

Thermalito Water & Sewer District
410 Grand Avenue, Oroville, CA 95965
Telephone: (530) 533-0740
Fax: (530) 538-3807
www.twsd.info
cheindell@twsd.info
Christopher Heindell, District Engineer

November 30th, 2015

Via E-Mail and U.S. Mail

Mark Nordberg, GSA Project Manager
Senior Engineering Geologist
California Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236
Mark.Nordberg@water.ca.gov

**RE: NOTICE OF ELECTION TO BE A GROUNDWATER SUSTAINABILITY
AGENCY**

Mr. Nordberg:

Pursuant to Water Code Section 10723.8, Thermalito Water and Sewer District (TWSD) hereby notifies the California Department of Water Resources (DWR) of its election to become a Groundwater Sustainability Agency (GSA). TWSD intends to undertake sustainable groundwater management within its Sphere of Influence of the East Butte Subbasin within Butte County.

On November 30th, 2015, the TWSD Board of Directors held a public hearing in accordance with Water Code Section 10723(b). The public hearing was noticed in the local newspaper on November 21st and November 26th in accordance with Government Code Section 6066. Additionally, the following entities were sent hearing notices via e-mail or U.S. mail:

- Richvale Irrigation District
- Biggs West Gridley Water District
- Butte Water District
- Western Canal Water District
- Butte County Department of Water and Resource Conservation
- City of Oroville
- City of Biggs
- City of Gridley

- California Water Service Oroville

The boundaries of the subbasins that TWSD is electing to be a GSA is presented in Exhibit B. The other GSAs operating within these subbasins include:

- Richvale Irrigation District
- Biggs West Gridley Water District
- Butte Water District
- Western Canal Water District

After holding a public hearing, the Board of Directors adopted Resolution 15-XX electing TWSD to be a GSA (Exhibit C). No new bylaws, ordinances or new authorities were established in this process.

TWSD has developed a list of interested parties (Water Code Section 10723.8(a)(4)) and will continue to revise the list as necessary during the Groundwater Sustainability Plan (GSP) development process. TWSD will solicit interest from all beneficial users of groundwater and those responsible for developing GSPs (Water Code Section 10723.2). The interested parties include, but are not limited to, the following:

(1) Groundwater users

- a) Agricultural Users – TWSD has very little agriculture at this time, but will continue to address their concerns through the Butte County Farm Bureau, Cooperative Extension and the Butte County Water Advisory Committee.
- b) Domestic Users – There are approximately 100 domestic wells within TWSD’s service area. TWSD will engage with domestic well owners through mailers, public meetings and other approaches.

(2) Municipal well operators

City of Gridley and City of Biggs

(3) Public water systems

California Water Service Oroville

(4) Local land use planning agencies

Butte County, City of Biggs, City of Gridley and City of Oroville

(5) Environmental users of groundwater

The environmental water users that take advantage of both surface and groundwater within the District’s limits is minor and will be addressed through coordination with special interests during the GSA and GSP process.

(6) Surface water users where there is a hydrologic connection between surface and groundwater bodies

TWSD is aware of the importance of the hydrologic connection between surface and groundwater bodies. In our area there are many surface water users that are

hydrologically connected to groundwater bodies. TWSD will work with other GSAs, and all water users to manage ground and surface water in an integrated fashion to ensure protection of surface water rights and water resources.

- (7) Federal government, including but not limited to, the military and managers of federal lands.
The U.S. Fish and Wildlife Service Agency manages several National Wildlife Refuge lands within the surrounding area.
- (8) California Native American tribes
Enterprise Rancheria: Estom Yumeka Maidu Tribe
- (9) Disadvantaged communities, including but not limited to, those served by private domestic wells or small community water systems
City of Gridley, City of Biggs, City of Oroville and Thermalito
- (10) Entities listed in Section 10927 that are monitoring and reporting groundwater elevations in all or part of a groundwater basin managed by the GSA
Butte County

Since the enactment of SGMA, TWSD has actively been involved in discussions with local agencies, jurisdictions, municipalities and the general public who have an interest in groundwater management (as listed in Water Code Section 10723.2). TWSD will continue to work cooperatively with other GSAs, local agencies and interested parties concerning the development of sustainable groundwater management. In an effort to work cooperatively with all interested parties, TWSD:

- Meets with local Urban Water Purveyors to discuss interests in SGMA as well as addresses upcoming GSA cooperation efforts.
- Attends monthly Butte County Water Commission meetings to track the progress of the County regarding SGMA and groundwater related issues.
- Is participating in an assessment regarding stakeholder perspectives on GSA governance within Butte County.

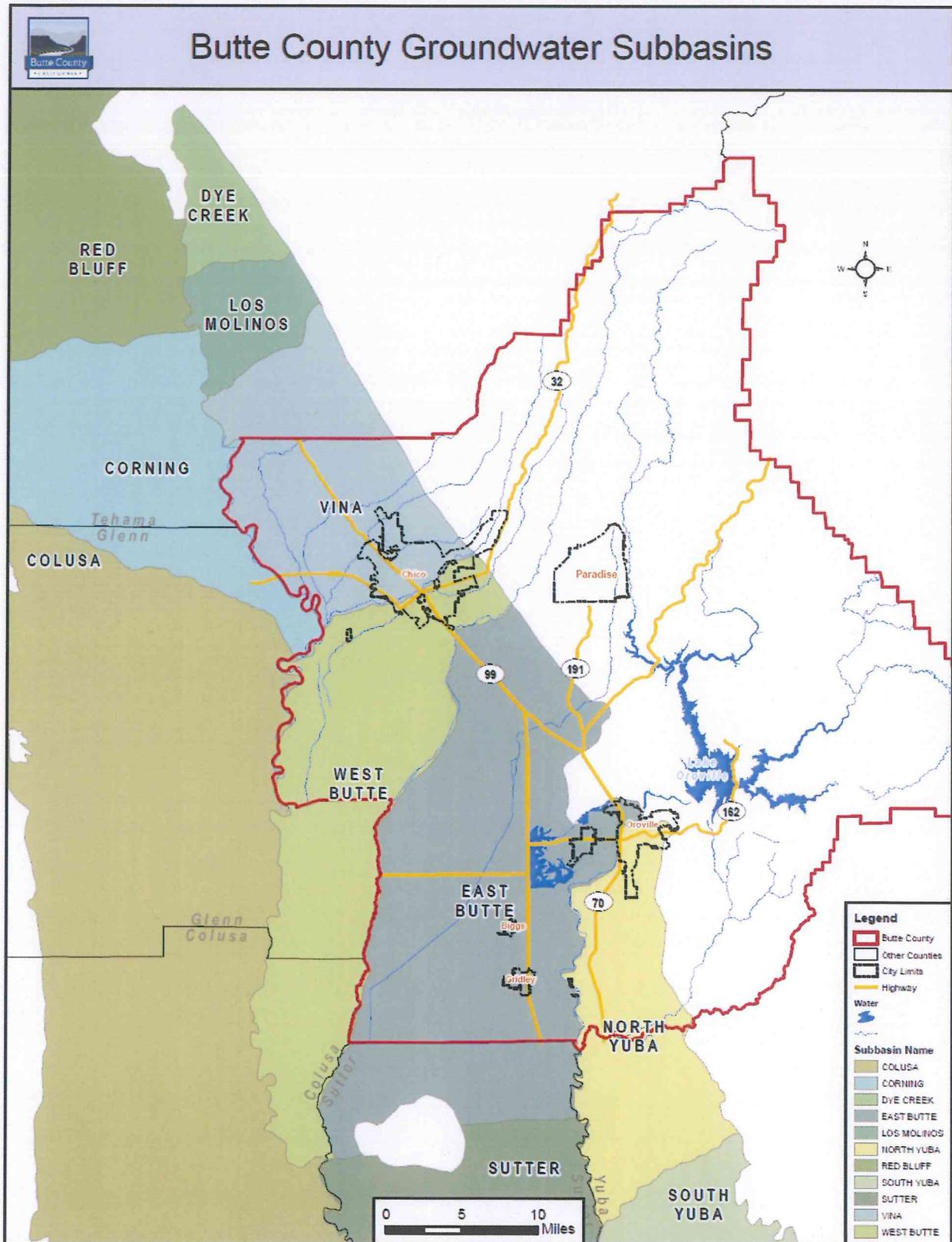
If there are any questions or additional information required, please contact me.

Best Regards,



Christopher Heindell, TWSD District Engineer

Exhibit A: Bulletin 118 Subbasins in Butte County



**RESOLUTION 06-15
OF THE
BOARD OF DIRECTORS OF
THERMALITO WATER AND SEWER DISTRICT
ELECTING TO BE A GROUNDWATER SUSTAINABILITY AGENCY FOR THE PORTIONS OF THE
EAST BUTTE SUBBASIN WITHIN ITS JURISDICTION**

WHEREAS, the Sustainable Groundwater Management Act of 2014 went into effect on January 1, 2015;

WHEREAS, the Sustainable Groundwater Management Act of 2014 enables the State Water Resources Control Board to intervene in groundwater basins unless a local public agency or combination of local public agencies form a Groundwater Sustainability Agency or Agencies (GSA) by June 30, 2017 (Water Code §10735);

WHEREAS, any local public agency that has water supply, water management or land use responsibilities within a subbasin may elect to be a Groundwater Sustainability Agency (Water Code §10721 and §10723(a));

WHEREAS, establishing Thermalito Water and Sewer District as a Groundwater Sustainability Agency will enable the District to work with other GSAs in the preparation and implementation of an effective and mutually beneficial Groundwater Sustainability Plan(s) for the sustainable groundwater management in Butte County;

WHEREAS, Thermalito Water and Sewer District is a California irrigation district providing domestic water and sewer collection services to its landowners and residents in the unincorporated area of Thermalito in the County of Butte which meets the requirements of eligibility to be a GSA;

WHEREAS, Thermalito Water and Sewer District held a public hearing on this date and after publication of notice pursuant to Government Code section 6066 to consider the election of become a GSA;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the District hereby elects to become a Groundwater Sustainability Agency for the portions of the District's Jurisdiction that overlie the East Butte (5-21.59) subbasins as depicted by the Department of Water Resources Bulletin 18 (Update 2003).

BE IT FURTHER RESOLVED that within thirty (30) days of this date, Thermalito Water and Sewer District is directed to provide notice of this election and intent to undertake sustainable groundwater management for the aforementioned subbasins to the Department of Water Resources in a manner required by law.

Adopted at a duly held special meeting of the Board of Directors of Thermalito Water and Sewer District on November 30, 2015 by the following vote:

AYES: Directors Hatley, Pulley and Reynolds

NAYS:

ABSTAIN:

ABSENT: Director Thompson and Taggart

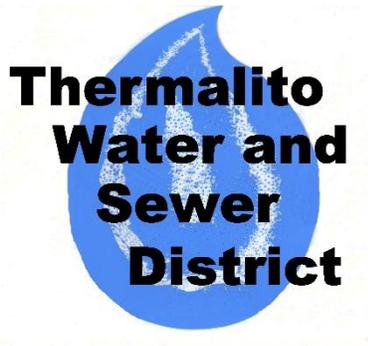


Brian Pulley
President of the Board of Directors
Thermalito Water and Sewer District

ATTEST:



Jayme Boucher
Secretary of the Board of Directors
Thermalito Water and Sewer District



Thermalito Water & Sewer District
410 Grand Avenue, Oroville, CA 95965
Telephone: (530) 533-0740
Fax: (530) 538-3807
www.twsd.info
cheindell@twsd.info
Christopher Heindell, District Engineer

November 11, 2015

To: TWSD Board of Directors

From: Christopher Heindell, District Engineer

Re: Recommendation that TWSD be a Groundwater Sustainability Agency

Summary

District Staff would like to recommend to the Board of Directors that Thermalito Water & Sewer District elect to be a Groundwater Sustainability Agency (GSA) for all portions of its sphere of influence that overlie the East Butte subbasin pursuant to Water Code Section 10723.

Background

The Sustainable Groundwater Management Act (SGMA) went into effect on January 1, 2015. One of the near-term actions is to establish one or more Groundwater Sustainability Agencies (GSA) to take responsibility for developing and implementing a Groundwater Sustainability Plan (Plan) for the four subbasins in Butte County.

A GSA can be formed by a single local public agency or a combination of agencies. Local public agencies eligible to be a GSA must have either water supply, water management, or land use responsibilities. Counties are presumed to be the GSA for areas that do not have any other local agency. Local public agencies intending to be a GSA for all, or a portion, of a basin must notify the Department of Water Resources by June 30, 2017. If a GSA is not formed, the state will intervene, impose fees and assume management of the basin.

As early as September 1, 2015 local public agencies in Butte County notified DWR of their election to be a GSA. Once a local agency elects to be a GSA, a 90-day period begins for other local public agencies in the subbasin to decide whether to be a GSA. If no other GSA is formed in the subbasin area, the GSA will be presumed the exclusive GSA for that portion of the subbasin (Water Code §10723.8(b)).

A GSA can be formed by a single local public agency, or combination of agencies. The only entities eligible to be a GSA are local public agencies that have either water supply, water management, or land use responsibilities. For unmanaged areas in basins, the County is

presumed to be the GSA. Local public agencies intending to be a GSA for all, or a portion, of a basin must notify the Department of Water Resources (DWR) by June 30, 2017. If a GSA is not formed by June 30, 2017, the State Water Resources Control Board (SWRCB) will intervene, impose fees and assume management of the basin.

There are four DWR Bulletin 118 subbasins that overlie Butte County; Vina, West Butte, East Butte and North Yuba (Attachment 1: Bulletin 118 Subbasins in Butte County). All four are either high or medium priority under the California Statewide Groundwater Elevation Monitoring (CASGEM) program and are subject to the SGMA. TWSD is one of many local public agencies that could elect to be a GSA.

Local public agencies in Butte County have elected to be a GSA and have notified DWR. On September 1, 2015, the Richvale Irrigation District notified the Department of Water Resources of its election to be a GSA in the East Butte subbasin. Butte Water District, Biggs-West Gridley and the Western Canal Water District have initiated the process to become a GSA in their respective subbasins. Richvale Irrigation District's notification to DWR on September 1, 2015 began the 90-day period for that portion of the East Butte subbasin. Butte County has also notified DWR of its election to be a GSA within all 4 Bulletin 118 subbasins. Since Butte County submitted its GSA notification to DWR, the TWSD Board of Directors must decide whether to be a GSA within 90-days or Butte County will be the exclusive GSA in that portion of the East Butte subbasin. The SGMA allows more than one agency to be a GSA in a subbasin.

Discussion

The near-term action to comply with the SGMA involves the election of one or more local agencies to be a GSA for that basin [Water Code §10723(a)] by June 30, 2017. If one or more local public agencies do not form a GSA by June 30, 2017, the SWRCB will intervene, impose fees and assume management of the basin. Local public agencies that are eligible to be a GSA are ones that have water supply, water management or land use responsibility within a groundwater basin. A water corporation regulated by the Public Utilities Commission (e.g., California Water Service) is not eligible to be a GSA, but may participate in a groundwater sustainability agency if the local agencies approve [Water Code §10723.6(b)].

Counties can be a GSA for the portions of basins over which they have land use or water management responsibilities. Additionally, Counties are presumed to be the groundwater sustainability agency for basin areas that are not within the management area of a groundwater sustainability agency [Water Code § 10724(a)]. Butte County is presumed to be the GSA for the areas not covered by another agency. The remaining portions of the subbasins may have other GSAs in addition to Thermalito Water & Sewer District.

More than one local public agency may elect to be a GSA in a subbasin. There are numerous options for coordination among GSAs in a subbasin. Local public agencies could designate themselves as a GSA, or agree to form a GSA in combination with other local agencies. For example, each county, water district and city could designate itself as a GSA or some could join together to form a GSA. Coordination among local agencies may occur through a joint powers agreement, memorandum of agreement or other legal agreement. [Water Code § 10723.6(a)].

Whether a basin contains one GSA or many, a wide variety of options are allowed for the development and implementation of a Groundwater Sustainability Plan within the basin. Basins could be covered by a single Plan submitted by one GSA, a single Plan submitted on behalf of multiple GSAs, or multiple Plans submitted by multiple GSAs. The scope and requirements of Plans will not be determined until DWR adopts regulations by June 1, 2016. In circumstances when multiple Plans are submitted by multiple GSAs, the GSAs must have a “Coordinated Agreement”. The “Coordinated Agreements” require that the GSAs in a basin coordinate and utilize the same data and methodologies (e.g., groundwater elevation data, groundwater extraction data, surface water supply, total water use, change in groundwater storage, water budget, sustainable yield) for their Plan. The regulations regarding “Coordinated Agreements” will not be in place until June 1, 2016.

The steps being taken by local agencies to form GSAs are occurring throughout the region. The formation of GSAs is one important step in a long implementation process. The election of Thermalito Water and Sewer District to be a GSA will advance the discussion and dialogue on the implementation of SGMA as well as assure TWSD has a voice in the future utilization of groundwater within its sphere of influence.

Recommended Action

Proceed with notifications regarding intent to form a Groundwater Sustainability Agency as well as drafting a resolution and all necessary documents relating to formation of a GSA.

PUBLIC HEARING NOTICE

Thermalito Water & Sewer District Board of Directors will hold a public hearing to consider public testimony on whether the District should elect to become a Groundwater Sustainability Agency (GSA) under the Sustainable Groundwater Management Act of 2014 (SGMA) for all portions of the East Butte (5-21.59) sub-basin, as depicted by the California Department of Water Resources Bulletin 118. The District will be holding a public comment hearing during a special meeting to be held November 30, 2015 at 10:00 am at the District Office, 410 Grand Avenue, Oroville CA. The Public is invited to attend and/or submit written comments regarding such no later than 5:00 pm on November 27, 2015 for the November 30, 2015 meeting. The proposed resolution and supporting documentation are on file at the District Office or on the website at www.twsd.info. Please contact Engineer Chris Heindell at (530) 533-0740 for further information.