

SAN BERNARDINO LAFCO APPLICATION AND PRELIMINARY ENVIRONMENTAL DESCRIPTION FORM

INTRODUCTION: The questions on this form and its supplements are designed to obtain enough data about the proposed project site to allow the San Bernardino LAFCO, its staff and others to adequately assess the project. By taking the time to fully respond to the questions on the forms, you can reduce the processing time for your project. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, or attach any relevant documents.

GENERAL INFORMATION

1. NAME OF PROPOSAL: Reorganization to Include Annexations to the Bighorn-Desert View Water Agency and Dissolution of County Service Area 70 Zone W-1

2. NAME OF APPLICANT: Bighorn-Desert View Water Agency (BDVWA)
MAILING ADDRESS: 622 Jemez Trail
Yucca Valley, CA 92284
PHONE: (760) 364-2315
FAX: (760) 364-3412
E-MAIL ADDRESS: bdvwa2@mindspring.com

3. GENERAL LOCATION OF PROPOSAL:
The Bighorn Desert View Water Agency (BDVWA) proposes to annex four separate areas (one large area and three small island areas) in the Landers community into its existing boundary

4. Does the application possess 100% written consent of each landowner in the subject territory?
YES NO If YES, provide written authorization for change.

5. Indicate the reasons that the proposed action has been requested.
The proposed annexation would allow the BDVWA to take over the responsibility of providing water services within the County's CSA 70 Zone W-1 water service area, referred to as Annexation Area 1, 2, 3, and 4. BDVWA currently provides water service to 17 of these 24 parcels in the three island annexation areas (Areas 2, 3, and 4). These changes would not impact the BDVWA's existing sphere of influence (SOI) boundary; all four areas are currently located within the SOI. The three island areas – Areas 2, 3, and 4 – total 79 acres and are island areas surrounded by existing BDVWA boundary. Seventeen (17) of the 24 properties in these three (3) islands currently receive water services from BDVWA through a contract(s).
An annexation of these four areas is strongly supported by current residents, who favor the lower rates and services already provided to their neighboring areas by the BDVWA.

The major reasons for the annexation include: 1) more transparency and local control over their water service; 2) more timely staff response to periodic problems or issues that may arise; and 3) lower and more stable water rates based on the BVDWA history of water service to its customers since 1990.

The following benefits for the dissolution of CSA 70 Zone W-1 and annexation into the BDVWA have been identified as:

- Improve system reliability
- Consolidation of assets
- Increasing the number of service connections (spreading overhead across a broader customer base)
- Potential increase in system income
- Improved credit status

6. Would the proposal create a totally or substantially surrounded island of unincorporated territory?
YES ___ NO If YES, please provide a written justification for the proposed boundary configuration.

In fact, it would clean up the boundaries for the three small islands being annexed as a part of the reorganization process.

LAND USE AND DEVELOPMENT POTENTIAL

1. Total land area (defined in acres):

Total estimated acres of all the proposed annexation areas totals 5,071.

2. Current dwelling units in area classified by type (Single Family detached, multi-family (duplex, fourplex, 10-unit), apartments)

The 2010 Census estimated 659 housing units for the reorganization area.

3. Approximate current population in area:

The 2010 Census estimated 820 in population for the reorganization area.

4. Indicate the General Plan designation(s) of the affected city (if any) and uses permitted by this designation(s):

Not applicable

- i. San Bernardino County General Plan designation(s) – (RL – Rural Living, RL5 – Rural Living 5, and CR – Commercial) and other open space and governmental uses permitted by this designation(s):

Government (primarily BLM land)

Multi-Family Residential

Single-Family Residential

Commercial

Vacant – Other

5. Describe any special land use concerns expressed in the above plans. In addition, for a City Annexation or Reorganization, provide a discussion of the land use plan's consistency with the regional transportation plan as adopted pursuant to Government Code Section 65080 for the subject territory:

Not applicable

6. Indicate the existing land use.

Government – 965 acres

Multi-Family Residential – 116 acres

Single-Family Residential – 2,328 acres

Vacant – 2,287 acres

Unknown (not coded in County file) – 5 acres

What is the proposed land use?

No proposed land use changes

7. For a city annexation, State law requires pre-zoning of the territory proposed for annexation. Provide a response to the following:

Not applicable

a. Has pre-zoning been completed? YES ___ NO ___

b. If the response to "a" is NO, is the area in the process of pre-zoning? YES ___ NO ___

Identify below the pre-zoning classification, title, and densities permitted. If the pre-zoning process is underway, identify the timing for completion of the process.

Not applicable

8. Will the proposal require public services from any agency or district which is currently operating at or near capacity (including sewer, water, police, fire, or schools)? YES ___ NO X If YES, please explain.

9. On the following list, indicate if any portion of the territory contains the following by placing a checkmark next to the item:

- | | |
|--------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> Agricultural Land Uses | <input type="checkbox"/> Agricultural Preserve Designation |
| <input type="checkbox"/> Williamson Act Contract | <input type="checkbox"/> Area where Special Permits are Required |
| <input type="checkbox"/> Any other unusual features of the area or permits required: _____ | |

10. If a Williamson Act Contract(s) exists within the area proposed for annexation to a City, please provide a copy of the original contract, the notice of non-renewal (if appropriate) and any protest to the contract filed with the County by the City. Please provide an outline of the City's anticipated actions with regard to this contract.

No Williamson Act Contracts exist within the annexation area, according to the Williamson Act map of San Bernardino County (south) from the California Department of Conservation, Division of Land Resource Protection.

- 11. Provide a narrative response to the following factor of consideration as identified in §56668(o): *The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services:*

The BDVWA currently practices environmental justice in providing water services. The Agency will continue to practice the principals of environmental justice upon annexation into the Agency.

ENVIRONMENTAL INFORMATION

- 1. Provide general description of topography.

The reorganization area is located in a relatively level area of the High Desert region in San Bernardino County.

- 2. Describe any existing improvements on the site as % of total area.

Residential ¹	<u>42.87%</u>	Agricultural	<u>0.000%</u>
Commercial	<u>0.000%</u>	Vacant	<u>40.12%</u>
Industrial	<u>0.000%</u>	Other ²	<u>17.01%</u>

1) This is the percentage of developed residential acres for 659 housing units.
 2) Includes government land and parcels with unknown land use codes.

- 3. Describe the surrounding land uses:

NORTH Vacant

EAST Residential and Vacant

SOUTH Residential and Vacant

WEST Residential and Vacant

- 4. Describe site alterations that will be produced by improvement projects associated with this proposed action (installation of water facilities, sewer facilities, grading, flow channelization, etc.).

5. Will service extensions accomplished by this proposal induce growth on this site? YES ___ NO X Adjacent sites? YES ___ NO X Unincorporated ___ Incorporated ___

- 6. Are there any existing out-of-agency service contracts/agreements within the area? YES X NO ___ If YES, please identify.

Annexation Area 1, the largest area of the proposed annexation, is San Bernardino County's CSA 70 Zone W-1 water service area. Currently, CSA 70 Zone W-1 provides water services to the 1,377 parcels within its boundary. Upon annexation, the BDVWA would provide water services to all parcels within its boundary.

7. Is this project a part of a larger project or series of projects? YES ___ NO If YES, please explain.

NOTICES

Please provide the names and addresses of persons who are to be furnished mailed notice of the hearing(s) and receive copies of the agenda and staff report.

NAME Marina West, General Manager

TELEPHONE NO. (760) 364-2315

ADDRESS: 622 Jemez Trail
Yucca Valley, CA 92284

CERTIFICATION

As a part of this application, the Bighorn Desert View Water Agency (the applicant) agrees to defend, indemnify, hold harmless, and release the San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, and expenses, including attorney fees. The person signing this application will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I/We understand that if this application is approved, the Commission will impose a condition requiring the applicant to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

As the proponent, I/We acknowledge that annexation to the Bighorn Desert View Water Agency may result in the imposition of taxes, fees, and assessments existing within the district on the effective date of the change of organization. I hereby waive any rights I may have under Articles XIIC and XIID of the State Constitution (Proposition 218) to a hearing, assessment ballot processing or an election on those existing taxes, fees and assessments.

I hereby certify that the statements furnished above and in the attached supplements and exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE 4/23/2014

Marina West
SIGNATURE OF APPLICANT

Marina Dee West
PRINTED NAME OF APPLICANT

General Manager
TITLE

PLEASE CHECK SUPPLEMENTAL FORMS ATTACHED:

- ANNEXATION, DETACHMENT, REORGANIZATION SUPPLEMENT
- SPHERE OF INFLUENCE CHANGE SUPPLEMENT
- CITY INCORPORATION SUPPLEMENT
- FORMATION OF A SPECIAL DISTRICT SUPPLEMENT
- ACTIVATION OR DIVESTITURE OF FUNCTIONS AND/OR SERVICES FOR SPECIAL DISTRICTS SUPPLEMENT

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