

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 1/5/2016	(3) CONTACT/PHONE Carolyn K. Berg, Senior Water Resources Engineer (805) 781-5536	
(4) SUBJECT Submittal of an Initial Notification of Intent to the California Department of Water Resources (DWR) to explore a boundary modification for the Los Osos Groundwater Basin. District 2.			
(5) RECOMMENDED ACTION It is recommended that the Board direct staff to submit an Initial Notification of Intent to explore a boundary modification for the Los Osos Groundwater Basin to the California Department of Water Resources (DWR) and coordinate with basin users to develop a Boundary Modification Request in accordance with State Basin Boundary Regulations.			
(6) FUNDING SOURCE(S) Flood Control General	(7) CURRENT YEAR FINANCIAL IMPACT N/A	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ___) <input type="checkbox"/> Board Business (Time Est. ___)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input checked="" type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Yes	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: 1/13/15 #14	
(17) ADMINISTRATIVE OFFICE REVIEW David E. Grim			
(18) SUPERVISOR DISTRICT(S) District 2			

Reference: 16JAN05-C-11

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works
Carolyn K. Berg, Senior Water Resources Engineer

VIA: Courtney Howard, Water Resources Division Manager
Mark Hutchinson, Deputy Director of Public Works

DATE: 1/5/2016

SUBJECT: Submittal of an Initial Notification of Intent to the California Department of Water Resources (DWR) to explore a boundary modification for the Los Osos Groundwater Basin. District 2.

RECOMMENDATION

It is recommended that the Board direct staff to submit an Initial Notification of Intent to explore a boundary modification for the Los Osos Groundwater Basin to the California Department of Water Resources (DWR) and coordinate with basin users to develop a Boundary Modification Request in accordance with State Basin Boundary Regulations.

DISCUSSION

The “Sustainable Groundwater Management Act” (SGMA) took effect on January 1, 2015. SGMA provides new authorities to management agencies and requires various actions be taken in order to achieve sustainable groundwater management in high and medium priority groundwater basins. Based on the 2014 Final Basin Prioritization by DWR, there are five high and medium priority groundwater basins in San Luis Obispo County: Paso Robles (high), Santa Maria (high), Los Osos (high), San Luis Obispo (Edna) Valley (medium), and Cuyama Valley (medium).

On January 13, 2015, your Board adopted the SGMA Strategy and directed staff to implement the policy. The strategy provided that those basins designated by the State as high and medium priority, including the Los Osos Basin, receive the first priority for the resources necessary to meet statutory deadlines.

DWR Bulletin 118 Basin Boundary Modification Process

Among SGMA’s first statutory deadlines is the requirement for DWR to update the State’s Bulletin 118 Report and modify basin boundaries as needed to reflect DWR-approved scientific and jurisdictional information. DWR’s Bulletin 118 Report maintains an inventory of the State’s groundwater basins (and related basin boundaries) and was last updated in 2003. On October 21, 2015, the DWR adopted regulations relating to basin boundary modification processes, consistent with SGMA and Water Code §§ 10722.2 and 12924. The regulations detail the required processes

that a local agency must follow prior to requesting that DWR make modifications to a basin boundary based on updated scientific and/or jurisdictional information, including submission of an initial notice of intent¹.

Los Osos Groundwater Basin Management and Related Boundary

On October 14, 2015, Judge Martin J. Tangeman of the San Luis Obispo Superior Court signed an order approving the Stipulated Judgment and the Updated Basin Management Plan for the Los Osos Groundwater Basin (Basin Plan). Based on the best available science, the Basin Plan defines a different boundary than DWR’s Bulletin 118.

Los Osos Groundwater Basin local agencies have an opportunity to request a modification to the Bulletin 118 boundary to align with current scientific data and the Basin Plan. SGMA also includes a provision that provides that SGMA does not apply to the portion of the Los Osos basin that is at issue in the litigation provided that the final judgement meets SGMA’s management goals. Therefore consistency between DWR and Basin Plan boundaries will be important. On December 14, 2015, the Basin Management Committee took action to request that the County submit a notice of intent to explore a basin boundary modification for the Los Osos Groundwater Basin in accordance with DWR regulations.

Exploring and submitting a boundary modification request includes the following steps:

Estimated Dates	Modification Request Process
January 5, 2016	Board of Supervisors – Consider submitting Initial Notification of interest in exploring a boundary modification to DWR.
January 6, 2016	Staff submit an Initial Notification of interest in exploring a boundary modification to DWR.
January 22, 2016	Publish draft boundary modification materials
January 22 – February 11, 2016	Public Comment Period
January 28, 2016	Public Meeting via Basic Management Committee
February 2016	Resolutions and/or letters of support from affected agencies and water systems ²
February 18, 2016	Finalize boundary modification request materials
March 2016	Local Agency (e.g. Board of Supervisors) - Consider approval of resolution formally to submit boundary modification request.
Due by March 30, 2016	Deadline to submit Basin Boundary Request to DWR

OTHER AGENCY INVOLVEMENT/IMPACT

¹ Code of Regulations §343.9 (a) Within 15 days of a local agency’s decision to explore boundary modification, the relevant local agency shall notify the Department by written notice of its interest in exploring a boundary modification and make general information about its process publicly available by posting relevant information to the local agency’s Internet Web site or by other suitable means. The initial notification shall include a brief description and preliminary map of the proposed boundary modification.

² Code of Regulations §344.8 (b) Any affected agency or affected system that elects to support or oppose the proposed boundary modification shall provide the requesting agency with one of the following: (1) A copy of a resolution formally adopted by the decision-making body of the affected agency or affected system. (2) A letter signed by an executive officer or other official with appropriate delegated authority who represents the affected agency or affected system.

County Counsel is providing legal guidance on all aspects of the County's participation in the implementation of the Basin Plan and Stipulated Judgment.

Three other local water purveyors are involved: Golden State Water Company, Los Osos Community Services District, and S&T Mutual Water Company.

This administrative process to request basin boundary modifications is established by DWR.

FINANCIAL CONSIDERATIONS

Costs associated with submittal of this initial notification to DWR and engagement with Basin users are within the Flood Control District's FY 2015-16 budget. We will return to your Board at a future date if any further action is necessary.

The other parties of the Basin Management Plan Committee: Golden State Water Company, Los Osos Community Services District, and S&T Mutual Water Company are anticipated to contribute their share of the cost; pending approval from their respective boards.

RESULTS

Approval of the recommended action will allow the agencies participating in the Los Osos Basin Management Committee and basin users to explore potential boundary modifications to align the DWR Bulletin 118 basin boundary with the boundaries specified in the Stipulated Judgment; and will provide direction to County staff, thereby contributing to a well governed community.

ATTACHMENTS

1. DWR Bulletin 118 vs. Basin Management Plan Area Boundaries - Map
2. California Code of Regulations - Basin Boundary Regulations

File: CF 490.40.02 Flood Control General

Reference: 16JAN05-C-11

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