

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

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**PROPOSAL NO.: LAFCO 2901**

**HEARING DATE: FEBRUARY 18, 2004**

**RESOLUTION NO. 2802**

**A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF SAN BERNARDINO MAKING DETERMINATIONS ON LAFCO 2901, A SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR THE INLAND EMPIRE WEST RESOURCE CONSERVATION DISTRICT (a sphere of influence reduction to a zero sphere of influence for the District).**

**On motion of Commissioner Biane, 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, 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 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 Inland Empire West Resource Conservation District shall be reduced to a

“zero” sphere of influence with the direction that the Inland Empire West Resource Conservation District and East Valley Resource Conservation District should consolidate into a single 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 370,000 +/- acres (approximately 578 square miles). The Inland Empire West 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 draft short- and long-range plans.

2. **Growth and Population.**

The District provides service to approximately 578 square miles (approximately 370,000 acres) within its current boundaries which include all or portions of the incorporated and unincorporated areas of the Cities of Chino, Chino Hills, Colton, Montclair, Upland, Rancho Cucamonga, Fontana, San Bernardino, Rialto and Ontario. The establishment of a zero sphere of influence is proposed to point toward the consolidation of the Inland Empire West RCD with the 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 \$281,269 for FY 2003-04)
- Grants
- Contracts for service.

The District has indicated that now that its short- and long-range plans have been put forward in draft form, it will pursue a coordinated identification of resource projects and grant funding to pursue its plans. The establishment of a zero sphere of influence for the Inland Empire West RCD, and the companion expansion of the East Valley RCD sphere of influence, points 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. 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 East Valley RCD and Riverside-Corona RCD), NRCS, Orange County Water Agency, etc. 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 within the shared Inland Empire Utilities Agency facility. No other opportunities for shared facilities were identified.

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, could effectively respond to joint operations and effectively address the issues impacting the Santa Ana River watershed area.

8. **Management Efficiencies.**

The District currently maintains a small staff (3 employees) who work in conjunction with the USDA/NRCS staff (3 employees) to serve the District territory.

9. **Local Accountability and Governance.**

The District is governed by a five-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 Inland Empire West 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 Inland Empire West Resource Conservation District represent varying levels and intensities of urban development. This area includes approximately 578 square miles (370,000 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 Inland Empire West Resource Conservation District to address the changing urban environment includes the provision of: watershed management, noxious weed eradication from waterways, and sedimentation control. 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.

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- 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 IEWRCD 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.

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

Resource Conservation Districts are regional service providers defined by its 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". For 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 of the Cities of Chino, Chino Hills, Montclair, Upland, Rancho Cucamonga, Ontario, Fontana, Rialto, Colton, and San Bernardino.

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 Inland Empire West 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 Inland Empire West Resource Conservation District is limited to those identified above, and such range of services shall not be changed unless approved by this Commission; and,



