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July 12, 2007

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FROM: Executive Officer
Local Governmental Analyst

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SUBJECT: Release of Public Review Draft: Borrego Valley Municipal Service Review and Sphere of Influence Update (MSR05-52; SR05-52[A]; SR05-52[B])

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The San Diego Local Agency Formation Commission (LAFCO) is requesting comments from the public and affected agencies regarding the draft Borrego Valley Municipal Service Review and Sphere of Influence Update, which contains a review of the provision of public services and the status of adopted spheres of influence of the local governmental agencies in the Borrego Valley study area.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000-57550) states that the purposes of LAFCO include: discouraging urban sprawl, preserving open space and prime agricultural lands, efficiently providing government services, and encouraging the orderly formation, development, and coordination of local agencies based on local conditions and circumstances. In order to fulfill this legislative intent, LAFCO is empowered with the responsibility for developing and determining the sphere of influence of each local governmental agency within the county and for enacting policies designed to promote the logical and orderly development of areas within the sphere. A sphere of influence is statutorily defined as a plan for the probable physical boundaries and service area of a local agency, as determined by LAFCO.

LAFCO is required to review and update, as necessary, the adopted sphere of influence of each local governmental agency not less than every five years. When establishing or updating spheres of influence, LAFCO must conduct a comprehensive review of the provided municipal services and prepare a written statement of its determinations. The term "municipal services" generally refers to the full range of services that a public agency provides or is authorized to provide. The municipal service review and determinations are to be completed before, or in conjunction

with, but no later than the time LAFCO is considering an action to establish or update a sphere of influence.

The Borrego Valley study area (Maps 1A & 1B) is located in the far northeast corner of unincorporated San Diego County and is surrounded by the Anza-Borrego Desert State Park. The Borrego Valley study area is completely dependent on its available groundwater supply within the underlying Borrego Valley aquifer due to the valley's geographic isolation and physical distance from existing imported water infrastructure.

In producing a municipal service review, LAFCO is directed to survey all of the agencies that provide the identified service or services within the designated geographic area. The two primary public agencies providing the subject municipal services in the Borrego Valley study area are the Borrego Water District (WD) and the Borrego Springs Park Community Services District (CSD).

- The Borrego WD (Maps 2A & 2B) was formed in 1962 to protect the local groundwater supply from potential exportation. The Borrego WD supplies groundwater from its local wells to the majority of the developed areas of the Borrego Valley, and provides sewer service to a portion of its service area.
- The Borrego Springs Park CSD (Map 3) was formed in 1965 and also provides water service and sewer service to a small portion of the Borrego Valley. The Borrego Springs Park CSD's boundaries encompass a golf course and resort and are located entirely within the Borrego WD's service area and sphere of influence.

The principal municipal services reviewed in the Borrego Valley MSR are water and sewer services; however, the provision of other authorized municipal services in the study area is also discussed. The Borrego Valley Sphere Update reviews and provides written determinations regarding the status of the adopted spheres of influence of the Borrego WD and the Borrego Springs Park CSD.

The Borrego Valley MSR determinations reflect that municipal services are generally being provided in an adequate manner within the MSR study area, and that anticipated revenues are adequate to support the current levels of municipal service provision and contribute to the capital reserves for future needs. The MSR Determinations affirm that the local agencies generally engage in sound planning for future services.

The MSR Infrastructure, Finance, and Governance determinations conclude that a potential consolidation between the Borrego WD and the Borrego Springs Park CSD could provide better groundwater management and more efficient service provision to the residents and landowners within the CSD area. A consolidation with the Borrego WD would also resolve the ongoing regulatory difficulties regarding the CSD's provision of municipal services and existing infrastructure.

The MSR determinations also identify local governmental issues that should be addressed in future sphere updates for the Borrego Valley. One of these issues is the Borrego WD's request for an expansion of its sphere of influence to include the remainder of the privately-owned parcels in the Borrego Valley that are not located in the surrounding Anza-Borrego Desert State Park. This potential sphere expansion could allow Borrego WD to be better positioned to implement its adopted Groundwater Management Plan by facilitating future district annexations that would enable the district to acquire additional overlying groundwater rights in the valley.

The Draft Borrego Valley MSR and Sphere Update will be distributed to affected agencies and the general public for a 30-day review and comment period. Once all comments have been reviewed, a final report will be generated for a public hearing. At this notified public hearing, the San Diego LAFCO will receive public testimony and adopt determinations regarding the provision of services within the study area and the status of the local agency's spheres of influence.

Comments from affected agencies and the public on the public review draft: *Borrego Valley Area Municipal Service Review and Sphere of Influence Update* (MSR05-52; SR05-52[A]; SR05-52[B]) are due by **Friday, August 10, 2007**. Should you have any questions, please contact the assigned analyst, Robert Barry, at (619) 531-5400.



MICHAEL D. OTT
Executive Officer



ROBERT BARRY
Local Governmental Analyst

Attachments:

Draft Borrego Valley Municipal Service Review and Sphere of Influence Update – July 2007

Borrego Valley Municipal Service Review Study Area (Maps 1A & 1B)

Borrego Water District (Maps Water: 2A & Sewer: 2B)

Borrego Springs Park Community Services District (Map 3)

MDO:RB:tl

Distribution List:

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