



**Contra
Costa
County**

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: February 11, 2020

Subject: Amended and Restated Memorandum of Understanding to Develop a Groundwater Sustainability Plan

RECOMMENDATION(S):

1. APPROVE and AUTHORIZE the Director of Conservation and Development, or designee, to execute, on behalf of the County, an amended and restated memorandum of understanding (MOU) with the cities and water agencies in east Contra Costa County regarding coordinating groundwater management of the East Contra Costa Subbasin, to allow agencies in Contra Costa County to prepare a sustainable groundwater management plan that is exclusive to the East Contra Costa Subbasin, and take related actions.

2. DESIGNATE the Director of Conservation and Development, or designee, to be the County's representative for all actions the County performs under the MOU.

3. DECLARE Contra Costa County's support for the City of Brentwood's Proposition 68 grant application to the Department of Water Resources for funding portions of the development of a Groundwater Sustainability Plan for the East Contra Costa Subbasin.

FISCAL IMPACT:

No impact to the General Fund. Costs to prepare the groundwater sustainability plan will be divided evenly among the parties to the MOU, except that the County may elect to satisfy

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/11/2020** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Candace Andersen, District II
Supervisor
Diane Burgis, District III
Supervisor
Federal D. Glover, District V
Supervisor

ABSENT: Karen Mitchoff, District IV
Supervisor

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.

ATTESTED: February 11, 2020

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: 925-674-7824, Ryan
Hernandez

cc:

some or all of its cost-share obligation through in-kind services performed by County staff, which will be funded by the Water Agency.

BACKGROUND:

The Sustainable Groundwater Management Act (Act) authorizes local agencies to manage groundwater in a sustainable fashion. The Act requires all high- and medium-priority groundwater basins, as designated by the California Department of Water Resources (DWR), to be managed by a Groundwater Sustainability Agency (GSA). In 2017, the Contra Costa County Board of Supervisors decided to be the groundwater sustainability agency and approved a Memorandum of Understanding (MOU) for the development of a Groundwater Sustainability Plan (GSP) for the unincorporated portions of east Contra Costa County within the Tracy Subbasin.

Concurrently, the aforementioned MOU was adopted by the Cities of Antioch and Brentwood, Byron Bethany Irrigation District, Contra Costa Water District, Diablo Water District, Discovery Bay Community Services District and East Contra Costa Irrigation District (together Overlying Agencies).

The Tracy Groundwater Subbasin stretches from the City of Antioch to the City of Tracy and overlies the jurisdiction of multiple cities and the counties of Contra Costa and San Joaquin. In an effort to streamline the development of the required GSP, the County, the Overlying Agencies, and the GSAs in San Joaquin County's portion of the Tracy Subbasin, applied to the State to divide the Tracy Subbasin along the border of Contra Costa and San Joaquin Counties. This allows the GSAs in each County to develop their own GSP under the Act. On February 11, 2019, the 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. The East Contra Costa Subbasin, (DWR Basin 5-22.19, San Joaquin Valley), attached as Exhibit A, is designated a medium-priority groundwater basin.

To ensure clarity for future decisions by the Board, the County and the Overlying Agencies prepared an amended and restated MOU that references DWR's new name and identification number, East Contra Costa Subbasin, 5-22.19. There are no other substantive changes to the amended and restated MOU. The County will continue to work cooperatively with the Overlying Agencies under the amended and restated MOU, attached as Exhibit B, to prepare a GSP for the East Contra Costa Subbasin.

Since the Board's decision to become a GSA, the County has worked with the Overlying Agencies to develop a GSP by:

- attending and participating in meetings;
- creating maps;
- helping develop a groundwater website <https://www.eccc-irwm.org/about-sgma>;
- establishing an email account to answer questions about groundwater - groundwaterinfo@dcd.cccounty.us;
- establishing a list of stakeholders;

- noticing the public via the local newspaper of opportunities to participate in the development of the GSP.

Work will continue as we prepare the draft GSP for public review with the intent of bringing the draft GSP to the Board of Supervisors before the deadline of January 31, 2022.

The Conservation and Development Director recommends the Board adopt the Amended and Restated MOU for the continued development of a Groundwater Sustainability Plan for the East Contra Costa Subbasin.

The City of Brentwood is preparing a grant application to the State that would cover some of the costs of preparing a Groundwater Substantiality Plan. If approved, such a grant would reduce local agencies' share of the costs.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board does not adopt the amended and restated MOU, the County would no longer be party in development of the East Contra Costa Groundwater Sustainability Plan (GSP), mandated by the Act, and may have to prepare a separate GSP at a cost to be borne solely by the County. Additionally, the County would have no process to provide in-kind services that could offset some of the costs of preparing the GSP for the East Contra Costa Subbasin.

ATTACHMENTS

Resolution 2020/46

Exhibit A - Map: GSAs in East Contra Costa Subbasin

Exhibit B - ECC Amended and Restated MOU