

DEC 24 2019

BY C. Teran  
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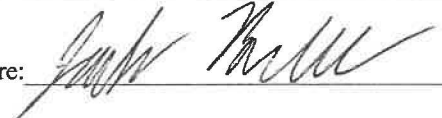
**NOTICE OF EXEMPTION**

<p>TO:</p> <p><input checked="" type="checkbox"/> Office of Planning and Research P. O. Box 3044, Room 113 Sacramento, CA 95812-3044</p>	<p>FROM: Fallbrook Public Utility District (Public Agency) 990 E. Mission Road Fallbrook, CA 92028 Telephone: (760) 728-1125</p>
<p><input checked="" type="checkbox"/> San Diego County Clerk 1600 Pacific Highway, Room 260 San Diego, CA 92101</p>	

<p>1. Project Title:</p>	<p>Request to San Diego Local Agency Formation Commission to Commence Proceedings for the Detachment/Exclusion of Fallbrook Public Utility District from the San Diego County Water Authority and Annexation into the Eastern Municipal Water District</p>
<p>2. Project Applicant:</p>	<p>Fallbrook Public Utility District</p>
<p>3. Project Location – Identify street address and cross streets or attach a map showing project site (preferably a USGS 15’ or 7 1/2’ topographical map identified by quadrangle name):</p>	<p>Fallbrook, California (see attached map showing District’s service area)</p>
<p>4. (a) Project Location – City: Fallbrook</p>	<p>(b) Project Location – County: San Diego</p>
<p>5. Description of nature, purpose, and beneficiaries of Project:</p>	<p>The Fallbrook Public Utility District (FPUD) adopted a resolution of application requesting the San Diego County Local Agency Formation (LAFCO) to commence proceedings for a reorganization to include detachment/exclusion of territory from San Diego County Water Authority (SDCWA) and annexation to Eastern Municipal Water District (EMWD).</p> <p>FPUD already obtains its water supplies directly off of Metropolitan Water District’s infrastructure instead of from the SDCWA’s infrastructure, which is unique for SDCWA’s member agencies but similar to cities and special districts that receive water supplies from EMWD.</p> <p>The purpose of the reorganization would be to: (1) stabilize long-term water costs to address affordability and sustainability issues for FPUD, for the benefit of its ratepayers; (2) enable FPUD to better provide water supplies to those within its boundaries undertaking agricultural activities; (3) obtain reliable water supplies from EMWD at a significantly lower cost without having to change existing infrastructure or build new infrastructure; and (4) benefit SDCWA because the reduction in demand from FPUD would result in increased reliability of supplies from the SDCWA in times of drought and reductions in imported water supplies.</p>

6. Name of Public Agency approving project:	<p>Fallbrook Public Utility District approved the application to request detachment/exclusion and if the application is approved it will be the lead agency implementing the detachment/exclusion.</p> <p>San Diego Local Agency Formation Commission will take action on the application and will rely on Fallbrook Public Utility District's CEQA determination as a responsible agency.</p>
7. Name of Person or Agency undertaking the project, including any person undertaking an activity that receives financial assistance from the Public Agency as part of the activity or the person receiving a lease, permit, license, certificate, or other entitlement of use from the Public Agency as part of the activity:	Fallbrook Public Utility District
8. Exempt status: (check one)	
(a) <input type="checkbox"/> Ministerial project.	(Pub. Res. Code § 21080(b)(1); State CEQA Guidelines § 15268)
(b) <input checked="" type="checkbox"/> Not a project.	(Pub. Res. Code § 21065; State CEQA Guidelines § 15378(a))
(c) <input type="checkbox"/> Emergency Project.	(Pub. Res. Code § 21080(b)(4); State CEQA Guidelines § 15269(b),(c))
(d) <input checked="" type="checkbox"/> Categorical Exemption. State type and section number:	Class 20—Change in Organization of Local Agencies (State CEQA Guidelines § 15320)
(e) <input type="checkbox"/> Declared Emergency.	(Pub. Res. Code § 21080(b)(3); State CEQA Guidelines § 15269(a))
(f) <input type="checkbox"/> Statutory Exemption. State Code section number:	
(g) <input checked="" type="checkbox"/> Other. Explanation:	State CEQA Guidelines § 15061(b)(3) (common sense exemption)
9. Reason why project was exempt:	<p>Fallbrook Public Utility District (FPUD) desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 for the exclusion/detachment of FPUD from the San Diego County Water Authority (SDCWA) and annexation of FPUD into Eastern Municipal Water District (Reorganization). The Reorganization is not a project within the meaning of CEQA because it does not have the potential to result in a direct physical change in the environment or a reasonably foreseeable indirect physical change to the environment. (Pub. Res. Code §65; CEQA Guidelines § 15378(a). The Reorganization will not require the construction of any new infrastructure or any changes in which FPUD receives its water supplies.</p> <p>Even if the Reorganization is considered a "project" within CEQA's meaning, it is exempt under the categorical</p>


	<p>exemption for changes in the organization of local agencies. (CEQA Guidelines § 15320). Under section 15320, changes in the organization of a local governmental agency are exempt if the changes do not modify the geographical area in which previously existing powers are exercised. This exemption applies because the Reorganization is a change in FPUD's organization structure that does not modify FPUD's service area.</p> <p>The Reorganization is also exempt under the "common sense" exemption because it can be seen with certainty that there is no possibility that the Reorganization may have a significant effect on the environment. (CEQA Guidelines § 15061(b)(3).) The Reorganization will not change the type, intensity, or manner of service that FPUD provides. Further the Reorganization will not result in construction or other physical alteration of the environment because the Reorganization will not require any new infrastructure or any changes to the manner in which FPUD receives its water supplies. The Reorganization does not change the ultimate source of FPUD's water supplies.</p> <p>Finally, there is no evidence that the activation involves any unusual circumstances that might cause a significant effect on the environment. (CEQA Guidelines § 15300.2(c).) There is no evidence in the record that the Reorganization will increase FPUD's reliance on Bay Delta water, thereby creating cumulative impacts. In addition, there is no evidence in the record that water supplies from Eastern Municipal Water District's water supply are less reliable.</p>
10. Lead Agency Contact Person:	Jack Bebee, General Manager
Telephone:	(760) 728-1125
11. If filed by applicant: Attach Preliminary Exemption Assessment (Form "A") before filing.	
12. Has a Notice of Exemption been filed by the public agency approving the project? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
13. Was a public hearing held by the Lead Agency to consider the exemption? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, the date of the public hearing was: <u>12/9/2019</u>	

Signature:  Date: 12/16/19 Title: General Manager  
Name: \_\_\_\_\_

Signed by Lead Agency       Signed by Applicant

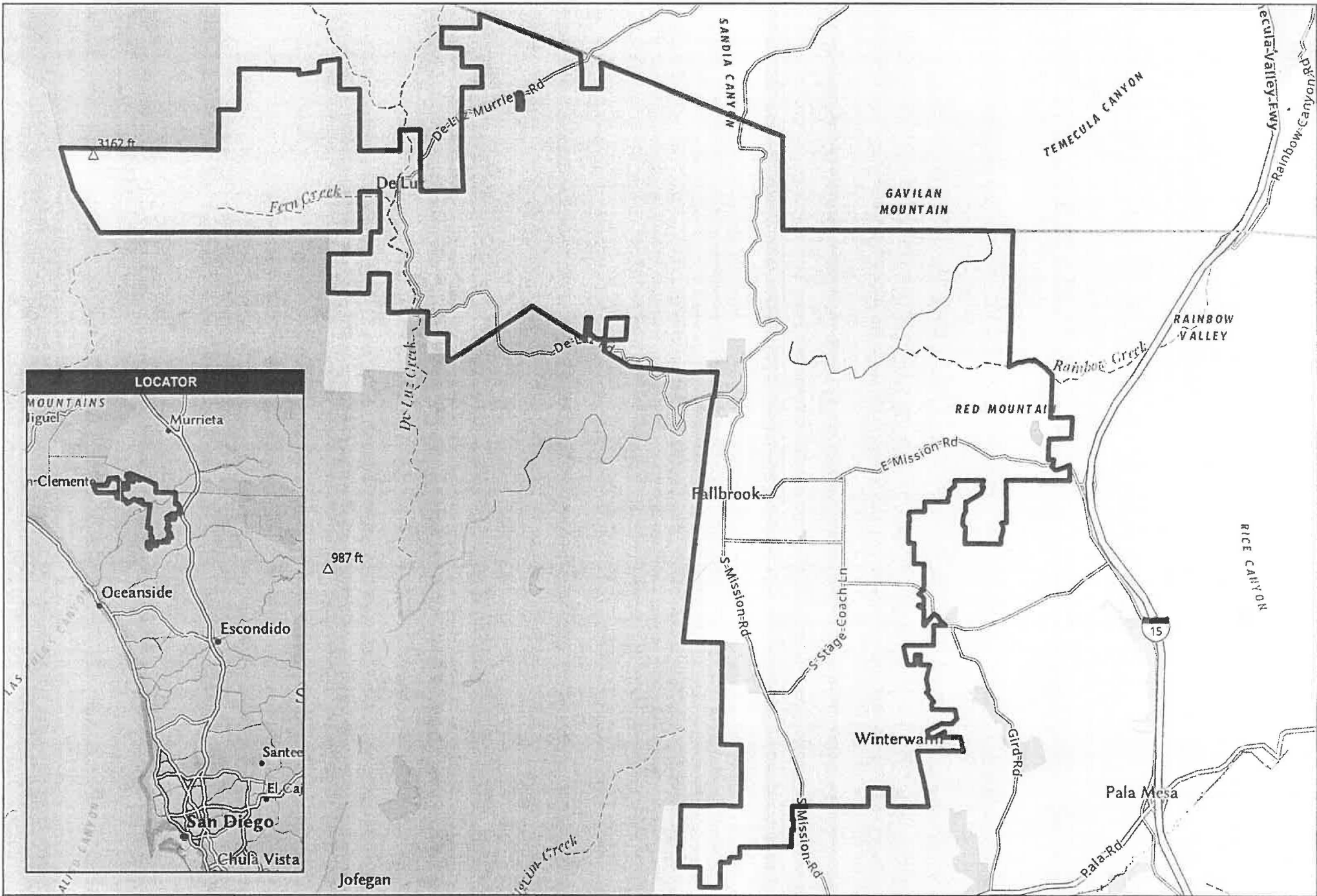
Date Received for Filing: \_\_\_\_\_

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**FILED IN THE OFFICE OF THE COUNTY CLERK**  
San Diego County on DEC 24 2019  
Posted DEC 24 2019 Removed \_\_\_\_\_  
Returned to agency on \_\_\_\_\_  
Deputy 

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

**C. Teran**



**DISCLAIMER:** By accepting this map, you agree that the Fallbrook Public Utility District assumes no liability or responsibility of any kind arising from use of this map. This map, its Data, and any calculations associated with this map is provided without warranty of any kind.

 **FPUD BOUNDARY**

