

2017056123

Tommy Gong  
San Luis Obispo - County Clerk-Recorder  
12/08/2017 10:27 AM

Recorded at the request of:  
PUBLIC

Titles: 1 Pages: 539

Fees: \$0.00  
Taxes: \$0.00  
Total: \$0.00



Recording requested by and mail to:

Executive Officer  
Local Agency Formation Commission  
1042 Pacific Street  
San Luis Obispo, CA 93401

### CERTIFICATE OF COMPLETION

Pursuant to Government Code Sections 57200 and 57201 this Certificate of Completion is hereby issued by the Executive Officer of the Local Agency Formation Commission of San Luis Obispo County, California.

1. The short-form name designation by San Luis Obispo LAFCO is the Estrella-El Pomar-Creston Water District
2. The name of the entity involved in this action and the kind or type of action ordered for the entity is as follows:

#### Formation of the Estrella-El Pomar-Creston Water District

3. The above-listed entity is located within San Luis Obispo County.
4. A description of the boundaries of the above-cited formation is shown in the attached Resolution, map and legal description, marked Exhibits A and B and by reference incorporated herein.
5. The formation of this landowner-voter district was subject to the protest process which has been completed pursuant to Government Code Section 57000.
6. This formation has been approved the Local Agency Formation Commission and is subject to the conditions of approval found in attached Resolution No. 2017-02.
7. The formation of this district is ordered by the Local Agency Formation Commission as approved by the landowners within the service area boundaries pursuant to the election results certified on October 25, 2017. The effective date of this action is the date this certificate of completion is recorded by the County Clerk.

I hereby certify that I have examined the above-cited resolution for this action and have found this document to be in compliance with Resolution No. 2017-02 approving said action and adopted by the Local Agency Formation Commission of the County of San Luis Obispo on April 6, 2017.

Date: 12-8-17

LAFCO File No: 4-R-16

David Church  
Executive Officer

**IN THE LOCAL AGENCY FORMATION COMMISSION**  
**COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA**

Date: April 6, 2017

**PRESENT:** CHAIRMAN MARSHALL OCHYLSKI, VICE-CHAIRMAN ED WAAGE,  
COMMISSIONERS DEBBIE ARNOLD, LYNN COMPTON, ROBERT ENNS,  
ROBERTA FONZI, AND TOM MURRAY AND ALTERNATE COMMISSIONER  
HEATHER JENSEN

**ABSENT:** ALTERNATE COMMISSIONERS ADAM HILL AND JAMIE IRONS

**RESOLUTION NO. 2017-02**

**RESOLUTION MAKING DETERMINATIONS AND APPROVING THE  
FORMATION OF THE ESTRELLA-EL POMAR-CRESTON WATER DISTRICT, SPHERE OF  
INFLUENCE, AND ENVIRONMENTAL DETERMINATION**

The following resolution is now offered:

**WHEREAS**, a Petition of Application signed by 100 percent of the landowners in the proposed Water District was filed with the Commission to initiate the change of organization to form the Estrella-El Pomar-Creston Water District; and

**WHEREAS**, application has been made to this Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.) for consideration of a proposal for the formation of the Estrella-El Pomar-Creston Water District as shown in Exhibit "A" attached hereto and made a part hereof; and

**WHEREAS**, the formation of the Estrella-El Pomar-Creston Water District, a Water District as defined in the California Water Code, Section 34000 et seq., has been filed with the Executive Officer of the Local Agency Formation Commission of San Luis Obispo County, California by petition, and said application complied with all the requirements of law and the Commission; and

**WHEREAS**, the Executive Officer has given the notices required by law and forwarded copies of his report to officers, persons and public agencies prescribed by law; and

**WHEREAS**, the matter was set and noticed for public hearing at 9:00 a.m. on April 6<sup>th</sup> in the County of San Luis Obispo Board of Supervisors Chambers; and

**WHEREAS**, this Commission has considered the application materials, studies,

attachments, and other documentation at the April 6, 2017 public hearings which is incorporated by reference herein; and

**WHEREAS**, on April 6, 2017 this Commission heard and received, all oral and written protests, objections and evidence, which were made, presented or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter concerning this proposal; and

**WHEREAS** the Commission hereby finds that the formation of Water District will not have a significant effect on the environment, and is Categorical Exempt from the provisions of the California Environmental Quality Act (CEQA) under 15378(b)(4). Additionally, the SOI qualifies for a general rule exemption from environmental review based upon CEQA Regulation Section 15061(b)(3) and Section 15262.; and

**WHEREAS**, the Commission duly considered the proposal and finds that the formation should be approved with the following conditions:

1. That the name of the Water District shall be the Estrella-El Pomar-Creston Water District.
2. That the Board of Directors of the Estrella-El Pomar-Creston Water District be composed of five members elected as provided for in the California Water District Law, Water Code Section 34000 et. seq. The initial Board of Directors will be elected pursuant to the Water Code sections 34700; and
3. That pursuant to the applicable Water Code Sections the Estrella-El Pomar-Creston Water District is authorized to exercise all powers and authorities subject to the following restrictions:
  - a. The Water District's powers to export, transfer, or move water underlying the Water District outside the Paso Robles Groundwater Basin shall not be active and are subject to condition number five of this approval. For purposes of this Condition and Condition number five, "groundwater" shall have the meaning set forth in Water Code Section 10721(g).
  - b. The Water District's powers under Part 5 Powers and Purpose; Chapter 2; Powers; Article 5; Sewers: [35500 - 35509] of the California Water Code shall be deemed inactive or latent. The Water District could request that LAFCO activate these powers in the future.

4. That formation of the Estrella-El Pomar-Creston Water District shall be contingent upon a successful vote on the formation pursuant to Water Code Section 34500 and the EPC Water District completing a successful benefit assessment to fund the activities of the Water District. If the Proposition 218 proceeding is not successfully conducted by the Water District within one year of the certificate of completion, the Water District shall be subject to dissolution. LAFCO may extend this deadline upon request by the Water District.
5. The EPC Water District shall be prohibited from exporting, transferring, or moving water underlying the Water District (including groundwater pumped into an above ground storage facility) to areas outside of the Paso Robles Groundwater Basin.
6. That specific projects proposed by the Estrella-El Pomar-Creston Water District shall be analyzed and evaluated in accordance with applicable laws prior to construction.
7. That a revised legal description and boundary map(s) be submitted to reflect the service area and sphere of influence boundaries of the Water District as adopted by the Commission.
8. That the effective date of the Estrella-El Pomar-Creston Water District will be determined by the certification of the election results by the Board of Supervisors and the filing of the certificate of completion by the LAFCO Executive Officer with the County Clerk-Recorder's office.
9. That the EPC Water District set the appropriations limit as soon as feasibly possible consistent with Government Code Section 57000.
10. That the Sphere of Influence of the Estrella-El Pomar-Creston Water District shall be co-terminus to the Service Area boundary. Future amendments and/or updates of the SOI shall only include properties that have submitted written landowner consent.
11. The Water District, if formed, shall provide documentation that it has been identified as a Groundwater Sustainability Agency (GSA), or a GSA partner, pursuant to the Sustainable Groundwater Management Act, Water Code section 10720 et. seq. If the District does not become a GSA, or is not part of a GSA within one year of the Certificate of Completion being filed, the District shall be dissolved. LAFCO may extend this deadline upon request by the District.
12. This condition applies to any proposed annexation to the San Miguel CSD for areas that are within the EPC District. If LAFCO approves such an annexation, the SMCSO may apply to DWR to become the GSA. As part of the annexation, the area shall be detached from the EPC Water District.

13. The EPC Water District shall develop policies insuring that any existing or future water wells do not interfere or are detrimental to the San Miguel CSD's existing or future water wells. The Districts shall work together to avoid well interference. This policy shall be further detailed in the Groundwater Sustainability Plan.

**NOW, THEREFORE,** the San Luis Obispo County Local Agency Formation Commission determines the following:

1. The territory comprises approximately 37,500 acres and is found to be inhabited (having more than twelve registered voters) as defined in §56046 of the Government Code.
2. The formation of the District is assigned the following distinctive short-form designation: **Estrella-El Pomar-Creston Water District**
3. Based on the evidence, analysis, and conclusions set forth in this resolution and the Executive Officer's report, the Commission finds that the formation of this District serves to further the purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 including, but not limited to, the following: efficiently providing government services and facilitating the orderly formation and development of local agencies based upon local conditions and circumstances.
4. The Commission determines, based upon the services currently provided to the affected territory, that the Estrella-El Pomar-Creston Water District can feasibly provide the needed services in a more efficient and accountable manner than the County of San Luis Obispo.
5. The Commission adopts the determinations regarding consistency with LAFCO law and Commission Policies contained in the staff report for this proposal and incorporates the staff report, and attachments by reference herein.
6. The affected territory within which the special election shall be held includes the entire area within the boundaries of the proposed Water District, as described by Exhibit A attached hereto.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** by the Local Agency Formation Commission of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth hereinabove are true, correct, and valid.
2. That the Categorical Exemption prepared for this project is hereby approved as complete and adequate and as having been prepared in accordance with the provisions of the California Environmental Quality Act.
3. The Executive Officer, on behalf of the Commission and in compliance with this resolution and State law, hereby requests that the San Luis Obispo County Board of Supervisors direct the County Elections Official to conduct the necessary election, setting the matter for consideration of the voters of the affected territory on a date

consistent election law and the Cortese-Knox-Hertzberg Act. The Executive Officer is directed to coordinate with the County Clerk to formulate the election questions consistent with the Commission's determinations set forth herein.


- 4. That the Executive Officer of this Commission is authorized and directed to mail copies of this resolution in the manner provided by law.
- 5. That Formation of the Estrella-El Pomar-Creston Water District is hereby conditionally approved.
- 6. Pursuant to §57144 and §56898 of the Government Code, the Executive Officer will prepare for the Commission's review an Impartial Analysis of the proposed District formation; after the Commission has approved or modified the Impartial Analysis, it shall direct the Executive Officer to submit it to the elections official no later than the last day for submission of ballot arguments.
- 7. The regular County assessment roll will be used.

Upon a motion by Commissioner Murray, seconded by Commissioner Enns to find the formation categorically exempt from CEQA pursuant to CEQA Guidelines Section 15378(b)(4) and a General Rule Exemption and on the following roll call vote and to form the Estrella-El Pomar-Creston Water District subject to the above-listed terms and conditions.

AYES: Commissioners Murray, Enns, Compton, Vice-Chairman Waage and Chairman Ochylski

NAYS: Commissioners Arnold and Fonzi

ABSTAINING: None


 \_\_\_\_\_ 04/12/2017  
 Marshall Ochylski, Chair Date  
 Local Agency Formation Commission

**ATTEST:**


 \_\_\_\_\_ 4-12-2017  
 David Church Date  
 LAFCO Executive Officer

**APPROVED AS TO FORM AND LEGAL EFFECT:**


 \_\_\_\_\_ April 12, 2017  
 Raymond A. Biering Date  
 LAFCO Legal Counsel

## **Exhibit A**

Map and Legal Description of the  
Estrella-El Pomar-Creston Water District

# Estrella-El Pomar-Creston Water District Approved Service Area & Sphere of Influence

