

LAFCO

Meeting Date: 10/29/2020

Information

SUBJECT

Continued Public Hearing to consider **Resolution 2020-06** approving the Dunnigan Water District Annexation (LAFCo No. 935) and waiving Conducting Authority Proceedings, subject to findings and conditions contained in the staff report

RECOMMENDED ACTION

1. Receive staff presentation and open the Public Hearing for public comments on the item.
2. Close the Public Hearing and consider the information presented in the staff report and during the public hearing, including the Negative Declaration prepared by the Dunnigan Water District as the Lead Agency.
3. Adopt Resolution 2020-06 approving the Dunnigan Water District Annexation (LAFCO No. 935) and waiving conducting authority proceedings, subject to findings and conditions contained in the staff report.

FISCAL IMPACT

None. LAFCo will be reimbursed for staff time associated with processing this request in accordance with the adopted fee schedule.

REASONS FOR RECOMMENDED ACTION

Landowners who own six (6) total parcels of agricultural land have requested access to existing Dunnigan Water District (DWD) surface water supplies. Annexation to the District is required for United States Bureau of Reclamation (USBR) permitting to use the Central Valley Project water via the Tehama-Colusa Canal. The DWD approved service to these parcels contingent upon LAFCo approval of the annexation.

BACKGROUND

Dunnigan Water District (DWD) is an independent special district formed in 1956 by landowners in the Dunnigan area to access Central Valley Project (CVP) water through the Tehama-Colusa Canal. The original 1963 CVP contract expired in 1995, however, contract renewals with USBR since then have maintained the original 19,000 acre-feet per year CVP allocation. The DWD as formed was 10,613 acres in size and with annexed acres, the current size of the District is 10,914 acres, with 10,353 acres irrigated with non-potable water.

The subject parcels were included in DWD's sphere of influence per the previous agenda item. The properties are adjacent to the existing DWD boundary and are currently designated and zoned for agricultural use by Yolo County. This request for annexation was initiated by the DWD on February 12, 2020 and submitted to LAFCo on June 20, 2020. All the property owners have requested and consented to this proposal. The Yolo County Auditor determined the affected district does not receive property taxes and is not seeking any property tax revenue for the subject territory. Per Revenue and Taxation Code Section 99(b)(3), Yolo County has consulted with DWD and determined that a property tax revenue negotiated exchange is, therefore, not applicable because the DWD will charge assessments and usage fees for the service.

The Cortese-Knox-Hertzberg Act Government Code Section 56668.3 outlines the following factors to be considered by the Commission for a reorganization that includes the annexation of territory to any district:

1. Whether the proposed annexation will be for the interest of present and future landowners and inhabitants within the territory to be annexed;
2. Any resolution raising objections (financial or service concerns) that may be filed by an affected agency;
3. The adequacy of existing and planned future services to meet the probable future needs of the territory; and
4. Any other information which the commission deems appropriate for consideration.

The DWD has capacity to serve these additional parcels when the full water allocation is available. In a normal water year, DWD does not use its entire 19,000 acre-foot allocation. However whenever a drought year occurs, DWD has an allocation system in place and these parcels will be in a second tier to receive CVP surface water. Groundwater could also be used for irrigation if needed. Annexation to DWD is part of the larger Yolo Subbasin groundwater management strategy and would provide for conjunctive use and a more sustainable water supply. The DWD is also a member of the Sites Reservoir JPA and planning is moving forward to construct a reservoir for additional water supply for use during drought years, resulting in less groundwater pumping. Annexation to DWD is also required for landowners to participate in the Sites Reservoir Project. Therefore,

the annexation would be for the interest of present and future landowners and inhabitants within the territory to be annexed. No objections or concerns have been raised by any affected agency, landowner or resident of the subject territory.

Public/Agency Notification and Waiver of Protest Proceedings

A notice was published on September 2, 2020 in the Woodland Democrat including the intent to waive protest proceedings. No objections from any affected or interested agency landowners or the general public have been received. Pursuant to Cortese-Knox-Hertzberg Act Section 56662 and 57002, the Commission may waive protest proceedings entirely because 100% of the landowners within the affected territory have consented to the proposal.

CEQA

The potential environmental effects of the proposal have been reviewed by the DWD as Lead Agency and determined there is no substantial evidence supporting a fair argument that the project will have a significant effect on the environment and filed a Notice of Determination in accordance with the California Environmental Quality Act (CEQA). CEQA requires a Responsible Agency to accept a CEQA document as prepared by the Lead Agency and to treat the document as being legally adequate absent specified circumstances not present herein. The project does not involve any land use changes and will not result in the physical construction of any infrastructure or other improvements to supply irrigation water to the proposed annexation area, as the project will utilize existing water conveyance facilities. The subject territory will remain in agricultural production notwithstanding the source of irrigation water and may even improve environmental conditions by reducing reliance on groundwater.

Attachments

ATT A-DWD Annexation Resolution 2020-06

ATT B-DWD Annexation Final Initial Study-NegDec Jan 2020

Form Review

Inbox

Reviewed By

Date

Christine Crawford (Originator) Christine Crawford 10/15/2020 12:49 PM

Form Started By: Christine Crawford

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