

**2012 Local Groundwater Assistance Grant  
Program Application**

## **Attachment 2. Eligible Applicant Documentation**

Preparation of a Salt and Nutrient  
Management Plan for the Northern  
Cities Management Area and the  
Nipomo Mesa Management Area of the  
Santa Maria Groundwater Basin

**City of Arroyo Grande**

July 13, 2012

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## Documentation

- ***Is the applicant a local public agency as defined in CWC 10701(a)? Please explain.***

The City of Arroyo Grande was incorporated as a general law city on July 10, 1911.

- ***What is the statutory or other legal authority under which the applicant was formed and is authorized to operate?***

The City of Arroyo Grande is a general law city formed and authorized to operate as defined by California Government Code 34000 et seq. in addition to Article 11, Section 9 of the California Constitution as described below.

California Constitution, Article 11, Section 9 provides as follows:

*(a) A municipal corporation may establish, purchase, and operate public works to furnish its inhabitants with light, water, power, heat, transportation, or means of communication. It may furnish those services outside its boundaries, except within another municipal corporation which furnishes the same service and does not consent.*

*(b) Persons or corporations may establish and operate works for supplying those services upon conditions and under regulations that the city may prescribe under its organic law.*

- ***Does the applicant have legal authority to enter into a grant agreement with the State of California?***

Yes. Government Code Section 37112 provides that:

*In addition to other powers, a [city's] legislative body may perform all acts necessary or proper to carry out the provisions of this title.*

- ***Describe any legal agreements among partner agencies and/or organizations that ensure performance of the project and tracking of funds.***

As described in the Santa Maria Groundwater Basin Judgment, parties within the basin are required by law to adhere to the Groundwater Monitoring Provisions and Management Area Monitoring Programs contained in the Stipulation. Section IV.D.1 on Page 9 of the Stipulation states that the Management Areas “shall freely share available well data, groundwater models, and other products and tools utilized in monitoring and analysis of conditions in the three Management Areas”. Page 9 of the Stipulation is provided in Appendix 2-1.

All funds, if awarded, will be administered by the City of Arroyo Grande directly to the consultant(s) selected to perform the tasks as defined in “Attachment 5. Work Plan” of this 2012 LGA Grant application.



Appendix 2-1. Santa Maria Groundwater Basin Stipulation



1 Area; and Santa Maria Valley Management Area. The Stipulating Parties intend that manage-  
2 ment through three Management Areas will preserve the Basin's integrity.

3 **D. Groundwater Monitoring**

4 1. Monitoring Program. A Monitoring Program shall be established in each  
5 of the three Management Areas to collect and analyze data regarding water supply and demand  
6 conditions. Data collection and monitoring shall be sufficient to determine land and water uses in  
7 the Basin, sources of supply to meet those uses, groundwater conditions including groundwater  
8 levels and quality, the amount and disposition of Developed Water supplies, and the amount and  
9 disposition of any other sources of water supply in the Basin. The Northern Cities Management  
10 Area shall not be required to include in its Monitoring Program or Annual Reports quantification  
11 of groundwater recharge from the Lopez Project or storm water percolation ponds, unless the  
12 Court orders inclusion of this information.

13 Within one hundred and eighty days after entry of judgment, representatives of the Moni-  
14 toring Parties from each Management Area will present to the Court for its approval their  
15 proposed Monitoring Program. The Management Area Engineers shall freely share available well  
16 data, groundwater models, and other products and tools utilized in monitoring and analysis of  
17 conditions in the three Management Areas, consistent with the confidentiality provisions of this  
18 Stipulation.

19 Absent a Court order to the contrary, all Stipulating Parties shall make available relevant  
20 information regarding groundwater elevations and water quality data necessary to implement the  
21 Monitoring Program approved for their respective Management Area. The Monitoring Parties  
22 shall coordinate with the Stipulating Parties to obtain any needed data on reasonable terms and  
23 conditions. Metering may only be imposed on Stipulating Parties upon a Court order following a  
24 showing that such data is necessary to monitor groundwater conditions in the Basin, and in the  
25 case of an Overlying Owner, that Overlying Owner has failed to provide information comparable  
26 to that provided by other Overlying Owners. The confidentiality of well data from individual  
27 owners and operators will be preserved, absent a Court order or written consent.

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