

Draft

Groundwater Sustainability Plan

Chapter 1 – Introduction and Chapter 2 – Agency Information

for the

Arroyo Grande Subbasin Groundwater Sustainability Agencies



Prepared by



3/12/2021

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LIST OF TERMS USED

Abbreviation	Definition
AB	Assembly Bill
ADD	Average Day Demand
AF	Acre Feet
AFY	Acre Feet per Year
AG Subbasin	Arroyo Grande Subbasin
Basin Plan	Water Quality Control Plan for the Central Coast Basin
CASGEM	California State Groundwater Elevation Monitoring program
CCR	California Code of Regulations
CCRWQCB	Central Coast Regional Water Quality Control Board
CCGC	Central Coast Groundwater Coalition
CDFM	Cumulative departure from the mean
CDPH	California Department of Public Health
CIMIS	California Irrigation Management Information System
County	County of San Luis Obispo
CPUC	California Public Utilities Commission
CRWQCB	California Regional Water Quality Control Board
CWC	California Water Code
DDW	Division of Drinking Water
Du/ac	Dwelling Units per Acre
DWR	Department of Water Resources
EPA	Environmental Protection Agency
ET ₀	Evapotranspiration
°F	Degrees Fahrenheit
FAR	Floor Area Ratio
FY	Fiscal Year
GAMA	Groundwater Ambient Monitoring and Assessment program
GHG	Greenhouse Gas
GMP	Groundwater Management Plan
GPM	Gallons per Minute
GSA	Groundwater Sustainability Agency
GSC	Groundwater Sustainability Commission
GSP	Groundwater Sustainability Plan
GSWC	Golden State Water Company
IRWMP	San Luis Obispo County Integrated Regional Water Management Plan
kWh	Kilowatt-Hour
LUCE	Land Use and Circulation Element
LUFTs	Leaky Underground Fuel Tanks
MAF	Million Acre Feet
MCL	Maximum Contaminant Level
MG	Million Gallons
MGD	Million Gallons per Day
Mg/L	Milligrams per Liter
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding

Abbreviation	Definition
MWR	Master Water Report
NCDC	National Climate Data Center
NOAA	National Oceanic and Atmospheric Administration
NWIS	National Water Information System
RW	Recycled Water
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SGMA	Sustainable Groundwater Management Act
SGMP	Sustainable Groundwater Management Planning
SGWP	Sustainable Groundwater Planning
SLOFCWCD	San Luis Obispo Flood Control and Water Conservation District
SCML	Secondary Maximum Contaminant Level
SOI	Sphere of Influence
SNMP	Salt and Nutrient Management Plan
SWRCB	California State Water Resources Control Board
TDS	Total Dissolved Solids
TMDL	Total Maximum Daily Load
USGS	United States Geological Survey
USFW	United States Fish and Wildlife Service
USTs	Underground Storage Tanks
UWMP	Urban Water Management Plan
UWMP Act	Urban Water Management Planning Act
UWMP Guidebook	Department of Water Resources 2015 Urban Water Management Plan Guidebook
WCS	Water Code Section
WMP	Water Master Plan
WPA	Water Planning Areas
WRF	Water Reclamation Facility
WRCC	Western Regional Climate Center
WRRF	Water Resource Recovery Facility
WSA	Water Supply Assessment
WTP	Water Treatment Plant
WWTP	Wastewater Treatment Plant

EXECUTIVE SUMMARY

This section to be completed after GSP is complete.

1 INTRODUCTION TO THE AG SUBBASIN GSP

1.1 PURPOSE OF THE GROUNDWATER SUSTAINABILITY PLAN

The Sustainable Groundwater Management Act (SGMA), Section 10720, et. al., of the State Water Code, requires sustainable groundwater management in all high and medium priority basins. The Santa Maria River Valley - Arroyo Grande groundwater subbasin (DWR No. 3-012.02) (AG Subbasin) was originally part of the non-adjudicated “fringe” areas of the adjudicated Santa Maria River Valley Groundwater Basin (DWR No. 3-012), which was designated as a high priority basin (DWR, 2016), but due to the final results of the DWR’s groundwater basin boundary modifications in 2019, the AG Subbasin and Santa Maria River Valley – Santa Maria (No. 3-012.01) groundwater subbasin (Santa Maria Subbasin) were established as separate subbasins within the previous Santa Maria River Valley Basin (No. 3-012). The AG Subbasin was then reprioritized as very low priority (DWR, 2019). Additional information regarding the sequence of events that led to designation of the AG Subbasin and prioritization as a very low priority basin is included in Appendix D - Memorandum of Agreement – Preparation of GSP.

The AG Subbasin’s very low prioritization does not require the development of a GSP for the AG Subbasin, but the AG Subbasin GSAs are proceeding with the development of a GSP to assure continued sustainable conjunctive management of groundwater and surface water supplies. Work efforts included in the GSP development are important for advancing water resource management of the AG Subbasin and interconnected surface waters of the Arroyo Grande Creek watershed that overlie the subbasin. In the AG Subbasin, there are several federally listed endangered species that are impacted by the Lopez Project which includes the Lopez Lake (i.e. Lopez Reservoir) and the Lopez Terminal Reservoir. Due to the requirements of the Endangered Species Act, the San Luis County Flood Control and Water Conservation District (District) Zone 3 (FC Zone 3) that operates the Lopez Project is currently developing a Habitat Conservation Plan (HCP). The HCP will characterize the impacts the Lopez Project operations on the endangered species within the Arroyo Grande Creek watershed. The HCP will also most likely include an adaptive downstream release strategy that will satisfy and sustainably manage competing demands of the water supply contracts, the appropriate downstream releases for groundwater recharge, and in-stream flow requirements all within the safe yield of the reservoir. Through the development of this GSP, a set of computer modeling management tools will be developed to support the HCP to evaluate the relationship between flow in AG Creek due to reservoir releases and groundwater uses in the subbasin through pumping.

This document fulfills the GSP development requirements. This GSP describes and assesses the groundwater condition of the AG Subbasin, develops quantifiable management objectives that account for the interests of the AG Subbasin’s beneficial groundwater uses and users, and identifies a group of projects and management actions that will allow the AG Subbasin to achieve and maintain sustainability in the future.

1.2 DESCRIPTION OF AG SUBBASIN

This GSP covers the entire AG Subbasin identified as Basin No. 3-012.02 in the DWR’s Bulletin 118 (DWR, 2019). The AG Subbasin lies in the southern portion of San Luis Obispo County. The AG Subbasin lies to the north of Highway 101 and just south of Lopez Lake. This area is known as the non-adjudicated “fringe” area of the adjudicated Santa Maria River Valley Groundwater Basin. Below Lopez Lake where the AG Subbasin lies, the valleys of gentle flatlands and rolling hills ranging in elevation from

approximately 100 to 500 feet above mean sea level are prominent. A terrain map displaying the AG Subbasin boundaries is presented in Figure 1-1, which also displays the watershed areas of the Arroyo Grande Creek, Lopez Canyon, Tar Spring Creek, and Los Berros Creek drainages, faults, and nearby groundwater basins, as symbolized by the Final Bulletin 118 Basin Prioritization update (DWR, 2019). Average annual precipitation ranges from approximately 16.14 inches near Highway 101 to about 19.11 inches in relatively higher elevation areas of similar elevation to Lopez Lake. The AG Subbasin is within the watershed areas of the Arroyo Grande Creek and Tar Spring Creek drainages. The AG Subbasin is commonly referenced as being composed of two distinct valleys, with the Arroyo Grande Creek Valley in the north and the Tar Spring Creek Valley in the southeast.

Arroyo Grande Creek and Tar Spring Creek and their respective tributaries are the primary surface water features within the AG Subbasin. Significant tributaries to the Arroyo Grande Creek within Basin that discharge into Lopez Lake include Lopez Canyon Creek, Vasquez Creek, Wittenberg Creek, Dry Creek, Potrero Creek, and Phoenix Creek. Tar Spring Creek and Los Berros Creek merge with Arroyo Grande Creek south of Lopez Lake. There are no significant tributaries within the Basin to Tar Spring Creek. Urban areas within the AG Subbasin include the City of Arroyo Grande. Highway 101 is the most significant north-south highway in the Basin.

1.3 BASIN PRIORITIZATION

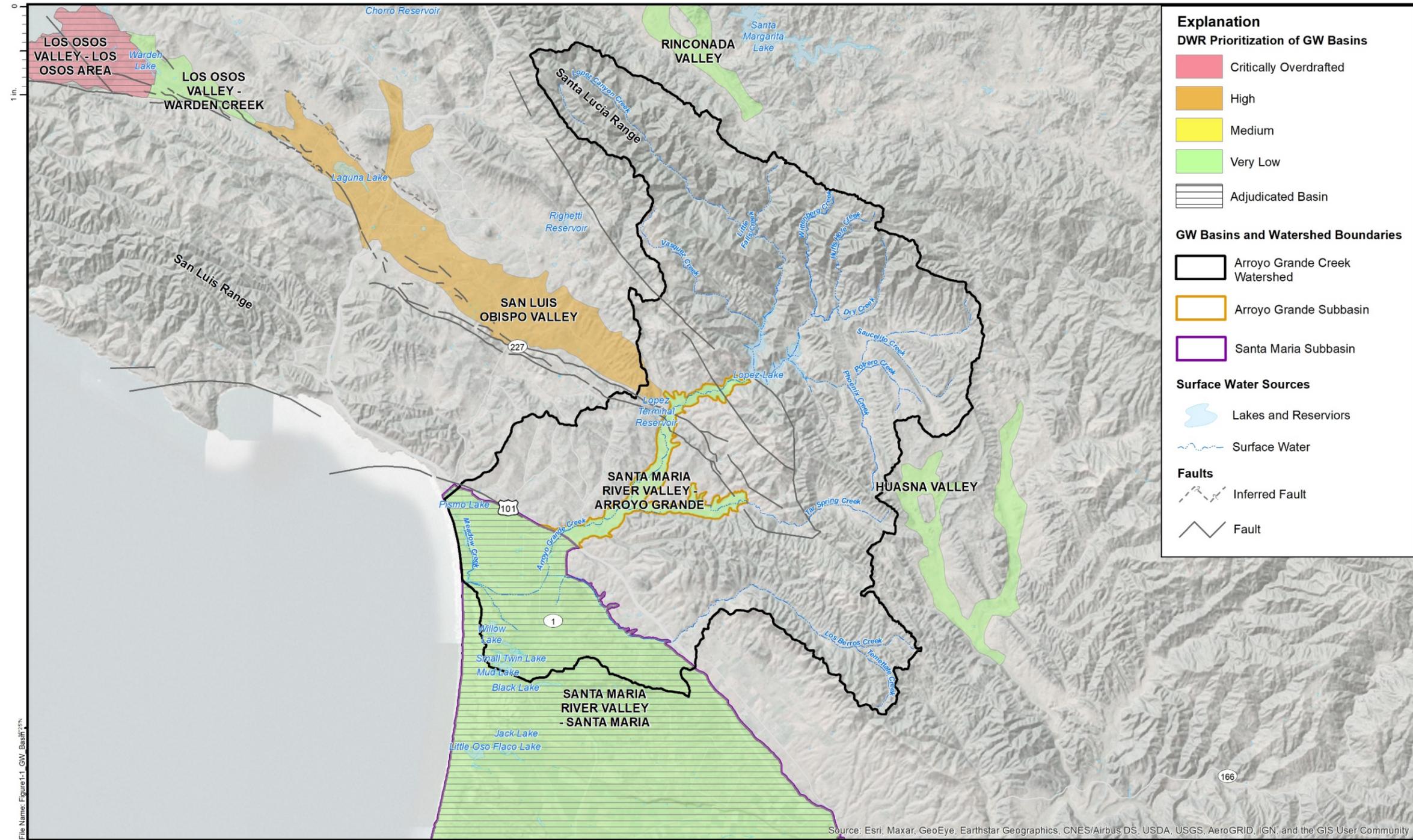
The DWR prioritized California's groundwater basins through the California Statewide Groundwater Elevation Monitoring (CASGEM) program and released the results in 2014. With the passage of SGMA, DWR redefined 54 groundwater basins based on requests for basin boundary modifications and classified the basins into four categories: high, medium, low, or very low priority. The AG Subbasin was classified as a very low priority basin as described in §1.1.

The DWR reassessed the priority of the groundwater basins following the 2016 basin boundary modification, as required by the Water Code and documented the results in the SGMA 2019 Basin Prioritization (DWR, 2019). DWR followed the process and methods developed for the CASGEM 2014 Basin Prioritization and incorporated new data, to the extent data was available, and amended the language of Water Code Section 10933(b)(8) (component 8) to include an analysis of adverse impacts on local habitat and local streamflow. Therefore, DWR prioritized the basins based on the following components specified in Water Code Section 10933(b):

1. The population overlying the basin or sub-basin.
2. The rate of current and projected growth of the population overlying the basin or sub-basin.
3. The number of public supply wells that draw from the basin or sub-basin.
4. The total number of wells that draw from the basin or sub-basin.
5. The irrigated acreage overlying the basin or sub-basin.
6. The degree to which persons overlying the basin or sub-basin rely on groundwater as their primary source of water.
7. Any documented impacts on the groundwater within the basin or sub-basin, including overdraft, subsidence, saline intrusion, and other water quality degradation.
8. Any other information determined to be relevant by the department, including adverse impacts on local habitat and local streamflow.

With the addition of component 8, the AG Subbasin was classified as a very low priority basin not in critical overdraft and is not required to submit a GSP to DWR by January 31, 2022. However, the City of Arroyo Grande and County of San Luis Obispo (GSAs) decided to proceed with preparing a GSP for the AG Subbasin as a proactive measure to support the development of the HCP and maintains groundwater sustainability in the AG Subbasin into the future.

Additional information about how each of these components were analyzed can be found in the 2019 SGMA Basin Prioritization Process and Results Document (DWR, 2019). DWR is required to provide updates on basin boundaries, basin priority, and critically overdrafted basins every 5 years beginning in 2020 as part of the Bulletin 118 updates.



File Name: Figure1-1_GW_Basins.mxd

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Prepared for:



COUNTY OF SAN LUIS OBISPO

Author: EC
Date: 3/10/2021

ARROYO GRANDE SUBBASIN GSP

1 in : 2.5 mi



0 0.75 1.5 3
0 1.25 2.5 5
Miles
Kilometers

References:

- Coordinate System: NAD 1983 StatePlane California V FIPS 0405 Feet
- Projection: Lambert Conformal Conic
- Datum: North American 1983

Notes:

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-
-

Santa Maria River Valley Arroyo Grande Subbasin (AG Subbasin) and Surrounding Basins

Figure 1-1

2 AGENCY INFORMATION (§ 354.6)

On March 28, 2017, the City of Arroyo Grande formed the City of Arroyo Grande Groundwater Sustainability Agency (City GSA) for the portion of the AG Subbasin that lies within its city boundary. On May 16, 2017, the County of San Luis Obispo formed the Santa Maria Basin Fringe Areas – County of San Luis Obispo Groundwater Sustainability Agency (County GSA) to cover all otherwise unrepresented areas within the AG Subbasin. The County and City (each referred to individually as a " Party" and collectively as the "Parties") entered into a Memorandum of Agreement Regarding Preparation of a GSP for the AG Subbasin (MOA) effective as of October 6, 2020. The MOA's purpose is for the City and County to coordinate preparation of a single GSP for the entire AG Subbasin pursuant to SGMA and other applicable provisions of law. Figure 2-1 shows the service area boundaries of each of the MOA Parties and the GSA areas.

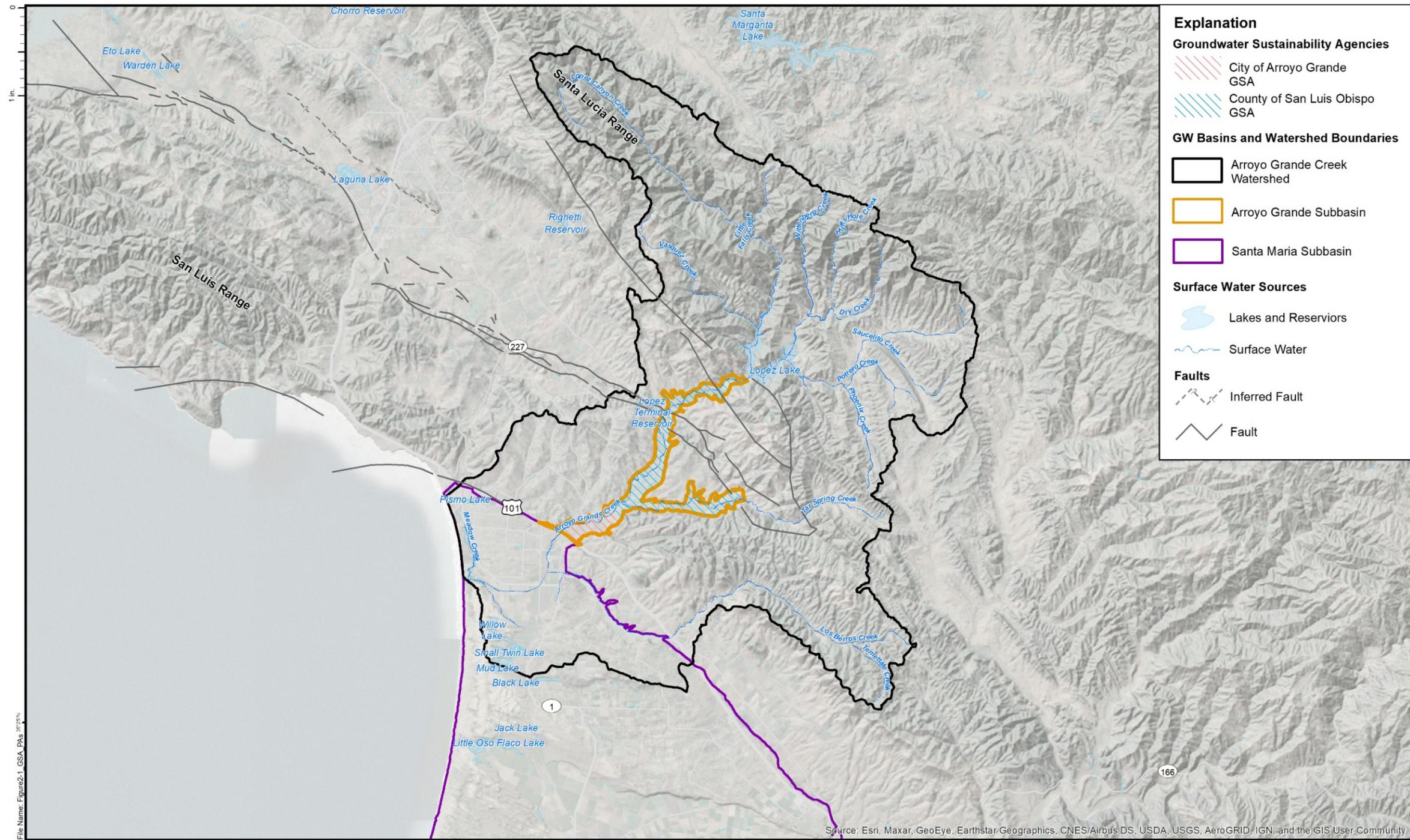
On January 29, 2019, the County GSA gave notice to DWR (Appendix A) that it intends to develop a GSP in collaboration with the City GSA for the non-adjudicated "fringe areas" of the Santa Maria Valley River Groundwater Basin wholly within San Luis Obispo County, which includes the AG Subbasin in accordance with California Water Code (CWC) Section 10727.8 and the Title 23, Section 353.6 of the California Code of Regulations (CCR).The letter to DWR was drafted before the basin boundary modification request was finalized. However, it included all fringe areas of the Santa Maria River Valley, which includes AG Subbasin.

2.1 AGENCIES NAMES AND MAILING ADDRESSES

The following contact information is provided for each groundwater sustainability agency for the AG Subbasin pursuant to California Water Code §10723.8.

County of San Luis Obispo
County Government Center, Room 206
San Luis Obispo, CA 93408
Attention: John Diodati, Public Works Interim Director

City of Arroyo Grande
Public Works Department
1375 Ash Street
Arroyo Grande, CA 93420
Attention: Bill Robeson, Director



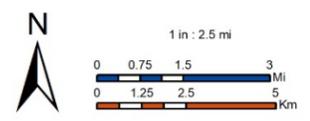
File Name: Figure2-1_GSA_PAs.aprx

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Prepared for:

 COUNTY OF SAN LUIS OBISPO
ARROYO GRANDE SUBBASIN GSP

Author: EC
 Date: 3/12/2021



References:

- Coordinate System: NAD 1983 StatePlane California V FIPS 0405 Feet
 Projection: Lambert Conformal Conic
 Datum: North American 1983
-
-

Notes:

-
-
-

Arroyo Grande Subbasin GSA

Figure 2-1

2.2 AGENCIES ORGANIZATION AND MANAGEMENT STRUCTURES

The MOA establishes the terms under which the City GSA and County GSA will jointly develop a single GSP. No other participating parties will be involved explicitly in the develop of the GSP. City and County staff will collaboratively participate in developing a GSP through, among other things, providing guidance to consultant and engaging AG Subbasin users and stakeholders. Once the GSP is developed, it will be considered for adoption by the GSAs (i.e., City Council and County Board of Supervisors) and subsequently submitted to DWR for approval. The organization and management structures of each of the Parties are described in the following sections. The MOA does not specify the appointment of officer positions. However, Figure 2-2 shows the names of the appointed GSA staff representatives and depicts the relationship of the GSAs and the overall governance structure for developing the GSP:

Figure 2-2: GSA Staff Representatives



2.2.1 County of San Luis Obispo

The County is a GSA and Party of the MOA. The County is governed by a five-member Board of Supervisors representing five districts in the County. Board of Supervisor members are elected to staggered four-year terms.

2.2.2 City of Arroyo Grande

The City is a GSA and Party of the MOA. The City is an incorporated city and operates under the "Council-Mayor-City Manager" form of municipal government. The five-member City Council consists of the directly-elected Mayor and four City Council Members. The Mayor is elected to a two-year term and Council Members are elected to four-year terms.

2.2.3 Groundwater Sustainability Agencies

"Local agency" is defined pursuant to CWC§ 10721 as a local public agency that has water supply, water management, or land use responsibilities within a groundwater basin. The GSAs developing this coordinated GSP were formed in accordance with the requirements of California Water Code §10723 et seq. The resolutions of formation for the GSAs and the Memorandum of Understanding (MOA) are included in Appendices A - C.

2.2.3.1 County of San Luis Obispo

The County was created as described in Government Code Section 460 which states that the state is divided into counties, the names, boundaries and territorial subdivisions of which are declared in Title 3 of the Government Code. The County has land use authority over the unincorporated areas of the county, including areas overlying the AG Subbasin. The County is therefore a local agency under CWC§ 10721(n) with the authority to establish itself as a GSA. Upon establishing itself as a GSA, the County retains all the rights and authorities provided to GSAs under CWC§ 10725 et seq. The City and the County shall each be responsible for adopting the GSP and implementing the GSP within their respective service areas.

2.2.3.2 City of Arroyo Grande

The City is incorporated under the laws of the State of California. The City provides water supply and land use planning services to its residents. The City is therefore a local agency under CWC§ 10721(n) with the authority to establish itself as a GSA. Upon establishing itself as a party of the GSA, Arroyo Grande retains all the rights and authorities provided to GSAs under CWC§ 10725 et seq. The City and the County shall each be responsible for adopting the GSP and implementing the GSP within their respective service areas.

2.2.4 Memorandum of Agreement

The MOA Parties entered into the MOA effective as of October 6, 2020. The MOA establishes terms under which the City GSA and County GSA will jointly develop a single GSP. City and County staff will collaboratively participate in developing a GSP through, among other things, providing guidance to the consultant and engaging AG Subbasin users and stakeholders. The County Board of Supervisors and the City Council may approve or reject adopting the GSP independently from one another's decision. The MOA may be terminated by either Party upon thirty days written notice to the other Party's designated address. A copy of the MOA is included in Appendix C.

2.2.5 Coordination Agreements

Only a single GSP is developed by the City and County GSAs to cover the entire AG Subbasin. Therefore, no coordination agreements with other GSAs are necessary because there is no multiple GSPs.

2.3 CONTACT INFORMATION FOR PLAN MANAGER

The plan manager is to be determined.

3 REFERENCES

- DWR. 2016.** *California's Groundwater: Bulletin 118 - Interim Update 2016, Working Towards Sustainability.* 2016.
- **2003.** *California's Groundwater: Bulletin 118 - Update 2003, Groundwater Basin Descriptions.* 2003.
- **2019.** *Sustainable Groundwater Management Act 2019 Basin Prioritization - Process and Results Document.* 2019.

4 APPENDICES

APPENDIX A – LETTER OF INTENT TO DEVELOP GSP TO DWR



Attachment 2

COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS

John Peschong *District One Supervisor*

Bruce Gibson *District Two Supervisor*

Adam Hill *Vice-Chairperson District Three Supervisor*

Lynn Compton *District Four Supervisor*

Debbie Arnold *Chairperson, District Five Supervisor*

January 29, 2019

Trevor Joseph, SGM Section Chief
California Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-0001

City Council, City of Arroyo Grande
300 E. Branch Street
Arroyo Grande, CA 93420

City Council, City of Pismo Beach
760 Mattie Road
Pismo Beach, CA 93449

SUBJECT: NOTIFICATION OF INTENT TO INITIATE DEVELOPMENT OF GROUNDWATER SUSTAINABILITY PLAN FOR THE SANTA MARIA RIVER VALLEY GROUNDWATER BASIN

To Whom It May Concern:

In accordance with California Water Code Section 10727.8 and the Title 23, Section 353.6 of the California Code of Regulations, the County of San Luis Obispo, acting as the Santa Maria Basin Fringe Areas - County of San Luis Obispo Groundwater Sustainability Agency (County GSA), hereby gives notice that it intends to initiate development of a groundwater sustainability plan (GSP) and anticipates doing so in collaboration with the City of Arroyo Grande Groundwater Sustainability Agency for the "fringe areas" of the Santa Maria Valley River Groundwater Basin wholly within San Luis Obispo County (B118 3-012, Santa Maria Basin).

SGMA does not apply to the adjudicated areas of the Santa Maria Basin (that portion of the Santa Maria Basin at issue in Santa Maria Valley Water Conservation District v. City of Santa Maria, et al.) ("adjudicated area"), provided that certain requirements are met (Water Code Section 10720.8(a)(18)). However, there are multiple "fringe areas" located outside of the adjudicated area in both San Luis Obispo and Santa Barbara Counties, which are subject to SGMA. The Nipomo Community Services District and City of Pismo Beach both adopted resolutions formally authorizing or recommending that the County of San Luis Obispo serve as the groundwater sustainability agency (GSA) for the "fringe areas" within their boundaries. Therefore, two local

County of San Luis Obispo Government Center

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agencies, the County of San Luis Obispo and the City of Arroyo Grande, formed GSAs, resulting in full coverage of the “fringe areas” of the Santa Maria Basin within the County of San Luis Obispo, and the Santa Barbara County Water Agency formed a GSA to cover the “fringe areas” within the County of Santa Barbara.

The County GSA and Santa Barbara County Water Agency both submitted basin boundary modification requests (BBMRs) to the California Department of Water Resources (DWR) for the Santa Maria Basin “fringe areas.” On November 29, 2018, DWR published draft decisions on the BBMRs. However, the subsequent final basin boundary modifications and re-prioritization will not be determined until early 2019. Therefore, the areas which will be covered by the GSP will not be defined until 2019 pending DWR’s final basin boundary modification processes. The County GSA will provide updates to DWR and appropriate legislative bodies regarding changes to the area intended to be covered by the GSP as a result of DWR’s final determinations consistent with all regulatory requirements. It has also not been determined as of the date of this Notice whether the GSAs within the Santa Maria Basin will all jointly develop and adopt a single GSP or whether there will be multiple coordinated GSPs. It is anticipated that the GSAs within the Santa Maria Basin may enter into a memorandum of agreement (MOA) or a coordination agreement establishing the process by which a single GSP or coordinated GSPs will be developed.

While GSAs were formed by the local public agencies mentioned above, SGMA provides that other entities are eligible to participate in GSA decision making. Various other eligible entities within the Santa Maria Basin, including the City of Pismo Beach, and Nipomo Community Services District have been engaged in SGMA processes and outreach to local stakeholders since 2015.

Interested parties are encouraged to participate in the GSP development. It is anticipated that the GSP consultant, once retained by the County (anticipated in 2019), will develop a stakeholder outreach and engagement plan, likely in coordination with the other GSAs within the Santa Maria Basin. The County GSA or the GSAs jointly may decide to establish one or more advisory committees in order to consider the interests of beneficial uses and users not already represented. These stakeholder engagement decisions will be made during the early stages of the GSP development once the County retains a GSP consultant. The meeting dates and locations will be posted by the County (and other GSAs as applicable) and noticed through the interested stakeholder e-mail list and press releases. In the meantime, interested parties can participate in the GSP development by attending public meetings and/or related public workshops. After the GSP(s) is completed, it will then be considered for adoption by each GSA and subsequently submitted to DWR for approval.

Interested parties can visit the County’s SGMA webpage at: www.slocountywater.org/sgma to get additional information, meeting updates, sign up for the interested stakeholder e-mail list, and to see materials for past or upcoming meetings related to the GSP development.

County of San Luis Obispo Government Center

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boardofsups@co.slo.ca.us | slocounty.ca.gov

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The County GSA looks forward to working with DWR and other Santa Maria Basin stakeholders towards sustainable groundwater management planning and implementation. Please do not hesitate to contact Dick Tzou, Water Resources Engineer, at (805) 781-4473 if you have questions or comments.

Sincerely,



DEBBIE ARNOLD
Chair, District 5 Supervisor

Attachment: Vicinity Map

c: Dane Mathis, Department of Water Resources
Matthew Owens, Department of Water Resources
Matthew Young, Santa Barbara County Water Agency
Board of Supervisors, County of Santa Barbara
Mario Iglesias, Nipomo Community Services District (miglesias@ncsd.ca.gov)
Daniel Heimel, Northern Cities Management Area (dheimel@wsc-inc.com)
Norm Brown, Nipomo Mesa Management Area (water@normbrown.com)
Randy Sharer, Santa Maria Valley Management Area (oldbeanfarmer@yahoo.com)

File: CF 340.300.01 SGMA

L:\Water Resources\2019\January\BOS\SMB\Santa Maria Basin Notice of Intent ltr.docx.dt.mp

ATTEST:

Tommy Gong, County Clerk-Recorder and
Ex-Officio Clerk of the Board of Supervisors

By, Samuel Currens
Deputy Clerk

County of San Luis Obispo Government Center

1055 Monterey Street | San Luis Obispo, CA 93408 | (P) 805-781-5000 | (F) 805-781-1350
boardofsups@co.slo.ca.us | slocounty.ca.gov

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APPENDIX B - CITY OF ARROYO GRANDE RESOLUTION TO FORM GSA

RESOLUTION NO. 4784

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE, COUNTY OF SAN LUIS OBISPO ADOPTING AND DIRECTING THE FORMATION OF A GROUNDWATER SUSTAINABILITY AGENCY (GSA) OVER THE NON-ADJUDICATED PORTION OF THE SANTA MARIA GROUNDWATER BASIN WITHIN THE ARROYO GRANDE CITY LIMITS IN COMPLIANCE WITH THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT OF 2014

WHEREAS, in 2014 the California Legislature and the Governor passed into law the Sustainable Groundwater Management Act (SGMA) for local management of groundwater resources in California through the formation of Groundwater Sustainability Agencies (GSAs) and through preparation and implementation of Groundwater Sustainability Plans (GSPs); and

WHEREAS, the City overlies a portion of the non- adjudicated "fringe area" of the Santa Maria Groundwater Basin, which is subject to SGMA, and thus one or more GSAs must be formed for the Sub-basin by June 30, 2017, or the Sub-basin may be subject to regulation by the State Water Resources Control Board; and

WHEREAS, the City is a "local agency" as that term is defined by SGMA, and as such is authorized to form a GSA to manage groundwater resources in the Sub-basin and within the City's jurisdictional boundaries in accordance with SGMA and other applicable laws and authorities; and

WHEREAS, the City desires to form a GSA to manage groundwater resources in the Santa Maria Groundwater Basin beneath and within the City's jurisdictional boundaries; and

WHEREAS, the City intends that its GSA will work cooperatively with the other GSAs that have formed or will be formed in the non- adjudicated "fringe area" of the Santa Maria Groundwater Basin to prepare one or more GSPs by January 2020, so that groundwater resources in the Sub-basin will be properly managed and sustainable in accordance with the provisions of SGMA; and

WHEREAS, it is essential that the City form this GSA because SGMA grants GSAs substantial additional powers and authorities to ensure sustainable groundwater management. Acting as the GSA within the City's jurisdictional boundaries will, among other things, confirm the City's role as the local groundwater management agency; and.

WHEREAS, pursuant to the requirements of SGMA, the City held a public hearing on this date after publication of notice pursuant to California Government Code section 6066 to consider adoption of this Resolution.

RESOLUTION NO. 4784
PAGE 2

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Arroyo Grande as follows:

1. All of the above recitals are true and correct and incorporated herein by reference.
2. The Mayor is authorized to sign a resolution for the City of Arroyo Grande to become a Groundwater Sustainability Agency in accordance with the Sustainable Groundwater Management Act of 2014 over the portion of the non- adjudicated "fringe area" of the Santa Maria Groundwater Basin which lies under and within the jurisdictional boundaries of the City of Arroyo Grande.

On motion of Council Member Harmon, seconded by Council Member Ray, and on the following roll call vote, to wit:

AYES: Council Members Harmon, Ray, Barneich, Brown, and Mayor Hill
NOES: None
ABSENT: None

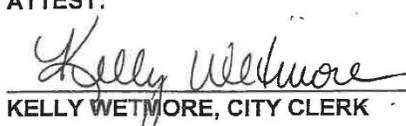
the foregoing Resolution was passed and adopted this 28th day of March, 2017.

RESOLUTION NO. 4784
PAGE 3



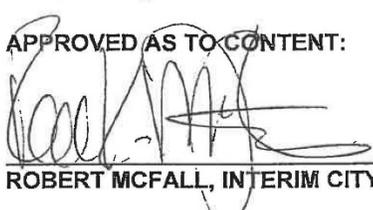
JIM HILL, MAYOR

ATTEST:



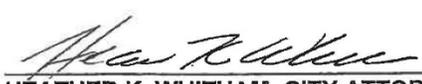
KELLY WETMORE, CITY CLERK

APPROVED AS TO CONTENT:



ROBERT MCFALL, INTERIM CITY MANAGER

APPROVED AS TO FORM:

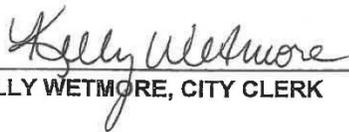


HEATHER K. WHITHAM, CITY ATTORNEY

OFFICIAL CERTIFICATION

I, **KELLY WETMORE**, City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify under penalty of perjury, that the attached Resolution No. 4784 was passed and adopted at a regular meeting of the City Council of the City of Arroyo Grande on the 28th day of March, 2017.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 30th day of March, 2017.



KELLY WETMORE, CITY CLERK

APPENDIX C - COUNTY OF SAN LUIS OBISPO RESOLUTION TO FORM GSA

GSA Formation Exhibit C - Resolution forming the Santa Maria Basin Fringe Areas - County
of SLO GSA

BEFORE THE BOARD OF SUPERVISORS

of the

COUNTY OF SAN LUIS OBISPO

Tuesday, May 16, 2017

PRESENT: Supervisors Bruce S. Gibson, Adam Hill, Lynn Compton, Debbie Arnold and
Chairperson John Peschong

ABSENT: None

RESOLUTION NO. 2017-130

RESOLUTION FORMING THE SANTA MARIA BASIN FRINGE AREAS – COUNTY OF SAN LUIS OBISPO GROUNDWATER SUSTAINABILITY AGENCY AND FINDING THAT THE PROJECT IS EXEMPT FROM SECTION 21000 ET SEQ. OF THE CALIFORNIA PUBLIC RESOURCES CODE (CEQA)

The following Resolution is hereby offered and read:

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 intent of SGMA, as set forth in Water Code section 10720.1, is to provide for the sustainable management of groundwater basins at a local level by providing local groundwater agencies with the authority, and technical and financial assistance necessary, to sustainably manage groundwater; and

WHEREAS, SGMA requires the formation of Groundwater Sustainability Agencies (GSAs) for the purpose of achieving groundwater sustainability through the adoption and implementation of Groundwater Sustainability Plans (GSPs) for all medium and high priority basins as designated by the California Department of Water Resources (DWR); and

WHEREAS, SGMA requires that a local agency or collection of local agencies decide to become a GSA for all medium and high priority basins on or before June 30, 2017 and that the GSA or GSAs for basins DWR has not designated as “subject to critical conditions of overdraft” develop a GSP or coordinated GSPs on or before January 31, 2022; and

WHEREAS, the Santa Maria River Valley Groundwater Basin (Basin), located within both the County of San Luis Obispo and the County of Santa Barbara, has been designated by DWR as a high priority basin, but not subject to critical conditions of overdraft; and

WHEREAS, although Water Code Section 10720.8 identifies the adjudicated areas of the Basin as exempt from SGMA provided certain requirements are met, the non-adjudicated areas of the Basin, commonly referred to as the Basin "Fringe Areas," some of which are located within the County of San Luis Obispo and some of which are located within the County of Santa Barbara, are subject to SGMA; and

WHEREAS, it is anticipated that the County of Santa Barbara will form a GSA covering the portions of the Basin "Fringe Areas" located within the County of Santa Barbara; and

WHEREAS, although there are a number of "local agencies" within the portion of the Basin "Fringe Areas" within the County of San Luis Obispo eligible to become a GSA pursuant to Water Code Section 10721, it is anticipated that only the City of Arroyo Grande will form a GSA; and

WHEREAS, both the Nipomo Community Services District (by Resolution No. 2017-1436) and the City of Pismo Beach (by Resolution No. 2017-027) have formally recommended or authorized that the County of San Luis Obispo serve as the GSA for the portions of the Basin "Fringe Areas" within their boundaries; and

WHEREAS, the County of San Luis Obispo intends to form a GSA to cover all areas which will not otherwise be covered by a GSA within the Basin "Fringe Areas" within the County of San Luis Obispo; and

WHEREAS, the County of San Luis Obispo published a notice of public hearing consistent with the requirements contained within Water Code Section 10723(b); and

WHEREAS, the Board of Supervisors conducted such a public hearing on May 16, 2017; and

WHEREAS, the County of San Luis Obispo is committed to the sustainable management of groundwater within the Basin "Fringe Areas" and intends to coordinate with other GSAs and affected parties, and to consider the interests of all beneficial users and uses of groundwater within the Basin "Fringe Areas" through the formation of an advisory committee.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, that:

- Section 1: The foregoing recitals are true and correct and are incorporated herein by reference.
- Section 2: The County of San Luis Obispo hereby decides to become the GSA for, and undertake sustainable groundwater management within, the Basin "Fringe Areas" with the exception of the portions of the Basin "Fringe Areas" located within the City of Arroyo Grande and within the County of Santa Barbara ("GSA Boundary"). A map of the GSA Boundary is attached hereto as Exhibit A and incorporated herein.
- Section 3: The Director of Public Works of the County of San Luis Obispo, or designee, is hereby authorized and directed to submit notice of adoption of this Resolution in

addition to all other information required by SGMA, including but not limited to, all information required by Water Code Section 10723.8, to DWR, and to develop and maintain an interested persons list as described in Water Code Section 10723.4 and a list of interested parties as described in Water Code Section 10723.8(a)(4).

- Section 4: The Director of Public Works of the County of San Luis Obispo, or designee, is hereby authorized and directed to take such other and further actions as may be necessary or appropriate to implement the intent and purposes of this Resolution.
- Section 5: The Board of Supervisors finds that the adoption of this Resolution is exempt from the requirements of the California Environmental Quality Act (Public Resources Code §§ 21000 et seq.) (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.
- Section 6: The Environmental Coordinator of the County of San Luis Obispo is hereby directed to file a Notice of Exemption in accordance with the provisions of CEQA.

Upon motion of Supervisor Compton, seconded by Supervisor Hill, and on the following roll call vote, to wit:

AYES: Supervisors Compton, Hill, Gibson, Arnold and Chairperson Peschong

NOES: None

ABSENT: None

ABSTAINING: None

the foregoing resolution is hereby adopted on the 16th day of May, 2017.

John Peschong
Chairperson of the Board of Supervisors

ATTEST:

Tommy Gong
Clerk of the Board of Supervisors
By: Sandy Currens
Deputy Clerk

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL
County Counsel

By: /s/Erica Stuckey
Deputy County Counsel

Dated: April 27, 2017

STATE OF CALIFORNIA, } ss.
County of San Luis Obispo,

I, Tommy Gong, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this 30th day of May, 2017.

(SEAL)

Tommy Gong
County Clerk and Ex-Officio Clerk of the Board
of Supervisors

By sandy Currens
Deputy Clerk.

APPENDIX D - MEMORANDUM OF AGREEMENT – PREPARATION OF GSP

**MEMORANDUM OF AGREEMENT REGARDING PREPARATION OF A
GROUNDWATER SUSTAINABILITY PLAN FOR
THE SANTA MARIA RIVER VALLEY - ARROYO GRANDE SUBBASIN**

This Memorandum of Agreement (“MOA”) is entered into by and between the City of Arroyo Grande (“City”) and the County of San Luis Obispo (“County”) (each referred to individually as a “Party” and collectively as the “Parties”) for purposes of coordinating preparation of a single groundwater sustainability plan for the Santa Maria River Valley – Arroyo Grande Subbasin.

Recitals

WHEREAS, on September 16, 2014, Governor Jerry Brown signed into law Senate Bills 1168 and 1319 and Assembly Bill 1739, known collectively as the Sustainable Groundwater Management Act (“SGMA”), which became effective on January 1, 2015 and which have been and may continue to be amended from time to time; and

WHEREAS, SGMA requires the establishment of a groundwater sustainability agency (“GSA”) or agencies and the adoption of a groundwater management plan (“GSP”) or plans for all basins designated as medium- or high-priority by the California Department of Water Resources (“DWR”) but authorizes such activities within all basins defined in DWR Bulletin No. 118 or as modified by DWR subject to certain enumerated exceptions; and

WHEREAS, on February 11, 2019, DWR released the Final 2018 Basin Boundary Modifications, which created two separate subbasins out of the previously identified Santa Maria River Valley Basin (DWR No. 3-012) (“Old Basin”) which included both an adjudicated area (over which SGMA does not apply) and certain “fringe” areas, namely the Santa Maria River Valley – Arroyo Grande Subbasin (DWR No. 3-012.02) (“Subbasin”) and the Santa Maria River Valley – Santa Maria Subbasin (DWR No. 3-012.01); and

WHEREAS, although the Old Basin had been designated by DWR as a high-priority basin, the Final SGMA 2019 Basin Prioritization Process and Results Document identifies the Subbasin as a very low-priority basin; and

WHEREAS, prior to DWR’s creation of the Subbasin, both Parties decided to become the GSA for the portion of the “fringe” areas of the Old Basin (i.e. those areas outside of the adjudicated area) located within their respective service areas and informed DWR on their decision and intent to undertake sustainable groundwater management therein; and

WHEREAS, also prior to DWR’s creation of the Subbasin, the County applied for and was awarded a Proposition 1, Sustainable Groundwater Planning Grant (“Grant”) for GSP development efforts within the “fringe” areas of the Old Basin and within the San Luis Obispo Groundwater Basin; and

WHEREAS, the Grant Agreement between the County and DWR (“Grant Agreement”) allocates \$494,975 of the total Grant award to GSP development efforts within the fringe areas of the Old Basin (Component 3) subject to the terms and conditions set forth in the Grant Agreement, including, the condition that the County contribute a local cost share equal to the amount of the Grant allocated to Component 3 (“Local Cost Share”); and

WHEREAS, although SGMA likely no longer requires the adoption of a GSP within said areas, the Parties still desire to develop a GSP for the Subbasin given the existence of the Grant (DWR has confirmed that use of Grant funds to fund the development of a GSP within the newly created and prioritized Subbasin is consistent with the Grant and Grant Agreement) and given that the technical analysis resulting from the development of the GSP will likely provide information necessary for the preparation of the Arroyo Grande Creek Habitat Conservation Plan under development by the San Luis Obispo County Flood Control and Water Conservation District (“District”) as well as a better overall understanding of the hydrogeologic processes in the Arroyo Grande Creek Watershed, both of which would assist with effective management of the District’s Zone 3.

NOW, THEREFORE, it is mutually understood and agreed as follows:

**Section 1
Purpose**

This MOA is entered into by the Parties for the purpose of establishing the manner in which the Parties will coordinate in the development of a single GSP for the Subbasin that will be considered for adoption by the City Council and the County Board of Supervisors and that may be subsequently submitted to DWR for approval.

**Section 2
Term**

This MOA shall become effective on the date that the last Party signs (“Effective Date”) and shall remain in effect until terminated in accordance with Section 8.1 below.

**Section 3
City and County Roles and Responsibilities**

- 3.1 The Parties shall work jointly to meet the objectives of this MOA.
- 3.2 The Parties shall retain the services of a consultant(s) to meet the objectives of this MOA, including, but not limited to, preparation of a GSP for the Subbasin in accordance with the provisions set forth in Section 4 and Section 6 below.
- 3.3 The Parties shall each designate a staff person(s) to participate in the development of the GSP and related technical studies through, without limitation, the provision of guidance and available data, in coordination with the consultant(s).

3.4 The Parties shall each be responsible for adopting the GSP and implementing the GSP within their respective service areas. Notwithstanding the foregoing, nothing contained in this MOA shall be construed as obligating either the City Council or the County Board of Supervisors to adopt the GSP developed pursuant to this MOA or as preventing either the City Council or the County Board of Supervisors from adopting the GSP developed under this MOA in the event that the other elects not to adopt it.

3.5 The Parties may individually or jointly lead certain Subbasin-wide public outreach and stakeholder involvement to improve development of the GSP in a manner consistent with Section 4 below.

Section 4 Public Engagement

4.1 The Parties will collaborate jointly in coordination with the consultant(s) to engage interested and affected stakeholders in the Subbasin regarding the development of the GSP. The public engagement process may entail holding public meetings, workshops, communicating through emails and postal mailings and establishing a web-based communication portal. The City and County staff designated pursuant to Section 3.3 above will provide regular updates to their respective governing bodies on the progress of the GSP development.

4.2 Each draft chapter and/or section of the GSP provided by the consultant(s) will first be internally reviewed by the City and County staff designated pursuant to Section 3.3 above and then subsequently made available for public comment during a specified comment period. Comments received during each such period will be considered prior to compilation and publication of the complete draft GSP which will also be made available for public comment during a specified comment period prior to either Party's adoption of the GSP.

Section 5 Funding

5.1 For each year during the term of this MOA, the City and County staff designated pursuant to Section 3.3 above shall develop an annual budget to implement this MOA.

5.2 Subject to approval of said budget by the County Board of Supervisors, the County agrees to fund all costs included in such approved budget contingent on the prior occurrence of the following: subsequent to recommendation / endorsement by the District Zone 3 Advisory Committee, the District includes in its approved annual budget(s) an amount equal to ten percent (10%) of the Local Cost Share required under the Grant Agreement with respect to Grant funds expended / claimed in connection with Component

3, but not to exceed a total of \$50,000, and the District remits said amount to County in accordance with invoices issued by County. Nothing herein shall be construed as requiring the County Board of Supervisors or the District Board of Supervisors to approve any particular budget or budget item in any year.

Section 6 Retention of Consultants

6.1 The County agrees to act as the contracting agent to retain the services of a consultant(s) as described in Section 3.2 above.

6.2 Notwithstanding the foregoing, the County agrees that no request for proposals will be circulated until City staff approves the scope of work included therein and that a City staff representative shall be invited to participate in the various subsequent stages of the selection process, including, but not limited to, review of proposals and participation on interview panels.

6.3 All consultant contracts entered into by the County pursuant to this MOA shall include a provision requiring that the consultant name the City as an additional insured and to indemnify and hold the City harmless from damages and costs caused in whole or in part by any negligent or wrongful act, error or commission of consultant.

Section 7 Notice

7.1 To provide for consistent and effective communication between the Parties, each Party shall designate a representative as its central point of contact on matters relating to this MOA.

7.2 All notices, statements, or payments related to this MOA shall be deemed to have been duly given if in writing and delivered electronically, personally or mailed by first-class, registered or certified mail to the Parties at the addresses set forth in Exhibit A. The Parties may update Exhibit A from time to time without formal amendment to this MOA.

Section 8 Termination

8.1 This MOA may be terminated by either Party upon thirty (30) days written notice to the other Party's designated address as listed in Exhibit A.

Section 9
Miscellaneous

9.1 This MOA may be amended only in a writing signed by both Parties.

9.2 This MOA may be executed in counterparts, each of which shall be deemed to be an original, but all of which, when taken together, shall constitute one and the same agreement. This MOA may be executed and delivered by facsimile or scanned signature by either of the Parties and the receiving Party may rely on the receipt of such document so executed and delivered by facsimile or email as if the original had been received.

9.3 This MOA is made in the State of California, under the Constitution and laws of said State and is to be so construed.

9.4 If any provision of this MOA is determined to be invalid or unenforceable, the remaining provisions shall remain in full force and unaffected to the fullest extent permitted by law and regulation.

9.5 This MOA constitutes the sole, entire, integrated and exclusive agreement between the Parties regarding the contents herein. Any other contracts, agreements, terms, understandings, promises or representations not expressly set forth or referenced in this writing are null and void and of no force and effect.

9.6 The Parties agree and acknowledge that this MOA has been developed through negotiation, and that each Party has had a full and fair opportunity to revise the terms of this MOA. Consequently, the normal rule of construction that any ambiguities are to be resolved against the drafting party shall not apply in construing or interpreting this MOA.

[signatures to follow on next page]

IN WITNESS WHEREOF, the Parties have executed this MOA by authorized officials thereof on the dates indicated below.

CITY OF ARROYO GRANDE

By: [Signature]

Its: MAYOR PRO TEM

Date: 10-25-2020

**APPROVED AS TO FORM AND
LEGAL EFFECT:**

By: [Signature]

Its: CITY ATTORNEY

Date: 10-25-2020

COUNTY OF SAN LUIS OBISPO

By: [Signature]

Its: Chairperson, Board of Supervisors, County of San Luis Obispo, State of California

Date: October 16, 2020

**APPROVED AS TO FORM AND
LEGAL EFFECT:**

By: [Signature]

Its: Deputy County Counsel

Date: June 3, 2020

ATTEST:
Wade Horton, County Clerk of the Board and
Ex-Officio Clerk of the Board of Supervisors

By: [Signature]
Deputy Clerk

**EXHIBIT A
PARTY ADDRESS LIST**

County of San Luis Obispo
County Government Center, Room 206
San Luis Obispo, CA 93408
Attention: John Diodati, Interim Public Works Director

City of Arroyo Grande
Public Works Department
1375 Ash Street
Arroyo Grande, CA 93420
Attention: Bill Robeson, Director