

The Sustainable Groundwater Management Act (SGMA)

Dr. Tom Moore, Vice President
Board of Directors
Marina Coast Water District
August 11, 2017

Overview

1. 2014/2015 California Sustainable Groundwater Management Act
2. MCWD Recommendations to FORA



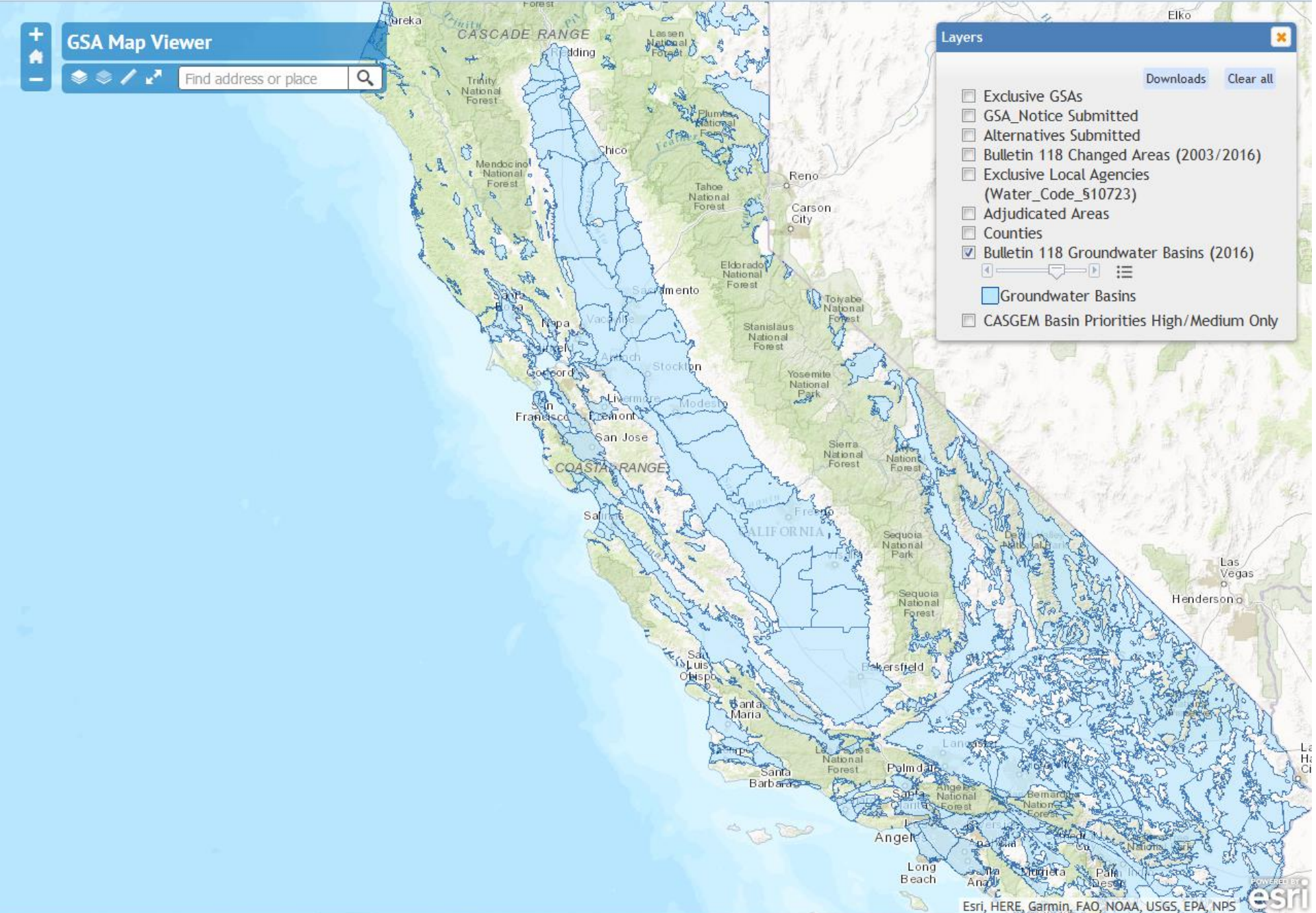
GSA Map Viewer

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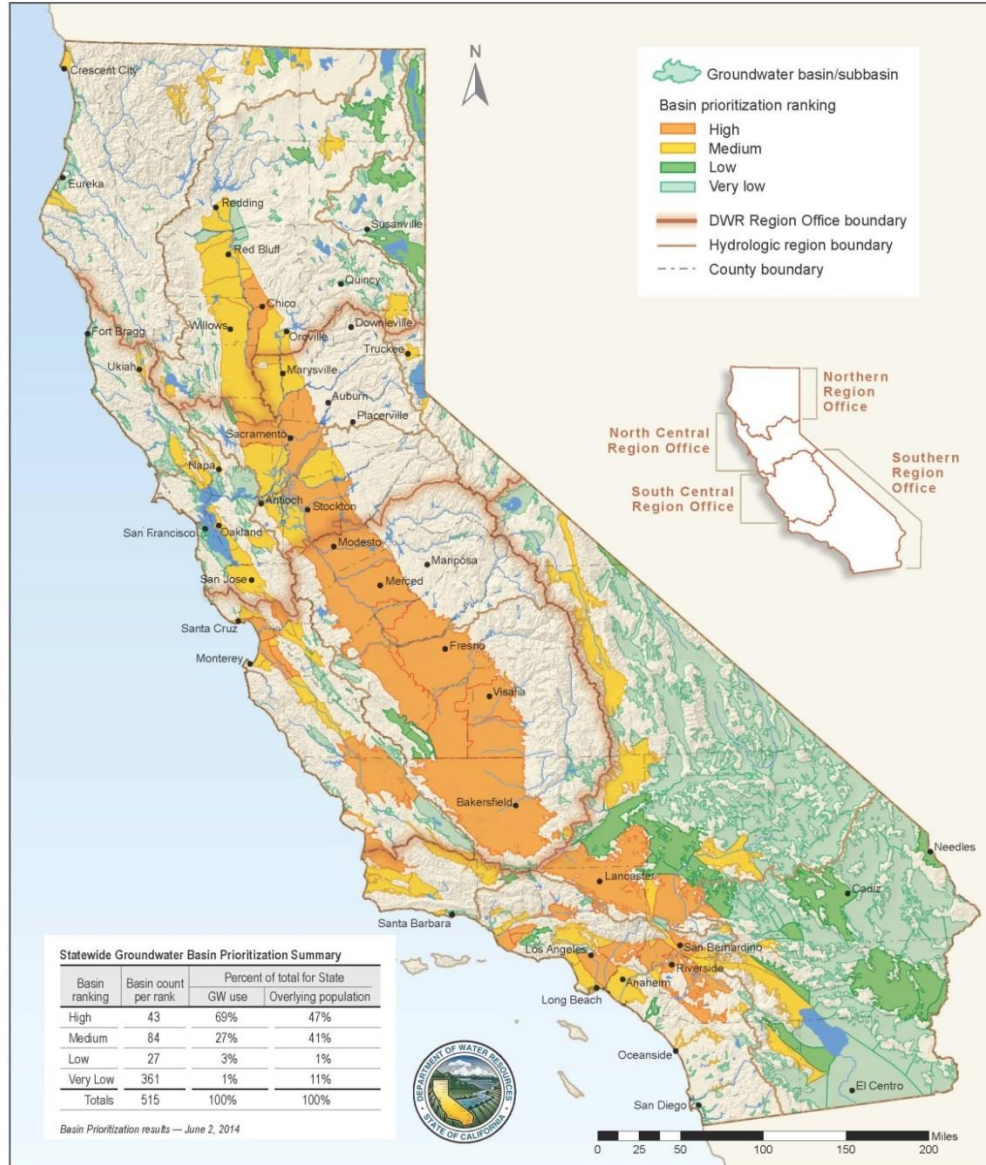
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- CASGEM Basin Priorities High/Medium Only

Groundwater Basins



DWR California Statewide Groundwater Elevation Monitoring (CASGEM) Program

CASGEM Groundwater Basin Prioritization



San Jose ●

Merced ●

Santa Cruz ●

Monterey ●



Sustainable Groundwater Management Act (SGMA)

- * “Requires groundwater-dependent regions to halt overdraft and bring basins into balanced levels of pumping and recharge.”¹
- * The State desires locally developed, funded and implemented plans.
- * Federal land and adjudicated basins are exempt.

¹ <http://www.water.ca.gov/groundwater/sgm/index.cfm>

The Steps of SGMA and Groundwater Sustainability Agencies (GSAs)

1. One or more eligible Public Agencies take responsibility for each basin or portion of a basin, i.e., they become a GSA.
2. The GSA(s) writes a **sustainability plan** for the basin.
 - a) Requires pumping measurement and reporting.
 - b) May limit and/or charge for pumping (to reduce demand).
 - c) May build re-charge projects (to increase supply or recharge).
 - d) “The plan may, but is not required to, address undesirable results that occurred before, and have not been corrected by, January 1, 2015.” SGMA 10727.2(b)(4). Required Plan Elements
3. GSA gets plan approved by DWR in consultation with SWRCB.
4. GSA implements the approved plan.

The Four Most Important Things a GSA Must Be Able to Do

To accomplish the goals of SGMA a GSA must have the ability to:

1. Write a sustainability plan.
2. Regulate groundwater pumping.
3. Increase groundwater recharge.
4. Collect fees for recharge projects, GSA management and planning.
5. Work with other agencies and the public.

The Monterey County Situation

- * 12 basins and sub-basins.
- * One is adjudicated (Seaside).
- * Four are high-priority (180/400, Eastside, Paso Robles and Carmel). Two are critical (180/400 and Paso Robles).
- * Four are medium-priority (Monterey, Langlely, Forebay & Upper Valley).
- * Groundwater is better for farming than surface water, so most farms use groundwater.
- * 100% of Marina Coast's supply is from two of these sub-basins (180/400 and Monterey).



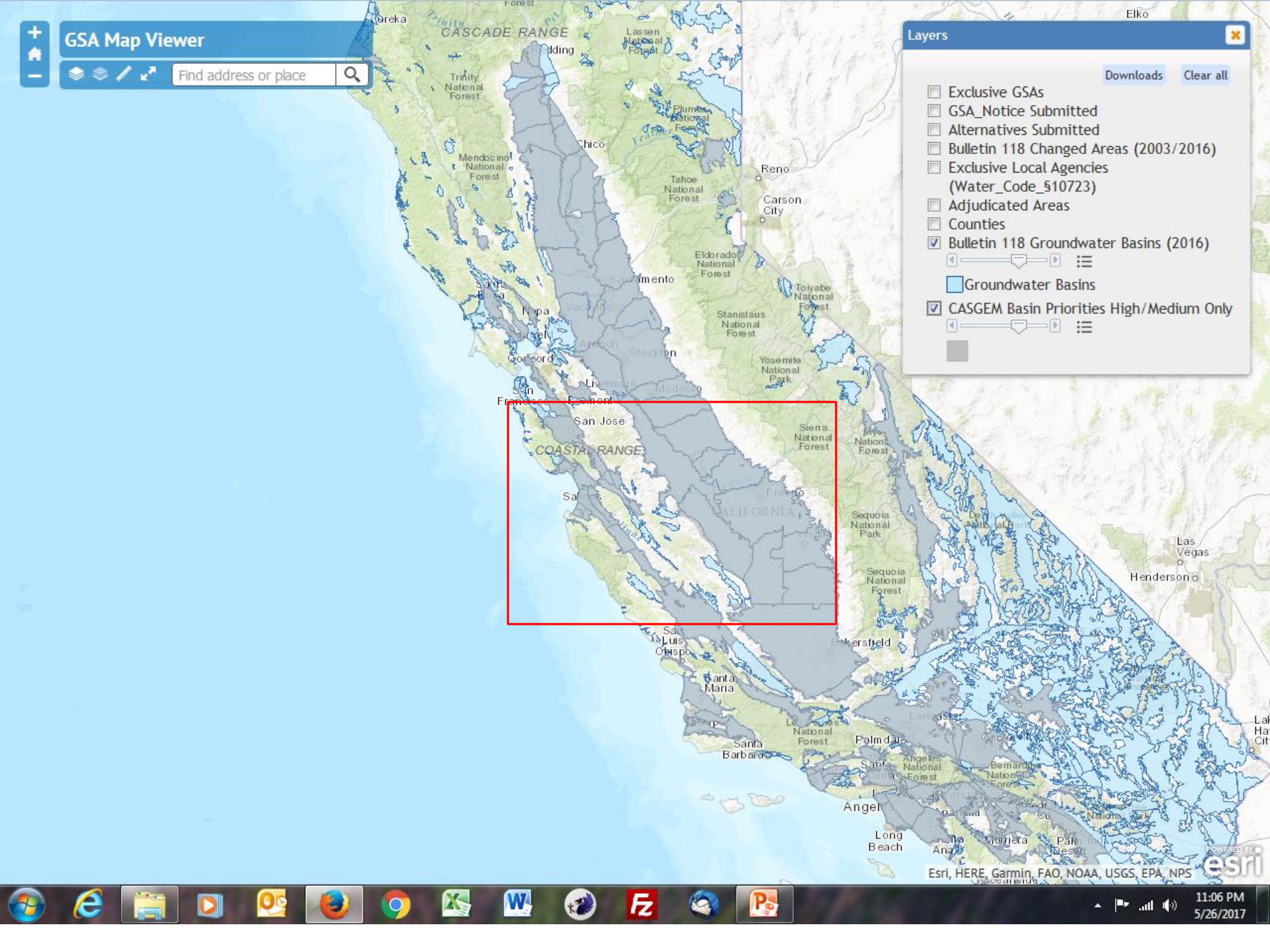
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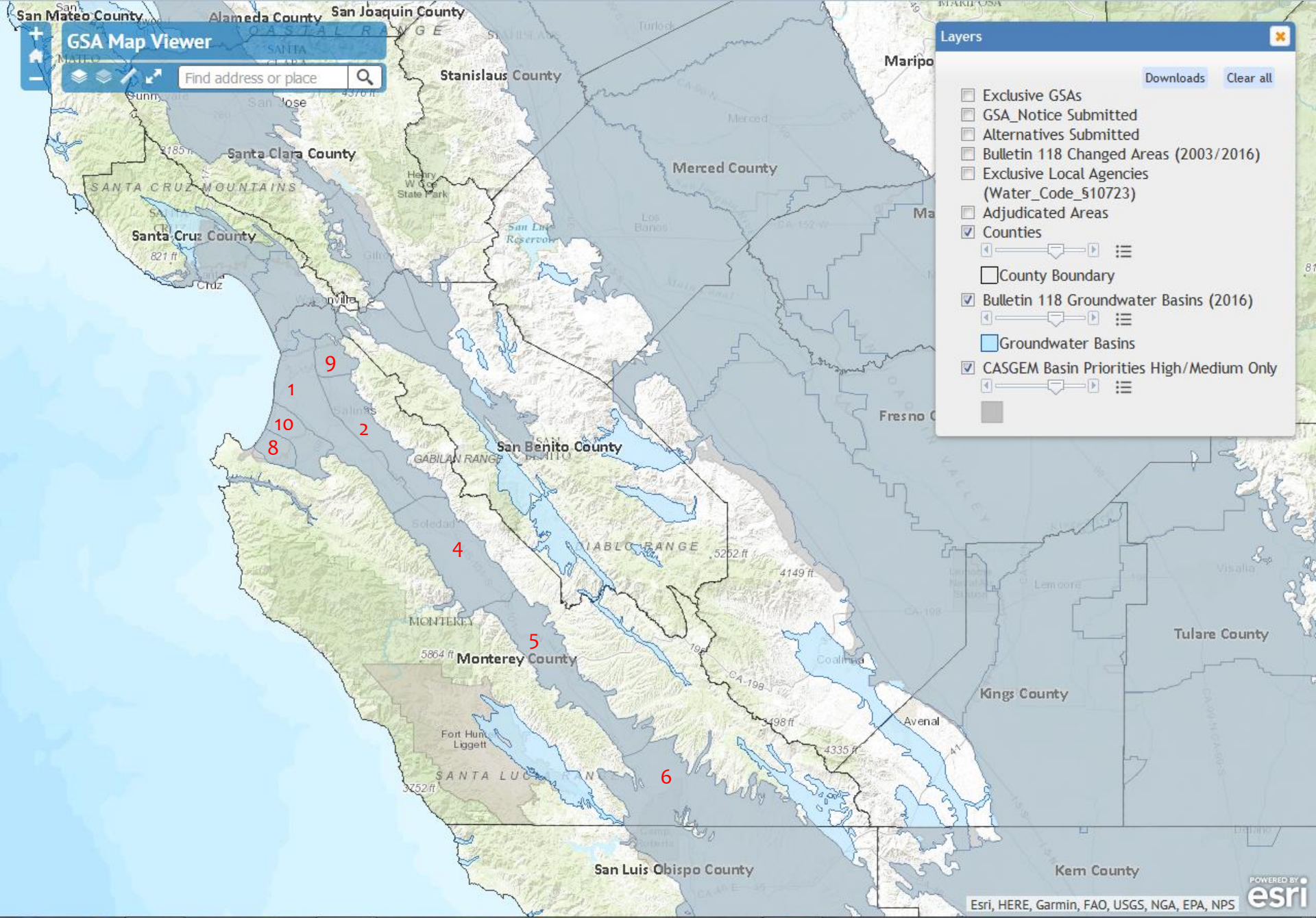
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Focus on the Ord Community

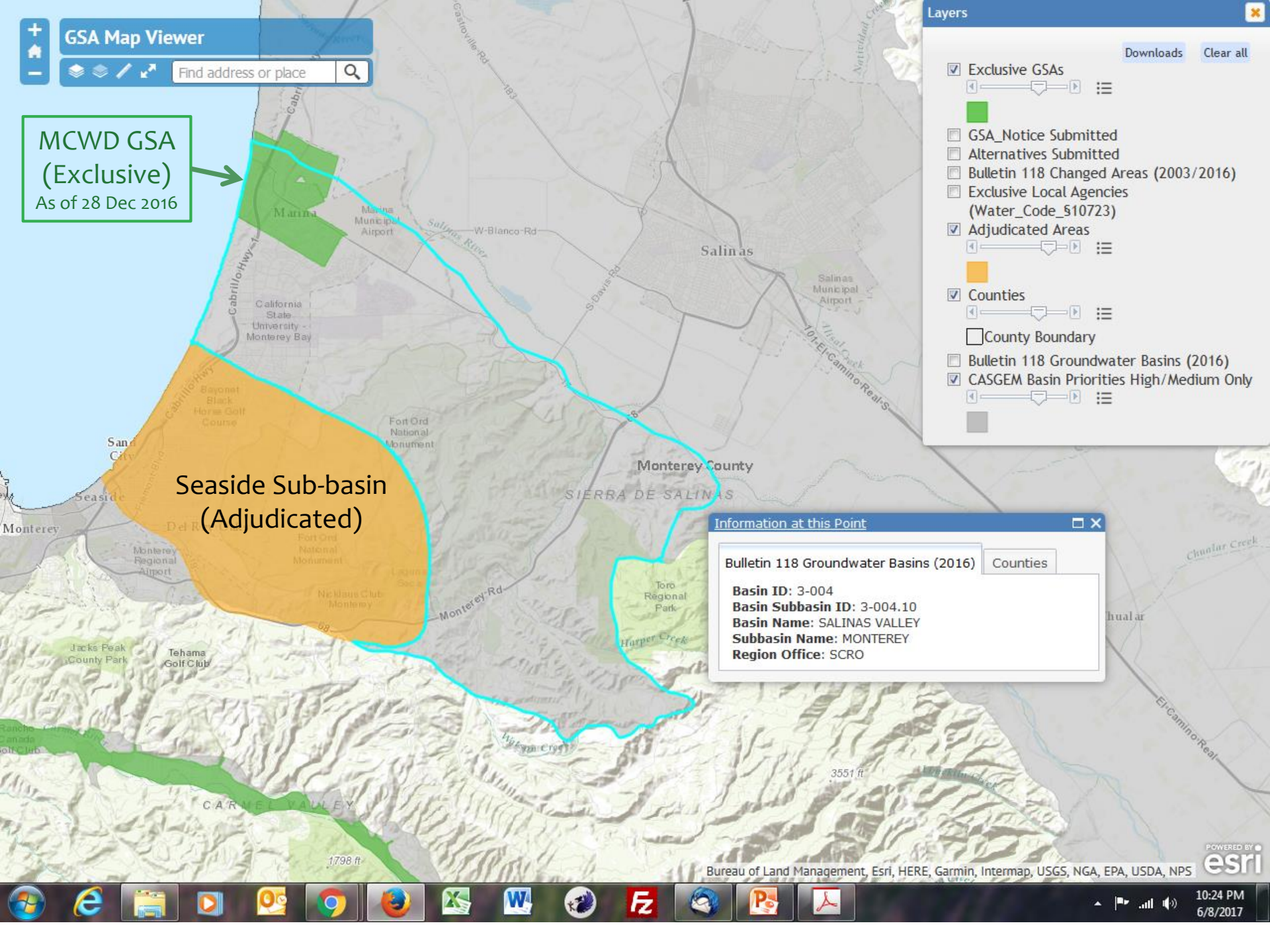
- * The DWR maps are available at:
 - * <http://sgma.water.ca.gov/webgis/index.jsp?appid=gasmaster&rz=true>

MCWD GSA (Exclusive) As of 28 Dec 2016

Layers

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Seaside Sub-basin (Adjudicated)

Information at this Point

Bulletin 118 Groundwater Basins (2016) Counties

Basin ID: 3-004
Basin Subbasin ID: 3-004.10
Basin Name: SALINAS VALLEY
Subbasin Name: MONTEREY
Region Office: SCRO

MCWD GSA (Exclusive) As of 28 Dec 2016

MCWD Claim As of September 2016

SVBGSA Claims As of April 2017

Seaside Sub-basin (Adjudicated)

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MCWD GSA
(Exclusive)
As of 28 Dec 2016

MCWD/SVBGSA
Overlap Area
As of April 2017

Federal lands exempt
From SGMA

Seaside Sub-basin
(Adjudicated)

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Sustainability Plans

- * A groundwater sustainability plan may be any of the following:
 - 1) A single plan covering the entire basin developed and implemented by one groundwater sustainability agency. (Doesn't apply to Monterey and 180/400 Basins)
 - 2) A single plan covering the entire basin developed and implemented by multiple groundwater sustainability agencies.
 - 3) ... multiple plans implemented by multiple groundwater sustainability agencies and coordinated pursuant to a single coordination agreement....

Implications of SGMA for Ord Community and Central Marina

- * By 2040, seawater intrusion into the 180/400 and Monterey Sub-basins must be reversed and conditions returned to as good or better than they were on January 1, 2015.
- * MCWD and SVBGSA must work together on two plans.
- * Possible new pumping restrictions on Ord Community.
- * Possible re-charge projects.

Will There Be Sustainability Costs for MCWD Customers?

- * Yes.
- * MCWD has been paying related costs for decades:
 - * Costs of moving wells inland and deeper.
 - * Costs of destroying and making safe shallower wells.
 - * Costs of ERT/AEM studies.
 - * Payments to MCWRA to improve upstream basin recharge.
 - * Costs of conservation programs (demand reduction).

Will There Be Pumping Reductions or Restrictions?

- * Yes – **they already exist.**
- * In the early 1990's the Army and Marina Coast voluntarily agreed to pumping restrictions:
 - * 6,600 AFY for the Ord Community.
 - * 3,020 AFY for Central Marina.
 - * 920 AFY for the Armstrong Ranch (via MCWD).
 - * 500 AFY for the RMC Lonestar property (CEMEX).
- * Conservation programs.
- * Could there be further restrictions? Maybe.

Will There Be Sustainability Re-charge Projects?

- * Most likely.
- * AEM and ERT studies will help us understand the local re-charge possibilities.
- * Two obvious potential water sources:
 - * Diversion and treatment of excess winter flows in the Salinas River.
 - * Additional water from RUWAP.

A GSA Must Be Able To:

To accomplish the goals of SGMA a GSA must have the ability to:

1. Write a sustainability plan.
2. Regulate groundwater pumping.
3. Increase groundwater recharge.
4. Collect fees for recharge projects, GSA management and planning.
5. Work with other agencies and the public.

Why Does MCWD (with FORA) have the Power to be the Ord Community GSA?

FORA has authorized MCWD to exercise its County Water District powers in the Ord Community. These powers include:

- * DIVISION 12. COUNTY WATER DISTRICTS [30000 - 33901], ARTICLE 2. Water
- * Section 31022: A district may operate water rights, works, property, rights, and privileges useful or necessary to convey, supply, store, or make use of water...
- * Section 31024: A district may establish rules and regulations for the sale, distribution, and use of water...
- * Section 31026: A district shall have the power to restrict the use of district water during any emergency caused by drought, **or other threatened or existing water shortage,...**

The Advantages of MCWD Being the GSA for the Ord Community

- * FORA gets a say through its agreement with MCWD.
- * MCWD has already agreed to a will implement the BRP.
- * MCWD owns. all the wells and water rights (except for the retained Army water rights).
- * MCWD has longstanding relationships with Ord Community customers.
- * MCWD is already managing its groundwater.
- * MCWD is already required to coordinate with SVBGSA on sustainability plans for the Monterey and 180/400 basins.
- * The MCWD GSA will coordinate with the Seaside Basin.

The SVBGSA Board of Directors



Adam Secondo, Secondo Farms



Bill Lipe, Rava Ranches



Brenda Granillo, Cal Water



Colby Pereira, Costa Farms



Janet Brennan, LandWatch



Lou Calcagno, Public Member



Luis Alejo, Monterey County



Joe Gunter, City of Salinas



Mike McHatten, City of Soledad



Ron Stefani, Castroville CSD



Steve McIntyre, McIntyre Vineyard

Challenges of the SVBGSA Being the GSA for the Ord Community

- * SVBGSA overall workload.
- * Two of their eight plans are due January 30, 2020.
- * SGMA related fees could be levied without FORA consent.
- * The SVBGSA has no significant interest in the Ord Community.
- * FORA and MCWD have no representation on the SVBGSA Board.
- * The SVBGSA has little or no connection with Ord Community customers, the U.S. Army, CSUMB, UCMEST, etc.

Alternatives for FORA

- A. Do nothing except issue the guiding principles; or
- B. Ask the SVBGSA to withdraw its Notice of Intent for the Ord Community; or
- C. Ask the SVBGSA to agree to accede to MCWD/FORA fee decisions, sustainability planning and plan execution for the Ord Community; or
- D. Ask MCWD to agree that the SVBGSA should be the Ord Community GSA.

Backup Slides

MCWD Ownership

ASSIGNMENT OF EASEMENTS ON FORMER FORT ORD AND ORD MILITARY COMMUNITY, COUNTY OF MONTEREY, AND QUITCLAIM DEED FOR WATER AND WASTEWATER SYSTEMS

1 **THIS DEED AND ASSIGNMENT OF EASEMENTS**, made and entered into between
2 the **FORT ORD REUSE AUTHORITY** (“Grantor”) created under Title 7.85 of the California
3 Government Code, Chapters 1 through 7, inclusive, commencing with Section 67650, *et seq.*, and
4 selected provisions of the California Redevelopment Law, including Division 24 of the California
5 Health and Safety Code, Part 1, Chapter 4.5, Article 1, commencing with Section 33492, *et seq.*,
6 and Article 4, commencing with Section 33492.70, *et seq.*, and the **MARINA COAST WATER**
7 **DISTRICT** (“Grantee”), a County Water District and political subdivision of the State of
8 California, organized under Division 12, sections 30000 and following, of the California Water
9 Code, in accordance with a no-cost economic development conveyance from the **UNITED**
10 **STATES OF AMERICA**, acting by and through the **SECRETARY OF THE ARMY** (“United
11 States”) to the Grantor, under and pursuant to the power and authority contained in the Defense
12 Base Closure and Realignment Act of 1990, as amended (Public Law No. 101-510, hereinafter

MCWD Ownership

WHEN RECORDED MAIL TO:

MARINA COAST WATER DISTRICT
11 RESERVATION ROAD
MARINA, CA 93933
ATTN: MICHAEL ARMSTRONG

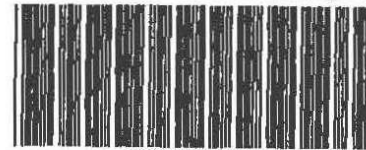
Joseph F. Pitta
Monterey County Recorder
Recorded at the request of
Stewart Title

4

CROLIE
10/26/2001
15:22:13

DOCUMENT: **2001090793**

Titles: 1/ Pages: 99



#2001090793#

Fees...
Taxes...
Other...
AMT PAID

THIS SPACE FOR RECORDER'S USE ONLY

TITLE OF DOCUMENT

ASSIGNMENT OF EASEMENTS ON FORMER FORT
ORD AND ORD MILITARY COMMUNITY, COUNTY
OF MONTEREY, AND QUITCLAIM DEED FOR WATER
AND WASTE WATER SYSTEMS.

MCWD Ownership

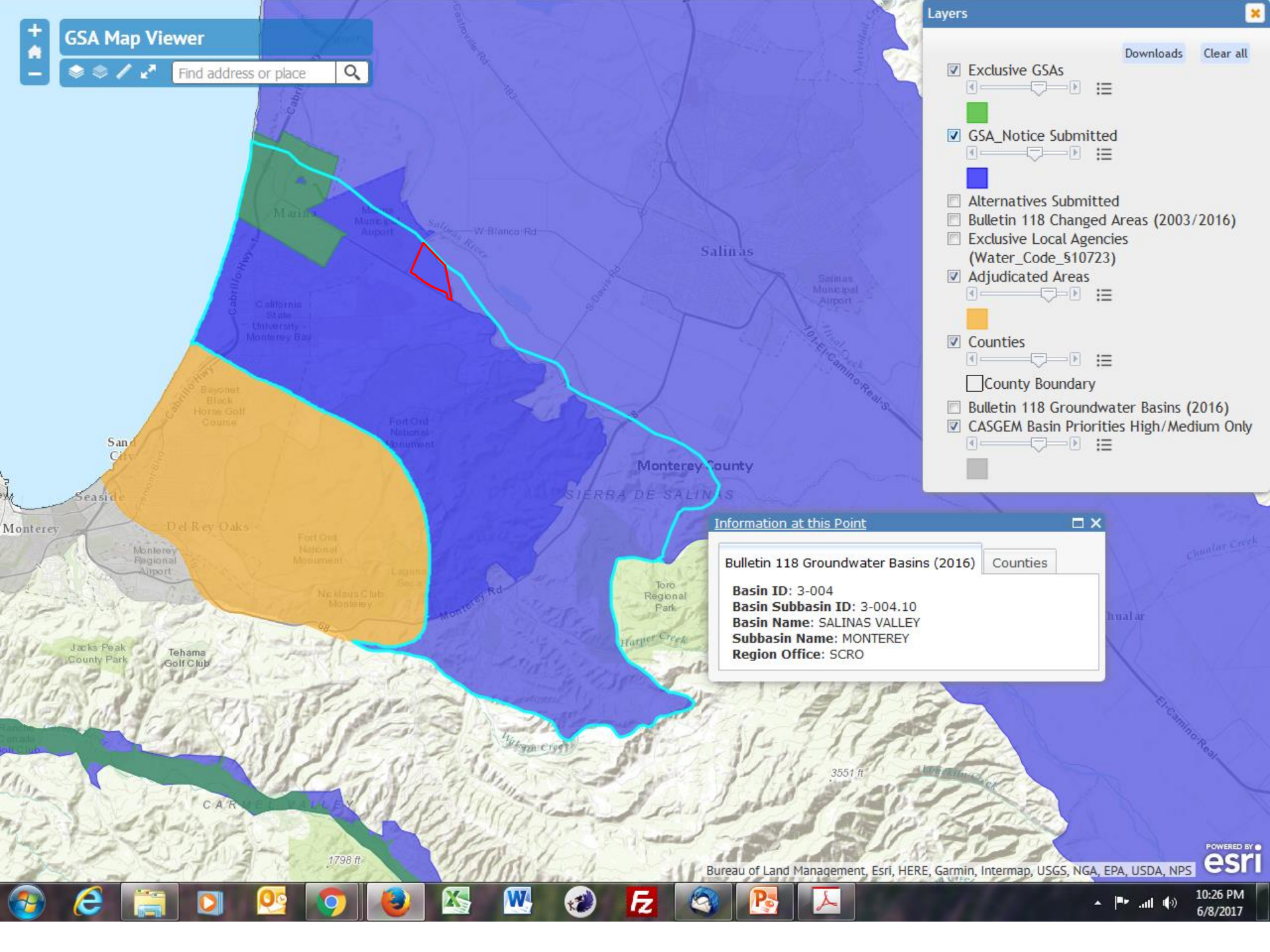
NOW, THEREFORE, the Grantor (FORA), for good and valuable consideration, pursuant to the MOA and the Water/Wastewater Facilities Agreement:

does hereby grant, assign, remise, release, and forever quitclaim unto the Grantee, its successors and assigns, that **certain parcel of land, together with certain water and wastewater improvements, related personal property, and other Grantor-owned rights that were conveyed to Grantor by the United States.**

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SVBGSA Board of Directors Selection

BOARD OF DIRECTORS

	<u>Director</u>	<u>Representing</u>	<u>Specific Qualifications</u>	<u>Appointing Authority</u>
a)	City of Salinas.	City of Salinas.	To be determined by the Appointing Authority.	Salinas City Council.
b)	South County Cities.	Cities of Gonzales, Soledad, Greenfield, and King City.	To be determined by the Appointing Authority.	Appropriate City Council as recommended by the City Selection sub-Committee.
c)	Other GSA Eligible Entity.	GSA Eligible Entities but not including the cities of Salinas, Gonzales, Soledad, Greenfield or King City.	Must be a representative of a GSA Eligible Entity but not including the cities of Salinas, Gonzales, Soledad, Greenfield or King City.	Monterey County Board of Supervisors.
d)	Disadvantaged Community, or Public Water System, including Mutual Water Companies serving residential customers.	Unincorporated Disadvantaged Communities, or Public Water Systems, including Mutual Water Companies serving residential customers only.	Must be a resident of a Disadvantaged Community in the unincorporated area, or a representative Public Water System, including Mutual Water Companies serving residential customers only.	Castroville Community Services District.
e)	CPUC Regulated Water Company.	CPUC Regulated Water Companies in the Basin.	Must be a representative of a CPUC Regulated Water	Salinas City Council.

SVBGSA Board of Directors Selection

f)	Agriculture.	Agricultural interests.	Must be an individual that is: 1) engaged in, and derives the majority of his or her gross income or revenue from, commercial agricultural production or operations; or 2) designated by an entity this is engaged in commercial agricultural production or operations, and the individual derives the majority of his or her gross income or revenue from agricultural production or operations, including as an owner, lessor, lessee, manager, officer, or substantial shareholder of a corporate entity.	Monterey County Board of Supervisors.
g)	Agriculture.	Agricultural interests.	Same as (f).	Monterey County Board of Supervisors.
h)	Agriculture.	Agricultural interests.	Same as (f).	Monterey County Board of Supervisors.
i)	Agriculture.	Agricultural interests.	Same as (f).	Monterey County Board of Supervisors.
j)	Environment.	Environmental users and interests.	Must be a representative of an established environmental organization that has a presence or is otherwise active in the Basin.	Monterey County Board of Supervisors.
k)	Public Member.	Interests not otherwise represented on the Board.	A rural residential well owner; an industrial processor; a Local Small or State Small Water System; or other mutual water company.	Monterey County Board of Supervisors.