



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

(1) DEPARTMENT Public Works	(2) MEETING DATE 12/17/2019	(3) CONTACT/PHONE Angela Ruberto Ford, Water Resources Engineer (805) 781-5139	
(4) SUBJECT Hearing to consider 1) submittal of a resolution adopting the Paso Robles Subbasin Groundwater Sustainability Plan (GSP) (Clerk’s Filed) for the Salinas Valley – Paso Robles Area Subbasin (“Paso Basin”), approving Amendment No. 1 to the Memorandum of Agreement regarding preparation of a GSP for the Paso Basin, authorizing the Director of Public Works to serve as Plan Manager and finding that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA); and 2) direct staff to conduct a staffing analysis and return to the Board with recommendations for GSP implementation. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board: 1. Adopt the attached Resolution: a. adopting the Paso Robles Subbasin Groundwater Sustainability Plan (GSP) for the Salinas Valley – Paso Robles Area Subbasin (“Paso Basin”); and b. approving Amendment No. 1 to the Memorandum of Agreement (MOA) regarding preparation of a Groundwater Sustainability Plan for the Paso Basin; and c. authorizing the Director of Public Works, or designee, to serve as Plan Manager; and d. finding that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA); and 2. Direct staff to conduct a staffing analysis and return to the Board with recommendations for GSP implementation.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT N/A	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> Hearing (Time Est. 60 minutes) <input type="checkbox"/> Board Business (Time Est. _____)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date 11/19/19, #43	
(17) ADMINISTRATIVE OFFICE REVIEW Kristin Eriksson			
(18) SUPERVISOR DISTRICT(S) All Districts			

Reference: 19.187



COUNTY OF SAN LUIS OBISPO

TO: Board of Supervisors

FROM: Public Works
Angela Ruberto Ford, Water Resources Engineer
Mladen Bandov, Senior Water Resources Engineer

VIA: Courtney Howard, Water Resources Division Manager
Kate Ballantyne, Deputy Director of Public Works

DATE: 12/17/2019

SUBJECT: Hearing to consider 1) submittal of a resolution adopting the Paso Robles Subbasin Groundwater Sustainability Plan (GSP) (Clerk's Filed) for the Salinas Valley – Paso Robles Area Subbasin ("Paso Basin"), approving Amendment No. 1 to the Memorandum of Agreement regarding preparation of a GSP for the Paso Basin, authorizing the Director of Public Works to serve as Plan Manager and finding that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA); and 2) direct staff to conduct a staffing analysis and return to the Board with recommendations for GSP implementation. All Districts.

RECOMMENDATION

It is recommended that the Board:

1. Adopt the attached Resolution:
 - a. adopting the Paso Robles Subbasin Groundwater Sustainability Plan (GSP) for the Salinas Valley – Paso Robles Area Subbasin ("Paso Basin"); and
 - b. approving Amendment No. 1 to the Memorandum of Agreement (MOA) regarding preparation of a Groundwater Sustainability Plan for the Paso Basin; and
 - c. authorizing the Director of Public Works, or designee, to serve as Plan Manager; and
 - d. finding that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA).
2. Direct staff to conduct a staffing analysis and return to the Board with recommendations for GSP implementation.

DISCUSSION

The Sustainable Groundwater Management Act (SGMA) requires that local and State agencies manage groundwater in all State-designated high and medium priority basins, including the Paso Basin. SGMA's next critical deadline for the Paso Basin requires adoption of a GSP by January 31, 2020.

GSA Formation

On May 16, 2017, the County formed the Paso Basin – County of San Luis Obispo GSA (County GSA) for the Paso Basin to provide sustainable groundwater management and meet the requirements of SGMA. Three other local agencies, including the City of Paso Robles, the Shandon-San Juan Water District, and the San Miguel Community Services District (collectively referred to as “Paso Basin GSAs”) also formed GSAs within their jurisdiction, such that the service areas of the Paso Basin GSAs collectively cover the entire Paso Basin.

GSP Development

The Paso Basin GSAs entered into an MOA establishing the Paso Basin Cooperative Committee (Committee) for the purpose of developing a single GSP to be considered for adoption by each Paso Basin GSA and subsequently submitted to DWR for approval. Under the framework of the MOA, the GSAs engaged the public and coordinated to jointly develop the Paso Robles Subbasin GSP. At their November 20, 2019 meeting, in accordance with the MOA, the Committee voted unanimously to recommend that the GSAs adopt the GSP and submit it to the California Department of Water Resources (DWR) by the SGMA deadline.

GSP Adoption and Ongoing Coordination

Consistent with the County's adopted SGMA Strategy and Resolution 2017-134, it is recommended that the Board approve the Resolution adopting the Paso Basin GSP. The Resolution includes approving an amendment to the MOA that removes automatic termination language because the GSAs will continue cooperating on the Paso Basin GSP and its implementation pursuant to the framework established by the MOA until such time as the long-term governance structure for implementation of the GSP is developed.

SGMA requires that the Paso Basin GSAs designate a Plan Manager that is authorized to submit the GSP and serve as the point of contact with the DWR. The Paso Basin GSAs have agreed to the County serving as the Plan Manager. The Resolution includes authorizing the Director of Public Works, or designee, to serve as the Plan Manager for the Paso Basin GSP.

The adoption of a GSP is exempt from CEQA pursuant to Water Code Section 10728.6. Should the GSA propose to undertake any projects identified in the GSP, any such project would require project-specific analysis under CEQA.

The amendment to the MOA is covered by the common-sense exemption (CEQA Guidelines 15061(b)(3)) that CEQA applies to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that extending the effective date of the MOA between the joint administrators of the GSP may have a significant effect on the environment.

GSP Implementation

Unlike developing the GSP, carrying out groundwater management activities required by SGMA and included in the GSP requires multiple discrete concurrent efforts and expanded services beyond the County's existing capacity. Therefore, it is recommended that the Board direct staff to conduct a staffing analysis and return to the Board with recommendations on GSP implementation that address organizational needs for continued SGMA compliance. Limited GSP implementation efforts will occur until the County's Department of Public Works is fully staffed and appropriately structured.

OTHER AGENCY INVOLVEMENT/IMPACT

It is anticipated that each GSA in the Paso Basin will adopt the Paso Basin GSP because not doing so would result in a gap in coverage for the basin and likely State intervention. San Miguel Community Services District and the Shandon-San Juan Water District each adopted the GSP on November 21, 2019, and the City of Paso Robles considers adopting the GSP on December 17, 2019.

Implementation of SGMA involves GSAs, local public agencies and water companies, and basin users/landowners concerned with the management of groundwater.

In addition to local efforts, DWR acts as the agency in charge of developing regulations for groundwater basin boundary and GSA boundary modifications, providing technical assistance and coordination to GSAs. The State Water Resources Control Board acts as the agency in charge of enforcement in situations of non-compliance specified in SGMA.

County Counsel has reviewed and approved the resolution and Amendment 1 to the MOU as to legal form and effect.

FINANCIAL CONSIDERATIONS

The costs associated with SGMA efforts are currently included in the County Public Works (Fund Center 201) FY 2019-20 Budget. Staff time associated with these efforts is largely included in the Flood Control District FY 2019-20 Budget. Staff will return to the Board for approval with specific budget requests as needed.

The conceptual planning-level costs provided in the Paso Basin GSP for the first five years is \$1.56M annually. This cost estimate assumes a centralized approach and excludes costs for environmental review, legal support, County GSA staff or other GSA staff costs, and other incidental costs. Therefore, should the Board direct staff to conduct a staffing analysis, staff will account for excluded cost elements and the anticipated coordination approach with the other GSAs.

RESULTS

Approval of the recommended actions will allow for adoption and submission of the Paso Basin GSP to ensure compliance under SGMA and provide direction to staff to develop recommendations to implement the Paso Basin GSP, working towards achieving a sustainable groundwater basin, thereby contributing to a well-governed community.

ATTACHMENTS

- 1 Vicinity Map
- 2 Amendment No. 1 to Memorandum of Agreement regarding preparation of a Groundwater Sustainability Plan for the Paso Robles Groundwater Basin
- 3 Paso Robles Subbasin Groundwater Sustainability Plan (Clerk's Filed)
- 4 Resolution adopting the Paso Robles Subbasin Groundwater Sustainability Plan for the Salinas Valley - Paso Robles Area Subbasin ("Paso Basin"), Approving Amendment No. 1 to the Memorandum of Agreement Regarding Preparation of a Groundwater Sustainability Plan for the Paso Basin, Authorizing the Director of Public Works to serve as Plan Manager and finding that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA)
- 5 Notice of Exemption
- 6 PowerPoint Presentation

File: CF 900.100.01 SGMA

Reference: 19.187

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