



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Water Agency
Department No.: 054
For Agenda Of: January 14, 2020
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Directors, Water Agency

FROM: Department Scott D. McGolpin, Public Works Director, 568-3010
Director(s)
Contact Info: Thomas D. Fayram, Deputy Public Works Director, 568-3436

SUBJECT: Carpinteria Groundwater Basin Groundwater Sustainability Agency Formation;
First Supervisorial District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

- a) Approve and authorize the Chair to execute the “Joint Exercise Of Powers Agreement By And Among The Carpinteria Valley Water District The City Of Carpinteria The Santa Barbara County Water Agency And The County Of Ventura Creating Carpinteria Groundwater Sustainability Agency”;
- b) Adopt the Resolution entitled “Resolution to Participate in the Formation of a Groundwater Sustainability Agency Pursuant to the Sustainable Groundwater Management Act for the Carpinteria Groundwater Basin”;
- c) Determine that the proposed actions are not a project under the California Environmental Quality Act, pursuant to Guidelines Section 15378(b) (5), organization or administrative activities that will not result in a direct or indirect physical change in the environment.

Summary Text:

This item is on the agenda to request Board approval to form a Groundwater Sustainability Agency (GSA) for the Carpinteria Groundwater Basin (Basin), pursuant to the Sustainable Groundwater Management Act (SGMA).

The Carpinteria Valley Water District (CVWD) covers the majority of this basin and is leading GSA formation. The GSA is proposed to include the CVWD, the City of Carpinteria, the County of Ventura and the County Water Agency (Water Agency) to represent a small portion of the Basin (less than one acre) outside of the boundary of the CVWD, which would otherwise be considered to be “unmanaged” by the California Department of Water Resources (Attachment A).

Public meetings were held on July 30, 2019 and December 16, 2019 to inform the community and gather feedback on the GSA formation process. The community members who attended the meeting included residents served by the CVWD, staff and Board members from local agencies, and agricultural interests.

Staff of the participating agencies have agreed in principle upon a Joint Powers Agreement (JPA; Attachment B), and will be bringing it to the Carpinteria City Council, CVWD Board of Directors, and the County of Ventura Board of Supervisors for approval. The JPA outlines the structure of the governing GSA Board of Directors, how the agencies will cooperate in preparation of the Groundwater Sustainability Plan (GSP), and the voting structure.

As described in Article 6.3 of the JPA, the GSA Board of Directors is proposed to principally consist of the five members of the CVWD Board of Directors, with the County Water Agency, the County of Ventura, and the City of Carpinteria each having the option to appoint a single director. If any of these three agencies opts not to appoint their optional director before adoption of the GSP or after written notice to all members, one of the other two may choose to appoint a second director.

Staff recommends that your Board not elect to appoint a director to the GSA Board at this time. The majority of the Basin within the County falls within the CVWD Boundary, which has been monitoring and managing groundwater for many years. The CVWD is well positioned to lead the GSA, and representation from the County Water Agency is not necessary at this time. Electing to appoint a Director could also incur an unknown financial cost to the Water Agency. Water Agency staff would continue to collaborate with the CVWD and participate in an advisory capacity. This proposed structure is similar to two of the GSAs in the Santa Ynez River Valley Groundwater Basin, where the Water Agency elected not to have a voting seat because most of the GSA area is represented by other agencies.

Background:

SGMA was signed into law by Governor Brown in 2014. SGMA provides a framework for the sustainable management of groundwater supplies by local agencies and provides tools, authority, and a timeline for local agencies during the 20-year implementation period. SGMA requires sustainable management of the County’s basins that are designated as medium- or high-priority by DWR. At the time SGMA went into effect, the Carpinteria Groundwater Basin was prioritized as a very low priority basin. However, the CVWD submitted a basin boundary modification request in 2018, which resulted in the basin being reprioritized by DWR. On December 18, 2019, DWR finalized the re-classification of the the Basin to high priority, triggering the requirement for GSA formation.

SGMA allows any local agency with water or land use management authority to become a GSA; in some cases, there may be multiple agencies that are interested in jointly managing the groundwater resources. SGMA allows multiple local agencies to act as a single GSA through a Memorandum of Agreement (MOA), a JPA, or any other legal agreement (California Water Code, Section [§] 10723.6 (a)). Additionally, although the federal government and federally-recognized Indian Tribes are not

required to form GSAs, they may voluntarily participate in SGMA through a JPA or other agreement (§ 10720.3 (c)).

Submitting a GSA notification to DWR initiates a 90-day period after which the submitting agency is presumed to be the exclusive GSA in the area covered by the notification. If local agencies submit GSA notifications for overlapping areas, no agency will become the GSA until the agencies reach agreement 4685on sharing the authority to manage the basin (§ 10723.8 (c)). If the local agencies cannot reach agreement, the basin may be designated as a probationary basin and the SWRCB may develop an interim plan for managing the basin until the agencies can reach agreement and identify a GSA or GSAs (§ 107352.2(a)(1)).

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Narrative:

Staff time associated with SGMA and GSA formation was included in the Adopted 2019-20 budget in the Water Resources Division of the Public Works as shown on page D-305 in the budget book. For future fiscal years, costs will likely be met from financing options available to the GSA, as authorized by SGMA. There are no General Fund monies associated with this Board action.

Special Instructions:

Direct the Clerk of the Board to return all signed originals of the JPA, copy of the resolution, and minute order of these actions to the Water Agency office: Attn: Christina Lopez.

An original of the JPA will be returned to the COB's office once all other agencies have approved and executed the MOA.

Attachments:

- Attachment A – Carpinteria Groundwater Basin Map
- Attachment B – Joint Exercise of Powers Agreement by and Among the Carpinteria Valley Water District, the City Of Carpinteria, the Santa Barbara County Water Agency, and the County Of Ventura Creating Carpinteria Groundwater Sustainability Agency (5 originals)
- Attachment C – Resolution

Authored by:

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