

SAN MATEO



LOCAL AGENCY FORMATION COMMISSION

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November 12, 2020

To: LAFCo Commissioners

From: Martha Poyatos, Executive Officer *M. Poyatos*

Subject: Adoption of Sphere of Influence for the San Mateo Resource Conservation District

Summary:

At the October 21, 2020 LAFCo meeting, the Commission reviewed and adopted the Final Municipal Service Review for the San Mateo County Resource Conservation District (RCD). As part of this approval, the Commission set November 18 to review and adopt the Sphere of Influence (SOI) update for the District. LAFCo Staff subsequently met with RCD regarding District boundaries and areas that could be included in the District's sphere and preliminary mapping analysis supports inclusion of several areas. Staff recommends that the Commission open the public hearing on the sphere update to provide for public input and input from the Commission on proposed revisions to the RCD sphere of influence with final consideration taking place at the January 20, 2021 Commission meeting.

Background

In 1972, LAFCos were given the power to establish spheres of influence for all local agencies under their jurisdiction. In response, San Mateo LAFCo proactively conducted sphere of influence studies and adopted spheres of influence for cities and special districts. Spheres of influence were studied again in 1985 and reviewed periodically after that. As defined by the Cortese-Knox-Hertzberg Reorganization Act of 2000 (CKH Act), LAFCo's governing law, "sphere of influence" means a plan for the probable physical boundaries and service area of a local agency, as determined by the commission (Government Code Section 56076).

The RCD collaborates with landowners and managers, technical advisors, local jurisdictions, government agencies, and others to protect, conserve and restore natural resources in coastal San Mateo County. Description of district activities and projects is covered later in this report. The District operates similar to a non-profit organization, in that it is primarily funded through grants and contracts. Many of its services and projects are driven by the availability of funding.

COMMISSIONERS: JOSHUA COSGROVE, CHAIR, SPECIAL DISTRICT ▪ WARREN SLOCUM, VICE CHAIR, COUNTY ▪ RICH GARBARINO, CITY ▪ DON HORSLEY, COUNTY ▪ MIKE O'NEILL, CITY ▪ RIC LOHMAN, SPECIAL DISTRICT ▪ ANN DRAPER, PUBLIC

ALTERNATES: KATI MARTIN, SPECIAL DISTRICT ▪ HARVEY RARBACK, CITY ▪ JAMES O'NEILL, PUBLIC ▪ DAVE PINE, COUNTY

STAFF: MARTHA POYATOS, EXECUTIVE OFFICER ▪ TIM FOX, LEGAL COUNSEL ▪ ROB BARTOLI, MANAGEMENT ANALYST ▪ ANGELA MONTES, CLERK

Existing Sphere of Influence

The original SMRCD boundaries encompassed agricultural lands in northern San Mateo County. Coastal areas (less publicly owned lands and developed areas) were added to district boundaries in two subsequent annexations in 1942 and 1946. In 1954 several subdivisions were detached from the District. Current District boundaries therefore have several “excluded pockets” but generally include western San Mateo County from the San Francisco-San Mateo County boundary to the Santa Cruz-San Mateo County boundary. The LAFCo adopted sphere of influence for the District is coterminous with District boundaries.

Proposed Sphere of Influence

The existing SOI designation for SMRCD is coterminous with District boundaries which include areas of unincorporated San Mateo County and portions of San Mateo County watersheds that drain into the Monterey Bay National Marine Sanctuary and the James V. Fitzgerald Area of Special Biological Significance. As stated in Public Resources Code Section 9152, the lands to be included within a RCD are those typically for agricultural purposes, but other lands can be included to control runoff, land improvement, and to address soil erosion. As mentioned previously, there are several excluded pockets within the watersheds of the Marine Sanctuary and other watershed that flow into the Pacifica ocean that benefit from services provided by the District. These areas are located in the cities of Pacifica and Half Moon Bay and portions of the urbanized unincorporated Midcoast, and rural south coast. The inclusion of these pockets within the SOI would allow the District to annex these areas in the future and to obtain a portion of the existing property tax to support District’s services.

The following is a list the areas that are currently excluded that staff is recommending be included within the District’s SOI

- Portions of the City of Pacifica
- Portions of Unincorporated Midcoast (including El Granada, Miramar Montara, Moss Beach, and Princeton)
- Portions of the City of Half Moon
- Portions of Unincorporated South Coast (including Dearborn Park, La Honda, Loma Mar, Pescadero, Pescadero Creek County Park, Portola Redwoods State Park, and South Skyline)

It was anticipated this report would include recommendations from RCD indicating areas outside District where identifying areas that they believe should be including within the updated SOI. This information will be presented at the November 18 Commission meeting.

Enabling Legislation - Functions and Services

SMRCD operates according to Public Resources Code Sections 9000 et seq. and is authorized to: conduct surveys and research relating to conservation of resources, prevention and control measures and improvements needed; development and distribution of water; make improvements of land capabilities or conduct operations on public or private lands in furtherance of erosion control, water conservation and distribution, agricultural and wildlife enhancement, erosion stabilization, including but not limited to terraces, ditches, levees, and

dams or other structures and the planting of trees, shrubs, grasses or other vegetation; and provide public education and technical assistance. As a public resource agency, the District does not have regulatory power, but is designated by the County Grading Ordinance adopted by the Board of Supervisors to review certain applications for grading permit exemptions related to development in unincorporated areas.

Sphere of Influence Determination

LAFCo is required to make five written determinations when establishing, amending, or updating an SOI for any local agency that address the following (§56425(e)):

- 1) The present and planned land uses in the area, including agricultural and open-space lands.
- 2) The present and probable need for public facilities and services in the area.
- 3) The present capacity of public facilities and adequacy of public services that the agency 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.
- 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, that occurs pursuant to Section 56425(g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

The following are the proposed determinations and recommendations for the SMRCD SOI:

The present and planned land uses in the area, including agricultural and open-space lands.

Determination

At this time the RCD's territory, which includes most of the unincorporated areas of San Mateo County along with portions of six cities, is not projected to experience significant development or population growth. The District includes over 157,000 acres of mostly rural, agricultural, and open space lands in the western half of the County and includes significant portions of all watersheds in San Mateo County draining into the Monterey Bay National Marine Sanctuary. The areas are to be included within the updated Sphere of Influence of the District includes portions of the cities of Pacifica and Half Moon Bay and the urbanized areas of the unincorporated midcoastal.

In the majority of the unincorporated areas, the San Mateo County Planning Department has designated the lands as Agriculture, Open Space, or Timber Production. These three general plan designations which limits the amount of development that can occur within these areas. Almost all of the territory is within the coastal zone, which further restricts potential development. The SOI update will have no change on present or planned land uses.

The present and probable need for public facilities and services in the area*Determination*

The majority of demand for District services occurs in the rural, coastal zone consisting of the County's agricultural district, including significant crop and grazing lands as well as watersheds. While population growth in these areas is limited, changes in land use in the region in general, including recreational uses, will continue to impact the need for watershed and soil conservation. It is not anticipated that there will be a change for the need for the District's services.

The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.*Determination*

The RCD provides natural resource conservation services throughout San Mateo County. LAFCo staff has no concerns regarding the District's capacity to provide services, or the adequacy of District services. Several partner agencies submitted letters during the comment period for the adopted MSR attesting to the value of the services and programs that the District provides. SMRCD currently maintains a multitude of partnerships (with private individuals, businesses, farmers, ranchers, non-profit organizations, special districts, and government agencies) in order to share services, facilities, resources and expertise as appropriate.

The majority of the District's services are funded through grants or contracts. These grants and contracts are generally not very stable and reliable, which leaves the District with budgets and staffing levels that may fluctuate significantly from year to year. The District received approximately 0.0475 of the 1% property tax or approximately \$67,000 in the 2017-2018 fiscal year along with a \$200,000 San Mateo County contribution.

The SMRCD has been recognized as a statewide leader in providing resource conservation services. Additionally, the District has no near-term infrastructure or equipment needs that may impact its ability to provide services.

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

While there are no identified Disadvantaged Unincorporated Communities within the boundaries of the SMRCD, several activities that SMRCD undertakes do have direct impacts on a number of communities in the County, some of which may have lower socioeconomic status and the District has specific project and programs focused on underserved, low income and non-English speaking communities. RCD actions related to stormwater, water quality, and watershed management are programs that protect and enhance water resources for residents of the community, as well as native wildlife. The programs related to habitat enhancement and fire and forestry have positive impacts on the natural environment in communities that include lower socioeconomic residents.

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, that occurs pursuant to Section 56425(g) on or after July 1, 2012, the present and probable

need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

Determination

The RCD does not provide water, sewer or structural fire protection services; therefore, this SOI determination does not apply, and Disadvantaged Unincorporated Communities are not an issue within the District's existing or proposed SOI.

California Environmental Quality Act

The SOI is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) under Section 15303, Class 6, which allows for the of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. The SOI collects data for the purpose of evaluating municipal services provided by an agency. There are no land use changes or environmental impacts created by this study.

The SOI also is exempt from CEQA under the section 15061(b)(3), the common-sense provision, which state that CEQA applies only to projects which have the potential for causing a significant effect on the environment and where it is certain that the activity will have no possible significant effect on the environment, the activity is exempt from CEQA.

The SOI update will not have a significant effect on the environment as there are no land use changes associated with the documents.

Recommendation

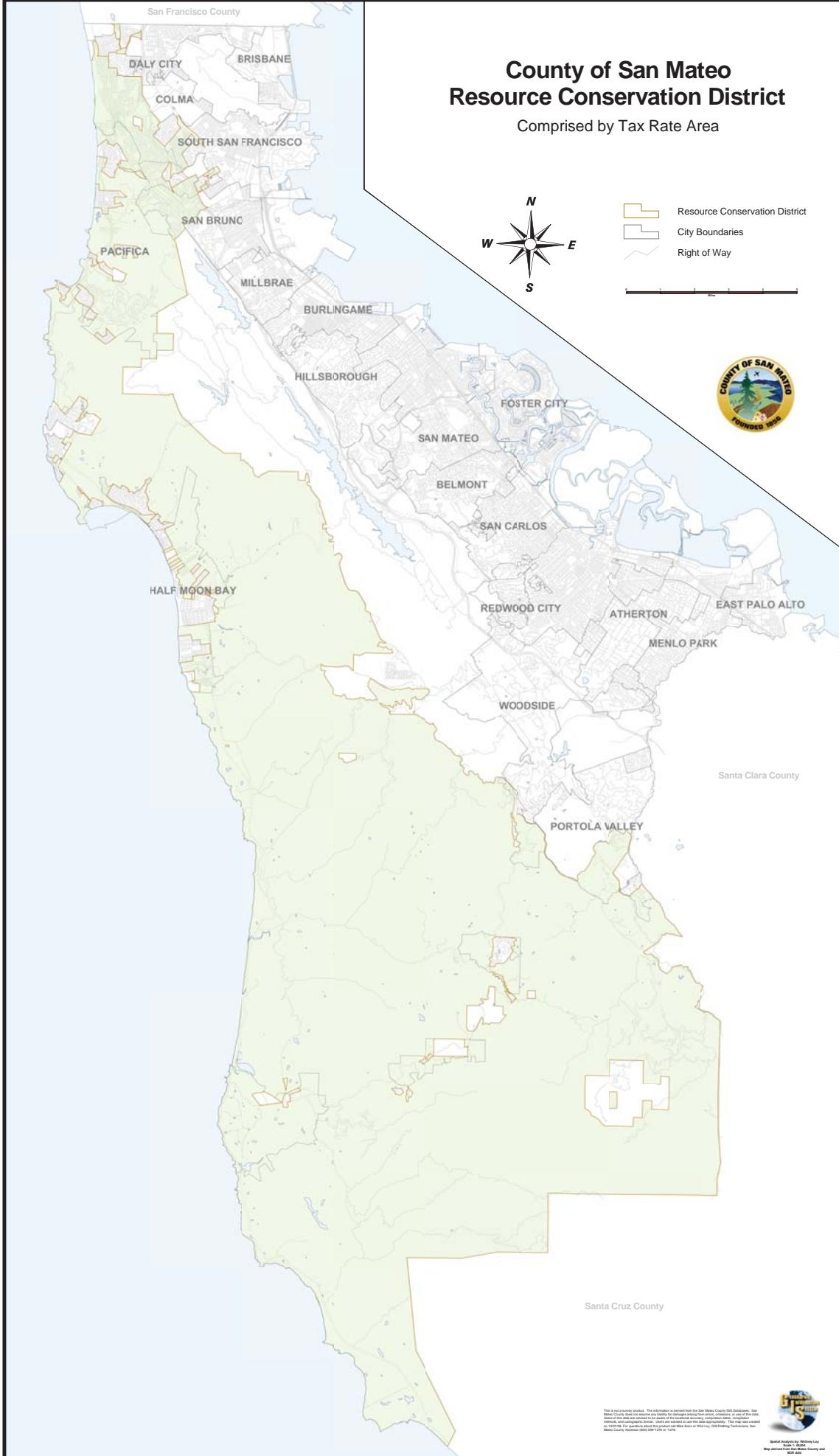
- 1) Open the public hearing and accept public comment; and
- 2) Provide input to staff regarding the SOI for the District; and
- 3) Set January 20, 2021 for a public hearing to adopt the Sphere of Influence Determinations and Updated Sphere of Influence for the San Mateo Resource Conservation District

Attachments:

- A. Existing boundary and sphere of influence map for SMRCD
- B. Proposed areas to include in SOI maps

County of San Mateo Resource Conservation District

Comprised by Tax Rate Area



Resource Conservation District
 City Boundaries
 Right of Way



Attachment B
Pacifica

