



Board Agenda Item 16

DATE: May 7, 2019

TO: Board of Supervisors

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

SUBJECT: Conduct Hearing and Adopt Resolution to Establish Fresno County as a Groundwater Sustainability Agency for a Portion of the Pleasant Valley Groundwater Subbasin

RECOMMENDED ACTION(S):

- 1. Conduct a public hearing under Water Code section 10723 and adopt a Resolution of Intention providing that the County of Fresno elects to undertake sustainable groundwater management and serve as the exclusive Groundwater Sustainability Agency for those portions of the Pleasant Valley Groundwater Subbasin that are within the County's jurisdictional boundary and outside the Pleasant Valley Water District's and City of Coalinga's jurisdictional boundary.**
- 2. Direct Department of Public Works and Planning staff to submit to the Department of Water Resources a notice, pursuant to Sections 10723.8 and 10724(b) of the Water Code, that the County of Fresno intends to undertake sustainable groundwater management and serve as the exclusive Groundwater Sustainability Agency for those portions of the Pleasant Valley Groundwater Subbasin that are within the County's jurisdictional boundary and outside the Pleasant Valley Water District's and City of Coalinga's jurisdictional boundary.**

Approval of the recommended actions would authorize Department of Public Works and Planning staff to notify the Department of Water Resources (DWR) that the County intends to serve as a Groundwater Sustainability Agency (GSA) for those portions of the Pleasant Valley Subbasin (Subbasin) that are not within the Pleasant Valley Water District's (PVWD) or City of Coalinga's jurisdictional boundaries. This item pertains to locations in District 4.

ALTERNATIVE ACTION(S):

Your Board may choose not to approve the recommended actions; however, it would result in land left uncovered by a GSA causing the State Water Resources Control Board (SWRCB) to assert its power to manage local groundwater resources in those areas.

FISCAL IMPACT:

There will be an increase in Net County Cost associated with the recommended actions. To date, activities have been limited to Department staff participation at various implementation meetings resulting in a cost of approximately \$3,000, which has been absorbed within the Department's existing Net County Cost allocation in Org 4360. If there are significant implementation costs that go beyond the Department's allocated resources, staff will return to the Board for direction and request additional resource allocation.

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 law requires the formation of locally controlled GSAs. Each GSA is required to develop and implement a Groundwater Sustainability Plan (GSP) to meet the sustainability goal of the basin to ensure that it is operated within its sustainable yield without causing undesirable results. Failure to timely form a GSA and implement a GSP in a groundwater basin could result in the SWRCB asserting its power to manage local groundwater resources.

On February 16, 2017, the PVWD submitted a notice of intent to DWR to form the Pleasant Valley GSA. At the time of filing of the notice of intent, the filing included portions of the County and the City of Coalinga, which are outside of PVWD's jurisdictional boundary. Recent communications with DWR have indicated that those Subbasin areas outside of the jurisdictional boundary of an agency are considered unmanaged, necessitating both the County and the City of Coalinga to file as its own GSA within the Subbasin.

If your Board approves the recommended actions, the County would file notice of its intent to undertake sustainable groundwater management and serve as the GSA for that portion of the Subbasin (Exhibit A) that is within the County's jurisdictional boundary, but outside of PVWD's jurisdictional boundary. Subsequent to filing as a GSA, the County will enter into a Memorandum of Understanding (MOU) with PVWD facilitating the development of a single GSP for the Subbasin. The MOU will be subject to your Board's approval at a future Board hearing.

SGMA provides that the County is presumed to be a GSA for the areas in the Subbasin that are not subject to management by any other local agency, such as PVWD or the City of Coalinga, which is included within the proposed GSA boundary. SGMA still requires the County to give notice to the DWR that it intends to undertake sustainable groundwater management and serve as a GSA in those areas.

There are a number of steps that the County must go through in order to declare its intention to serve as a GSA. First, the County must hold a public hearing. Second, the County must submit a notice of intent to DWR that it intends to undertake sustainable groundwater management and serve as a GSA in those areas of the Subbasin that are not within PVWD or City of Coalinga's jurisdictional boundaries. The notice to DWR must be filed within 30 days after Board adoption of the resolution and must include the following:

- The service area boundaries, the basin the County is managing, and the other agencies managing or proposing to manage groundwater within the basin. (Exhibit A)
- A copy of the resolution declaring the County's intent to serve as a GSA.
- A copy of any new bylaws, ordinances, or new authorities adopted by the County as GSA (there are none yet).
- A list of interested parties developed pursuant to Water Code, Section 10723.2 and an explanation of how their interests will be considered in the development and operation of the GSA and the development and implementation of the County's GSP.
- A Geographic Information System (GIS) shape file that shows its service area boundaries and the basin the GSA has elected to manage.

With your Board's approval, Department staff will provide the required items and notify DWR of its intent to form a GSA.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibit A

On file with Clerk - Resolution

CAO ANALYST:

Sonia M. De La Rosa