



Board Agenda Item 15

DATE: July 12, 2022

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Amendments to the Westside Subbasin Groundwater Sustainability Plan for the Westside Subbasin

RECOMMENDED ACTION(S):

Adopt resolution approving the Amendments to the Groundwater Sustainability Plan for the Westside Subbasin including portions of Fresno County in the Westside Subbasin and authorize the Westside Subbasin, acting as Groundwater Sustainability Plan Manager for the subbasin, to submit the amended Groundwater Sustainability Plan to the Department of Water Resources by July 20, 2022

Approval of the recommended action will adopt the amendments to the Groundwater Sustainability Plan (GSP) for portions of Fresno County within the Westside Groundwater Subbasin, as required by the California Department of Water Resources (DWR), to maintain local control for managing groundwater resources. This item pertains to locations in District 4.

ALTERNATIVE ACTION(S):

Your Board may determine not to approve the recommended action; however, it would result in delay of submitting the required amendments of the GSP by the July 20, 2022, deadline. If the GSP is not submitted by the deadline, intervention from the State Water Resources Control Board (State) will occur, resulting in the loss of local control of groundwater management.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Cost associated with the Sustainable Groundwater Management Act (SGMA) activities are budgeted through the County Administrative Office (CAO) utilizing Interest and Miscellaneous Expenditures Org 2540. Sufficient appropriations and estimated revenues are included in the CAO's Org 2540 FY 2021-22 Adopted Budget. If there are significant implementation costs beyond the Department's allocated resources, staff will return to your Board for direction and to request additional resource allocation.

DISCUSSION:

As previously reported, SGMA, signed into law September 16, 2014, and codified at Water Code sections 10720 to 10737.8, established a new structure for managing California's groundwater resources at a local level by local agencies. SGMA allowed the formation of Groundwater Sustainability Agencies to manage groundwater resources within a subbasin at a local level. Each GSA was then required to develop and implement a GSP or coordinated GSP in subbasins covered by more than one GSA by January 31, 2020.

The Westlands Water District (District) is the GSA for those portions of the Westside Groundwater Subbasin that are within its service area. The County is the GSA for those portions of the Westside Subbasin that are within the County's jurisdictional boundaries, but outside the boundaries of the District.

On January 7, 2020, your Board adopted the GSP for portions of Fresno County within the Westside Subbasin, as required by the California Department of Water Resources. The GSP was subsequently submitted to DWR on January 23, 2020.

On January 21, 2022, DWR completed its review of the Westside Subbasin GSP and released a letter determining that the GSP for the Subbasin was "Incomplete". The letter highlights areas of the Westside Subbasin GSP that DWR identified as deficient and recommended corrective actions, including the GSP's explanation and elements of subsidence, groundwater levels, water quality and sustainable management criteria (SMC).

Specifically, the letter states that the GSP does not provide sufficient information to support the selection of land subsidence sustainable management criteria, that the GSP does not provide adequate information to support the selection of chronic lowering of groundwater level sustainable management criteria, and that the GSAs (that is, the District and the County) do not provide adequate information to support the selection of degraded water quality sustainable management criteria.

After receipt of the determination letter, by statute, the GSAs within the Subbasin have 180 days to address the deficiencies and corrective actions and submit to DWR the amended GSP to avoid being referred to the State Water Resource Control Board and be placed on a probationary status. If a basin is placed on probationary status, the State is allowed to assume management of groundwater resources which could include pumping restrictions, mandatory metering and reporting, and imposition of groundwater extraction fees. The resubmittal deadline is July 20, 2022.

Since the release of the determination letter by DWR, the District has coordinated with DWR to resolve the identified deficiencies with the GSP. In that process, County staff in the Department of Public Works and Planning, Water and Natural Resources Division, have participated with the District in the technical work of revising the GSP to comply with the requirements of SGMA and to remedy all three of the deficiencies identified by DWR.

As a result of that process, the District proposes clarifications and amendments to Chapters 2 (titled "Westside Subbasin Plan Area and Setting") and 3 (titled "Sustainable Management Criteria") of the GSP to address DWR's concerns, minor edits to Chapter 4 (titled "Projects and Management Actions to Achieve Sustainability Goal") based on Chapter 2 and 3, and a revision to Chapter 6 (titled "Governance"). These clarifications included potential impacts to beneficial users, such as domestic well users, conjunctive use and conservation efforts, extended description of the hydrogeologic units with the Westside Subbasin, and how land subsidence has a potential to impact local, state, or federal infrastructure.

The County received a copy of the final draft revised GSP that is presented to your Board today on July 8, 2022.

The District has approved the revised GSP, by resolution of its board of directors on June 21, 2022.

REFERENCE MATERIAL:

BAI #5 January 7, 2020

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Amendments to the Westside Subbasin GSP

On file with Clerk - Resolution

CAO ANALYST:

Salvador Espino