

**COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS  
WEDNESDAY, NOVEMBER 14, 2018**

**MINUTE ORDER NO. 2**

**SUBJECT: NOTICED PUBLIC HEARING:  
AUTHORIZATION FOR THE COUNTY OF SAN DIEGO TO WITHDRAW  
FROM MANAGING THE SAN LUIS REY VALLEY GROUNDWATER BASIN  
AS A GROUNDWATER SUSTAINABILITY AGENCY (DISTRICT: 5)**

**OVERVIEW**

On June 21, 2017 (2), the Board of Supervisors (Board) entered into a Memorandum of Understanding (MOU) with the Pauma Valley Community Services District, Upper San Luis Rey Resource Conservation District, and Yuima Municipal Water District (MWD) to establish a Groundwater Sustainability Agency (GSA) over the San Luis Rey Valley Groundwater Basin (Basin) as required by the State of California's Sustainable Groundwater Management Act (SGMA). Under SGMA, counties are the default GSA if no local public agencies elect to become a GSA for a basin. The purpose of a GSA under SGMA is to develop a Groundwater Sustainability Plan (Plan) in the Basin to achieve long-term groundwater sustainability. If multiple agencies elect to become a GSA over the same basin area, SGMA requires that the agencies reach an agreement regarding how multiple GSAs will administer a single Plan or coordinated Plans for a basin. The MOU defined roles and responsibilities during Plan development and served to eliminate overlapping jurisdictions that arose when multiple local public agencies declared to become a GSA over the same basin area.

Since June 2017, representatives from the County of San Diego (County), local public agencies, Tribes, California Department of Water Resources and the State Water Resources Control Board held 13 coordination meetings. These meetings enabled greater collaboration within the Basin resulting in an expanded tribal role for SGMA implementation. Additional changes in circumstances include the availability of state grant funding, a renewed interest by local public agencies in leading Plan development, and recent legislation (Assembly Bill 1944) expanding the Basin boundaries. Local public agencies and tribal governments that overlie the Basin are now working together to prepare a Plan and sustainably manage groundwater in accordance with SGMA. Because of this collaboration and the involvement of water supply and management agencies necessary for Plan implementation, staff recommend the County withdraw from the GSA.

If the County were to withdraw from SGMA, its role in the Basin would transition from managing groundwater resources as a GSA to that of a stakeholder, or non-GSA agency, overseeing integration of the Plan with the County's land use and well permitting responsibilities. The County would continue to participate in working group meetings but would rely upon local public agencies with water supply and water management responsibilities to develop and implement as-needed projects such as providing imported water to groundwater users to sustainably manage groundwater resources.

This item is a request for the Board to consider withdrawal from the MOU with Pauma Valley Community Services District, Upper San Luis Rey Resource Conservation District, and Yuima MWD and to consider withdrawal of the County from being a GSA for the Basin.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(3) and 15378(b)(5) of the State CEQA Guidelines.

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2. Authorize the Director of Planning & Development Services (PDS), to submit written notice to the Pauma Valley Community Services District, the Upper San Luis Rey Resource Conservation District, and the Yuima Municipal Water District withdrawing from the *Memorandum of Understanding: Development of a Groundwater Sustainability Plan for the San Luis Rey Valley Groundwater Basin* (MOU) while continuing to participate as a stakeholder in accordance with Section X(1)(b) of the MOU.
3. Authorize the Director of PDS to withdraw from being a Groundwater Sustainability Agency for the San Luis Rey Valley Groundwater Basin by notifying the California Department of Water Resources in accordance with Section 10723.8(c) of the Sustainable Groundwater Management Act.

**FISCAL IMPACT**

Funds for developing a Groundwater Sustainability Plan (Plan) within San Luis Rey Valley Groundwater Basin (Basin) are included in the Fiscal Year 2018-19 Operational Plan in Planning & Development Services, as approved by the Board on June 21, 2017 (2). If withdrawal from the Memorandum of Understanding is approved by the Board, approximately \$2.6 million of remaining funds budgeted to complete the Basin’s Plan will be reallocated to the SGMA program overall as well as provide continued staff resources in the Basin. Reallocating these funds will result in cost avoidance in future fiscal years, and when combined with leveraging grants and cost sharing agreements, will enable the County to complete and implement Plans for other basins. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the Board of Supervisors closed the Hearing and took action as recommended, adopting additional recommendations to read:

1. Authorize the PDS Director to negotiate a Cost Sharing Agreement for the purpose of developing the Groundwater Sustainability Plan for the San Luis Rey Valley Groundwater Basin for the benefit of the region and community. The County’s Fiscal Year 2018-19 contribution, of up to \$150,000, is included in the Fiscal year 2018-19 Operational Plan in Planning & Development Services.
2. Approve and authorize execution of the Cost Sharing Agreement by the Clerk.

AYES: Cox, Jacob, Roberts, Horn

ABSENT: Gaspar

State of California)  
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

DAVID HALL  
Clerk of the Board of Supervisors



**Signed**  
**by** Marvice Mazyck, Chief Deputy