

**Summary of East Bay Plain Basin SGMA Implementation Information Session
(held on January 11, 2016)**

DRAFT

Participants:

See attached sign-in sheet

Objective:

To discuss the implementation of the Sustainable Groundwater Management Act (SGMA) of 2014 including formation of governing bodies (Groundwater Sustainability Agency(s)) by Jun 2017 and establishment of Groundwater Sustainability Plans (GSPs) by Jan 2022

EBMUD Presentations:

EBMUD staff presented the background information and current groundwater management activities in East Bay Plan basin and stakeholder landscape (see attached).

DWR Presentations:

DWR staff presented the SGMA implementation process emphasizing the formation of GSAs and resources available to assist the local stakeholders (see attached).

Following to the presentation, DWR staff answered questions from the participants.

Open Discussion:

Ken gave a presentation on SGMA implementation to the group. Ken announced he would follow up by emailing the presentation to all attendees. (Insert Link). Hong emphasized that it is preferable to establish a local Groundwater Sustainability Agency (GSA). Counties are the default agency, but if necessary the State (SWRCB) will step in as GSA. It appeared to be general consensus among stakeholders that having the state step in was not the preferred approach.

There were few comments or questions from the group except:

- Ryan Smith, City of Richmond, asked what it meant to “coordinate” between agencies in case of boundary overlap. Hong replied that the agencies must work to avoid overlapping boundaries within a GW basin or comply with additional regulations. There is a 90 day window to resolve overlaps, with a goal to

determine “exclusive” GSAs for each basin or portion thereof. The DWR will review for completeness of coverage of basin.

- Alex Ameri, City of Hayward, asked for clarification on when the clock for DWR review of GSA begins. The response was after the application is deemed complete, there will be a 90 day period for public comment. If no comment, the GSA will be deemed “exclusive”.

Interactive tools

Bill Brewster (BB) of DWR followed with another presentation covering how the interactive tools on the SGMA website have been improved and the types of data available to all users (Insert Link) During this presentation there were a few comments:

- KM asked if the SWRCB were to become the “backstop” agency (that is if no local GSA were defined), what the cost would be. Hong replied that the SWRCB will require all GW users to report pumping by 12/15/17. There would be fees to cover state staff, management costs and service fees, though not necessarily a “penalty”. They are working on a fee structure. It is expected to be expensive.
- Michelle Myers, ACWD, asked what would be covered in the fees. Hong responded that fees would include research.....(Other?)
- TF suggested that all stakeholders become familiar with the website. BB reiterated that shortly all of the resources on the website will be functional with GIS, so that users can download and import shapefiles into their own reports.
- Alex Ameri asked what is the timeline for adjustments to the data already on the web? BB responded by the end of March, 2016.
- TF noted that the Boards of each agency would have to adopt resolutions about the formation of the GSA, implying that the timeline was shorter than the actual DWR deadline, given time for approval by each Board.
- Michelle Myers asked when the Draft Strategic Plan will be final, pointing out that her agency had provided comments on it. Hong responded by mid 2016.

Roundtable discussion.

The general topic put out for discussion was “Where does each agency stand in regards to its interests in SGMA”. Each agency represented at the table replied in turn.

- Richard Sykes (RS) stated that for EBMUD, Ground water is not the main supply. Rather EBMUD relies on Mokelumne and Sacramento river supplies. EBMUD does not have any wells contributing to our general water supply, although Bayside is capable of up to 1MGD after we inject surface water into the aquifer. There are approximately 5000 known wells in the EBMUD service area, though not many are active. We do not know if , when or how they will fit into our water

supply in the future. EBMUD also is working on groundwater banking projects with San Joaquin county, where there are lots of entities vying to be the GSA. EBMUD is open to being the GSA for the East Bay Plain.

- Ryan Hernandez of Contra Costa Water Agency (CCWA), stated that his agency overlies 3 ground water basins; Tracy, Livermore and part of the East Bay Plain. CCWA represents the County in water planning and they are distinct from CCWD. They are a small agency and want to cooperate with others. They are interested in working with other stakeholder agencies to make sure that they are participants in the groundwater basins, but are not interested in being the default GSA.
- Dale Smith, City of Oakland, noted that the SGMA process was new to him. His main concern is subsidence within the City of Oakland. KM said that subsidence would be considered in development of the GSP. There are no known issues of subsidence in Oakland per DWR.
- Alex Ameri, City of Hayward, stated that he was looking forward to working with EBMUD in the development of the GSP.
- XXXX? ,City of Alameda, also stated that her agency was looking forward to working with EBMUD.
- Ryan Smith, City of Richmond stated that Richmond would be happy to help out.
- Kwablah Attiogbe, Alameda County Public Works, stated that they would like EBMUD to be the GSA.
- XXXX (Steven Inn?) of ACWD stated that their agency has been in the groundwater business for 101 years. They are determining whether they want to look at the “alternative” or “regular” development of the GSP. They are here to coordinate with other stakeholders regarding their northern service area which overlies the East Bay Plain Basin. They are working on a description of the boundary.
- Karineh Samkian, City of San Pablo, stated that San Pablo is new to the whole SGMA program, and wants to work with the group.

Further Open Discussion:

RGS reiterated that he wants to make sure the GSA is done right, and believes that fewer entities is better. He acknowledges it is better that EBMUD as the major water supplier in the basin take the leadership role, though he is entering it cautiously.

KM reiterated that if EBMUD and other agencies are to participate in a joint GSA, they will need to work together over the next 10 months, noting necessary time to form JPAs and to work with the various Boards of Directors.

KM suggested reconvening the meeting in 60 days. EBMUD's goal is to find a way to develop the GSA which is acceptable to all stakeholders, and believes that avoiding SWRCB intervention would be best for all parties.

Q (from city of Alameda?) If EBMUD were to be the GSA, what would the City of Alameda have to do?

A) KM: as a stakeholder, you need to have a steering committee

A)BB pointed out that not every GSA will have all the resources necessary to do the work required, for example in data collection. It will have to be a team effort from all stakeholders.

RGS: All stakeholder agencies will have to develop and sign an MOU with EBMUD to figure out how to manage the GSA

Q) Would the MOU have to be before 6/17?

A) RGS: Yes, we would want MOUs developed before we submitted the application to be GSA

Karineh: We would be open to a JPA

A) Need to study first.

Hong: If EBMUD becomes the GSA, The Cities and County would have to be on board because they are the local land-use agencies, and should be involved under EBMUD's GSA lead, per the regulations. Both Land Use and Water management must be coordinated in GSP.

James Yoo reminded the group that the County of Alameda has ground water authority.

KM: We are still waiting on the guidelines, BMPs and regulations to be finalized.

TF: We will involve Hayward and ACWD because they are other water purveyors on East Bay Plain.

Next Steps:

The next meeting will be scheduled (by KM) in 60 days.

Until then, think about discussion today and try to develop an idea of how to form the GSA institutionally. A more concrete position would be required from each agency regarding their involvement in GSA by the next meeting

Hong: Final GSP regulations are expected in early February, and public workshops will be conducted in mid March. In response to TF's question, Hong noted that DWR does provide facilitation services, but this is generally earmarked for more contentious stakeholder groups, and the East Bay Plain group probably will not require those services. Not many facilitators are currently available.

Attachments:

1. DWR's Presentation
2. EBMUD's Presentation
3. Groundwater Sustainability Agency Frequently Asked Questions