diego County Fire Protection District	
Title	
(619) 339-0283	09/27/2022
Telephone	Date

A. JURISDICTIONAL INFORMATION:

Name of agency:
San Diego County Fire Protection District (SDCFPD)

1. Is the proposal territory within the agency's sphere of influence? Yes No
2. Upon annexation, will the proposal territory be included within an assessment district and be subject to assessment for new or extended services? Yes No
3. Does the agency have plans to establish any new assessment district that would include the proposal territory? Yes No
4. Will the proposal territory assume any existing bonded indebtedness? Yes No
 If yes, indicate any taxpayer cost: \$ NA
5. Will the proposal territory be subject to any special taxes, benefit charges, or fees? Yes No
 If yes, please provide details of all costs: If approved, the SDCFPD will receive revenue from existing ambulance transport fees, Special Benefit Fees, Community Facility District and mitigation fees from the Borrego Springs Fire Protection District in order to provide fire and emergency medical services.
6. Is the agency requesting an exchange of property tax revenues as a result of this proposal? Yes No
7. Is this proposed jurisdictional change subject to a master property tax agreement or master enterprise district resolution? Yes No
8. FOR CITY ANNEXATIONS: Does the proposal territory contain existing commercial development that generates retail sales of ten million dollars or more per year? Yes No
9. FOR CITY ANNEXATIONS: If any part of the proposal territory is under a Williamson Act contract, please contact the LAFCO office for special instructions regarding petition or resolution of application requirements.

EXPEDITED PROPOSAL PROCESSING: Processing of jurisdictional boundary change proposals can be expedited by approximately 60 days if all affected landowners consent to the waiver of protest and termination (conducting authority) proceedings and subject agencies do not oppose the waiver. If you do NOT want to waive these proceedings, then attach a written statement to the subject agency information form containing a signature, date, and declaration of opposition to a waiver of such proceedings.

B. SEWER SERVICE: NA - The proposed actions will not result in changes to the Sewer Service in the proposal territory.

1. What is the agency's current wastewater treatment capacity (expressed in million gallons per day and equivalent dwelling units)? NA

2. What is the average volume of influent currently being treated by the agency (expressed in million gallons per day and equivalent dwelling units)? NA

3. (a) What is the agency's peak flow volume (expressed in million gallons per day)?
NA

(b) What is the agency's peak flow capacity (expressed in million gallons per day)?
NA

(c) Has the agency exceeded the flow (peak) capacity within the past two years? YES NO
(d) *If yes*, please describe the frequency and volume of incidents that exceeded the agency's peak capacity: NA

4. (a) Has the agency issued a letter of sewer availability for the proposal territory? YES NO
(b) *If yes*, please provide a copy of the letter. (This documentation should be completed by the agency no longer than 6 months prior to submittal to LAFCO.)

5. (a) How many future equivalent dwelling units have been reserved or committed for proposed projects? NA

(b) Can all projects that have received commitments of sewer availability (e.g., "will serve letters") be accommodated with planned capacity? YES NO

6. (a) Does the agency have the necessary contractual and/or operational treatment capacity to provide sewer service to the proposal territory? YES NO
(b) *If yes*, please specify the proposal territory's estimated sewer demand and the agency's available sewer capacity (expressed in million gallons per day and equivalent dwelling units):
NA

(c) *If no*, please describe the agency's plans to upgrade capacity to resolve any capacity related issues: NA

7. Will the proposal territory be annexed to a sewer improvement district? YES NO

8. (a) The distance for connection of the proposal territory to the agency's existing sewer system is NA feet.
(b) Describe the location of the connection to the agency's existing sewer system:
NA

C. WATER SERVICE: *NA - The proposed actions will not result in changes to the Water Service in the proposal territory.*

1. (a) Does the subject agency have adequate water supply and sufficient contractual and/or operational capacity available to serve the proposal territory? YES NO

(b) *If yes*, describe the proposal territory's estimated water demand and the agency's available water supply and capacity (expressed in acre-feet or million gallons per day):

NA

(c) *If no*, what plans does the agency have to increase its water capacity?

NA

2. Specify any improvements (on and off-site) that will be necessary to connect and serve the anticipated development. Indicate the total cost of these improvements and method of financing (e.g., general property tax, assessment district, landowner or developer fees): YES NO

NA

3. (a) Has the agency issued a letter of water availability for the proposal territory? YES NO

(b) *If yes*, please provide a copy of the letter. (This documentation should be completed by the agency no longer than 6 months prior to submittal to LAFCO.)

4. (a) The distance for connection of the proposal territory to the agency's existing water system is NA feet.

(b) Describe the location of the connection to the agency's existing water system:

NA

5. (a) Is the agency currently under any drought-related conditions and/or restrictions? YES NO

(b) *If yes*, describe the conditions and specify any related restrictions:

NA

6. (a) Will the proposal territory utilize reclaimed water? YES NO

(b) *If yes*, describe the proposal territory's reclaimed water use and the agency's available reclaimed water supply and capacity (expressed in acre-feet or million gallons per day):

(c) The distance for connection of the proposal territory to the agency's existing reclaimed water system is NA feet.

(d) Describe the location of the connection to the agency's existing reclaimed water system: NA

(e) *If no*, has the agency considered availability of reclaimed water to the proposal territory? YES NO

(f) What restrictions prevent use of reclaimed water? NA

7. Will the proposal territory be annexed to an improvement district? YES NO



State of California - Department of Fish and Wildlife
2022 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (Rev. 01/01/22) Previously DFG 753.5a

RECEIPT NUMBER: 37-08/29/2022-0603
STATE CLEARING HOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY BORREGO SPRINGS FIRE PROTECTION DISTRICT	LEAD AGENCY EMAIL	DATE 08/29/2022
---------------------------------------------------------	-------------------	--------------------

COUNTY/STATE AGENCY OF FILING SAN DIEGO	DOCUMENT NUMBER 37-2022-0603
--------------------------------------------	---------------------------------

PROJECT TITLE
 APPLICATION OF THE BORREGO SPRINGS FIRE PROTECTION DISTRICT INITIATING PROCEEDINGS WITH THE SAN DIEGO LOCAL AGENCY FORMATION COMMISSION FOR DISSOLUTION OF BORREGO SPRINGS FIRE PROTECTION DISTRICT AND CONCURRENT ANNEXATION OF THE TERRITORY WITHIN THE DISTRICT'S BOUNDARIES INTO THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT WITH A CORRESPONDING SPHERE OF INFLUENCE AMENDMENT (COLLECTIVELY, THE "REORGANIZATION")

PROJECT APPLICANT NAME BORREGO SPRINGS FIRE PROTECTION DISTRICT	PROJECT APPLICANT EMAIL	PHONE NUMBER 760-767-5436
--------------------------------------------------------------------	-------------------------	------------------------------

PROJECT APPLICANT ADDRESS 2324 STIRRUP ROAD	CITY BORREGO SPRINGS	STATE CA	ZIP CODE 92004
------------------------------------------------	-------------------------	-------------	-------------------

PROJECT APPLICANT (Check appropriate box)

Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,539.25	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)/(ND)	\$2,548.00	\$	0.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,203.25	\$	0.00


- Exempt from fee
- Notice of Exemption (attach)
 - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee		\$	50.00
<input type="checkbox"/> Other		\$	0.00

PAYMENT METHOD:

- Cash Credit Check Other

TOTAL RECEIVED \$ 50.00

SIGNATURE X 	AGENCY OF FILING PRINTED NAME AND TITLE San Diego County Clerk, JESSADITH EDORA, Deputy
----------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------

Payment Reference #: CHECK NO. 409809



**SAN DIEGO COUNTY CLERK
CEQA FILING COVER SHEET**

FILED
Aug 29, 2022 02:52 PM
Ernest J. Dronenburg, Jr.
SAN DIEGO COUNTY CLERK
File # 2022-000687
State Receipt # 37082920220603

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Project Title

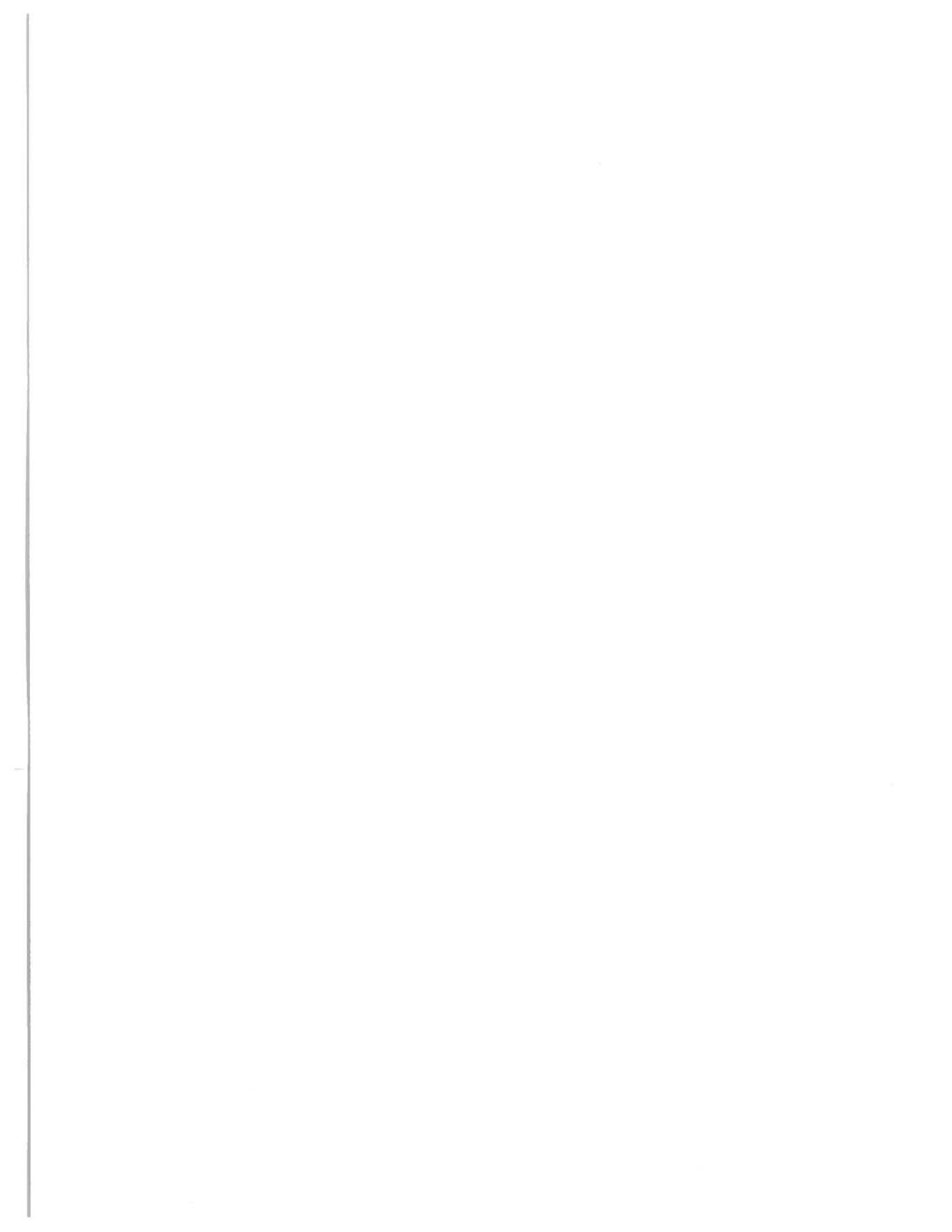
APPLICATION OF THE BORREGO SPRINGS FIRE PROTECTION DISTRICT INITIATING PROCEEDINGS WITH THE SAN DIEGO LOCAL AGENCY
FORMATION COMMISSION FOR DISSOLUTION OF BORREGO SPRINGS FIRE PROTECTION DISTRICT AND CONCURRENT ANNEXATION OF THE
TERRITORY WITHIN THE DISTRICT'S BOUNDARIES INTO THE SAN DIEGO COUNTY FIRE PROTECTION DISTRICT WITH A CORRESPONDING SPHERE
OF INFLUENCE AMENDMENT (COLLECTIVELY, THE "REORGANIZATION")

Check Document being Filed:

- Environmental Impact Report (EIR)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Notice of Exemption (NOE)
- Other (Please fill in type):

<p>FILED IN THE OFFICE OF THE SAN DIEGO COUNTY CLERK ON <u>August 29, 2022</u></p> <p>Posted <u>August 29, 2022</u> Removed _____</p> <p>Returned to agency on _____</p> <p>DEPUTY _____</p>

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

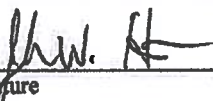


NOTICE OF EXEMPTION

<p>TO:</p> <p><input type="checkbox"/> Office of Planning and Research P. O. Box 3044, Room 113 Sacramento, CA 95812-3044</p>	<p>FROM: Name: Borrego Springs Fire Protection District (Public Agency) Address: 2324 Stirrup Road Borrego Springs, CA 92004 Telephone: (760) 767-5436</p>
<p><input checked="" type="checkbox"/> Clerk of the Board of Supervisors or San Diego County Clerk Address: 1600 Pacific Highway, Suite 260 San Diego, CA 92101</p>	

<p>1. Project Title:</p>	<p>Application of the Borrego Springs Fire Protection District Initiating Proceedings with the San Diego Local Agency Formation Commission for Dissolution of Borrego Springs Fire Protection District and Concurrent Annexation of the Territory Within the District's Boundaries into the San Diego County Fire Protection District with a Corresponding Sphere of Influence Amendment (collectively, the "Reorganization")</p>
<p>2. Project Applicant:</p>	<p>Borrego Springs Fire Protection District</p>
<p>3. Project Location – Identify street address and cross streets or attach a map showing project site (preferably a USGS 15' or 7 1/2' topographical map identified by quadrangle name):</p>	<p>The Reorganization will occur within the District's boundaries and are depicted on the corresponding map attached hereto as Exhibit "A," and by this reference incorporated herein.</p>
<p>4. (a) Project Location – City: See No. 3</p>	<p>(b) Project Location – County: San Diego</p>
<p>5. Description of nature, purpose, and beneficiaries of Project:</p>	<p>The Borrego Springs Fire Protection District ("District") voted to approve a resolution initiating proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act to transfer Services to San Diego County Fire Protection District ("SDCFPD"), by seeking approval of the San Diego Local Agency Formation Commission to dissolve the District and concurrently annex the territory within the District's boundaries to SDCFPD, and correspondingly amend the SDCFPD sphere of influence, on certain terms and conditions.</p> <p>The reasons for the Reorganization are to: (1) ensure continuity and long-term security of the Services for the communities within the boundaries of the District; (2) produce savings by eliminating duplication of management, administration, and oversight associated with the operation of multiple Special Districts providing the same services; and (3) create greater efficiencies within facility and fleet management programs.</p>
<p>6. Name of Public Agency approving project:</p>	<p>Borrego Springs Fire Protection District</p>
<p>7. Name of Person or Agency undertaking the project, including any person undertaking an activity that receives financial assistance from the Public Agency</p>	<p>Borrego Springs Fire Protection District</p>

as part of the activity or the person receiving a lease, permit, license, certificate, or other entitlement of use from the Public Agency as part of the activity:	
8. Exempt status: (check one)	
(a) <input type="checkbox"/> Ministerial project.	
(b) <input type="checkbox"/> Not a project.	
(c) <input type="checkbox"/> Emergency Project.	
(d) <input checked="" type="checkbox"/> Categorical Exemption. State type and section number:	Class 20, Cal. Code Regs., tit. 14, § 15320 (Changes in Organization of Local Agencies)
(e) <input checked="" type="checkbox"/> Other. Explanation:	Cal. Code Regs., tit. 14, § 15378(b)(5)
9. Reason why project was exempt:	<p>The Reorganization is not considered a "project" subject to environmental review under CEQA because it merely involves the organizational activities of governments that will not result in direct or physical changes in the environment. (Pub. Resources Code § 21065; Cal. Code Regs., tit. 14, § 15378(b)(5).)</p> <p>Even if the Reorganization is considered a project subject to CEQA, the Reorganization is exempt from CEQA under the Class 20 exemption as it involves the reorganization of the Borrego Springs Fire Protection District with the SDCFPD where the changes do not change the geographical area in which their previously existing powers are exercised.</p> <p>Further, the Reorganization does not have the potential for causing a significant effect on the environment, thus exempting the Reorganization from environmental review pursuant to Section 15061(b)(3) of the Guidelines.</p> <p>Lastly, none of the exceptions to the categorical exemptions applies. (Cal. Code Regs., tit. 14, §15300.2.)</p>
10. Lead Agency Contact Person:	John W. Hardcastle, Fire Chief
Telephone:	(760) 767-5436



 Signature

Date: August 25, 2022

JOHN W. HARDCASTLE
 Name: John W. Hardcastle

Title: Fire Chief

Signed by Lead Agency

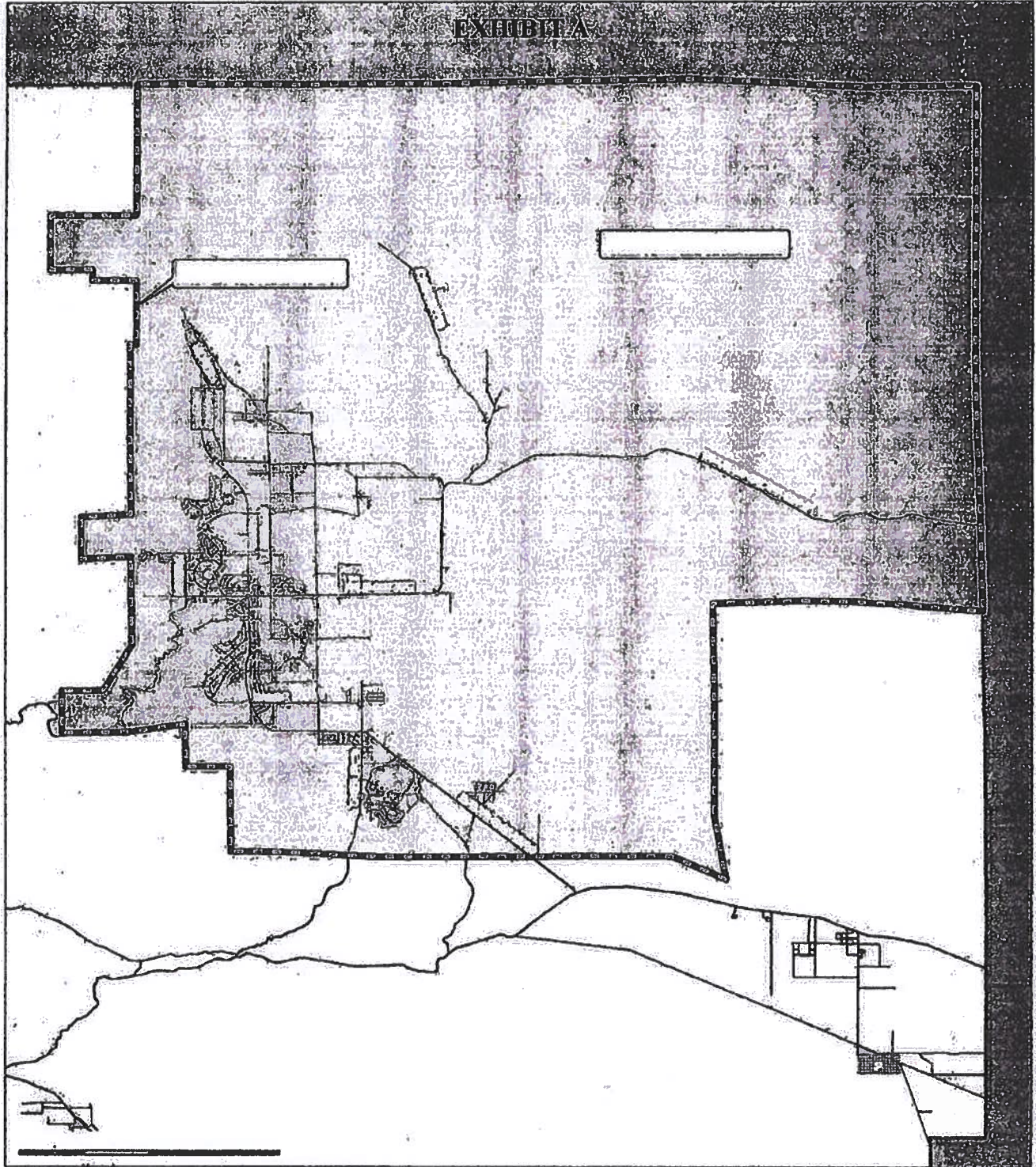
Signed by Applicant

Date Received for Filing: Click to enter date

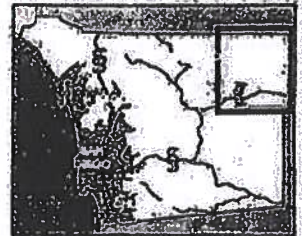
(Clerk Stamp Here)

Authority cited: Sections 21083 and 21110, Public Resources Code.
 Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

EXHIBIT A



San Diego County
Local Agency Formation Commission
The Joint Services Planning & Development Authority of the State of California



San Diego County



Transaction #: 6663180
Receipt #: 2022389301

Ernest J. Dronenburg, Jr.
Assessor/Recorder/County Clerk
1600 Pacific Highway Suite 260
P. O. Box 121750, San Diego, CA 92112-1750
Tel. (619) 237-0502 Fax (619) 557-4155
www.sdarcc.com

Cashier Date: 08/29/2022
Cashier Location: SD

Print Date: 08/29/2022 2:53 pm

Payment Summary

Total Fees	\$50.00
Total Payments	\$50.00
Balance:	\$0.00

Payment

CHECK PAYMENT #409809 \$50.00

Total Payments \$50.00

Filing

CEQA - NOE FILE #: 2022-000687 Date: 08/29/2022 2:52PM Pages: 4

State Receipt # 37-08/29/2022-0603

Fees: Fish & Wildlife County Administrative Fee \$50.00

Total Fees Due: \$50.00

Grand Total - All Documents: \$50.00

