

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

215 North D Street, Suite 204
San Bernardino, CA 92415-0490 • (909) 383-9900 • Fax (909) 383-9901
E-MAIL: lafco@lafco.sbcounty.gov
www.sbclafco.org

PROPOSAL NO.: LAFCO 3002

HEARING DATE: February 20, 2008

RESOLUTION NO. 2992

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF SAN BERNARDINO MAKING DETERMINATIONS ON LAFCO 3002 – A SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR THE MOJAVE DESERT RESOURCE CONSERVATION DISTRICT (a sphere of influence expansion to include approximately 960 +/- square miles and affirmation of the existing sphere)

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

WHEREAS, a service review mandated by Government Code 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 the 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, a public hearing by this Commission was held upon the date and at 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 plans and proposed changes of organization, objections and evidence which were made, presented, or filed; it received evidence as to whether the territory is inhabited or uninhabited, improved or unimproved; and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the application, in evidence presented at the hearing;

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 on February 20, 2008. The Clerk was directed to file a Notice of Exemption within five working days of its adoption;

RESOLUTION NO. 2992

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 Mojave Desert Resource Conservation District shall be expanded by 960 +/- square miles to encompass the territory to its northwest and affirm the remainder of the District's sphere of influence, and this change is depicted on the maps attached hereto as Exhibits "A," "A-1," and "A-2"; and,

WHEREAS, the determinations required by Government Code Section 56430 and local Commission policy are included in the report prepared and submitted to the Commission dated February 11, 2008 and received and filed by the Commission on February 20, 2008, a complete copy of which is on file in the LAFCO office. The determinations of the Commission are:

1. Growth and population projections for the affected area:

The District had an estimated population of 551,646 in 2007. The District's Long Range Plan provides a jurisdictional/landownership breakdown of the 11,500,000 acres within its boundaries as follows:

- City jurisdiction or the County of San Bernardino: 55,498 acres
- United States Forest Service: 174,297 acres
- State of California: 224,411
- Military: 1,570,416 acres
- National Park Service: 1,799,672 acres
- Private: 1,900,525 acres
- Bureau of Land Management: 5,775,181 acres

The amount of publicly owned land within the District limits development and comprises a large percentage of the District's total area. Within the District are the Fort Irwin Military Reservation, Yermo Marine Base, Twentynine Palms Marine Corps Base and Training Ground, and the Mojave National Preserve; and portions of the China Lake Naval Weapons Center, Edwards Air Force Base, Death Valley National Park, and Joshua Tree National Park. Population growth is not anticipated in these areas.

For the population centers, historical trends indicate moderate to high growth. Since 2000, the incorporated cities of the Victor Valley (Adelanto, Apple Valley, Hesperia, and Victorville) increased in population by 44% and the incorporated cities of the Morongo Basin (Town of Yucca Valley and City of Twentynine Palms) combined grew 45%. Historical growth for the spheres of influence of these cities is not available.

The District's territory includes the full range of potential growth, from areas with little to no growth to areas anticipated to experience significant growth in the future. The Victor Valley is anticipated to experience 94% growth between 2006 and 2030 and the Morongo Basin is anticipated to experience 18% growth between 2005 and 2020. Corresponding horizon data for these areas (years 2020 versus 2030) was not available. Nevertheless, significant growth continues in these corridors and is anticipated in both the incorporated and unincorporated areas of the District.

2. Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies:

RESOLUTION NO. 2992

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 Mojave Desert Resource Conservation District shall be expanded by 960 +/- square miles to encompass the territory to its northwest and affirm the remainder of the District's sphere of influence, and this change is depicted on the map attached hereto as Exhibit "A"; and,

WHEREAS, the determinations required by Government Code Section 56430 and local Commission policy are included in the report prepared and submitted to the Commission dated February 11, 2008 and received and filed by the Commission on February 20, 2008, a complete copy of which is on file in the LAFCO office. The determinations of the Commission are:

1. Growth and population projections for the affected area:

The District had an estimated population of 551,646 in 2007. The District's Long Range Plan provides a jurisdictional/landownership breakdown of the 11,500,000 acres within its boundaries as follows:

- City jurisdiction or the County of San Bernardino: 55,498 acres
- United States Forest Service: 174,297 acres
- State of California: 224,411
- Military: 1,570,416 acres
- National Park Service: 1,799,672 acres
- Private: 1,900,525 acres
- Bureau of Land Management: 5,775,181 acres

The amount of publicly owned land within the District limits development and comprises a large percentage of the District's total area. Within the District are the Fort Irwin Military Reservation, Yermo Marine Base, Twentynine Palms Marine Corps Base and Training Ground, and the Mojave National Preserve; and portions of the China Lake Naval Weapons Center, Edwards Air Force Base, Death Valley National Park, and Joshua Tree National Park. Population growth is not anticipated in these areas.

For the population centers, historical trends indicate moderate to high growth. Since 2000, the incorporated cities of the Victor Valley (Adelanto, Apple Valley, Hesperia, and Victorville) increased in population by 44% and the incorporated cities of the Morongo Basin (Town of Yucca Valley and City of Twentynine Palms) combined grew 45%. Historical growth for the spheres of influence of these cities is not available.

The District's territory includes the full range of potential growth, from areas with little to no growth to areas anticipated to experience significant growth in the future. The Victor Valley is anticipated to experience 94% growth between 2006 and 2030 and the Morongo Basin is anticipated to experience 18% growth between 2005 and 2020. Corresponding horizon data for these areas (years 2020 versus 2030) was not available. Nevertheless, significant growth continues in these corridors and is anticipated in both the incorporated and unincorporated areas of the District.

2. Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies:

RESOLUTION NO. 2992

Rapid residential and commercial development in the Mojave Desert has resulted in increased demand on natural resources, especially water supply. Public Resources Code 9408 states, "It is the intent of the Legislature to encourage [resource conservation] districts to facilitate cooperation among agencies of government to address resource issues of local concern." The District states that it will continue to expand conservation programs by collaborating with other agencies to ensure that vital resources remain available to both humans and wildlife. It further indicates that it performs a needed service working with the U.S. Department of Agriculture's Natural Resource Conservation Service and performs education programs, which are funded by other agencies.

Referring to its 2006-2007 Annual Report, the District has seven natural resource objectives:

- Provide resource management information to the community
- Promote the reduction of wind and water erosion
- Promote the proper utilization of our natural resources
- Promote water conservation
- Provide information for improved irrigation water management
- Demonstrate urban and agricultural practices that sustain and improve water quality and fish and wildlife habitat
- Work with the public and private sector toward land development practices that protect and enhance the region's natural resources and systems

The Report highlights its activities within the past year. The District has:

- Assisted 35 government agencies (examples include the Mojave Water Agency, the County of San Bernardino, and the Bureau of Land Management).
- Participated in the Emergency Watershed Protection-Watershed Recovery program in the mountain communities to remove dead, dying, and diseased trees. The District completed 175 dead tree removal projects on 10,063 parcels which removed an estimated 113,423 dead trees.
- Included 121 acres for irrigation water conservation (generally located in the Newberry Springs area). This program assists agricultural producers improve their irrigations systems and save water and electricity.
- Included 216 acres for the Food Security Act Conservation Plan (generally located in the High Desert). These plans attempt to control erosion on agricultural lands to reduce soil loss and protect air quality.

The District collaborates in numerous projects within the County. Among them are:

- Storm water education - This program demonstrated to students (K-8) the effects of storm water pollution, and satisfied the minimum control measure for education and outreach under the National Pollution Discharge Elimination System. The Victor Valley Water District provided funding for this project to the District for six months during FY 2005-06 and five months in FY 2006-07. Continuation of this project is subject to receipt of funding from participating agencies.
- ReLeaf Program - The District provides coordination in the development and implementation of reforestation of burned areas through its ReLeaf program. Since 2004, this program has

RESOLUTION NO. 2992

planted over 40,000 native seedlings on several hundred acres in the San Bernardino Mountains, including the Mojave and Santa Ana watersheds. The majority of funding for this project is received through grant funding from American Forests, a nonprofit conservation organization. This grant will continue through FY 2007-08. The California Department of Forestry and Fire Protection (CAL FIRE) is a technical advisor and financial sponsor for this project. Other partnerships for this project include the United Way, U.S. Department of Agriculture, Lake Arrowhead Community Services District, Arrowhead Chamber of Commerce, Southern California Edison, and numerous others.

- Mojave River Watershed Planning and Mapping Project – This 24 month project mapped the invasive tamarisk (salt cedar) species in the Mojave River watershed and was funded by a State Water Resources Control Board grant and the Mojave Water Agency. The project was completed in June 2007.
- Removal of tamarisk (salt cedar), arundo, and Russian-olive invasive species – One of the objectives of this project is to implement the Mojave Basin Area Judgment to improve riparian habitats, maintain ground/surface water saturation at root zone, and increase downstream flows. The Mojave Water Agency provides funding for this project.
- Sahara Mustard Project – The objective of this project was to provide best management practices that should be implemented to prevent, reduce, or eliminate Sahara mustard infestations. The U.S. Geological Survey is using this data for additional research. Funding came from CalTrans and the Federal Highway Administration.
- The District manages two California Irrigation Management Information Systems. These systems provide residents with daily evapo-transpiration rates for alfalfa and turf grasses, which is an important irrigation management tool. Funding is provided by the Mojave Water Agency.
- Environmental Quality Incentive Program – The District is the lead agency on the local work group for this project that annually seeks funds to help farmers improve their irrigation systems that enable them to conserve water and electricity.

The District does not currently maintain conservation easements. However, it is in the final stages of negotiation for maintaining in perpetuity two conservation easements. The first conservation easement is located in Running Springs on 23.76 acres. The California Department of Fish and Game is requiring a developer to permanently preserve land for the southern rubber boa. The second conservation easement is located in the City of Victorville on 4.29 acres owned by the San Bernardino County Flood Control District. This land is to be managed as a conservation easement in perpetuity as mitigation for improvements made by the Flood Control District to the west levee of the Mojave River. For each easement, the District requested a \$5,000 fee to study the property and to complete the necessary documents. Remaining for both conservations easements is the completion of negotiations with the landowners for the endowment fees to provide for long-term management of the properties.

As development has progressed, the District has engaged in mitigation activity for developers wanting to build in the North Desert. It is an authorized riparian/wetland mitigation broker by the Army Corps of Engineers and California Department of Fish and Game. To date, a total of 22.73 acres of mitigation credits have been received from developers.

RESOLUTION NO. 2992

There is a portion of the San Bernardino Mountains, within the territory of the Inland Empire RCD, devastated by wildfires and bark beetles. Due to success of and proximity of the District's Mountain Communities Wildlife ReLeaf program, both agencies are entering into an agreement for the District to plant seedlings in areas of need within Inland Empire RCD territory.

3. Financial ability of agencies to provide services:

The District's primary sources of revenues are the receipt of ad valorem property taxes and grants. According to the District's most recent audit for FY 2006-07, revenues were \$211,221 for the year. The secure source of funding is the receipt of property taxes, which accounted for 37% or \$77,276 of revenues. A sizeable portion of the District's property tax revenues derive from the former Mojave River County Water District. Initiated by the Board of Directors of the Mojave River County Water District, LAFCO 2795 dissolved the water district in 1995. As a condition of the dissolution, the water district's share of the ad valorem property tax was transferred to Mojave Desert RCD, with the understanding that Mojave Desert RCD would use these funds, to the extent practicable, for the benefit of the landowners along the Mojave River. At that time, the water district received approximately \$35,000 annually in property taxes.

These revenues cover operational expenses and four part-time staff positions. During the same year, the District paid \$126,104 in salaries and benefits from property tax revenues and portions of grants that allow for labor expenses. Since the secure source of revenue, property taxes, is not enough to cover labor and supply expenses, the District is dependent on grant revenues for labor and supply expenditures. The District indicates that the grants that it receives contain an administrative component to cover administrative costs.

Much of the District's projects are funded through public, private, and non-profit grants and partnerships. Grant revenues are not guaranteed, and operational and labor activity fluctuates on the receipt of grant revenues. In FY 2005-06 the District received \$516,027 in revenues of which \$365,975 were intergovernmental transfers (mainly grants received). The following year intergovernmental revenues decreased 65%, with an overall decrease in expenditures by 66%. Due to the fluctuation of grant revenues received, the District has increased its efforts in recent years to secure grant funding for its resource conservation programs and staff.

The Mojave Water Agency (MWA) is one the District's major partners that assist financially with conservation programs. Through a memorandum of understanding, MWA funded the Mojave River Salt Cedar Mapping project with \$28,848 in FY 2006-07. MWA will give \$440,214, with \$49,140 towards District labor, for the Mojave River Salt Cedar Eradication project from FY 2007-08 through FY 2009-2010.

4. Status of, and opportunities for, shared facilities:

The District and the U.S. Department of Agriculture's Natural Resource Conservation Service have a common objective to conserve natural resources and entered into a Cooperative Agreement in 2002 relative to sharing personnel services, office space, and vehicles. The District is to provide the NRCS with staff time, with limitations and conditions, to assist in federal resource conservation programs. In return, the Natural Resource Conservation Service provides the District with equipment, supplies, and facilities (to include office space) at no cost in order for the District to perform their assignments within the County. The District indicates that it also

RESOLUTION NO. 2992

collaborates with various cities and agencies to take advantage of their resources such as data, informational services, and equipment.

5. **Accountability for community service needs, including governmental structure and operational efficiencies:**

Governmental Structure

The board of directors composition for resource conservation districts is unique in that board members are registered voters within the state and either: 1) reside in the district and a) own real property in the district or b) alternatively have served for two or more years as an associate director of the district, or 2) are designated agents of a resident landowner within the district. The District has not held an election within the past 10 years because each time only one applicant has expressed interest in the vacancy. The County of San Bernardino Board of Supervisors has appointed board members in-lieu of election. The District indicates that the members on the board of directors receive no compensation for time spent on District activities. As for representation on the board, there are no members that reside outside the Mojave watershed.

Resource conservation districts may also have associate directors. Associate directors serve as advisors to the board of directors, are chosen by directors, and do not have voting authority. The District currently has four associate directors. Currently, no associate directors reside outside the Mojave watershed. However, a former associate director lived in the Twentynine Palms area and served from 1999-2006.

Government Accountability

To inform constituents about the activities, Resource Conservation District Law requires resource conservation districts to publish an annual report that provides an overview of the district's programs and projects. The District complies with this directive and publishes an annual report. Additionally, the District prepares and submits progress reports for specific grant-funded projects with the respective contract requirements.

Operational Efficiencies

The District works and collaborates with many agencies to fulfill its mission. The relationship between resource conservation districts and the U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) has been around since the 1930's. Resource conservation districts and the NRCS formally ratified their relationship through a Memorandum of Understanding signed over 50 years ago to establish a partnership and mutual roles between districts and the USDA. An opportunity was presented for each resource conservation district to enter into a formal agreement with the NRCS, and the District entered into such an agreement in 1957.

The District works with the NRCS to implement soil and water conservation on agricultural lands and forested areas. This unique relationship is mutually beneficial. The District assists the NRCS with prioritizing the NRCS' activities, provides planning and on-site technical assistance to the residents within the District's boundary and sphere of influence on erosion control, water conservation, water quality protection, and wildlife habitat preservation. In turn, the NRCS provides technical assistance to the District's programs, appoints a local District Conservationist

RESOLUTION NO. 2992

to provide technical assistance to the District, and acts as a liaison between the District and federal programs. The local NRCS office also employs specialists such as soil experts and engineers to provide technical assistance to the District. Moreover, the District's headquarters is located at the USDA Service Center in Victorville. Importantly, with guidance from the District, the NRCS allocates funding to support programs within the County. This relationship has resulted in many successful programs. For example, the Environmental Quality Incentive Program assisted agricultural producers in conserving 20 to 25 percent of annual water usage and 30 percent of electrical usage. The District was the lead agency in this program, and the NRCS with District guidance provided over \$900,000 to agricultural producers in the high desert to improve their irrigation systems. The focus areas for this program are Lucerne Valley, Mojave River corridor, Newberry Springs, and Daggett. According to the materials provided, the water savings helped producers meet their mandated water adjudication requirements.

There is also a Working Agreement between the NRCS, the District, California Association of Resource Conservation Districts, and the California Department of Conservation. This Agreement supplements the Mutual Agreement and documents "areas of common interest of the State, Federal, and Local partnership in natural resources conservation". The Agreement indicates that the District shall exhibit leadership to identify local resource needs, advocate for effective solutions and work with appropriate parties on implementation. It further states, "To the extent possible, all signatories shall collaborate on the delivery of conservation through the Mojave Desert Resource Conservation District."

Resource Conservation District law also provides for state-level support of resource conservation districts through the state Department of Conservation. However, the Department of Conservation does not have regulatory oversight of resource conservation districts. Rather, the Department serves districts by offering ongoing training on Resource Conservation District law and related government codes, provides technical assistance through education, as well as offering some financial assistance to districts through competitive grant awards. The District has applied for but has not received grants from the Department of Conservation.

The Mojave Water Agency is one the District's major partners that assist financially with conservation programs. Through a memorandum of understanding, MWA funded the Mojave River Salt Cedar Mapping project with \$28,848 in FY 2006-07 and will provide \$440,214 for the Mojave River Salt Cedar Eradication project in FY 2007-08.

Additionally, the District has worked with the California Department of Forestry and Fire Protection (CAL FIRE) to assist in the removal of bark beetle infested trees on private property. It also works to expand the availability of soils data for areas not covered by a soils survey. The District participates in the Mojave Desert-Mountain Resource Conservation Development Council, Saltcedar Task Force, Mojave River Watershed Group, Desert Lands Restoration Committee, and acts as a facilitator to the Antelope Creek Wash group to develop solutions to stream channel erosion control problems. The District is also a participant in the Alliance for Water Awareness and Conservation (AWAC). This alliance promotes water conservation throughout the High Desert.

Service Delivery

Of concern to the Commission is the inequitable delivery of services by the District within its territory. The District's activities are focused on the Mojave watershed. Although an important area, this represents only a portion of the District's overall territory. The remainder of the

RESOLUTION NO. 2992

District's territory does not benefit from the District's Mojave watershed efforts. Yet, the District receives a share of the ad valorem property tax in these areas. Moreover, the areas in the North Desert not a part of the District, including the City of Barstow and a portion of northern Apple Valley and Victorville, benefit from the District's services in the Mojave watershed, even though the District does not receive a share of the ad valorem property tax from these areas.

The concern expressed by the Commission in 2004 was that the District received a share of the ad valorem property tax from areas outside of the Mojave watershed but did not provide services to these areas. Since that time, the District has utilized its close relationship with the USDA National Resource Conservation Service (NRCS) to advocate for grant funding for areas outside the Mojave watershed. In the materials and correspondence provided by the District, it identifies four projects that have taken place outside of the Mojave watershed in recent years.

- First, the Fort Mojave Indian Reservation near Needles has received funding from the NRCS for improvement of irrigation systems.
- Second, the San Bernardino County Department of Public Works received \$126,000 from the NRCS for watershed protection to alleviate the effects of the Sawtooth Fire in the Morongo Valley and Pioneertown areas.

For the two projects above, the District utilized its close relationship with the NRCS and pushed for funding to be granted for these projects.

- Additionally, the NRCS is currently conducting a soil survey for the Morongo Valley, Yucca Valley, and Twentynine Palms areas. The District attends meetings in these areas with the NRCS to inform landowners about the soil surveys in order to gain permission from landowners to have soil descriptions and sampling performed on their property.
- The fourth project is the District's ReLeaf project. The goal of this project is to replant areas of the San Bernardino Mountains devastated by drought, bark beetle infestations, and wildfires. The District estimates that 40,000 native seedlings have been planted in the Santa Ana watershed. The District is entering into a memorandum of understanding with the Inland Empire RCD to plant seedlings in Inland Empire RCD territory.

In areas outside of the Mojave watershed, the District's involvement is mainly indirect with some direct involvement. The District indirectly serves these areas by providing assistance to those agencies that directly provide services or support to the areas outside of the Mojave watershed. In the materials submitted by the District and in correspondence, there is only one instance in recent years of the District directly serving outside the Mojave watershed, the ReLeaf Project. Furthermore, the District utilizes its close relationship with other agencies, most notably the Natural Resource Conservation Service, to advocate for grant funding for projects in these areas. Nonetheless, even with the District advocating for grant funding from other agencies, there is concern that the other populated centers of the District, such as the Morongo Valley, Yucca Valley, and Twentynine Palms areas, pay a share of the ad valorem property tax but do not receive or receive little direct benefit from the District.

Government Structure Options

While the discussion of some government structure options may be theoretical, a service review should address all possible options. One government structure option would be consolidation

RESOLUTION NO. 2992

with the Inland Empire RCD to create a single resource conservation district, with the exception of Riverside-Corona RCD's 14 square mile extension into San Bernardino County. The Commission in 2004 determined detachment of Riverside-Corona RCD from San Bernardino County would jeopardize its multi-county status, which affects its share of the ad valorem property tax.

The position adopted by the Commission in 1979 from the special study was that resource conservation districts continued to perform a needed function by providing a local liaison for the Federal Soil Conservation Service (now known as the U.S. Department of Agriculture's Natural Resources Conservation Service), but that consolidations of the districts within San Bernardino County should be pursued. Again in 2004, the Commission discussed the issue of consolidation of resource conservation districts within the County. As an outgrowth of LAFCO's service review program, the Inland Empire West Resource Conservation District and the East Valley Resource Conservation District submitted an application to LAFCO for consolidation of the two districts. The Commission approved the consolidation application, and the consolidated agency became known as the Inland Empire Resource Conservation District. The basis for the consolidation was to increase efficiency by having one agency utilize the available revenues for the Santa Ana watershed.

In the case of consolidation of the East Valley RCD and the Inland Empire West RCD in 2005, a consolidated agency serving the Valley portion of the County was determined by the Commission to improve joint operations and partnerships with other agencies concerned with conservation efforts. Consolidation occurred because the two agencies served within the watershed of the Santa Ana River, coordinated with the same representative of the USDA Natural Resource Conservation Service, and they coordinated with the same regional entities, such as the Santa Ana Watershed Association.

These reasons do not pertain to a possible consolidation of the Mojave Desert RCD and the Inland Empire RCD. First, the geographical separation of the agencies supports different climates, soils, and watersheds, each with different issues. The District primarily supports the Mojave River watershed and the Inland Empire RCD supports the Santa Ana watershed. The division of the water and air quality districts supports the division of the resource conservation districts. Second, the District has different land uses than the Inland Empire RCD. The agricultural products are different between the regions. Thus, the focus of the respective district's efforts is different in comparison with the other. Third, the lands within the District generally contain longer land tenure patterns due to much of the land being federally regulated. This is not the case within the Inland Empire RCD. Fourth, a dedicated Conservationist from the Natural Resource Conservation Service is assigned to each district due to the geologic and hydrologic divides.

A joint letter signed by the presidents of the Mojave Desert and Inland Empire RCDs concerning the possibility of consolidation of the two agencies states their reasons against consolidation as: 1) the two agencies support different climates, 2) they support different watersheds, 3) each agency has a Natural Resource Conservation Service conservationist assigned to it, and 4) the service areas are vastly different with the Mojave Desert RCD being vastly larger, resulting in more costly monitoring of projects due to an increase in travel time.

A second option would be for dissolution of the District. Due to the Commission's previous position that resource conservation districts continue to perform a needed function, this option is not supported. Further, the State Legislature, through Division 9 of the Public Resources Code

RESOLUTION NO. 2992

recognizes the value of resource conservation through 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.

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

1. **Present and Planned Uses:**

Present uses within the District include the full range of densities from high density to non-developable land. Land uses also include the full range that includes open space, agricultural, residential, recreational, and industrial. There are Williamson Act Agricultural contract lands within the District, with many in the Lucerne Valley and Helendale areas. The District's Long Range Plan provides a jurisdictional/landownership breakdown of the 11,500,000 acres within its boundaries as follows:

- City jurisdiction or the County of San Bernardino: 55,498 acres
- United States Forest Service: 174,297 acres
- State of California: 224,411
- Military: 1,570,416 acres
- National Park Service: 1,799,672 acres
- Private: 1,900,525 acres
- Bureau of Land Management: 5,775,181 acres

As development continues, lands with the potential for agricultural use near population centers will continue to decrease and municipal land use will increase. Planned uses of the communities along the Mojave River include tract developments and other developments. Some of these projects include general plan amendments that will increase the densities of the land.

The proposed sphere expansion area includes the portion of the China Lake Naval Weapons Center in San Bernardino County and the community of Trona/Searles Valley. The land use designation of the majority of the area is Resource Conservation, which provides for open space and recreational activities and allows one dwelling unit per 40 acres. Other land use designations include Regional Industrial, Residential Single, and Institutional. The majority of the area is military and Bureau of Land Management lands. There is also significant mining activity in Trona with the Searles Valley Minerals Inc.'s soda ash processing plant as the largest plant in the area. Other operations include evaporative salt extraction and limestone.

2. **Present and Probable Need for Public Facilities and Services:**

Referring to the District's objectives, the projected population growth and development, especially in the communities concerned with water resources, will create a need for expanded resource conservation. The District states that it has expanded its focus and activities to reflect the changing demographics and land-uses within its jurisdiction.

The proposed sphere expansion area is within the Mojave watershed. Sphere expansion would allow the District to plan for providing services to the area and would fill the void of having an area being entirely surrounded by a resource conservation district boundary or sphere of influence.

RESOLUTION NO. 2992

3. Present Capacity of Public Facilities and Adequacy of Public Services

The District is financially constrained by the property tax revenues that it receives and the grants that is able to secure. By successfully securing grant funding and entering into partnerships with other agencies, it sustains and expands its conservation programs. The District utilizes its close relationship with the Natural Resource Conservation Service to advocate for funding for programs within the District's territory. This relationship has resulted in many successful programs within the District.

The Mojave Water Agency is one the District's major partners that assist financially with conservation programs. For example, through a memorandum of understanding, MWA funded the Mojave River Salt Cedar Mapping project with \$28,848 in FY 2006-07 and will give \$440,214 for the Mojave River Salt Cedar Eradication project in FY 2007-08.

4. Social and Economic Communities of Interest

Social and economic communities of interest are the communities and the incorporated municipalities within its boundaries and sphere. These communities include but are not limited to, the Cities of Adelanto, Victorville, Hesperia, Twentynine Palms, and the Towns of Apple Valley and Yucca Valley, and the communities of Lucerne Valley, Homestead Valley, Joshua Tree, Morongo Valley, Oak Hills, Helendale, Newberry, Yermo, Daggett, and Phelan/Pinon Hills.

5. Other Findings:

A. Legal advertisement of the Commission's consideration has been provided through publication in the *Sun*, *Desert Dispatch*, *Hi Desert Star*, *Needles Desert Star*, and *Alpenhorn News* and through a publication of a 1/8 page legal ad in the *Daily Press* as required by law.

Pursuant to Commission Policy #27, a 1/8th page legal ad was provided in lieu of individual notice because the sphere expansion would have exceeded 1,000 landowner and registered voters notices.

B. As required by State law, individual notification was provided to affected and interested agencies, County departments, and those agencies and individuals requesting mailed notice.

C. Comments from landowners/registered voters and any affected agency will need to be reviewed and considered by the Commission in making its determinations.

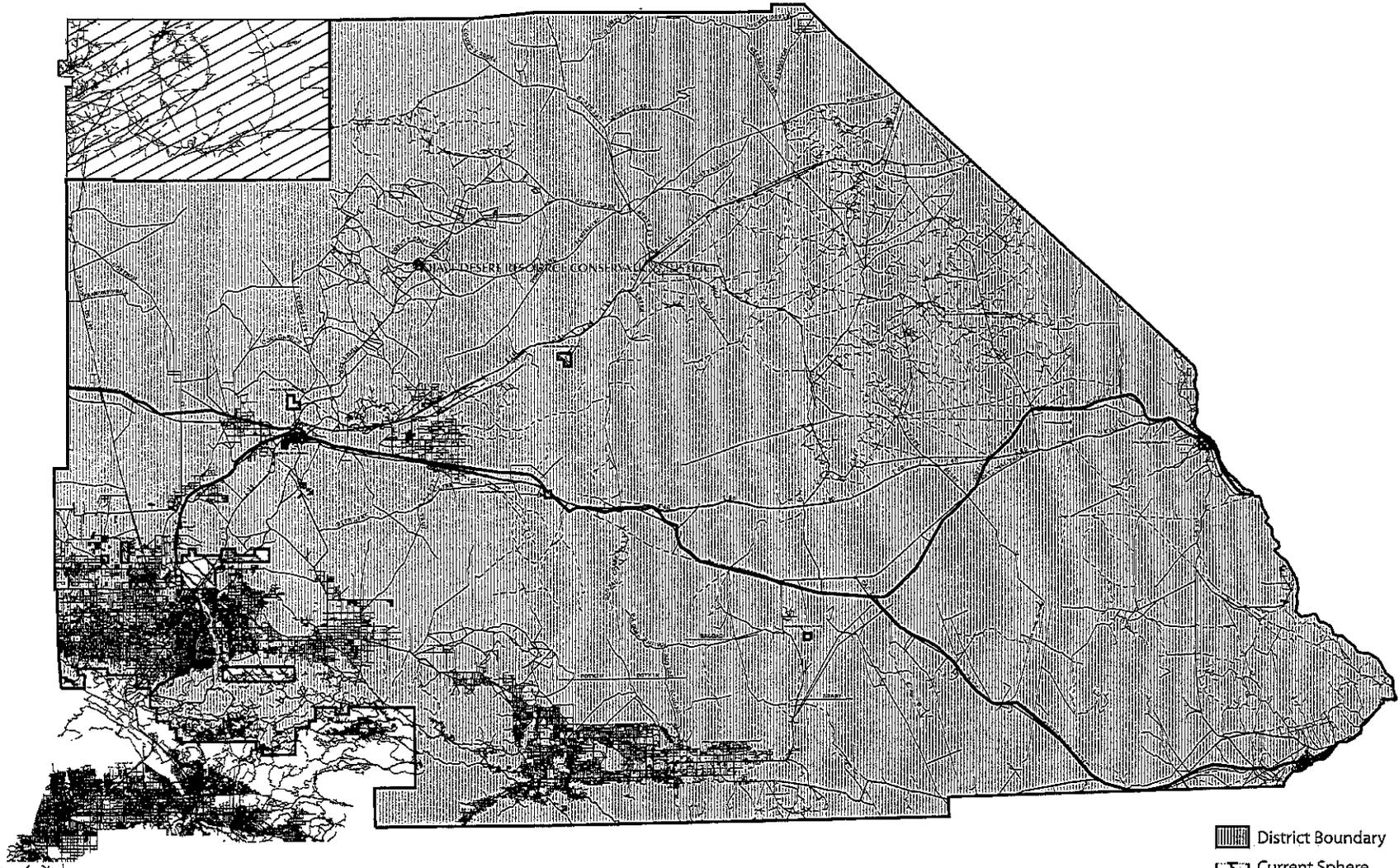
WHEREAS, pursuant to the provisions of Government Code Section 56425(i) the range of services provided by the Mojave Desert Resource Conservation District shall be limited to the following:

DISTRICT	FUNCTIONS	SERVICES
Mojave Desert Resource Conservation District	Resource Conservation	Control of runoff, prevention of soil erosion, development and distribution of water, improvement of land capabilities, and habitat preservation

LAFCO 3002 - Service Review and Sphere of Influence Update (Expansion) for the Mojave Desert Resource Conservation District

EXHIBIT A

EXHIBIT A



-  District Boundary
-  Current Sphere of Influence
-  Proposed Sphere of Influence Expansion of 960 +/- square miles

Map Prepared on January 15, 2008



LAFCO 3002

SPHERE OF INFLUENCE EXPANSION FOR MOJAVE DESERT RESOURCE CONSERVATION DISTRICT (China Lake Naval Weapons Center and the Trona/Searles Valley Area)

All of the unincorporated territory of the County of San Bernardino, State of California, lying within the following described boundary:

Beginning at the intersection of the common boundary line between Kern and San Bernardino Counties with the south line of Section 36, Township 28 South, Range 40 East, Mount Diablo Meridian:

1. Thence along said Kern and San Bernardino Counties common boundary line through its various courses, generally in a northerly direction, to the northwest corner of the County of San Bernardino, also being a point on the common boundary line between San Bernardino and Inyo Counties;
2. Thence easterly along said Inyo and San Bernardino Counties common boundary line to an intersection with the west line of Section 31, Township 20 North, Range 1 East, San Bernardino Meridian, also being a point on the common boundary line between the San Bernardino and Mount Diablo Meridians;
3. Thence southerly along said common Meridian line to an intersection with the south line of Section 33, Township 28 South, Range 47 East, Mount Diablo Meridian, being also a point on the township line between Townships 28 and 29 South, Mount Diablo Meridian;
4. Thence westerly along said township line to the **Point of Beginning**.

The total area of the sphere of influence expansion contains 960 square miles, more or less.

INYO COUNTY ②

①
KERN COUNTY

POB

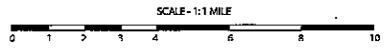
③

④

MOJAVE DESERT RESOURCE CONSERVATION DISTRICT

EXHIBIT A-2

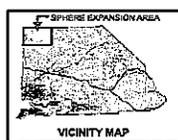
EXHIBIT A-2



Total Sphere Expansion Area = +/- 960 square miles

LAFCO 3002
 SPHERE OF INFLUENCE EXPANSION
 FOR MOJAVE DESERT RCD
 (CHINA LAKE NAVAL WEAPONS CENTER
 AND THE TRONA/SEARLES VALLEY AREA)

- Sphere Expansion Area
- County Boundary
- Proposed Sphere Expansion Area
- Existing RCD Area
- County Boundary
- Sphere Boundary
- Point of Boundary



LAFCO 3002
 SPHERE OF INFLUENCE UPDATE (EXPANSION) FOR
 MOJAVE DESERT RESOURCE CONSERVATION DISTRICT

GENERAL DESCRIPTION:
 NORTHWEST PORTION OF THE COUNTY OF SAN BERNARDINO