



April 26, 2018

**TO:** LOCSD Board of Directors  
**FROM:** Jose Acosta, Utility Systems Manager *JA*  
**SUBJECT:** **Agenda Item 11I – 5/3/2018 Board Meeting**

Adoption of Resolution in Support for the Los Osos Valley Groundwater Basin Boundary Modification Request by the Los Osos Basin Fringe Areas - County of San Luis Obispo Groundwater Sustainability Agency to the California Department of Water Resources

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### DESCRIPTION

On March 6, 2018, the San Luis Obispo County Board of Supervisors, acting as the Groundwater Sustainability Agency (GSA) over the Los Osos Basin Fringe Areas, directed County Staff to initiate the basin boundary modifications with DWR, to explore basin boundary modifications in order to better align boundaries with current jurisdictional and/or scientific information, and to coordinate with basin users to develop a boundary modification request in accordance with the DWR Boundary Regulations.

### STAFF RECOMMENDATION

This item will be approved along with the Consent Calendar unless it is pulled by a Director for separate consideration. If so, Staff recommends that the Board adopt the following motion:

***Motion: I move that the Board adopt Resolution 2018-10, in support of the Basin Modifications being presented by the County of San Luis Obispo, acting as the GSA over the Los Osos Basin Fringe Areas.***

### DISCUSSION

On March 6, 2018, the San Luis Obispo County Board of Supervisors, acting as the GSA over the Los Osos Basin Fringe Areas, directed County Staff to initiate the basin boundary modifications with DWR, to explore basin boundary modifications in order to better align boundaries with current jurisdictional and/or scientific information, and to coordinate with basin users to develop a boundary modification request in accordance with the DWR Boundary Regulations.

The proposed basin boundary modifications are explained in the attached letter from County Staff. Also included in the attachment:

1. Maps showing the current Los Osos Basin boundary map and the proposed Basin boundary modification plans.
2. Timeline County Staff must adhere to, to complete the submittal for the proposed modifications.
3. Dates the information was disseminated and presented to the public. Along with an opportunity for affected basin users with the basin boundaries to review the information.

4. Direction for affected agencies or affected systems within the proposed modification boundaries to submit letters in support or opposition.
5. An overview of the proposed modifications, their benefits and hydrological justifications.

Approval of the recommended action will support the Los Osos Basin GSA, as the Requesting Agency, in its pursuit of a jurisdictional basin subdivisions (“two sub-basins”) and scientific external boundary modifications request, will result in a more accurate boundary to support a sustainable groundwater basin, and improve sustainable management within the basin and participation by the appropriate parties. Boundary modifications would help the Los Osos Basin GSA to allocate resources more effectively toward the pursuit of groundwater resources sustainability, thereby contributing to a well-governed community.

### **FINANCIAL IMPACT**

There is no financial impact to the Los Osos Community Services District, with regards to the proposed boundary modifications, presented by County Staff.

Attachments

**RESOLUTION NO. 2018- 10**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE LOS OSOS COMMUNITY SERVICES DISTRICT  
IN SUPPORT FOR THE LOS OSOS VALLEY GROUNDWATER BASIN BOUNDARY MODIFICATION REQUEST BY  
THE LOS OSOS BASIN FRINGE AREAS - COUNTY OF SAN LUIS OBISPO GROUNDWATER SUSTAINABILITY  
AGENCY TO THE CALIFORNIA DEPARTMENT OF WATER RESOURCES**

**WHEREAS**, in 2014, the California Legislature adopted, and the Governor signed into law, three bills (SB 1168, AB 1739, and SB 1319) collectively referred to as the Sustainable Groundwater Management Act (SGMA) (Water Code §§ 10720 *et seq.*), that became effective on January 1, 2015, and that have been subsequently amended; and

**WHEREAS**, the Los Osos Valley Groundwater Basin (also referred to as the "Los Osos Basin"), as identified and defined by the California Department of Water Resources ("DWR") in Bulletin 118 (as Basin No. 3-8), has been designated by DWR as a high priority basin subject to conditions of critical overdraft; and

**WHEREAS**, among SGMA's first statutory deadlines is the deadline for DWR to update its Bulletin 118 Report and modify basin boundaries as needed to reflect DWR-approved scientific and jurisdictional information; and

**WHEREAS**, on October 14, 2015, Judge Martin J. Tangeman of the San Luis Obispo Superior Court (*Los Osos Community Services District v. Southern California Water Company [Golden State Water Company] et al.* (Case No. CV 040126)) signed an order approving the Stipulated Judgment and the Updated Basin Management Plan (Basin Plan) for the Los Osos Groundwater Basin in the Groundwater Litigation, and created the Los Osos Basin Management Committee (BMC) to implement both; and

**WHEREAS**, although Water Code Section 10720.8 identifies the adjudicated areas of the Los Osos Basin as exempt from SGMA provided certain requirements are met, the non-adjudicated areas of the Los Osos Basin, commonly referred to as the Los Osos Basin "Fringe Areas," are subject to SGMA; and

**WHEREAS**, on January 13, and subsequently amended on various dates, the Board of Supervisor, on behalf of both the County of San Luis Obispo ("County") and the San Luis Obispo County Flood Control and Water Conservation District, adopted a SGMA strategy and directed staff to implement the policy-focusing resources on implementation in high and medium priority basins first; and

**WHEREAS**, on October 21, 2015, in accordance with Water Code §§ 10722.2 and 12924, DWR adopted emergency regulations regarding the information that must be submitted by a local agency in order to request that DWR modify the current bulletin 118 boundaries (23 CCR §§ 340 *et seq.*) (DWR Boundary Regulations); and

**WHEREAS**, pursuant to Section 343.9(a) of the DWR Boundary Regulations, on March 6, 2018, the County Board of Supervisors, acting as the Los Osos Basin Fringe Areas – County of San Luis Obispo Groundwater Sustainability Agency ("GSA"), the requesting agency, submitted an initial notification of intent to explore a boundary modification for the Los Osos Basin and to coordinate with basin users to develop a boundary modification request in accordance with the DWR Boundary Regulations; and

**WHEREAS**, the San Luis Obispo County Flood Control and Water Conservation District contracted with Cleath-Harris Geologist, Inc. to develop a technical memorandum with the necessary scientific justification, as required by the regulations, to support a potential scientific exclusions and jurisdictional basin subdivisions boundary modification request; and

**WHEREAS**, pursuant to Sections 344.4 and 344.8(a) of the DWR Boundary Regulations, County GSA staff as the requesting agency, presented and provided the draft technical memorandum and handouts describing the proposed modification request and seeking comments and formal resolutions in support of or in opposition to said request; and

**WHEREAS**, pursuant to Section 344.8(b) of the DWR Boundary Regulations, an affected local agency that elects to support or oppose a proposed boundary modification shall provide the requesting agency with either a resolution formally adopted by the decision-making body of the affected agency or a letter from an official with requisite authority.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF LOS OSOS COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE, DECLARE AND DETERMINE AN ORDER AS FOLLOWS:**

1. The Los Osos Community Services District Board of Directors supports the request for a basin boundary modification to the Los Osos Valley Groundwater Basin (DWR Bulletin 118 Basin No. 3-8) by the Los Osos Basin Fringe Areas – County of San Luis Obispo Groundwater Sustainability Agency as depicted on the map attached hereto as Exhibit A.
2. The Los Osos Community Services District Staff is hereby authorized and directed to provide a signed copy of this Resolution to the Los Osos Basin Fringe Areas – County of San Luis Obispo Groundwater Sustainability Agency.

Upon motion of Director \_\_\_\_\_, seconded by Director \_\_\_\_\_ and on the following roll call vote, to wit:

AYES: \_\_\_\_\_  
 NOES: \_\_\_\_\_  
 ABSENT: \_\_\_\_\_  
 ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
 Vicki L. Milledge  
 President of the Board of Directors  
 Los Osos Community Services District

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
 Renee Osborne  
 General Manager and Secretary to the Board

\_\_\_\_\_  
 Roy A. Hanley  
 District Legal Counsel