

**TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT**

*August 4, 2010*

**LAFCO Case Number 1454 TID  
Mooney Grove Park Annexation**

**PROPOSAL:** Annexation to the Tulare Irrigation District.

**PROPONENT:** County of Tulare by resolution of its Board of Supervisors.

**SIZE:** 137 acres

**LOCATION:** The annexation site is located on the southeast corner of Highway 63 (Mooney Blvd) and Avenue 272, within the southern portion of the City of Visalia. **(Figure 1)**

**ASSESSOR'S  
PARCEL NOS:** 126-019-014

**NOTICE:** Notice has been provided in accordance with Government Code  
**(Figure 2)** Section 56660 and 56661.

**GENERAL ANALYSIS:**

**1. Land Use:**

*A. Site Information:*

	<b>Existing</b>	<b>Proposed</b>
<b>Zoning Designation</b>	Quasi-Public	Same
<b>General Plan Designation</b>	Park	Same
<b>Uses</b>	Public park and museum	Same

*B. Surrounding Land Uses and Zoning and General Plan Designations*

	<b>Zoning Designation</b>	<b>General Plan Designation</b>	<b>Existing Use</b>
<b>North</b>	AE-20	Agriculture	Farming
<b>South</b>	AE-20	Agriculture	Mobile Home Park
<b>East</b>	AE-20	Agriculture	Farming
<b>West</b>	AE-20	Agriculture	Tulare County Government Plaza

*C. Topography, Natural Features and Drainage:*

The annexation site contains a pond and canal as part of the Parks irrigation system.

*D. Conformity with General Plans and Spheres of Influence (Figure 1):*

Approval of LAFCO Case 1453 TID SOI Amendment (Mooney) is necessary for the site to be consistent with TID's Sphere of Influence.

**2. Impact on Prime Agricultural Land, Open Space and Agriculture:**

The soil types found on the site are identified as Grangeville Loam and Tagus Loam. The Soil Survey of Tulare County (Western Part), prepared by the United States Department of Agriculture identifies these soils as prime agricultural soils. The inclusion of the site into the Tulare ID's SOI is intended to help stabilize the area's groundwater levels, thereby ensuring the continuation of the site's public recreational use and aesthetics. No change in land use will occur upon annexation or in the immediate future; thus, this SOI Amendment will not promote the eventual conversion of prime ag land to urban uses.

*Williamson Act and Agricultural Preserves:*

The site is not under any type of agricultural preserve contract.

**3. Population:**

There are no inhabitants within the affected area. Therefore, pursuant to Section 56046, the annexation area is uninhabited.

**4. Services and Controls - Need, Cost, Adequacy and Availability:**

The District has represented that it has the capacity and infrastructure to provide irrigation water to the site proposed for annexation. Services and controls related to this annexation have been addressed through the Mooney Grove Park Joint

Water Project. The project is comprised of Tulare County Agreement No. 23582 between Tulare County, the City of Tulare and the TID and Tulare County Agreement No. 23583 between the Kaweah Delta Water Conservation District (KDWCD), County of Tulare, and the TID. KDWCD water supplies will be made available to the County through the TID's water distribution system per an agreement between the two parties, executed June 5, 2001. The Joint Water Project is referenced below as it relates to each services and controls component and is outlined in more detail in the discussion portion of this Executive Officer's Report.

**Need:**

The trend over the past 16 years has been a reduction in the region's groundwater levels (greater depth to groundwater points to a reduction in groundwater supplies). The problem is a result of both over reliance on groundwater and consecutive dry years.

The site proposed for annexation currently relies exclusively on groundwater for irrigation of various plants and trees, as well as the filling of a pond. Upon annexation, the site will be eligible to receive surface water supplies from the TID under the same terms as all other TID costumers. During wet years the District could meet the majority of the irrigation water needed by the site; while during dry years, the TID could only meet as little as 10% of site demand. In either instance; however, annexation of the site would reduce reliance on groundwater and promote its conservation, aiding the groundwater overdraft situation in the area.

**Adequacy:**

The District currently provides approximately 151,965 acre-feet of irrigation water to its costumers on an annual basis (this includes the recently annexed 655 acres). The TID has determined that this site would produce a demand of 411 acre-feet of irrigation water per year (3 acre-feet per acre).

Part of the TID's extensive irrigation water distribution system includes a conveyance channel that runs parallel to and directly across the proposed annexation site. The channel is commonly referred to as Cameron Creek and connects to the District's main intake canal. The proposed annexation site already contained a pond capable of percolating water while a new basin, also capable of percolating water, has been excavated adjacent to Cameron Creek. As stipulated in the Mooney Grove Park Joint Water project, the TID and KDWCD (through use of the TID water distribution system) would be able to deliver excess or storm water to the pond and basin for Park irrigation purposes as well as for their own groundwater recharge purposes. All improvements and facilities necessary to implement the proposed project have been constructed

and are in place. The TID and KDWCD have full discretion of the amount of water delivered to the pond and basin and what purpose it will serve (irrigation or recharge).

**Availability:**

Due the proximity of District infrastructure to the site, as well as improvements and facilities already in place, LAFCO Staff determines that the district has the infrastructure necessary to immediately provide service to the site. TID policy requires the District to provide irrigation water to any customer within its service boundaries who plans to irrigate a site greater than 80 acres. Additionally, the TID does not set any priority rights to water and provides service on a first-come/first-serve basis. The district receives an ordered amount of irrigation water each day. If the supply is available when a customer submits an order, the District will deliver the irrigation water as soon as it is able to. There are rare occasions where an order is denied or the amount of water requested is not provided in the full amount due to lack of an adequate supply.

**Cost:**

The TID will fund its provision of service through a combination of assessments levied on the site and service charges for water delivery. However, in accordance with Tulare County Agreement No. 23582 between the TID, County of Tulare, and the City of Tulare, the city will pay all assessment fees levied on the site by the TID at an assessment rate equal to the rate they pay for territory annexed into the City and detached from the TID (per an agreement between the two parties executed in May of 2005). In addition, the Agreement No. 23582 sets a cap of \$20 per acre-foot that the County is responsible for paying, while the City has agreed to pay any costs above the cap.

Based on soil classification, a \$32.00 assessment per acre will be levied on the proposed site. The current TID service charge stands at \$33.00 per acre-foot of water. The County estimates that it costs \$35 per acre-foot to extract groundwater, while pumping surface water provided by the TID would cost approximately \$25 per acre-foot. Thus, this annexation would result in a net cost reduction for irrigation water delivery service

**5. Boundaries and Lines of Assessment:**

The boundaries of the proposal area are definite and certain and conform to the lines of assessment and ownership. A map sufficient for filing with the State Board of Equalization has not yet been received from the proponent.

**6. Assessed Value, Tax Rates and Indebtedness:**

Upon completion of this annexation the area will be assigned to a new tax rate area. The total assessed valuation of the proposal area is as follows:

Land	\$ 0
Improvements	\$ 0
Estimated per capita assessed valuation	\$ 0

**7. Environmental Impacts:**

The Tulare County Board of Supervisors has adopted a Notice of Exemption for use with this project and has determined that there will be no significant effect on the environment as a result of this project.

**8. Landowner and Annexing Agency Consent:**

Consent to this annexation and detachment was received from the affected landowner. Therefore, the protest proceedings may be waived in accordance with Government Code Section 56663(c).

**10. Discussion:**

*Sphere of Influence Consideration:*

The approval of LAFCO Case 1453TID SOI Amendment is necessary for the annexation site to be consistent with TID’s Sphere of Influence and consistent with GC §56375.5.

**Mooney Grove Park Joint Water Project**

Discussions commenced in 2005 between Tulare County RMA’s Parks and Recreation Staff, TID, and Kaweah Delta Water Conservation District (KDWCD), and the City of Tulare regarding a potential agreement that would address flood control issues, reduction in groundwater pumping, and water recharge possibilities. The discussions resulted in Tulare County agreement No. 23582 and 23583:

Tulare County Agreement No. 23583, between the TID, County of Tulare, and the KDWCD, allows use by the districts of an existing pond within the annexation site as well as a newly excavated County owned basin. Excess or storm waters can be delivered to the pond and/or basin to meet the district's own groundwater recharge needs as well as surface water supplies for use by the Park for irrigation purposes. Under the agreement, the KDWCD and the TID are responsible for all construction and installation of related facilities including the excavation of the basin (designed and owned by Tulare County), pumps and pipelines. The agreement was executed in 2008 and the entire necessary infrastructure has been constructed.

Tulare County Agreement No. 23582, between Tulare County, the TID, and the City of Tulare, establishes the terms under which the County will receive surface water from the TID and stipulates the cost sharing structure between the City and the County. The agreement sets a cap of \$20 per acres-foot that the County is obligated to pay for surface water delivery charges and stipulates that City of Tulare is responsible for all costs above the \$20 cap. The City is additionally responsible for paying the entire cost of TID assessments levied on the annexation site (the annual assessment rate is equal to the rate paid by the City to the TID for land annexed into the City and detached from the TID in accordance with the District/City agreement dated May 10, 2005). The City benefits from the Joint Water Project because it is located "downstream" from Mooney Grove Park and any groundwater not used by the Park travels down to City groundwater supply pockets. This helps the City mitigate against the impacts to water supplies caused by City development.

*TID/KDWCD Agreement:*

The County will receive surface water supplies from both the TID and KDWCD through an agreement between the two districts, executed June 5, 2001, that gives the KDWCD access to the TID's water distribution system. Since the KDWCD is not directly providing service from the KDWCD, there is no need for an Extraterritorial Service Agreement or other LAFCO action.

Concurrence by Federal Bureau of Reclamation

A portion of the water that will be delivered to the Park by the TID and KDWCD under the Water Project is furnished by the Federal Government. If annexation is approved, irrigation water cannot be supplied to the site until the district goes before the Federal Bureau of Reclamation and the Bureau concurs with the annexation. Concurrence is rarely denied.

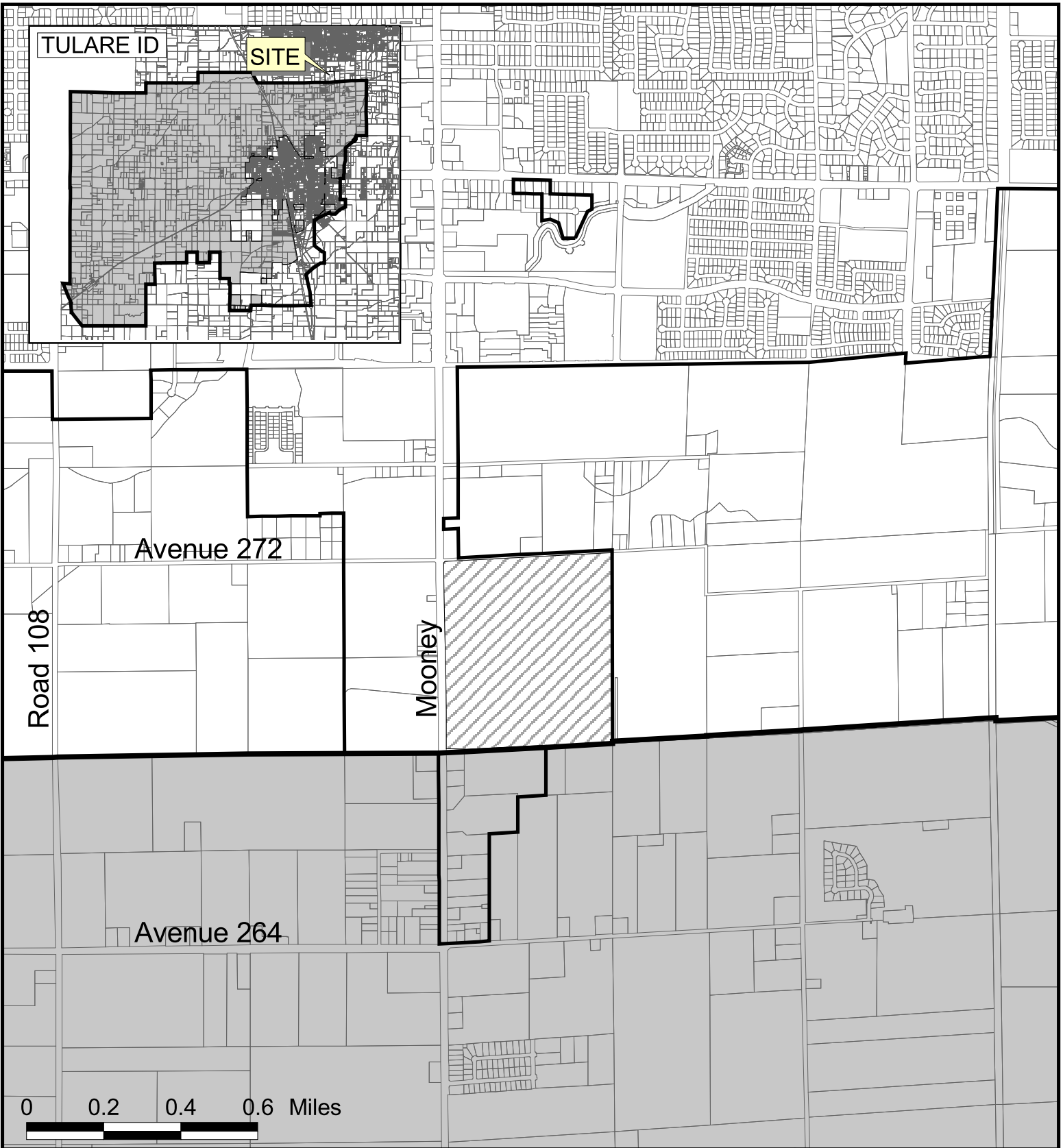
**Recommended Actions:**






It is recommended that this proposal be approved and that the Commission take the following actions:

1. Certify that the Commission has reviewed and considered the Notice of Exemption approved by the Tulare County Board of Supervisors for this project, and find that the project will not have a significant impact on the environment.
2. Find that the proposed annexation to the Tulare Irrigation District is consistent with the policies and priorities of the Cortese-Knox-Hertzberg Act.
3. Pursuant to LAFCO Policy and Procedure Section C-1.2, find that:
  - a. A demonstrated immediate need exists for the required services and there is no reasonable alternative manner of providing them.
  - b. The proposed annexation represents a logical and reasonable expansion of the district.
  - c. The proposed annexation reflects the plans of the adjacent governmental agencies.
  - d. The proposed annexation does not represent an attempt to annex only revenue-producing property.
  - e. The proposed boundaries must be definite and certain and conform to lines of assessment whenever possible.
4. Approve the annexation, to be known as LAFCO Case 1454, TID Mooney Grove Annexation without condition.
5. Waive the protest hearing for this proposal in accordance with subsection (d) of Government Code section 56375.3 and order the change of organization without an election.

**Figures, Exhibits & Appendices:**

Figure 1 Site Location Map/Urban Boundaries



-  SITE
-  DISTRICT
-  SOI
-  PARCELS
-  VISALIA

LAFCO CASE 1454  
 TULARE IRRIGATION DISTRICT  
 MOONEY GROVE PARK  
 ANNEXATION



FIGURE 1