




VENTURA LOCAL AGENCY FORMATION COMMISSION
STAFF REPORT

Meeting Date: March 15, 2023

TO: LAFCo Commissioners

FROM: Kai Luoma, Executive Officer 

SUBJECT: Sphere of Influence Determination:
 LAFCo 23-03S Metropolitan Water District of Southern California

Recommendations:

- A. Determine that the action to determine the sphere of influence for the Metropolitan Water District of Southern California (MWDSC or District) is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.
- B. Adopt Resolution LAFCo 23-03S (Attachment 1) making determinations and establishing the sphere of influence for the District pursuant to Government Code Section 56425.

Background:

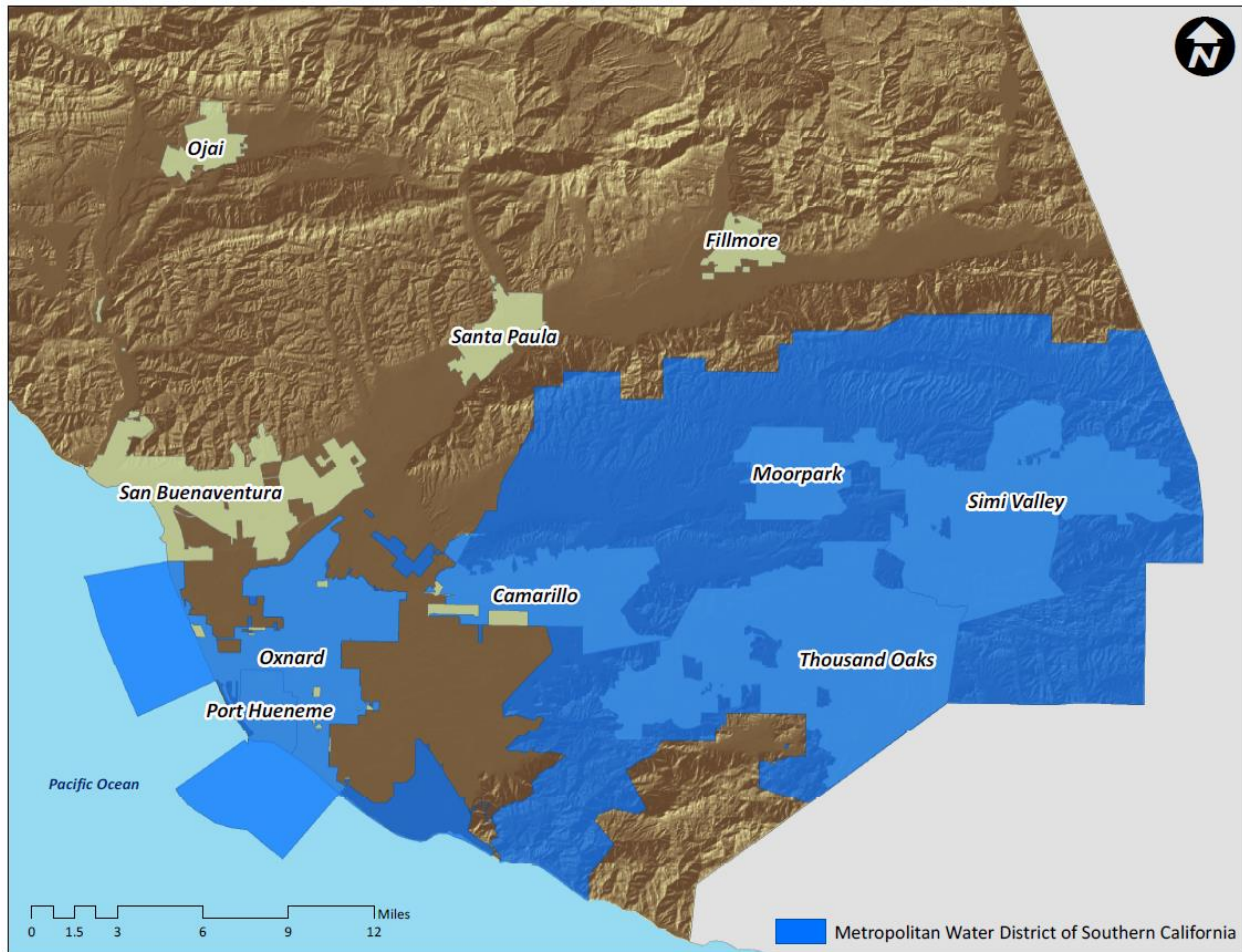
The MWDSC is a public agency and regional water wholesaler. It is composed of 26 member public agencies that serve approximately 19 million people in portions of six counties in Southern California, including Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura. The District owns and operates a water system that includes the 242-mile-long Colorado River Aqueduct (from Lake Havasu on the California/Arizona border to Lake Mathews in Riverside County), 16 hydroelectric facilities, nine reservoirs, 830 miles of large-scale pipes and five treatment plants, and is the largest distributor of treated drinking water in the United States. It also has participation rights in the State Water Project (SWP), owned and operated by the California Department of Water Resources, which captures and conveys water from the Feather River in Northern California through the California Aqueduct for the benefit of its participants. The MWDSC imports water from the Colorado River and the SWP, and delivers both raw and treated water to its member agencies. The MWDSC began providing service in 1941, and now delivers an average of 1.5 billion gallons of water each day within its 5,200-square-mile service area.

The Calleguas Municipal Water District (CMWD) is one of the MWDSC's 26 member agencies and is the only agency within Ventura County that supplies water from the District. Imported

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water deliveries to the CMWD represent approximately six percent of the MWDSC's total water deliveries to its member agencies. The CMWD's service area (and by extension, the MWDSC's service area) covers 255,521 acres, as generally depicted below:



Pursuant to Item 12 of the Commission's March 15, 2023, meeting agenda, staff recommended that the Commission take formal action to recognize the jurisdictional boundaries of the MWDSC.

Discussion:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code § 56000 et seq., known as LAFCo law) mandates that LAFCo determine the sphere of influence for each special district (Government Code § 56425). LAFCo law defines a sphere of influence as the probable physical boundary and service area of a local agency (Government Code § 56076). The MWDSC has existed since 1928, but was not formally recognized by Ventura LAFCo, and therefore, a sphere of influence has not previously been determined for that portion of the MWDSC that lies within Ventura County. If the Commission recognizes the boundaries of the MWDSC and accepts a municipal service review (MSR) for the MWDSC

pursuant to Government Code § 56430(e), as recommended in Agenda Items 12 and 13, respectively, of the Commission’s March 15, 2023, meeting agenda, at this time it may determine a sphere of influence for the District pursuant to Government Code § 56425(g).

Sphere of Influence Establishment

Pursuant to LAFCo law, in determining a sphere of influence of an agency, the Commission shall prepare written determinations with respect to the factors identified in Government Code § 56425(e). The recommended sphere of influence boundary is coterminous with that of the CMWD, as recommended to be updated pursuant to Item 14 of the March 15, 2023, Commission meeting agenda. Given that this staff report was prepared prior to the Commission’s action related to the recommended sphere of influence update for the CMWD, a sphere of influence map for the MWDSC is not available at this time.

Written Determinations

Government Code Section 56425(e) requires that, in determining the sphere of influence of an agency, the Commission consider and prepare a written statement of its determinations with respect to each of the following, and establish a sphere of influence boundary for MWDSC that is consistent with that of the CMWD (as discussed above).

- (1) *The present and planned land uses in the area, including agricultural and open-space lands.* (Section 56425(e)(1))

The MWDSC provides wholesale water to its member agencies. Within Ventura County, the MWDSC provides the service through the CMWD as its regional member agency, and the jurisdictional boundaries of the two are coterminous within Ventura County. The CMWD’s sphere of influence consists of a range of uses, including: (1) urban development within the cities of Oxnard, Port Hueneme, Camarillo, Thousand Oaks, Moorpark, and Simi Valley; and (2) urban, rural, industrial, agricultural, and open space uses within the unincorporated areas of eastern Ventura County (generally, the area south of the Santa Clara River to the Ventura-Los Angeles County Line). The area is expected to experience growth in population of approximately 11 percent during the 20-year period spanning from 2020 to 2040 (i.e., from an estimated 630,000 in 2020 to nearly 700,000 by 2040). Based on the land use designations and characteristics of the land contained within the MWDSC’s jurisdictional area, as well as the CMWD’s sphere of influence (as recommended for modification by the Commission on March 15, 2023), existing land uses are expected to remain unchanged.

- (2) *The present and probable need for public facilities and services in the area.* (Section 56425(e)(2))

The MWDSC provides wholesale water to its member agencies. Within Ventura County, the MWDSC provides the service through the CMWD as its regional member agency, and the

jurisdictional boundaries of the two are coterminous within Ventura County. The CMWD's sphere of influence consists of a range of uses, including: (1) urban development within the cities of Oxnard, Port Hueneme, Camarillo, Thousand Oaks, Moorpark, and Simi Valley; and (2) urban, rural, industrial, agricultural, and open space uses within the unincorporated areas of eastern Ventura County (generally, the area south of the Santa Clara River to the Ventura-Los Angeles County Line). As demonstrated in the MSR prepared for the MWDCS on March 15, 2023, the need for services provided by the District will remain unchanged, and additional demand for services (through the addition of approximately 70,000 residents between 2020 and 2040) is expected, primarily within and in the vicinity of the six cities that are already within its service area.

(3) *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide. (Section 56425(e)(3))*

The MWDCS provides wholesale water to its member agencies. Within Ventura County, the MWDCS provides the service through the CMWD as its regional member agency, and the jurisdictional boundaries of the two are coterminous within Ventura County. The CMWD's sphere of influence consists of a range of uses, including: (1) urban development within the cities of Oxnard, Port Hueneme, Camarillo, Thousand Oaks, Moorpark, and Simi Valley; and (2) urban, rural, industrial, agricultural, and open space uses within the unincorporated areas of eastern Ventura County (generally, the area south of the Santa Clara River to the Ventura-Los Angeles County Line). As demonstrated in the MSR prepared for the MWDCS on March 15, 2023, the present capacity of public facilities and adequacy of public services provided by the District will remain unchanged, and additional demand for services (through the addition of approximately 70,000 residents between 2020 and 2040) is expected, primarily within and in the vicinity of the six cities that are already within its service area. Based on the evaluation contained in the MSR, the District has the ability to continue to provide services within its service area and the recommended sphere of influence, and additional demands would not adversely impact the present capacity of public facilities and adequacy of public services that the District provides or is authorized to provide.

(4) *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency. (Section 56425(e)(4))*

The recommended sphere of influence for the District includes the community of Nyeland Acres, which is a territory known to be a disadvantaged unincorporated community. The Garden Acres Mutual Water Company and Nyeland Acres Mutual Water Company provide water services to Nyeland Acres. However, the community is within the recommended sphere of influence for the District, indicating that the Nyeland Acres community is within the probable physical boundary and service area of the District.

(5) *For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection. . . the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.*
(Section 56425(e)(5))

The recommended sphere of influence for the District includes the community of Nyeland Acres, which is a territory known to be a disadvantaged unincorporated community. The Garden Acres Mutual Water Company and Nyeland Acres Mutual Water Company provide water services to Nyeland Acres. However, the community is within the recommended District sphere of influence, indicating that the Nyeland Acres community is within the probable physical boundary and service area of the District. Therefore, the recommended sphere of influence would not result in a detrimental impact to any disadvantaged unincorporated communities.

Based on the information provided above, the sphere of influence boundary of the MWDSC is recommended to be coterminous with the CMWD's sphere of influence (as recommended to be updated on March 15, 2023).

California Environmental Quality Act (CEQA)

A project is defined in Public Resources Code § 21065, in part, as “an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” The subject sphere of influence determination could be considered to be a project subject to CEQA because it involves the establishment of a sphere boundary, which will identify the area available for the expansion of municipal services. The Commission's determination of the sphere of influence would not alter the MWDSC's current operations or service area. It would not have the possibility to affect future growth patterns, land use, or regulations in a way that would impact the environment. Additionally, the recommended sphere of influence would be coterminous with that of the CMWD, as recommended for update in Item 14 of the Commission's March 15, 2023, meeting agenda.

Therefore, staff recommends that the Commission find that the determination of the District's sphere of influence is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines, because “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” No change in regulation, land use, or development will occur as a result of the recommended sphere of influence update. The draft resolution relating to the determination of the sphere of influence (Attachment 1) contains a finding that the action is exempt from CEQA pursuant to § 15061(b)(3) of the CEQA Guidelines.

Notice of Public Hearing

This matter has been noticed as a public hearing pursuant to Government Code § 56427. Additionally, all affected local agencies have been notified of the public hearing.

Attachment:

1. LAFCo 23-03S Resolution

LAFCo makes every effort to offer legible map files with the online and printed versions of our reports; however, occasionally the need to reduce oversize original maps and/or other technological/software factors can compromise readability. Original maps are available for viewing at the LAFCo office by request.

LAFCO 23-03S

**RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION
COMMISSION MAKING DETERMINATIONS AND DETERMINING
THE SPHERE OF INFLUENCE FOR THE METROPOLITAN WATER
DISTRICT OF SOUTHERN CALIFORNIA**

WHEREAS, Government Code § 56425 et seq. requires the Local Agency Formation Commission (LAFCo or Commission) to develop and determine the sphere of influence of each local governmental agency within the County; and

WHEREAS, the Metropolitan Water District of Southern California (MWDSC or District) was formed in 1928 and is an independent special district; and

WHEREAS, LAFCo had not, prior to March 15, 2023, identified the MWDSC as being subject to LAFCo jurisdiction; and

WHEREAS, LAFCo recognized the MWDSC boundary and LAFCo's authority over the MWDSC's boundary on March 15, 2023; and

WHEREAS, no change in regulation, land use, or development will occur as a result of determining the sphere of influence for the MWDSC; and

WHEREAS, at the times and in the manner required by law, the LAFCo Executive Officer gave notice of the consideration of this action by the Commission; and

WHEREAS, the sphere of influence determination action was duly considered at a public hearing on March 15, 2023, as specified in the notice of hearing; and

WHEREAS, the Commission heard, discussed, and considered all oral and written testimony for and against determination of the sphere of influence including, but not limited to, the LAFCo Staff Report dated March 15, 2023, and recommendations; and

WHEREAS, the Commission accepted the Municipal Service Review report for the MWDSC, dated March 15, 2023.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as follows:

- (1) The LAFCo Staff Report dated March 15, 2023, and recommended determination of the sphere of influence for the MWDSC are adopted; and

- (2) The subject proposal is assigned the following distinctive short form designation: **LAFCo 23-03S – DETERMINATION OF A SPHERE OF INFLUENCE FOR THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA**; and
- (3) The sphere of influence determination for the MWDSC is exempt from the California Environmental Quality Act (CEQA) pursuant to § 15061(b)(3) of the CEQA Guidelines, and LAFCo staff is directed to file a Notice of Exemption as the lead agency pursuant to § 15062 of the CEQA Guidelines; and
- (4) The Commission has considered the criteria set forth in Government Code §56425(e) and determines as follows:

a. *The present and planned land uses in the area, including agricultural and open-space lands. (§ 56425(e)(1))*

The MWDSC provides wholesale water to its member agencies. Within Ventura County, the MWDSC provides the service through the Calleguas Municipal Water District (CMWD) as its regional member agency, and the jurisdictional boundaries of the two are coterminous within Ventura County. The CMWD's sphere of influence consists of a range of uses, including: (1) urban development within the cities of Oxnard, Port Hueneme, Camarillo, Thousand Oaks, Moorpark, and Simi Valley; and (2) urban, rural, industrial, agricultural, and open space uses within the unincorporated areas of eastern Ventura County (generally, the area south of the Santa Clara River to the Ventura-Los Angeles County Line). The area is expected to experience growth in population of approximately 11 percent during the 20-year period spanning from 2020 to 2040 (i.e., from an estimated 630,000 in 2020 to nearly 700,000 by 2040). Based on the land use designations and characteristics of the land contained within the MWDSC's jurisdictional area, as well as the CMWD's sphere of influence (as recommended for modification by the Commission on March 15, 2023), existing land uses are expected to remain unchanged.

b. *The present and probable need for public facilities and services in the area.*
(§ 56425(e)(2))

The MWDSC provides wholesale water to its member agencies. Within Ventura County, the MWDSC provides the service through the CMWD as its regional member agency, and the jurisdictional boundaries of the two are coterminous within Ventura County. The CMWD's sphere of influence consists of a range of uses, including: (1) urban development within the cities of Oxnard, Port Hueneme, Camarillo, Thousand Oaks, Moorpark, and Simi Valley; and (2) urban, rural, industrial, agricultural, and open space uses within the unincorporated areas of eastern Ventura County (generally, the area south of the Santa Clara River to the Ventura-Los Angeles County Line). As demonstrated in the Municipal Service Review (MSR) prepared for the MWDSC on March 15, 2023, the need for services provided by the District will remain unchanged, and additional demand for services (through the addition of approximately 70,000 residents between 2020 and 2040) is expected, primarily within and in the vicinity of the six cities that are already within its service area.

c. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.*
(§ 56425(e)(3))

The MWDSC provides wholesale water to its member agencies. Within Ventura County, the MWDSC provides the service through the CMWD as its regional member agency, and the jurisdictional boundaries of the two are coterminous within Ventura County. The CMWD's sphere of influence consists of a range of uses, including: (1) urban development within the cities of Oxnard, Port Hueneme, Camarillo, Thousand Oaks, Moorpark, and Simi Valley; and (2) urban, rural, industrial, agricultural, and open space uses within the unincorporated areas of eastern Ventura County (generally, the area south of the Santa Clara River to the Ventura-Los Angeles County Line).

As demonstrated in the MSR prepared for the MWDSC on March 15, 2023, the present capacity of public facilities and adequacy of public services provided by the District will remain unchanged, and additional demand for services (through the addition of approximately 70,000 residents between 2020 and 2040) is expected, primarily within and in the vicinity of the six cities that are already within its service area. Based on the evaluation contained in the MSR, the District has the ability to continue to provide services within its service area and the recommended sphere of influence, and additional demands would not adversely impact the present capacity of public facilities and adequacy of public services that the District provides or is authorized to provide.

- d. *The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.***

(§ 56425(e)(4))

The recommended sphere of influence for the District includes the community of Nyeland Acres, which is a territory known to be a disadvantaged unincorporated community. The Garden Acres Mutual Water Company and Nyeland Acres Mutual Water Company provide water services to Nyeland Acres. However, the community is within the recommended sphere of influence for the District, indicating that the Nyeland Acres community is within the probable physical boundary and service area of the District.

- e. *For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection. . . the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.***

(§ 56425(e)(5))

The recommended sphere of influence for the District includes the community of Nyeland Acres, which is a territory known to be a disadvantaged unincorporated community. The Garden Acres Mutual Water Company and Nyeland Acres Mutual Water Company provide water services to Nyeland Acres. However, the community is within the recommended District sphere of influence, indicating that the Nyeland Acres community is within the probable physical boundary and service area of the District. Therefore, the recommended sphere of influence would not result in a detrimental impact to any disadvantaged unincorporated communities.

- (5) The sphere of influence for the MWDSC is hereby determined to be coterminous with the sphere of influence boundary of the CMWD as determined by the Commission on March 15, 2023; and
- (6) LAFCo staff is directed to have the official Geographic Information System (GIS) sphere of influence data maintained for the Ventura LAFCo by the Ventura County Information Technology Services Department as the official sphere of influence record for the District updated consistent with this action.

This resolution was adopted on March 15, 2023.

	AYE	NO	ABSTAIN	ABSENT
Commissioner Avila	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Crosswhite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Gorell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Parvin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Richards	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Rooney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Commissioner Zaragoza	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Hasan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner LaVere	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Ross	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Santangelo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3-15-23
Date

Pat Richards
Chair, Ventura Local Agency Formation Commission

c: Metropolitan Water District of Southern California
Calleguas Municipal Water District
Ventura County Information Technology Services Department
Ventura County Planning Division