

# ***CITY OF MADERA***

## ***COMMUNITY DEVELOPMENT DEPARTMENT***

Dave Merchen – Director of Community Development  
[dmerchen@cityofmadera.com](mailto:dmerchen@cityofmadera.com) ▪ (559) 661-5430  
205 W 4<sup>th</sup> Street ▪ Madera, Ca 93637

Date: December 23, 2015

To: Madera Sub-Basin GSA Formation Committee

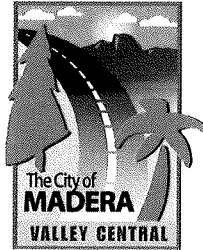
From: Dave Merchen, Community Development Director

RE: Preferred GSA Structure

---

On December 16, 2015, the City Council reviewed alternatives for the Madera Sub-basin GSA structure. The consensus among Council Members was that a Multiple GSA - Single GSP structure is preferred. This structure was identified as having the best balance of local control and basin-wide coordination. The Council was informed about, and concurred with, the need for a coordinated or hybrid approach to the Multi-GSA structure to address the existing overlap in the boundaries of participating agencies in the Madera Sub-basin.

# REPORT TO THE CITY COUNCIL




COUNCIL MEETING OF:  
December 16, 2015

AGENDA ITEM NUMBER:  
E-2

Approved By:

  
\_\_\_\_\_  
COMMUNITY DEVELOPMENT DIRECTOR

  
\_\_\_\_\_  
CITY ADMINISTRATOR

**SUBJECT: Update on the Status of the Formation of a Groundwater Sustainability Agency (GSA) for the Madera Groundwater Sub-basin and Direction to Staff Regarding the City's Preferred Structure for the Agency**

## RECOMMENDATION:

Staff recommends that the Council review the information provided in this report and identify the City's preferred structure for the Madera Groundwater Sub-basin GSA.

## SUMMARY:

In 2014, the state legislature adopted new requirements mandating the formation of groundwater sustainability agencies (GSA) for all groundwater basins in California. A Formation Committee, comprised of seven local stakeholder entities, is working on the formation of a GSA for the Madera Groundwater Sub-basin. In April of this year, the Council authorized the City Administrator and Community Development Director to represent the City on the Formation Committee. Each of the seven agencies sitting on the committee has been tasked with identifying its preferred structure for the GSA before the next Formation Committee meeting in January.

## DISCUSSION:

In September of 2014, the Governor signed into law SB 1168, AB 1739, and SB 1319. Together, these three pieces of legislation impose new requirements on local agencies focusing on sustainable groundwater management. The formation of Groundwater Sustainability Agencies (GSAs) and, later, the preparation of Groundwater Sustainability Plans (GSPs), is required for high and medium priority groundwater basins. This includes the Madera Groundwater Sub-basin underlying the City of Madera. Failure on the part of local agencies to act in conformance with these requirements will result in state intervention. The local agencies relying in whole or in part on the Madera Groundwater Sub-basin, and those involved with the GSA Formation Committee for this basin, include the following: City of Madera, County of Madera, Madera Irrigation District, Aliso Water District, Madera Water District, Gravelly Ford Water District, and the Root Creek Water District.

The new state requirements focus on groundwater management at the basin (or sub-basin) level. The legislation provides flexibility regarding the structure of GSAs. Two critical decisions for the Formation Committee focus on whether one or multiple GSAs are established for the Madera sub-basin, and whether one or multiple Groundwater Sustainability Plans (GSP) are prepared for the sub-basin. The basic alternative models for the GSA are as follows:

1. Single GSA - Single GSP. All stakeholder entities form one agency and contribute with data to prepare one plan. GSA enforcement and implementation comes from the GSA. This approach coordinates resources and provides consistency across the basin.
2. Multiple GSAs – Single GSP. Each stakeholder entity (or smaller groups of stakeholders) forms a GSA, and then the multiple GSAs work together to prepare a GSP for the entire basin. Each agency is responsible for enforcement and implementation within their management area.
3. Multiple GSAs - Multiple GSPs. Each stakeholder entity (or smaller groups of stakeholders) forms a GSA and develops an individual GSP. Each GSA must coordinate their plans with all other plans in the basin, and a coordination agreement is required.

In concept, Option 1 probably best achieves the coordinated approach to groundwater sustainability within the basin that is intended by the legislation described above. However, because implementation and enforcement of sustainability measures would come from within a coordinated GSA rather than from individual agencies, is unlikely that the member agencies will feel comfortable with this approach given the unknowns regarding what sustainability measures will look like. Option 3, on their other hand, leaves individual stakeholder entities to form their own GSAs and adopt their own plans. The overall goal of sustainability within the sub-basin does not go away with this option, however. The difficulty of coordinating individual plans to achieve a single goal is substantial. Any one GSA failing to produce a coordinated plan, or failing to implement its plan, could place the entire sub-basin at risk. Operational hurdles and the risk of litigation are high in this “decentralized” model.

After reviewing the available alternatives, staff believes that Option 2 provides the best balance of local control and basin-wide coordination. Under this option, the City would establish itself as a GSA and then work with other GSAs in the Madera sub-basin to prepare a coordinated GSP. Implementation and enforcement of the GSP would occur at the City level. It’s important to note, though, that any overlap between GSA boundaries is prohibited. This is important because the existing City limits overlap substantially with the existing boundaries of the Madera Irrigation District (MID). Therefore, it is likely that the City will need to work out a coordination agreement with MID to address this conflict, or collaborate with MID to form just one GSA that covers the entire City/MID boundary. City Staff has discussed this issue with MID Staff and it appears there is interest in pursuing this kind of coordinated approach.

#### **CONSISTENCY WITH THE VISION MADERA 2025 PLAN:**

Strategy 434 - Ensure continued water supplies to meet the demands of all Maderans through innovative reclamation, conservation and education on water-use.

#### **FINANCIAL IMPACT:**

The City provided an initial contribution of \$3,000 to cover formation cost of the GSA. Additional funding may be requested in the future, and operational funding demands of the future GSA are unknown at this point.