



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

Planning Commission Staff Report Agenda Item No. 5 June 6, 2019

SUBJECT: Presentation on the Implementation of the Sustainable Groundwater Management Act within the North Kings Groundwater Basin

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BACKGROUND:

The Sustainable Groundwater Management Act (SGMA), signed into law in September of 2014, established for the first time in California history a framework for managing California's groundwater resources at the local level by local agencies. SGMA allows local public agencies to form Groundwater Sustainability Agencies (GSAs) in the State's higher-priority and critically over-drafted groundwater basins. Local public agencies that qualify to form GSAs are defined by SGMA as those agencies with water supply, water management, or land use responsibilities within the groundwater basin. Per SGMA, lands that are located within a groundwater basin subject to SGMA that are outside of the service area of a local public agency are considered "unmanaged areas" whereby which the County is presumed to be the GSA. The County may undertake that management by service as a separate GSA, or by joining with other agencies to form a GSA. Each GSA is required to develop and implement a Groundwater Sustainability Plan (GSP) by 2040 to meet the sustainability goal of the basin to ensure operation within its sustainable yield, without causing undesirable results identified by SGMA. Each subbasin must be completely covered by either a single GSP, or a collection of GSPs tied together by a formal coordination agreement. Failure to either form a GSA, prepare a GSP, or implement a GSP could result in the California Water Resources Control Board asserting its power to manage local groundwater resources.

On January 27, 2015, the Board of Supervisors participated in a joint meeting with Madera County and considered a presentation from each County's staff regarding SGMA. Staff for each County were directed to return to their respective Boards with further information relating to groundwater management items of common interest.

On March 10, 2015, the Board received recommendations relating to the implementation of SGMA. By consensus, the Board endorsed guiding principles (maintenance of local control, preservation of existing surface and groundwater rights, preservation of existing water management practices, maintenance of the economic vitality of Fresno County, decision making based on good science, public outreach, and commitment to collaboration) intended to guide future governance agreements during the formation of GSAs. Also approved was the formation of the Fresno County SGMA Working Group, a collection of representatives from local counties, cities, water and irrigation districts, as well as other agencies who the Board thought would provide insight and status as to the administration of SGMA. The primary purpose of the Working Group was to advise the Board regarding items relating to SGMA, conduct research pertaining to implementation of SGMA by other local agencies, develop recommendations for GSA governance structure, monitor legislation, conduct meetings, and monitor potential funding opportunities. The Board appointed Supervisors Mendes and Pacheco as co-chairs of the Working Group. In addition to the appointment to the Working Group, Supervisors Mendes and Pacheco were appointed to represent the Board through the GSA formation and GSP development and implementation process representing the County for the various GSAs within which the County has membership.

Fresno County currently overlies all or portions of four groundwater subbasins: the Kings, Westside, Delta-Mendota, and Pleasant Valley. As a result of ongoing collaborative efforts, the County has undertaken multiple roles participating in each of the four groundwater subbasins, with the County serving as either the exclusive GSA, a member agency of a GSA through participation in a Joint Powers Authority, Memorandum of Agreement, or Special Act District (JPA, MOA, SAD), or a party to a GSA via a Memorandum of Understanding.

The North Kings GSA is located within the Kings Subbasin. The County is a member agency of the North Kings GSA. All GSA's are at varying stages of completeness of their drafts. The deadline for completion and submittal of a coordinated GSP to the California Department of Water Resources (DWR) is January 31, 2020.