



San Diego County

Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

COMMENCEMENT OF PROTEST PROCEEDINGS AND ASSOCIATED HEARING DATE

“Fallbrook Public Utility District Reorganization: Wholesale Water Services”

- Annexation to Eastern Municipal Water District -
LAFCO File No. RO20-05

Protest Period:

Friday, July 28, 2023 to Friday, August 18, 2023

Protest Hearing:

Friday, August 18, 2023 at 1:00 P.M.
990 E. Mission Road
Fallbrook, California 92028

The above-listed reorganization was initiated by the Fallbrook Public Utility District. It involves the legal transfer of wholesale water service responsibilities within Fallbrook’s approximate 28,193-acre jurisdictional boundary from the San Diego County Water Authority to Eastern Municipal Water District via a concurrent detachment and annexation process. The purpose of the reorganization is to provide cost-savings to Fallbrook’s retail ratepayers. LAFCO conditionally approved the reorganization on July 10, 2023 to include – among others – Fallbrook paying a total exit fee in the amount of \$8.507 million over a five-year period. All approval terms are available online by visiting LAFCO’s July 10th meeting page at www.sdlafco.org.

LAFCO’s conditional approval is subject to conducting authority proceedings. This includes providing landowners and registered voters within Fallbrook the opportunity to submit written protest with the potential therein to either require an election or outright terminate the approval. Accordingly, this notice formally commences protest proceedings for the reorganization – and specific to the proposed annexation of the affected territory to Eastern Municipal Water District – beginning Friday, July 28, 2023. The protest proceedings extends 21-days and will conclude as part of a formal hearing held by the Executive Officer or their designee at 1:00 P.M. on Friday, August 18, 2023.

- **Protest Instructions**

Any landowner and/or registered voter within Fallbrook may file written protest during the protest period. Written protest may be filed in-person or by courier, facsimile, or email so long as it is received by LAFCO by 5:00 P.M. on Thursday, August 17th. Otherwise, all protests must be submitted in person prior to the conclusion of the August 18th hearing. Each written protest shall state whether it is made by a qualifying landowner or registered voter. It shall also identify the property location or assessor’s parcel number(s) or residence address and be signed and dated. All signatures must be dated with the date signed, which must be no earlier than July 28, 2023 in step with the commencement of the protest proceedings.

- Protest Evaluation

LAFCO staff will work with the County of San Diego Assessor and Registrar of Voters in evaluating protest received on the reorganization. The following thresholds apply:

- Should less than 25% of (a) registered voters and/or (b) landowners holding less than 25% of the assessed value of land within the affected territory file written protests the reorganization will be ordered without an election subject to completion of other terms. This includes holding an election of registered voters within Fallbrook to approve detachment from the County Water Authority.
- Should 25% to 50% of (a) registered voters and/or (b) landowners holding 25% to 50% of the assessed value of land in the affected territory file written protests the reorganization will be ordered subject to an election. Completion of other terms would also apply.
- Should more than 50% of (a) registered voters and/or (b) landowners holding 50% or more of the assessed value of land within the affected territory file written protests the reorganization will be terminated.

Protest forms for landowners and registered voters are available at www.sdlafco.org. A copy of this notice is also available in Spanish on the San Diego LAFCO website, as listed above.

Please direct all questions to LAFCO staff at 619-321-3380 or lafco@sdcounty.ca.gov.