



Board Agenda Item 12

DATE: March 7, 2017

TO: Board of Supervisors

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

SUBJECT: Agreement to Establish the Central Delta-Mendota Multi-Agency Groundwater Sustainability Agency

RECOMMENDED ACTION(S):

- 1. Authorize the Chairman to execute proposed agreement to establish the Central Delta-Mendota Multi-Agency Groundwater Sustainability Agency for a portion of the Delta-Mendota Region Groundwater Subbasin and designate a Board member and an alternate to serve as a member of the Steering Committee for the Central Delta-Mendota Multi-Agency Groundwater Sustainability Agency.**
- 2. Authorize the Chairman to execute proposed Memorandum of Agreement with the San Luis & Delta-Mendota Water Authority to obtain coordinated access to the administrative and technical resources available through the Authority.**

Approval of the recommended actions would authorize the County's execution of an agreement between multiple agencies within a portion of the Delta-Mendota Groundwater Subbasin. The Agreement would establish a framework for cooperation between the participating local agencies, which would elect to form a single multi-agency Groundwater Sustainability Agency (GSA) to become the exclusive GSA for a portion of the Delta-Mendota Subbasin. The GSA would then develop and implement a Groundwater Sustainability Plan (GSP) as required by the Sustainable Groundwater Management Act (SGMA).

ALTERNATIVE ACTION(S):

The Board may determine not to approve the recommended actions which will then require the County to assume the sole responsibility of forming a GSA to represent this area

FISCAL IMPACT:

Approval of the recommended action would result in a Net County Cost. The participating local agencies have established a budget which would reimburse the San Luis & Delta-Mendota Water Authority (Authority) for work performed relating to Groundwater Sustainability Agency formation from March 1, 2016 through February 28, 2017 in the amount of \$63,533.33. Contributions are being divided equally among the participating local agencies with the County's contribution estimated to be \$4,887.18. This amount will be absorbed within the Department of Public Works and Planning Org 4360 FY 2016-17 Adopted Budget, but the Department anticipates returning to the Board to request an additional resource allocation. Moving forward, the proposed agreement requires the participating local agencies to establish more equitable participation percentages for future budget contributions by March 1, 2017. The agreement establishes a steering committee which will establish recommended budgets each year for approval by each of the participating local agencies. It is the

intent of the member agencies to seek Proposition 1 grant funds established for the development and implementation of the SGMA to offset a portion of this and future costs.

DISCUSSION:

The Sustainable Groundwater Management Act (SGMA), signed into law in September of 2014, established a new structure for managing California's groundwater resources at the local level by local agencies. The SGMA allows the formation of locally controlled Groundwater Sustainability Agencies (GSAs) in the State's higher priority groundwater basins by June 30, 2017. Each GSA is then required to develop and implement a Groundwater Sustainability Plan (GSP) to meet a sustainability goal of the basin that ensures that it is operated within a sustainable yield without causing undesirable results. Failure to timely form a GSA and implement a GSP in a groundwater basin could result in the State Water Resources Control Board asserting its power to manage local groundwater resources.

In an effort to assure compliance with SGMA within the Delta-Mendota Groundwater Subbasin (Subbasin), Department staff has participated in regular meetings with representatives from the participating local agencies. As a result of this collaborative effort it was determined that the group would form a multi-agency GSA and enter into an agreement to coordinate efforts.

It is the intent that the agreement before the Board today will be signed by each of the participating local agencies to provide principles and terms under which the parties will organize themselves to cooperate in the establishment of a single multi-agency GSA. The intent of the agreement is to provide a framework to develop efficient means to prepare, submit and implement a GSP which will sustainably manage groundwater resources within a portion of the Subbasin.

The agreement would form a Steering Committee with one member being appointed by each of the participating local agencies. Agencies participating in the agreement include the Eagle Field Water District; the County of Fresno; Fresno Slough Water District; the County of Merced; Mercy Springs Water District; Oro Loma Water District; Pacheco Water District; Panoche Water District; San Luis Water District; Santa Nella County Water District; Tranquillity Irrigation District; and Widren Water District. The purpose of the Steering Committee is to coordinate, advise, and recommend actions required for the implementation of SGMA to be submitted for approval by the individual participating local agencies.

The agreement requires the participating local agencies to establish participation percentages for future budget contributions by March 1, 2017. The steering committee will establish recommended budgets each year for approval by each of the participating local agencies.

Also included in the recommended action is execution of a Memorandum of Agreement (MOA) with the San Luis Delta-Mendota Water Authority (SLDMWA). The purpose of the MOA is to provide the contractual basis for participants of the multi-agency GSA to utilize the resources of the SLDMWA to assist in the coordination, planning and preparation of a groundwater sustainability plan. It is envisioned that the SLDMWA will provide technical assistance in GSP preparation when requested and approved by the participating local agencies.

On March 10, 2015, the Board of Supervisors endorsed concepts for a Governance Agreement intended to guide implementation of the SGMA for all participants. Staff has evaluated the proposed agreements and find them to be consistent with the Governance Agreement concepts. As a result, staff recommends approval and execution of the proposed agreement. As of the date of preparation of this item the proposed agreements had been reviewed by representatives from each of the participating local agencies and it was the intent that the agreements would be adopted by the each agencies Board prior to this Board's review of this item.

REFERENCE MATERIAL:

BAI # 52 November 17, 2015

ATTACHMENTS INCLUDED AND/OR ON FILE:

On File with Clerk - Agreement with Delta-Mendota

On File with Clerk - Memorandum of Agreement with Delta-Mendota

CAO ANALYST:

John Hays