



COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
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Sean Powers, Agency Director

Agricultural Commissioner

Building Department

Environmental Health

Planning Department

Dept. of Public Works

NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: December 13, 2016

TO: Board of Supervisors

FROM: Amy Irani, Director of Environmental Health

SUBJECT: Resolution Approving the Martis Valley Groundwater Basin (MVGB) Alternative Plan submittal in accordance with the Sustainable Groundwater Management Act (SGMA) by County of Nevada Environmental Health Department in concurrence with the Parties of the Martis Valley Groundwater Basin Group (MVGBG).

RECOMMENDATION: Approve the MVGB Alternative Plan for submittal to the State Department of Water Resources (DWR) and appoint staff to the Management Committee.

FUNDING: The total Environmental Health Department cost for any modification and resubmittal of the Alternative Plan will be up to \$5,000.00. The cost would cover the work involved to comply with DWR corrections required from the initial submittal on January 1, 2017. Should the Alternative plan be accepted by DWR without any corrections necessary, the total Environmental Health Department cost for shared implementation of the alternative plan would be up to an additional \$5,000.00 for the Fiscal Year 2017/2018. Any additional funding requests would be brought back to your board for approval.

BACKGROUND: The Sustainable Groundwater Management Act of 2014 (SGMA) requires agencies to achieve “sustainable groundwater management”. Compliance with the act requires the formation of a Groundwater Sustainability Agency (GSA) by June 30, 2017, and adoption of a Groundwater Sustainability Plan (GSP) by January 31, 2022. These requirements have been determined to be very expensive.

An “Alternative” to a GSP is an option provided by SGMA (CWC 10733.6(b)(3)) for basins that already satisfy the objectives of SGMA. To exercise this option, the entity submitting the Alternative must provide information that demonstrates a basin has operated within its sustainable yield over a period of at least 10 years.

The submittal of an Alternative Plan would avoid the cost to prepare a GSP and makes formation of a GSA optional. An Alternative Plan must be submitted to the State’s Department of Water Resources (DWR) by January 1, 2017.



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On August 16, 2016, Environmental Health provided the Board with an update and letter of support recommending County of Nevada to move forward with the other agencies in the Martis Valley Basin to prepare an Alternative Submittal. Truckee Donner Public Utility District has taken the lead in preparing an Alternative Submittal and has hired a consulting hydrogeologist registered in California who has documented data that demonstrates the MVGB has a continuous 25 year history of sustainable yield. The estimated sustainable yield is 22,000 acre-feet (AF) and annual extractions are estimated to be on the order of 7,000 AF. The MVGB has been proactively managed under a groundwater management plan and the Truckee River Operating Agreement (TROA) which provides existing regulatory framework for the Alternative Plan. County of Nevada Environmental Health staff has reviewed and commented on the Alternative Plan Submittal and believe it is ready for Board approval.

The Alternative Submittal demonstrates eligibility based on sustainability of the aquifer, provides a description of each of the six agencies and how we propose to continue groundwater management, and addresses the six "undesirable results" identified by SGMA guidelines. These undesirable results are: 1) groundwater levels; 2) storage; 3) water quality; 4) seawater intrusion; 5) land subsidence; and 6) surface water depletions. A management approach to monitoring each is of these is described with action thresholds provided, most of which use monitoring of groundwater levels as a proxy.

To meet the requirements of the Alternative submittal, all parties must adopt a resolution approving the document and enter into a Memorandum of Agreement (MOA) to implement the commitments made. The attached MOA, was approved by the Board on November 8, 2016, and identifies duties of the participating agencies, which include groundwater monitoring, annual reporting to DWR, five-year renewals with DWR, and public outreach. Each party is responsible to coordinate with the participating agencies, participate in identified duties, and share technical expertise and information. The MOA provides for budgeting between the six parties, an administering manager to lead the implementation efforts, and a Management Committee of one representative and an alternate from each participating agency.

The Management Committee will hold quarterly meetings, with at least one per year being publically noticed. It is anticipated that these meetings will coordinate efforts to collect and assemble data towards the preparation of annual reports. The publicly noticed meeting is anticipated to be a workshop to present results to stakeholders before submitting reports to DWR. Staff recommends the following County staff be appointed to the Management Committee; Appoint the Environmental Health Director to the Management Committee defined in the MOA and appoint the Environmental Health Specialist III assigned to the Public Water System Program as an alternate.



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A public meeting was held on Monday, November 14, 2016 from 5:30 p.m. to 7:30 p.m. in the Truckee Donner Public Utility District's board room at 11570 Donner Pass Road in Truckee as an opportunity for the public to learn more about SGMA and to provide comments and feedback on the Alternative submittal and the SGMA process. Information on SGMA, the requirements for an alternative submittal, and a report certifying that the MVGB has operated within the sustainable yield for 25 years was presented.

Should the Alternative be denied by the DWR then the MVGB group would have an additional six months to form a GSA. During that time, a plan to fund and develop a GSP would be created to complete and submit a GSP to DWR by January 31, 2022. The effort and funding put into the Alternative, and the technical reports prepared, would be applicable to the development of a GSP.

In order to move forward staff recommends that the Board adopt the Resolution supporting the Alternative Plan submittal and appoint staff to the Management Committee.

CEQA Requirements: This action does not constitute a "Project" under the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines 15378(b)(5) because it is an administrative action that does not result in any direct or physical change in the environment. In addition, an Alternative submittal has been determined to be exempt from CEQA based on a legislative exemption provided in SGMA, Water Code Section 10728.6, and for purposes of protection of natural resources and the environment, per CEQA guidelines Sections 15307 and 15308.

Item Initiated and Approved by: Amy Irani

Submittal Date: 12/1/16
Revision Date: