

Staff Report

TO: Board of Directors

FROM: Chip Close, Water Operations Manager

DATE: November 10, 2021

SUBJECT: **Withdrawal from the West Placer Groundwater Sustainability Agency Memorandum of Agreement**

OPERATIONS

RECOMMENDATION:

Adopt Resolution No. 2021-37 (Withdrawing from the Memorandum of Agreement from the West Placer Groundwater Sustainability Agency).

BACKGROUND:

The passage of the Sustainable Groundwater Management Act (SGMA) in 2015 brought forth some of the first regulations for groundwater pumping in the state. The obligations of SGMA require water agencies withdrawing groundwater to develop a Ground Water Sustainability Plan (GSP) to prove continued or expanded groundwater use is sustainable by 2022.

The District's service area overlaps a small portion of the North American Sub-Basin of the Sacramento Ground Water Basin; however, as a surface water agency, the District is exempt from SGMA regulations. Though exempt, the District had an interest in SGMA due to the proximity of our boundary and the potential of District tailwater providing benefits to the recognized basin.

In May of 2017, NID committed to groundwater management studies by signing a Memorandum of Agreement (MOA) to join with regional partners in the formation of the West Placer Groundwater Sustainability Agency (WPGSA). The WPGSA is dedicated to compliance with the SGMA while maintaining local control of the groundwater sub-basin. The group formed with the intent to gather groundwater data analysis to inform the forthcoming Ground Water Sustainability Plan (GSP). The WPGSA includes most of the local land use and water purveyor agencies, including Placer County, Placer County Water Agency, the City of Roseville, the City of Lincoln, and the Nevada Irrigation District.

The District's contributions to the WPGSA have included water data and financial backing through annual payments to the WPGSA group. The study of water quality

and quantity within the North American Sub-Basin is nearing completion, and the WPGSA team is moving toward the next phase in the development of the GSP.

The forthcoming GSP will include five different GSA partners within the North American Sub-basin. All of the partners utilize groundwater within the basin, with the exception of the District. As the team transitions from data analysis to a groundwater use plan, this is the appropriate time for the District to withdraw from the process. The District does not utilize groundwater and does not plan to do so in the future. As such, staff is recommending the District withdraw from the MOA. Staff will continue supporting the WPGSA team with publically available data when requested, but will no longer be a financial contributor.

BUDGETARY IMPACT:

The District paid membership fees to the WPGSA on an annual basis. Payments began in 2017 at \$50,000 for the first 2 years, and reduced to \$30,000 as the workload decreased. To date, the District has invested roughly \$160,000 in the WPGSA. Removal from the MOA will save future membership funds, which will be retained in the District's general fund.

Attachments: (2)

- Resolution No. 2021-37 (Withdrawing from the Memorandum of Agreement from the West Placer Groundwater Sustainability Agency)
- Map of NID North American Sub-basin Overlap



RESOLUTION NO. 2021-37
OF THE BOARD OF DIRECTORS OF THE NEVADA IRRIGATION DISTRICT

**WITHDRAWING FROM THE MEMORANDUM OF AGREEMENT FROM
THE WEST PLACER GROUNDWATER SUSTAINABILITY AGENCY**

WHEREAS, the Sustainable Groundwater Management Act (“SGMA”), as amended and codified in California Water Code §§ 10720, *et seq.*, applies to all groundwater basins in the State of California; and

WHEREAS, The legislative intent of SGMA is to provide sustainable management of groundwater basins, to enhance local management of groundwater, to establish minimum standards for sustainable groundwater management, and to provide local groundwater agencies with the authority and the technical and financial assistance necessary to sustainably manage groundwater; and

WHEREAS, SGMA requires “sustainable groundwater management” for all groundwater basins or subbasins that are designated as high or medium-priority basins by the Department of Water Resources (“Department”) in the Department’s report entitled “California’s Groundwater: Bulletin 118” (“Bulletin 118”); and

WHEREAS, the District’s boundary overlaps a small portion of the North American Subbasin of the Sacramento Valley Groundwater Basin, California Department of Water Resources Basin No. 5-21.64, which been designated as a high-priority subbasin in Bulletin 118; and

WHEREAS, five local agencies with jurisdiction over portions of the North American Subbasin formed a multi-agency GSA for a portion of the subbasin in western Placer County, named the West Placer Groundwater Sustainability Agency (“West Placer GSA”): Placer County, Placer County Water Agency, the City of Roseville, the City of Lincoln, and the Nevada Irrigation District (collectively referred to herein as Members); and

WHEREAS, the Members have expressed their desire to maintain as much local autonomy as possible in the formation of the GSA and in the implementation of SGMA; and

WHEREAS, the Members collectively determined that forming the GSA under a Memorandum of Agreement (MOA) is the best form of a legal agreement that solidifies the formation of the GSA while also allowing the Members to maintain their desired autonomy; and

WHEREAS, the District has actively participated in the West Placer GSA by providing water data and financial backing since the establishment of the GSA in 2017, and

WHEREAS, the West Placer GSA is preparing a Groundwater Sustainability Plan (“GSP”) for the North American Subbasin and is moving into the next phase of groundwater sustainability; and

WHEREAS, the District has determined that it no longer wishes to be a Member of the West Placer GSA and, through this Resolution, seeks to withdraw from the MOA.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE NEVADA IRRIGATION DISTRICT AS FOLLOWS:

1. The Board of Directors hereby authorizes and directs Nevada Irrigation District to withdraw from the West Placer GSA for the North American Subbasin of the Sacramento Valley Groundwater Basin as depicted on the map attached to this Resolution as Exhibit A and incorporated herein by reference.
2. The General Manager is hereby authorized and directed to send notices, sign documents, if necessary, and to take such other reasonable further actions necessary to complete the withdrawal from the West Placer GSA MOA
3. The District commits to provide publicly available data and other information to the West Placer GSA when requested.

4. This action is either not subject to or is otherwise exempt from the provisions of the California Environmental Quality Act of 1970.

* * * * *

PASSED AND ADOPTED by the Board of Directors of the Nevada Irrigation District at a regular meeting held on the 10th day of November 2021, by the following vote:

AYES:	Directors:
NOES:	Directors:
ABSENT:	Directors:
ABSTAINS:	Directors:

President of the Board of Directors

Attest:

Secretary to the Board of Directors

YUBA COUNTY

NEVADA COUNTY

PLACER COUNTY







LINCOLN



65

193

LEGEND

-  Groundwater Basin Boundary
-  NID Service Area Boundary
-  Overlap Area
-  NID Canal
-  NID Siphon/Pipe
-  NID Random/Creek

0 2,250 4,500 9,000 13,500 18,000 Feet

S:\arcview\GroundWater\NID_SacOverlap.mxd



NEVADA IRRIGATION DISTRICT
NEVADA COUNTY – PLACER COUNTY
GRASS VALLEY, CALIFORNIA

**NID - NORTH AMERICAN
GROUND WATER SUB-BASIN OVERLAP**

Drawn By: D. HUNT

Date: 3/15/2017

Sheet: 1 of 1

EXHIBIT A