

Groundwater Sustainability Agency – Marina Coast Water District (MCWD) endorsement request

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Background

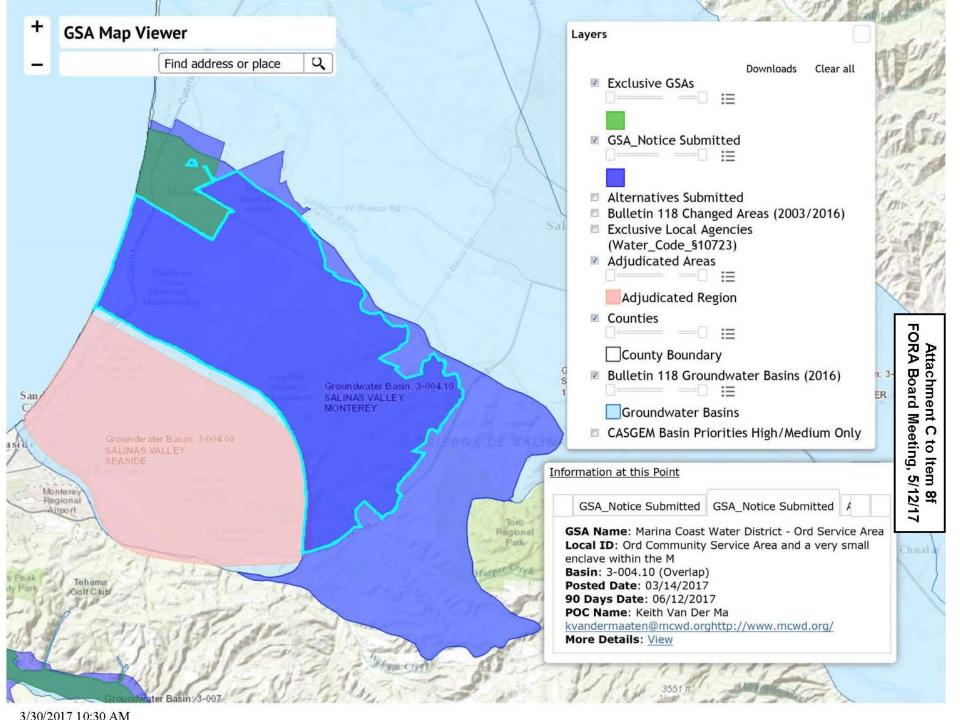


- 2014 CA legislature adopts "Sustainable Groundwater Management Act" (SGMA)
- 2015 Collaborative Working Group (CWG)
 established governance of Salinas Valley
 Groundwater Basin (SVGB) Groundwater
 Sustainability Agency (GSA)

Background - Overlap



- MCWD submitted Notice of Intent (NOI) to Department of Water Resources (DWR) to be Monterey Sub-Basin (former Fort Ord) GSA
- SVGB GSA (a JPA) submitted NOI to DWR to be Monterey Sub-Basin (former Fort Ord) GSA
- If overlap dispute not resolved by June 30, 2017, State may recover its fees from locals for intervening/ managing disputed area.



MCWD's endorsement request



- On April 4, 2017 MCWD letter requesting FORA MCWD endorsement to be Fort Ord service area GSA
- Administrative Committee reviewed MCWD's request on April 12 and May 3
- Administrative Committee recommended staff provide draft MCWD endorsement letter for Executive Committee and Board consideration

Analysis



- Basis for GSA application
 - MCWD 1998 Facilities Agreement Fort Ord service area
 - Salinas Valley GSA eligible as Monterey County GSA
- Governance
 - MCWD 5-member board from Marina service area
 - Salinas Valley GSA 11-member board from SVGB
- FORA's legislated 2020 transition

State's Advisory Opinion



- State Water Resources Control Board (SWRCB) letter
 - MCWD lacks authority to undertake groundwater management in Fort Ord
 - "a non-binding, advisory opinion"
- MCWD legal counsel response letter
 - SWRCB letter is an unenforceable underground regulation
 - DWR determines GSA eligibility, not SWRCB

Endorsement Alternative



- Alternatively, Staff recommends considering a statement of principles for former Fort Ord groundwater resource
- Proposed Statement of Principles would provide guidance to whichever entity is the eventual GSA over former Fort Ord.
- Proposed principles include:
 - Implement 1997 Fort Ord Reuse Plan
 - Implement equitable allocation of water
 - Manage groundwater resources with an enduring local agency

Recommendations



- Consider MCWD's Fort Ord GSA endorsement request
- ii. Consider authorizing the Executive Officer to transmit a letter (Attachment B) endorsing MCWD as the GSA OR
- Consider endorsing a statement of principles for former Fort Ord groundwater resource.