



# COUNTY OF SISKIYOU

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## COUNTY ADMINISTRATIVE OFFICE

Elizabeth Nielsen, Natural Resources Department

P.O. Box 750 • 1312 Fairlane Road, Yreka, CA 96097

Phone: (530) 842-8012, Fax Number: (530) 842-8013

Email: [enielsen@co.siskiyou.ca.us](mailto:enielsen@co.siskiyou.ca.us)

TO: Board of Supervisors

FROM: Elizabeth Nielsen, Project Coordinator

DATE: April 17, 2018

SUBJECT: SGMA Update

County staff has developed this report to provide an update on the Sustainable Groundwater Management Act (SGMA) and recommendations to the Siskiyou County Flood Control and Water Conservation District regarding current activities related to SGMA.

### **SGMA Advisory Committees:**

#### **Background:**

The Siskiyou County Flood Control and Water Conservation District (District) serves as the Groundwater Sustainability Agency (GSA) for the Shasta, Scott and Butte Valley Groundwater Basins and is required to develop and implement Groundwater Sustainability Plans for each basin as outlined in the 2014 Sustainable Groundwater Management Act (SGMA). As part of the GSP development process, Section 10723.2 of SGMA states that GSAs shall “consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing groundwater sustainability plans”. These interests include, but are not limited to, agricultural users, domestic well owners, municipal operators, environmental users of groundwater, surface water users, and California Native American tribes.

Engagement with the persons and entities representing these varied interests can be achieved in several ways including developing and maintaining a contact list, informing and inviting stakeholders to attend and participate in meetings, events, and workshops, holding regular District meetings where official SGMA business will be conducted and the public is able to participate, establishing advisory committees and holding public committee meetings, hosting public workshops during GSP development and planning phases, holding public hearings as required for GSA establishment and GSP development and adoption, among others. County staff and the District has engaged in many of these outreach opportunities and will continue to provide ample opportunity for the public to be engaged throughout GSP development and implementation. As part of these efforts staff is also developing a stakeholder engagement document that will be presented to the District in the near future.

In late 2017 and early 2018 the District adopted resolutions (attached) to form advisory committees for the Shasta, Scott and Butte Valley Groundwater Basins. Although not required by SGMA, county staff and the District recognize formation of such advisory committees as an essential tool in engaging stakeholders. The January 2018, California Department of Water Resources (DWR) publication for Stakeholder Communication and Engagement outlines that “GSAs may appoint and consult with an advisory committee. A properly developed and engaged advisory body can be of great assistance in engaging the broad range of interest groups in a basin and creating a shared understanding of local

sustainability.” The advisory committees approved by the District serve solely in an advisory role for purposes of sharing information and expertise, and reviewing and making recommendations during GSP development and implementation. Current members of these advisory committees represent residential water users, irrigation districts, large and small agricultural operations, state agencies and others.

During committee development, other unrepresented groups expressed interest in serving in advisory roles as well. During this time, County staff had also been reaching out to, and meeting with, various Tribes to understand and gauge their interest in the SGMA process and to find out how various Tribes envisioned their role in that process. In the Scott Valley Basin, the Quartz Valley Indian Reservation holds Tribal Trust lands within the basin boundary, and the Karuk Tribe holds Tribal Trust lands within the Shasta Valley (which include their tribal housing). GSA’s do not have regulatory control over tribal trust land, but a Tribe may voluntarily participate in GSP development and may agree to appropriate means of management on Tribal Trust lands that will be carried out by the Tribe. In addition, the Shasta Nation has a County recognized Territorial Map, which covers the Shasta, Scott and Butte Valley Groundwater Basins.

DWR strongly encourages local agencies and Tribes to come to appropriate agreements that allow for shared management of groundwater and that will likely result in the achievement of SGMA’s sustainability goals. In addition, “Tribes may be a part of an advisory committee created by the GSA to assist in the preparation and development of the GSP.”

In coordination with DWR, staff is recommending that tribal and environmental interests be recognized within advisory committees in order to meet the inclusive aims of the SGMA process. Staff, through its research and coordination with County Counsel, identified other GSAs throughout the State that have similarly appointed Tribal and environmental/conservation members to their advisory committees..

Based on staff discussions with the Tribes, the Quartz Valley Indian Reservation and Karuk Tribe expressed interest in serving in advisory committee roles, and the Shasta Nation expressed interest in entering into a memorandum of understanding with the District which will outline communication and coordination protocols. Other interest was expressed by local environmental/conservation entities to sit in advisory committee positions. There have also been requests to have an “at large water user” and a “municipal” position for the Scott Valley advisory committee. No similar requests have been made for the Shasta or Butte Valley Basins, but similar positions are considered in the following recommendations.

### **Staff Recommendations:**

Staff makes the following recommendations to the District to help broaden and support the District’s existing outreach and engagement effort with the varied interests identified in SGMA:

- For the Shasta, Scott and Butte Valley Groundwater Basins: adopt resolutions that supersede and replace the existing District resolutions FLD-18-01, FLD-17-05, FLD-17-04, which superseding resolutions (attached) will add to the advisory committees one (1) Tribal, one (1) environmental/conservation, and one (1) municipal advisory committee position for each basin; and will direct staff to develop and make publically available applications for these positions on the Scott and Shasta Valley advisory committees, and the Tribal role on the Butte Valley advisory committee. (The Butte Valley advisory Committee currently has a representative from the City of Dorris and a representative from the California Department of Fish and Wildlife serving in general “water user” roles, which fulfill the “municipal” and “environmental/conservation” positions).
- Work with County Counsel to draft an MOU between the District and the Shasta Nation outlining communication and coordination protocols, which will be presented to the District at a future date and submitted to the Shasta Nation for initial review.

## **DWR Facilitation Services:**

### **Background:**

During coordination with DWR, staff was informed that DWR offers GSAs facilitation services to assist with communication in basins, team and trust building between parties, ground rule setting for conduct of meetings, and conflict resolution (information attached). These services can be utilized for meetings between GSA's (or staff) and specific parties, during public outreach, and during regular GSA and/or advisory committee meetings. County staff recognizes that SGMA implementation requiring broad stakeholder engagement will present situations where facilitation service would be beneficial and serve as a useful tool for the District, staff and various stakeholder groups.

### **Staff Recommendations:**

Staff recommends that the District provide direction to apply for DWR funded facilitation services to assist in developing a cordial and productive working relationships within the SGMA advisory committees and between the District and stakeholders as needed.

## **Shasta Valley Groundwater Basin:**

### **Background:**

The current Shasta Valley Groundwater Basin (Shasta Basin) boundary (attached) as established by DWR's Bulletin 118 is based on current alluvial soil types in the basin and limits what can be considered and locally managed under a GSP. The Shasta Valley is made up of several soil types that contribute to the surface water and groundwater activities throughout the Valley, and the vast amount of developed data includes areas currently outside of the Shasta Basin. As outlined in SGMA law, GSP development and implementation is limited to those areas identified within the Bulletin 118 basins, which excludes much of the Shasta Valley. A major goal of GSP development is to provide a long-term plan that adequately addresses groundwater resources within a basin and effectively manages for these resources. Professional review and opinion (including UC Davis and DWR) and knowledge of the watershed indicates that the current boundary does not accurately reflect the entire watershed function from a holistic approach and may not result in the most appropriate and useful GSP.

DWR is allowing GSA's throughout the State to submit requests for basin boundary modification through June 30, 2018. Should a GSA decide to modify an existing boundary, certain criteria must be performed. As part of these requirements, County staff has been reaching out to stakeholders within the Shasta Valley who are not currently included within the Shasta Basin, including irrigation districts, NGO's, Tribes, municipalities, and individuals. Staff has also hosted two public outreach workshops in Montague and Gazelle. Information provided during these outreach efforts included providing background on the Shasta Valley and current Shasta Basin, recommendations outlined by DWR and others, the potential advantages and disadvantages of a boundary modification, and potential boundary line adjustments. The outreach effort has resulted in mixed feedback. Several individuals and entities expressed a willingness to be included within the Shasta Basin, some individuals expressed concern, and there was explicit opposition from the City of Weed.

### **Staff Recommendations:**

It is staff's recommendation that the District provide direction to staff to work with DWR and other professionals to develop a map outlining potential boundary line adjustment through technical and jurisdictional information developed and input from stakeholders and present such a map to the public. Other recommendations include District direction to hold a public hearing during a regular District meeting in June to consider adoption of the developed map and application to DWR.