

**RESOLUTION NO. 2022-12**

**A RESOLUTION OF APPLICATION BY THE BOARD OF DIRECTORS OF THE LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT REQUESTING THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY TO INITIATE PROCEEDINGS FOR THE ANNEXATION OF APPROXIMATELY 344 ACRES TO THE LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT, AS MORE SPECIFICALLY DESCRIBED BELOW, AND DETERMINING APPLICATION IS NOT SUBJECT TO ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**RECITALS**

**WHEREAS**, the Board of Directors (the “Board”) of the Lake Arrowhead Community Services District (“LACSD”) desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the Government Code (the “Act”), for the annexation of approximately 344 acres in the City of Hesperia (the “Hesperia Farms Property”); and,

**WHEREAS**, the boundaries of the Hesperia Farms Property are depicted in the corresponding map attached hereto as *Exhibit A* and by this reference incorporated herein; and,

**WHEREAS**, LACSD is the owner of the Hesperia Farms Property, which area is consistent with its sphere of influence as amended by LAFCO in 2010; and,

**WHEREAS**, LACSD desires that its proposed annexation be subject to the standard terms and conditions imposed by LAFCO; and,

**WHEREAS**, LACSD desires to annex the Hesperia Farms Property to, *inter alia*, remove certain property tax obligations, facilitate the Hesperia Farms Solar Photovoltaic Proposal approved by LACSD on August 8, 2017 (“Solar Project”), to reduce its significant energy costs and carbon emissions, continue its treatment and disposal of effluent into percolation ponds onsite, and further conform its boundaries to its sphere of influence.

**NOW THEREFORE, BE IT ORDAINED** by the Board of Directors of the Lake Arrowhead Community Services District as follows:

1. The Board hereby determines that adoption of this Resolution of Application is not subject to environmental review under the California Environmental Quality Act (“CEQA”) pursuant to Title 14 of the California Code of Regulations, sections 15319 (Class 19, annexations of existing facilities and lots for exempt facilities), 15378 (not a project), and 15061(b)(3) (common sense exemption where there is no potential for causing a significant effect on the environment). The annexation of the Hesperia Farms Property would not result in any physical change to the environment because LACSD’s existing use of the Hesperia Farms Property would continue.

2. Any potentially-significant environmental effects related to the Solar Project, which will be constructed on approximately six acres of the Hesperia Farms Property, were previously analyzed under CEQA in the Final Initial Study and Mitigated Negative Declaration (the "Final MND") (State Clearinghouse No. 2015041074) as adopted by LACSD on December 15, 2015, in Resolution No. 2015-14 and Addendum No. 1 to the Final MND adopted by LACSD on August 8, 2017, in Resolution No. 2017-15. LACSD does not propose any changes to the Solar Project. None of the circumstances described in Public Resources Code section 21166 or State CEQA Guidelines section 15162 have occurred and thus no supplemental or subsequent environmental review is required.

3. This Resolution of Application is hereby adopted and approved by the Board. LAFCO is hereby requested to take proceedings for the annexation of the Hesperia Farms Property, as depicted in *Exhibit A*, according to the terms and conditions stated above and in the manner provided by the Act.

4. LACSD acknowledges and agrees to LAFCO's requirement for imposing legal indemnification as outlined in Policy 3 of Chapter 2 of the Accounting and Financial Section of its Policy and Procedure Manual.

5. LACSD's General Manager is hereby authorized and directed to execute the necessary LAFCO documentation for LACSD's application for the annexation of the Hesperia Farms Property, including the Application and Preliminary Environmental Description Form, Annexation Supplement Form, and all other necessary papers.

6. That the Secretary to the Board shall certify to the passage and adoption of this Resolution of Application and is hereby authorized and directed to file, or cause to be filed, a certified copy of this Resolution of Application with LAFCO's Executive Officer.

7. The documents and materials that constitute the record of proceedings on which this determination has been based are located at LACSD, 27307 State Highway 189, Blue Jay, California 92317, and include, but are not limited to, all documents and materials relating to LACSD's approval of the Solar Project, as well as LACSD's June 23, 2020 determination in Resolution No. 2020-04 there is no feasible alternative to the Solar Project, rendering City of Hesperia zoning ordinances inapplicable under Government Code section 53096. The custodian of these documents is LACSD's General Manager.

The foregoing Resolution of Application was adopted at a Board of Directors of the Lake Arrowhead Community Services District meeting on November 8, 2022, by the following vote:

**AYES: Boydston, Gross, Keefe, Morris, and Wurm**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

  
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**President, Board of Directors**  
**Lake Arrowhead Community Services District**

**ATTEST:**

  
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**Clerk of the Board**

**EXHIBIT A - DEPICTION OF HESPERIA FARMS PROPERTY**

Exhibit A Map



**CERTIFICATION**

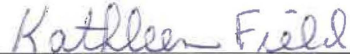
I, Kathleen Field, Secretary to the Lake Arrowhead Community Services District and to the Board of Directors, hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 2022-12 adopted by the Board of Directors of said Agency at the regular meeting of said Board held on the 8th day of November 2022, by the following vote:

**AYES: Boydston, Gross, Keefe, Morris, and Wurm**

**NOES: None**

**ABSTENTIONS: None**

**ABSENT: None**

  
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Kathleen Field, Secretary to the Lake  
Arrowhead Community Services District  
and to the Board of Directors