



Monterey County

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Report

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Current Status: Agenda Ready

Matter Type: General Agenda Item

Receive a report regarding a proposed Joint Powers Authority to be the Groundwater Sustainability Agency for the greater Salinas Valley Groundwater Basin.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Receive a report regarding a proposed Joint Powers Authority to be the Groundwater Sustainability Agency for the greater Salinas Valley Groundwater Basin.

SUMMARY/DISCUSSION:

In the fall of 2014 the California legislature adopted, and the Governor signed into law, three bills (SB 1168, AB 1739, and SB 1319) collectively referred to as the "Sustainable Groundwater Management Act" ("SGMA") that initially became effective on January 1, 2015, and amended from time-to-time thereafter. The stated purpose of SGMA, as set forth in California Water Code section 10720.1, is to provide for the sustainable management of groundwater basins at a local level by providing local groundwater agencies with the authority, and technical and financial assistance necessary to sustainably manage groundwater.

SGMA requires the designation of Groundwater Sustainability Agencies ("GSAs") for the purpose of achieving groundwater sustainability through the adoption and implementation of Groundwater Sustainability Plans ("GSPs") or an alternative plan for all medium and high priority basins as designated by the California Department of Water Resources. SGMA also requires that the Basin have a designated GSA by no later than June 30, 2017, and an adopted GSP by no later than January 31, 2020, if a high or medium priority basin is in critical overdraft, and no later than January 31, 2022, if designated a high or medium priority basin. The Salinas Valley Groundwater Basin ("Basin") is a high priority basin, and the 180/400 foot aquifer sub-basin is designated in critical overdraft.

SGMA authorizes a combination of local agencies to form a GSA by entering into a joint powers agreement as authorized by the Joint Exercise of Powers Act (Chapter 5 of Division 7 of Title 1 of the California Government Code). In 2015, the County along with the City of Salinas, the Water Resources Agency, the Monterey County Farm Bureau, the Growers-Shippers Association, and Salinas Valley Water Coalition retained a professional facilitator, the Consensus Building Institute (CBI) to bring together a collaborative working group (CWG) to build consensus amongst key stakeholders and make recommendations to the various entities eligible to be GSAs in the Basin concerning the formation of a governance for the GSA. After months of deliberation, the CWG recommended a joint powers authority ("JPA") to be the GSA in the Basin. The CWG group consists

of representatives of the County, Water Resources Agency, cities, special districts that provide water and regulated water companies, environmental groups, agricultural interests, disadvantaged communities and small rural well owners, all in the basin. As of this report, the CWG met thirteen (13) times and received numerous public comments by members of the community. In addition, there have been two stakeholder forums where members of the greater public have also been invited to learn about the effort, participate, and provide comment.

Your Board has previously received several updates regarding SGMA and the process to form a GSA, most recently on September 13, 2016, from Ms. Gina Bartlett of CBI. A copy of the Board Report from that meeting is enclosed.

To date, the CWG reached consensus on a number of critical features of a potential agreement to form a JPA, but work is still in process. A fourteenth working group meeting, and a third stakeholder meeting, will be held on Monday, November 14, 2016, just prior to the November 15th Board meeting.

At the November 15th meeting, staff will present to your Board the general outline for a JPA on which the CWG has reached a consensus recommendation, and will outline those issues on which additional work is needed, or for which consensus is not yet reached. Staff's goal is to return to the Board with a proposed agreement to form a JPA on December 13, 2016.

OTHER AGENCY INVOLVEMENT:

The County Administrative Office has reviewed and approved this report.

FINANCING:

There is no financial impact associated with the receipt of this report; financing will be necessary upon approval to enter into an agreement for a JPA.

Prepared by:

Approved by:

Leslie J. Girard, Chief Assistant County Counsel

Lew Bauman, CAO

Attachment: September 13, 2016 Board Report

cc: Nick Chiulos, Assistant CAO; David Chardavoyne, WRA General Manager; Rob Johnson, WRA Deputy General Manager; Gina Bartlett, CBI; Collaborative Working Group Members