

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 12/07/2021 by the following vote:

AYE: ☐
NO: ☐
ABSENT: ☐
ABSTAIN: ☐
RECUSE: ☐



Resolution No. 2021/397

RESOLUTION OF THE CONTRA COSTA COUNTY BOARD OF SUPERVISORS TO ADOPT A GROUNDWATER SUSTAINABILITY PLAN FOR THE EAST CONTRA COSTA SUBBASIN, (5-22.19 SAN JOAQUIN VALLEY)

Recitals

- A. WHEREAS, in August 2014, the California Legislature passed, and in September 2014 the Governor signed legislation creating the Sustainable Groundwater Management Act ("SGMA") to provide local groundwater sustainability agencies with the authority and technical and financial assistance necessary to sustainably manage groundwater (Wat. Code, §10720, (d)); and
- B. WHEREAS, SGMA requires sustainable management through the development of groundwater sustainability plans ("GSPs"), which can be a single plan developed by one or more groundwater sustainability agencies ("GSAs") or multiple coordinated plans within a basin or subbasin (Wat. Code, §10727); and
- C. WHEREAS, SGMA requires a GSA be formed to manage groundwater in all basins designated by the California Department of Water Resources ("DWR") as a medium or high priority subbasin; and
- D. WHEREAS, on April 25, 2017, the Contra Costa County Board of Supervisors ("County") became the groundwater sustainability agency for portions of the Tracy Subbasin that are in Contra Costa County; and
- E. WHEREAS, the City of Antioch, City of Brentwood, Byron-Bethany Irrigation District, Contra Costa Water District ("CCWD"), Diablo Water District, Discovery Bay Community Services District, and East Contra Costa Irrigation District, were formed as GSAs [except CCWD] for the purposes of sustainably managing groundwater in the Tracy Subbasin within their jurisdictional boundaries that are in Contra Costa County, pursuant to the requirements of SGMA; and
- F. WHEREAS, the GSAs have the authority to draft, adopt, and implement a Groundwater Sustainability Plan (Wat. Code, §10725 et seq.); and
- G. WHEREAS, on May 9, 2017, the GSAs entered a Memorandum of Understanding with other GSAs within the Tracy Subbasin along with CCWD for the purpose of jointly developing a single GSP for the portion of the subbasin within Contra Costa County and coordinating sustainable groundwater management in the Subbasin (Wat. Code, §10727(a)(2)); and
- H. WHEREAS, the Brentwood GSA submitted an Initial Notification to DWR on behalf of all the GSAs to jointly develop a GSP for the Subbasin on February 12, 2018; and
- I. WHEREAS, on February 11, 2019, the California Department of Water Resources approved dividing

the Tracy Subbasin into two subbasins (e.g., East Contra Costa Subbasin and the Tracy Subbasin) thereby creating a separate groundwater basin entirely within Contra Costa County called the East Contra Costa Subbasin, (DWR Basin 5-22.19, San Joaquin Valley).

- J. WHEREAS, on April 13, 2020, the GSAs and CCWD entered into an Amended and Restated Memorandum of Understanding to ensure clarity for future decisions by the Board the reflect DWRs determination that, for purposes of SGMA, the East Contra Costa Subbasin is separate and distinct from other portions of the Tracy Subbasin; and
- K. WHEREAS, a group (“Working Group”) consisting of the GSAs and CCWD has coordinated in the Subbasin to draft a single GSP; and
- L. WHEREAS, the County on June 9, 2021, via certified mail, sent the Notice of Intent to adopt a groundwater sustainability plan pursuant to Water Code §10728.4; and
- M. WHEREAS, on behalf of the GSAs, the Working Group developed the draft GSP and released portions of the draft GSP for public and local agency review during GSP development and released the entire draft on September 7, 2021; and
- N. WHEREAS, the Working Group reviewed and responded to comments on the draft GSP; and
- O. WHEREAS, the Working Group released the final GSP on October 15, 2021, attached hereto and incorporated herein as Exhibit "B"; and
- P. WHEREAS, on October 15, 2021, the Working Group recommended each of the GSAs adopt the final GSP for their respective jurisdictions.

NOW, THEREFORE, be it RESOLVED, by the Contra Costa County Board of Supervisors as follows:

- 1. Contra Costa County is the Groundwater Sustainability Agency for portions of the East Contra Costa Subbasin (DWR Basin 5-22.19) and hereby adopts the final Groundwater Sustainability Plan dated October 15, 2021, as attached in Exhibit "B".
- 2. The California Environmental Quality Act is not applicable to the preparation and adoption of a Groundwater Sustainability Plan, Section 10728.6 of the Water Code.
- 3. The Director of Conservation and Development, or designee, is authorized to take all actions necessary to cause the East Contra Costa Groundwater Sustainability Plan to be submitted to DWR by January 31, 2022.

Attachment: Exhibit "B" – Final East Contra Costa Groundwater Sustainability Plan dated October 15, 2021

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

Contact: Ryan Hernandez, 925-655-2919

ATTESTED: December 7, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: