

**LOCAL AGENCY FORMATION COMMISSION
COUNTY OF SAN BERNARDINO**

175 West Fifth Street, Second Floor
San Bernardino, CA 92415-0490 • (909) 387-5866 • FAX (909) 387-5871
E-MAIL: lafoo@lafoo.sbcounty.gov
www.sbclafoo.org

PROPOSAL NO.: LAFCO 2917

HEARING DATE: FEBRUARY 18, 2004

RESOLUTION NO. 2803

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF SAN BERNARDINO MAKING DETERMINATIONS ON LAFCO 2917, A SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR THE EAST VALLEY RESOURCE CONSERVATION DISTRICT (a sphere of influence expansion to include: the existing area of the East Valley Resource Conservation District, the area currently within the Inland Empire West Resource Conservation District, the area of the community of Alta Loma not a part of a Resource Conservation District, and the unsphered area between the existing boundaries of Inland Empire West and East Valley Resource Conservation Districts).

On motion of Commissioner Blanc, duly seconded by Commissioner Pearson and carried, the Local Agency Formation Commission adopts the following resolution:

WHEREAS, a service review mandated by Government Code Section 56430, and a sphere of influence update mandated by Government Code Section 56425 have been conducted by the Local Agency Formation Commission of the County of San Bernardino (hereinafter referred to as "the Commission") in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.); and,

WHEREAS, at the times and in the form and manner provided by law, the Executive Officer has given notice of the public hearing by this Commission on this matter; and,

WHEREAS, the Executive Officer has reviewed available information and prepared a report including her recommendations thereon, the filings and report and related information having been presented to and considered by this Commission; and,

WHEREAS, the public hearing by this Commission was held on January 21, 2004, the time and place specified in the notice of public hearing and in an order or orders continuing the hearing; and,

WHEREAS, at the hearing, this Commission heard and received all oral and written protests; the Commission considered all objections and evidence which were made, presented, or filed; and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the review, in evidence presented at the hearing; and,

WHEREAS, a statutory exemption has been issued pursuant to the provisions of the California Environmental Quality Act (CEQA) indicating that this service review and sphere of influence update are statutorily exempt from CEQA and such exemption was adopted by this

Commission at its January 21, 2004 hearing. The Clerk was directed to file a Notice of Exemption within five working days of adoption; and,

WHEREAS, based on presently existing evidence, facts, and circumstances filed with the Local Agency Formation Commission and considered by this Commission, it is determined that the sphere of influence for the East Valley Resource Conservation District shall be expanded to include the area of the Inland Empire West Resource Conservation District, the area of the community of Alta Loma not currently a part of Inland Empire West Resource Conservation District, and the unsphered territory between the East Valley Resource Conservation District and Inland Empire West Resource Conservation District, as outlined on the map attached to this resolution; and,

WHEREAS, the following findings are made in conformance with Government Code Section 56430 and local Commission policy:

1. **Infrastructure Needs and Deficiencies.**

The District provides resource conservation services to the residents within its boundaries, which encompass 453,390 +/- acres (approximately 708 square miles). The East Valley Resource Conservation District (RCD) does not currently provide for "infrastructure" as that term is commonly identified, but has indicated the need for the pursuit of its short- and long-range plans, which includes the development of the Environmental Education Center in collaboration with the Yucaipa Valley Water District.

2. **Growth and Population.**

The District provides service to approximately 708 +/- square miles (approximately 453,390 acres) within its current boundaries which include all or portions of the incorporated and unincorporated areas within San Bernardino County of the Cities of Loma Linda, Redlands, Highland, San Bernardino, and Yucaipa. The expansion/update of the District's sphere of influence is proposed to point toward the consolidation of the Inland Empire West RCD and East Valley RCD to better serve the area. This finding is made due to the changing economy of the Valley portion of the County from an agrarian economy to an urban one.

3. **Financing Opportunities and Constraints.**

The primary funding mechanisms for the District are:

- A share of the 1% general ad valorem levy (estimated at \$88,890 for FY 2003-04)
- Grants
- Contracts for service.

The District has outlined, through adoption of its short- and long-range plans, the coordinated identification of resource projects and grant funding to pursue its plans. The update/expansion of the sphere of influence of the East Valley Resource Conservation District to include its current service boundaries, the area of the Inland Empire West Resource Conservation District, the unsphered community of Alta Loma, and the unsphered territory between the two Districts, point toward the consolidation of these agencies in order to allow for further coordination of services with the National Resource Conservation Service, (NRCS), the Santa Ana Watershed Project Authority and others through a single entity addressing the Santa Ana Watershed within San Bernardino County.

4. **Cost Avoidance Opportunities.**

The District has indicated that there are no known duplications of service within the District's boundaries since it maintains coordination and interaction with the agencies and entities serving within its boundaries. The District acts as the liaison between the NRCS, the cities, the State of California, and the County for the pursuit of removal of invasive weeds within waterways within its boundaries. The District maintains agreements with other like resource conservation districts (such as the Inland Empire West RCD and Riverside-Corona RCD), NRCS, Orange County Water Agency, and other associations to maximize its resources. Consolidation of the East Valley RCD and the Inland Empire West RCD would allow for a more efficient and effective management of the resources available for these services through a single entity. It is anticipated that the consolidation will yield cost savings due to the consolidation of administrative and support functions.

5. **Rate Restructuring.**

As outlined above, the District's primary funding is derived from its share of the 1% general ad valorem tax levy, grants and contracts for service. The materials submitted to the Commission do not identify rates beyond these revenue sources.

6. **Opportunities for Shared Facilities.**

The District currently shares facilities and secretarial support with the NRCS representatives and the Santa Ana Watershed Authority. The development of the Environmental Education Center will allow for more opportunities to share facilities with related agencies/entities.

7. **Government Structure Options.**

The State Legislature, through the California Public Resources Code Section 9000 et seq., recognizes the value of resource conservation through the creation of these entities charged with development of programs to maintain the viability of the State's natural resources in cooperation with the Federal Government, the State, counties, cities, and other districts. The consolidation of the Inland Empire RCD and East Valley RCD, agencies serving within the Valley portion of the County, will provide for an effective government structure to respond to conservation operations and efficiently address the issues impacting the Santa Ana River watershed area.

8. **Management Efficiencies.**

The District currently maintains a small staff (3 employees) who works in conjunction with the USDA/NRCS staff (3 employees) to serve the District territory. Consolidation of the East Valley RCD and the Inland Empire West RCD will increase management efficiencies due to a single agency becoming responsible for administration of resource conservation efforts within the Santa Ana River watershed.

9. **Local Accountability and Governance.**

The District is governed by a seven-member Board of Directors, who are either landowners or representatives of landowners within the District, appointed to a fixed term of four years. The members of the Board of Directors of the East Valley Resource Conservation District are appointed by the Board of Supervisors for San Bernardino County with the concurrence of the Riverside County Board of Supervisors.

WHEREAS, the following findings are made in conformance with Government Code Section 56425 and local Commission policy:

1. The present and planned land uses in the area, including agricultural and open-space lands:

The present and planned land uses in the area comprising the existing boundaries of the East Valley Resource Conservation District represent varying levels and intensities of urban development. This area includes approximately 708 square miles (453,390 acres) within San Bernardino and Riverside Counties. This portion of the San Bernardino Valley is transitioning from an agrarian economy to an urban one which has affected the types and levels of service delivered by the Resource Conservation Districts within it.

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

The transition of services provided by the East Valley Resource Conservation District to address the changing urban environment includes the provision of: watershed management, noxious weed eradication from waterways, sedimentation control, and the provision of educational programs within the classrooms of School Districts within its boundaries. These are regional services and a consolidated agency serving the Valley portion of the County could effectively respond to joint operations, seeking to partner with the many agencies concerned with conservation efforts, soil control, etc.

3. The present capacity of public facilities and adequacy of public services that the agency to be expanded provides or is authorized to provide:

Within its boundaries, the East Valley Resource Conservation District provides its services to its constituents limited by the resources available – its share of the 1% ad valorem property tax, grants, and contracts for services. An example of such services is outlined as follows: the District has recently acquired a six-acre parcel of wetland habitat within San Timoteo Canyon near the City of Redlands. The District has received the lands in fee title from the landowner, funds have been acquired for restoration of the wetlands, and an on-going trust fund has been established to provide for on-going maintenance. These same types of services can be consolidated to serve the entire Valley portion of the County through a single entity.

4. The existence of any social or economic communities of interest in the area.

Resource Conservation Districts are regional service providers defined by their principal act to service territory identified as: "Territory need not be contiguous but shall be under the provisions of the same general plan or system for the control of runoff, the prevention or control of soil erosion and the development and distribution of water or land improvement". Through the expansion of the sphere of influence for the East Valley Resource Conservation District, it will include the unincorporated areas of the Valley, the General Plan identified would be the County General Plan; for the corporate areas affected it would be General Plans for the Valley Cities (Chino, Chino Hills, Montclair, Upland, Rancho Cucamonga, Ontario, Fontana, Rialto, Colton, San Bernardino, Loma Linda, Highland, Redlands, and Yucaipa).

5. **OTHER FINDINGS**

- A. Notice of the January 21, 2004, hearing was published as required by law and directed by the Commission in: The Sun, the Inland Valley Daily Bulletin, and the Riverside Press-Enterprise, newspapers of general circulation in the area. As required by state law, individual notification was provided to affected and interested local agencies, County departments, and those individuals wishing mailed notice.
- B. Comments from landowners and affected local agencies have been reviewed and considered by the Commission in making its determination; and,

WHEREAS, the following functions and services are provided by the District, as outlined in the Rules and Regulations affecting the functions and services of Special Districts (originally adopted on November 10, 1976); and Exhibit "A" of the Rules and Regulations lists each special district and its services and functions pursuant to the requirements of Section 6 of the Rules and Regulations; and,

WHEREAS, the Local Agency Formation Commission of the County of San Bernardino is required to review and update the Exhibit "A" of the Rules and Regulations of Special Districts to outline the services provided by the East Valley Resource Conservation District:

SERVICE	FUNCTIONS
Resource Conservation	Control of runoff, prevention of soil erosion, development and distribution of water, and improvement of land capabilities

WHEREAS, pursuant to the provisions of Government Code Section 56425(h) the range of services provided by the East Valley Resource Conservation District is limited to those identified above, and such range of services shall not be changed unless approved by this Commission; and,

WHEREAS, having reviewed and considered the findings as outlined above, the Commission determines that the sphere of influence for the East Valley Resource Conservation District should be expanded to include the area identified as: the existing area of the East Valley Resource Conservation District, the area currently within the Inland Empire West Resource Conservation District, the area of the community of Alta Loma not a part of a Resource Conservation District, and the unsphered area between the existing boundaries of Inland Empire West and East Valley Resource Conservation Districts, signaling the Commission's position that the consolidation of the Inland Empire West Resource Conservation District and the East Valley Resource Conservation District should, at a minimum, take place. In addition, the Commission directs its staff to undertake a study of the Resource Conservation Districts within San Bernardino County, as a whole, to determine their continued viability given the fiscal crisis being experienced within San Bernardino County and the State of California.

NOW, THEREFORE, BE IT RESOLVED by the Local Agency Formation Commission of the County of San Bernardino, State of California, that this Commission shall consider the sphere of influence for the East Valley Resource Conservation District to be the area as expanded, it being fully understood that establishment of such a sphere of influence is a policy declaration of this

Commission based on existing facts and circumstances which, although not readily changed, may be subject to review and change in the event a future significant change of circumstances so warrants.

THIS ACTION APPROVED AND ADOPTED by the Local Agency Formation Commission of the County of San Bernardino by the following vote:

AYES: COMMISSIONERS: Bagley, Biane, Colven, Curatalo, Pearson, Williams, Young

NOES: COMMISSIONERS: None

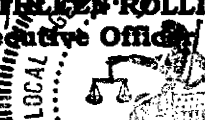
ABSENT: COMMISSIONERS: Smith (Curatalo voting in his stead)

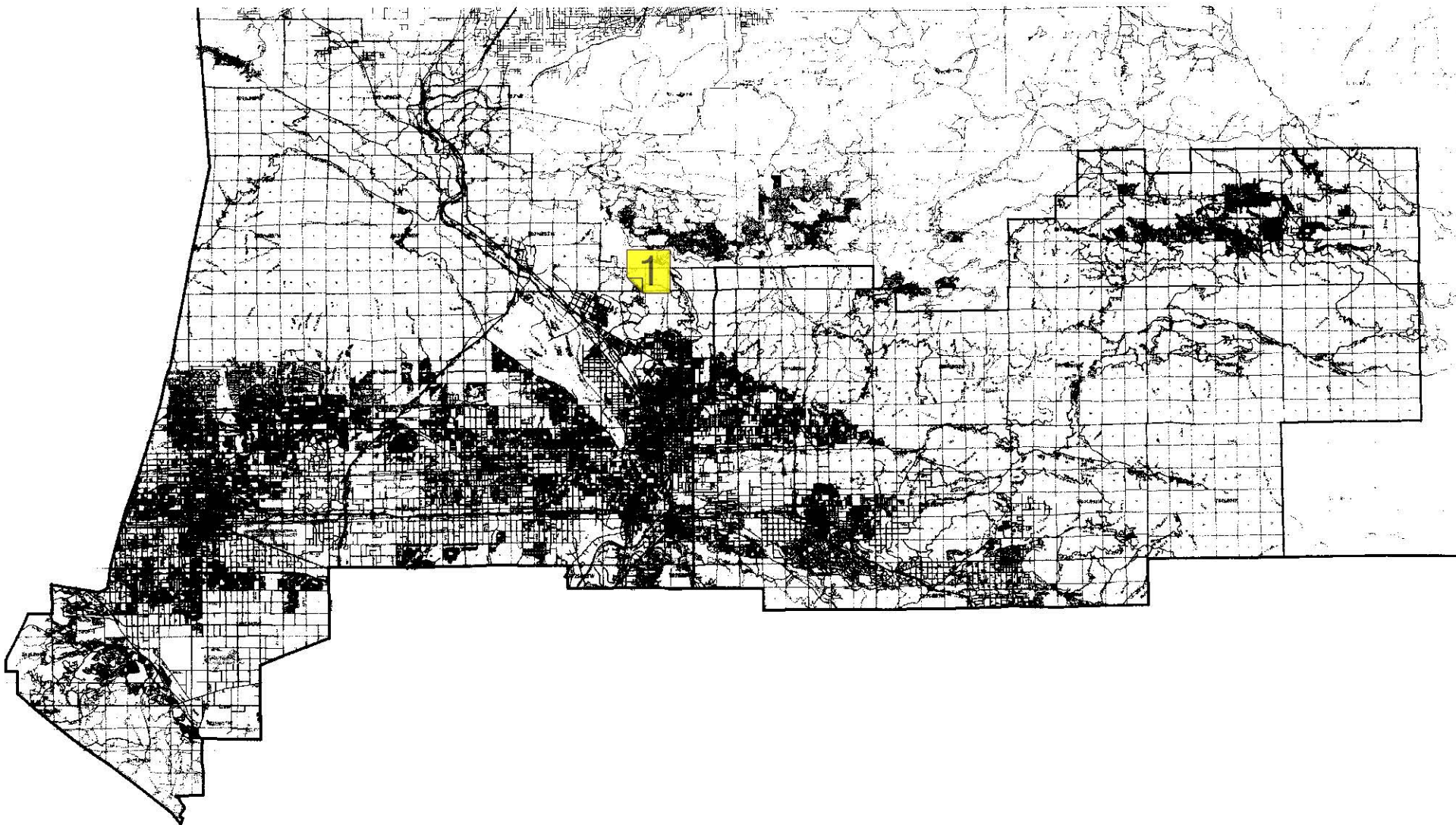
STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN BERNARDINO)

I, KATHLEEN ROLLINGS-McDONALD, Executive Officer of the Local Agency Formation Commission of the County of San Bernardino, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission, by vote of the members present, as the same appears in the Official Minutes of said Commission at its meeting of February 18, 2004.

DATED: February 19, 2004

Kathleen Rollings McDonald
KATHLEEN ROLLINGS McDONALD
Executive Office





EAST VALLEY RESOURCE CONSERVATION DISTRICT District & Sphere of Influence Boundaries

Map Prepared On January 11, 2004
 District and sphere of influence boundaries are current as of 11/2003
 This map was prepared using data provided by the district and is not
 intended to be used for any other purpose without the district's approval.



1. BEST SCANNED IMAGE