

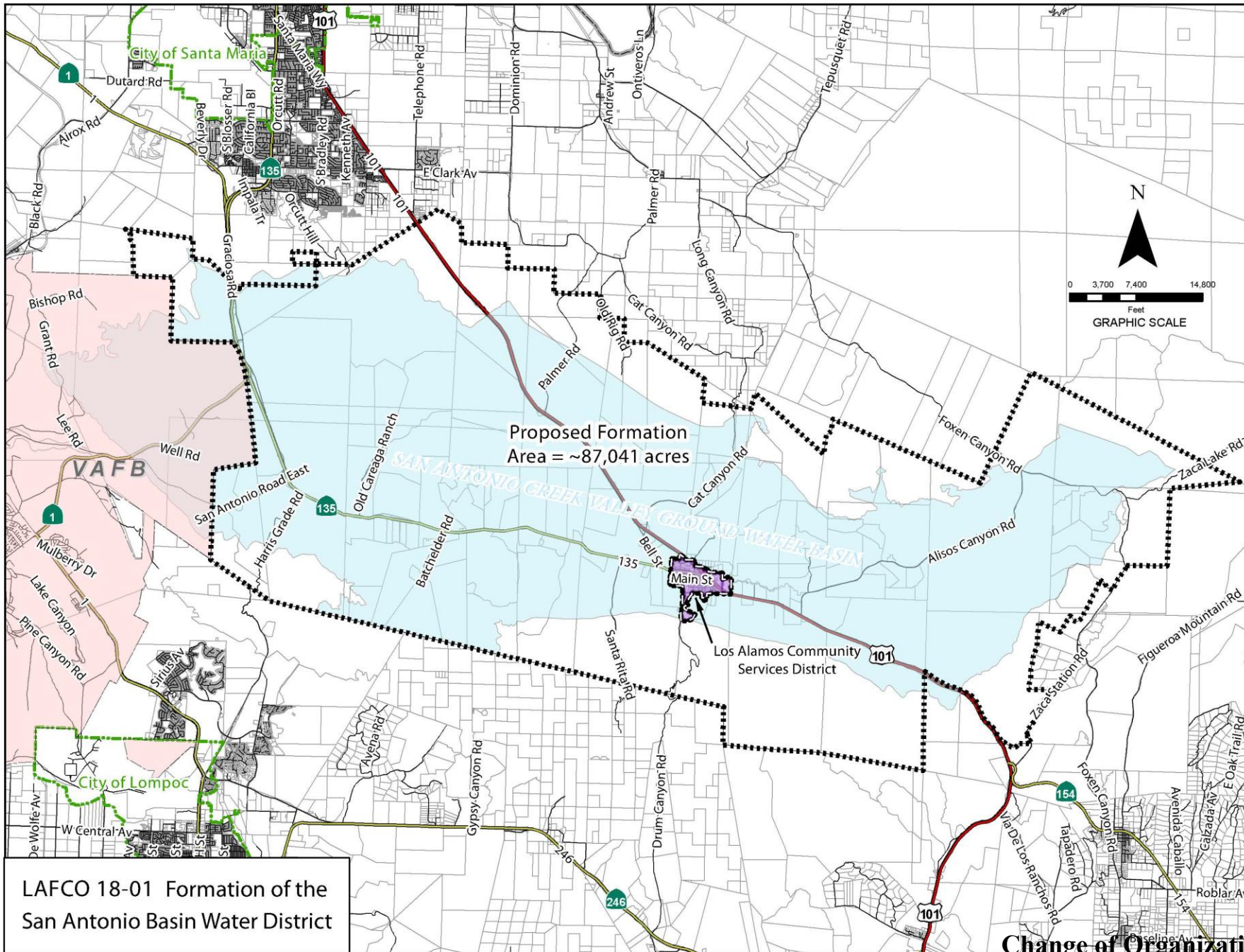
# Santa Barbara LAFCO

## Formation of the San Antonio Basin Water District

July 11, 2019

# Background

- Applicant: 63.35% of the Landowners, by Petition of Application
- Location: The district's boundaries comprise the San Antonio Creek Groundwater Basin. The basin is a rural agricultural area that is reliant on local water supplies, predominantly groundwater. Because of the growth of irrigated agriculture in the area, water demands have increased significantly, taxing local groundwater supplies. Groundwater resources are also used to supply local inhabitants, as well as parts of Vandenberg Air Force Base (VAFB).
- Santa Barbara County, VAFB, and the U.S. Geological Survey are working together to better understand the water resources and demands in the San Antonio Creek Groundwater Basin



LAFCO 18-01 Formation of the San Antonio Basin Water District

# Purpose of District

- The proposed District would provide a public agency with powers and abilities to, among other things, (i) administer, develop, construct and operate projects and programs to enhance water supplies to help stabilize the groundwater conditions in the San Antonio Creek Groundwater Basin, and (ii) advance groundwater management and conservation programs and thereby pursue stabilizing the Basin and sustaining its resources for the beneficial use of all those who use water within the proposed District. The San Antonio Creek Basin has a medium level of severity.

# Background

- The need for local groundwater management was highlighted with the adoption of Sustainable Groundwater Management Act of 2014 (Water Code Section 10720, (“SGMA”), which requires from the San Antonio Basin that certain groundwater management action be taken.
- A cooperative study, referred to as the San Antonio Creek Groundwater Availability Project, seeks to help stakeholders plan for future water use by providing data that will help assess the quantity and quality of the water supply in the area, and by establishing tools to allow stakeholders to effectively utilize the available water resources.

# Background (Cont'd)

- The need for local groundwater management was highlighted with the adoption of SGMA, which will require that certain groundwater management actions be taken for the San Antonio Basin. After formation, the District will be financed by the creation of an assessment district pursuant to a Proposition 218 ballot proceeding/election.
- A Groundwater Sustainability Agency has already been formed in the San Antonio Basin prior to Department of Water Resources statutory deadline. The GSA was formed by adoption of a Joint Powers Agreement (JPA) between the Cachuma Resource Conservation District (RCD) and the Los Alamos Community Services District. The JPA specifies that if a water district is formed, it can take the place of the Cachuma RCD.

# Formation Process

- Petition: The formation process for California Water Districts, is initiated by a petition signed by the holders of title to a majority of land that is capable of using water beneficially for irrigation, domestic, industrial, or municipal purposes, and that can be serviced from common sources of supply and be the same system of works.
- LAFCO Hearing: When the application is complete, LAFCO conducts a noticed public hearing. After hearing public testimony, the Commission may either approve, modify, or deny the proposed formation. If it is approved, the Commission also will adopt any terms and conditions for the formation and establish a sphere of influence for the new district.
- Protest Hearing: Following LAFCO Approval, the District formation is scheduled for a conducting authority (protest) hearing where no further modifications may be made. At the conducting authority stage, without majority protest, the conducting authority (LAFCO) shall make an order doing the following (34306):
  - Establishing and describing the district boundaries.
  - Describing land to be excluded from the district.
  - Naming the proposed district.

# Formation Process (Cont'd)

- Election: After making the order, the Board of Supervisors shall be directed by LAFCO to call and give notice of an election, at which the following are entitled to vote (34400 and 57000):

Only the holder of title to land in the proposed district may vote. The vote may be in person or by proxy. (Rule for voting by proxy are set forth in Section 35005 of the Water Code).

Each voter shall have one vote per acre, or fraction thereof, of land to which he or she holds title.

If after the election, a majority of all of the votes cast favor the formation of the district, the territory shall be formed as a district (34500).

- Governing Body: The governing body, which is established to administer the operation of a California Water District, is initially composed of a five-member elected Board of Directors, (WC-34708), each of whom must be a landowner within the District. The Board may be modified by the District through a future action. Either expanded to include 7 or 9 members or changed to be a register voter elected Board of Directors.



# Conclusion

The proposed District would provide a public agency with powers and abilities to, among other things, (i) administer, develop, construct and operate projects and programs to enhance water supplies to help stabilize the groundwater conditions in the San Antonio Groundwater Basin, and (ii) advance groundwater management and conservation programs and thereby pursue stabilizing the Basin and sustaining its resources for the beneficial use of all those who use water within the proposed District.

The new District would provide some level of local control with landowner approved financing, and establishment of an independently elected Board of Directors. However, the area included in the District would also be part of a Groundwater Sustainability Agency and be part of the development of a Groundwater Sustainability Plan.

# Recommendation Options

- After consideration of this report and any testimony or additional materials that are submitted the Commission should consider taking one of the following options:
- OPTION 1 – APPROVE the proposal as submitted.
- OPTION 2 - CONTINUE this proposal to a future meeting for additional information.
- OPTION 2 - DENY the proposal
- **OPTION 1** – APPROVE the District Formation as submitted and adopt a resolution that will take the following actions:

# Recommendation

- 1. Find that the formation is Categorically Exempt based on the creation of a District for the purpose of creating a funding mechanism that is exempt from the California Environmental Quality Act, Public Resources Code section 21000 et. seq. (“CEQA”) pursuant to CEQA Guidelines Section 15378(b)(4) and CEQA Guidelines Section 15061 (b)(3).
- 2. Approve the proposal, known as the Formation of the San Antonio Basin Water District, subject to the following terms and conditions:
  - a. The name of the district shall be the San Antonio Basin Water District.
  - b. The District shall be initially composed of a five-member elected Board of Directors, each of whom must be a landowner within the District.

# Recommendation (Cont'd)

- c. The District shall have those powers and responsibilities set forth in the California Water District Law, Water Code section 34000 et. seq., including Water Code section 35401 that authorizes the District to acquire, plan, construct, maintain, improve, operate, and keep in repair the necessary works for the production, storage, transmission, and distribution of water for irrigation, domestic, industrial, and municipal purposes, and any drainage or reclamation works connected therewith or incidental thereto.
- d. The District, if formed, shall cease to exist if the Proposition 218 Proceeding is not conducted and an assessment to fund the District is not approved by June 30, 2020, or Santa Barbara LAFCO otherwise extends such deadline.
- e. The District, if formed, shall cease to exist if on or before June 30, 2020, it does not succeed to the rights and responsibilities of the Cachuma Resource Conservation District and the Los Alamos Community Services District on May 16, 2017, that serve as the Groundwater Sustainability Agency for the San Antonio Basin.

# Recommendation (Cont'd)

- f. Should the new Board of Directors levy any of the “Proceeds of Taxes,” described above, it will establish an Appropriations Limit.