



Santa Clara Valley Water District

File No.: 18-0023

Agenda Date: 2/27/2018

Item No.: 5.1.

BOARD AGENDA MEMORANDUM

SUBJECT:

Resolution Memorializing the Process to Regulate Groundwater Extraction under the Sustainable Groundwater Management Act, if Needed.

RECOMMENDATION:

Adopt the Resolution MEMORIALIZING THE PROCESS TO REGULATE GROUNDWATER EXTRACTION UNDER THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT, IF NEEDED.

SUMMARY:

The Santa Clara Valley Water District (District) has sustainably managed the Santa Clara and Llagas subbasins for many decades under the authority of the District Act. The Sustainable Groundwater Management Act (SGMA), enacted by the state in 2014, requires local agencies to develop and implement plans to sustainably manage groundwater and provides them with various, related authorities.

The proposed resolution (Attachment 1) and the accompanying presentation (Attachment 2) lay out a proposed process for the District, in coordination with stakeholders, to address worsening basin conditions through a process that may rely on SGMA authorities to regulate groundwater extraction.

BACKGROUND:

To comply with SGMA planning requirements, the District developed the 2016 Groundwater Management Plan for the Santa Clara and Llagas Subbasins (GWMP) as a prescribed alternative to a Groundwater Sustainability Plan. The GWMP describes the subbasins, as well as groundwater management goals, strategies, programs, and numeric outcome measures. It also recognizes new SGMA authorities, like the ability to regulate groundwater extraction and collect different fees, as potential tools to support continued sustainability. On November 22, 2016, the District Board of Directors (Board) adopted the GWMP following a public hearing. Several related comment letters expressed concerns with water rights and the potential regulation of pumping. The Board referred stakeholder engagement in evaluating new SGMA authorities to the Water Conservation and Demand Management Committee (Committee).

The Committee met nine times between December 2016 and December 2017 to evaluate new SGMA authorities in coordination with water retailers and other interested stakeholders. Through this open forum and with retailer and stakeholder participation, the Committee developed a process (an

implementation framework) for groundwater extraction regulation, which is included in the attached resolution (Attachment 1).

As noted in Attachment 1, the existing groundwater management framework is expected to support continued, sustainable groundwater conditions. Pumping regulation may never be needed. The attached process describes the fundamental approach to respond to worsening basin conditions, including the steps that would be taken prior to implementing SGMA authorities to regulate extraction. The focus is on providing certainty as to the process, while avoiding prescriptive requirements that may not be appropriate or effective.

The District's GWMP is currently being evaluated by the California Department of Water Resources to determine whether it meets SGMA planning requirements. If it is determined to be an acceptable alternative to a Groundwater Sustainability Plan, the District will need to update the GWMP every five years, with the next update scheduled for 2021. To ensure the process developed by the Committee is adequately documented prior to this update, staff recommends that the Board adopt the resolution Memorializing the Process to Regulate Groundwater Extraction under the Sustainable Groundwater Management Act, if Needed (Attachment 1).

FINANCIAL IMPACT:

There is no financial impact associated with this item.

CEQA:

The recommended action does not constitute a project under CEQA because it does not have a potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

ATTACHMENTS:

Attachment 1: Resolution
Attachment 2: PowerPoint

UNCLASSIFIED MANAGER:

Garth Hall, 408-630-2750