



AGENDA NO. 11.
 MEETING DATE May 24, 2011

TITLE ADOPT RESOLUTION OF INTENT TO PREPARE A GROUNDWATER MANAGEMENT PLAN FOR THE SOUTH EAST BAY PLAIN BASIN

MOTION _____ RESOLUTION _____ ORDINANCE _____

RECOMMENDED ACTION

Adopt a resolution of intent to prepare a Groundwater Management Plan (GMP) covering the South East Bay Plain (SEBP) Basin.

SUMMARY

A GMP will support sustainability and protect water quality and water storage capabilities for the SEBP Basin, and thus be a benefit for existing users of the basin, including EBMUD. Additionally, a GMP will ensure that if EBMUD proceeds with expansion of the Bayside Well Project the local groundwater basin will be adequately and sustainably managed for all users. A presentation on the GMP was provided at the Planning Committee meeting on May 10, 2011. In accordance with California State Law, the District must hold a hearing and pass a resolution giving notice of the intention to develop a GMP.

DISCUSSION

In 1992, the California Legislature passed Assembly Bill (AB) 3030 which provided local public agencies increased management authority over their groundwater resources by developing groundwater management plans. In September 2002, Senate Bill 1938 expanded AB 3030 by requiring GMPs to include specific components in order to be eligible for grant funding for various types of groundwater related projects. A GMP provides the framework for coordinating groundwater management activities among stakeholders. In general, the documents are fashioned to identify basin management goals and objectives, along with guiding further efforts that will be undertaken to effectively monitor and manage the groundwater basin.

With the completion of Bayside Groundwater Project Bayside Phase 1 in March of 2010 and the potential future development of Bayside Phase 2, local groundwater resources are now a component of the District's future supplemental supply. The Bayside Project utilizes the SEBP Groundwater Basin (map attached). Preparation of a GMP is consistent with commitments made in the Phase 1 EIR's Mitigation, Monitoring and Reporting Program (MMRP). A GMP provides a mechanism for the District to monitor,

Funds Available: FY12		Budget Code: WSC/WNR/455/200569:01
DEPARTMENT SUBMITTING Water & Natural Resources	DEPARTMENT MANAGER or DIRECTOR Richard G. Sykes	APPROVED General Manager

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manage, and protect water quality and quantity in the SEBP Basin for potable uses. Preparation of the GMP is expected to take up to two years to complete, following Board adoption of a resolution of intent. By law, if the GMP is not completed in the 2-year period, it must be restarted. Elements of the GMP will include basin delineation and characterization, establishment of basin objectives, description of monitoring activities, identification of management activities, and stakeholder participation. District staff will prepare the GMP, but depending on initial findings, some elements such as groundwater model development may require consultant support.

A GMP for the SEBP will accomplish the following objectives:

- Provide statutory authority for District to manage the groundwater basin;
- Support basin sustainability;
- Maintain local control of groundwater;
- Support the rights and beneficial uses of groundwater for basin users;
- Foster collaboration and prevent legal disputes among stakeholders; and
- Increase opportunities for future grant funding.

The public notice of this hearing to adopt the Resolution of Intent was published in the Oakland Tribune May 7 and 14, 2011.

FISCAL IMPACT

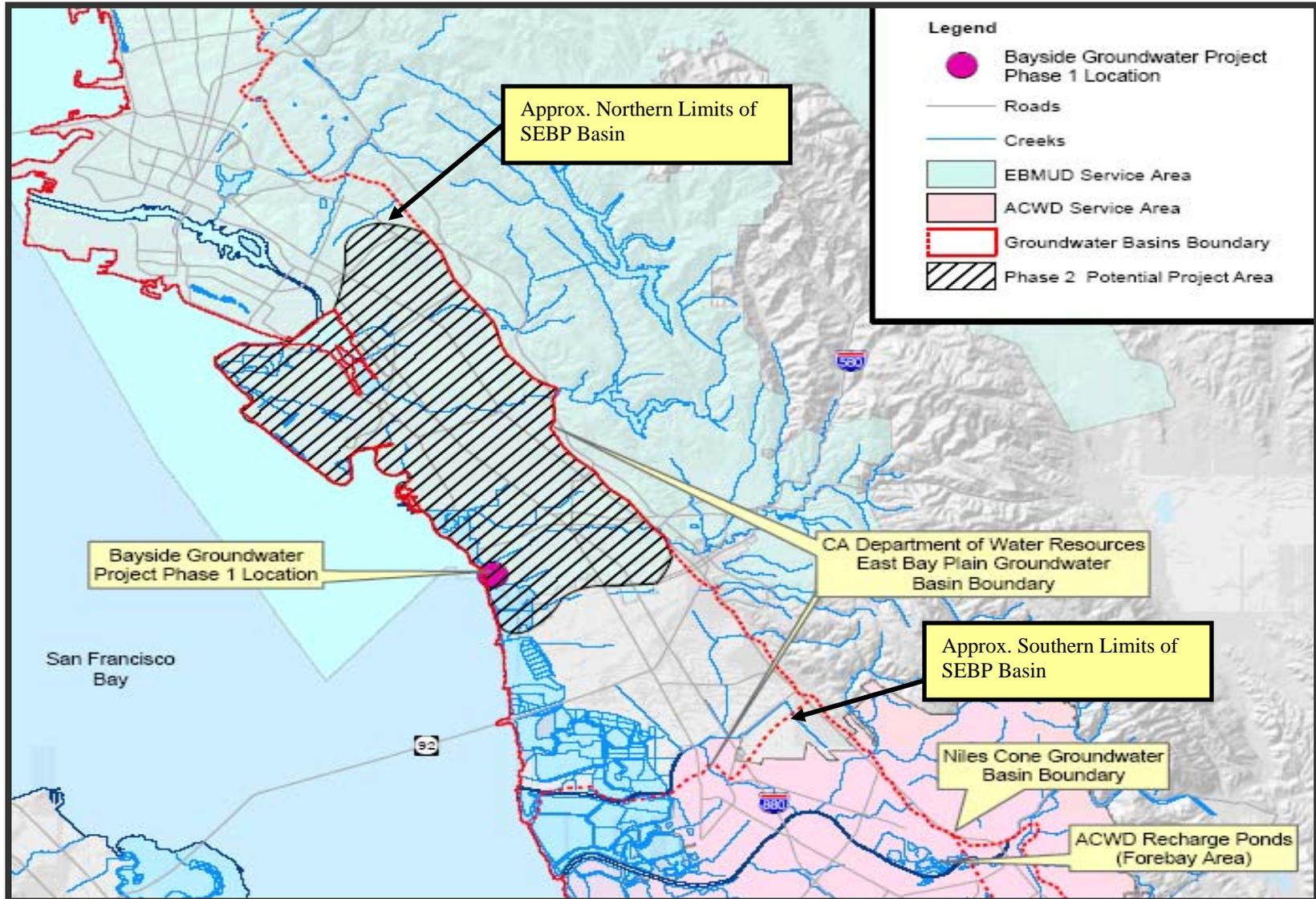
Funds for the GMP effort are included in the FY12 Capital Improvement Program

ALTERNATIVE

Do not adopt the resolution of intent. This alternative is not recommended because the SEBP Basin lacks local groundwater management protection to support its sustainability. Further, in the absence of local control under a GMP, the State of California may elect, in the future, to take on management authority in the basin. Since EBMUD is relying on the SEBP Basin for current and future supplemental water supply needs, it is in the District's interest to lead a groundwater management planning effort.

Attachments:

1. SEBP Basin Map
2. Board Resolution



Map: South East Bay Plain (SEBP) Groundwater Basin

RESOLUTION NO. _____

DECLARING THE INTENT TO PREPARE A GROUNDWATER MANAGEMENT
PLAN FOR THE SOUTH EAST BAY PLAIN GROUNDWATER BASIN AND
ADOPT A STATEMENT OF PUBLIC PARTICIPATION

Introduced by Director _____ ; Seconded by Director _____

WHEREAS, the California Legislature enacted Assembly Bill 3030 and Senate Bill 1938, as set forth in Water Code Section 10750, et seq., to provide local public agencies the authority to implement groundwater management plans and be eligible for grant funds for groundwater related projects; and

WHEREAS, the State has emphasized local agency development of integrated regional solutions for water management and coordinating conjunctive management of surface and groundwater to improve regional supply, reliability and quality of water; and

WHEREAS, groundwater is a valuable natural resource in California and should be managed to ensure both its safe production and quality; and

WHEREAS, through the operation of the Bayside Groundwater Project Phase 1, the District will use water as stored in the South East Bay Plain Groundwater Basin (SEBP Basin) during times of drought; and

WHEREAS, the District has identified an expanded Bayside Groundwater Project as a potential future supplemental water supply; and

WHEREAS, there currently is no groundwater management plan in place to protect and sustain the SEBP Basin; and

WHEREAS, through the preparation of a groundwater management plan for the SEBP Basin, EBMUD along with other SEBP Basin stakeholders can collaborate on basin management objectives; and

WHEREAS, the District intends to prepare, adopt, and implement the SEBP Basin groundwater management plan in accordance with State law.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the East Bay Municipal Utility District that:

1. The Board intends to prepare, adopt, and implement a groundwater management plan for the South East Bay Plain Groundwater Basin. The plan will include basin management objectives and management actions.
2. The District further intends to provide for and encourage public and stakeholder involvement in the preparation of the Groundwater Management Plan.

ADOPTED this 24th day of May, 2011 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

President

ATTEST:

Secretary

APPROVED AS TO FORM AND PROCEDURE:

General Counsel

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