

August 11, 2015

**VIA E-MAIL (Mark.Nordberg@water.ca.gov) AND U.S. MAIL**

Mr. Mark Nordberg, GSA Project Manager  
Senior Engineering Geologist  
California Department of Water Resources  
901 P. Street, Room 213A  
P.O. Box 942836  
Sacramento, CA 94236

Re: Yuba County Water Agency's Notice of Election to Become a Groundwater Sustainability Agency for the North Yuba and South Yuba Subbasins (Basin Nos. 5-21.60 and 5-21.61)

Dear Mr. Nordberg:

This letter notifies you that the Yuba County Water Agency (YCWA) has elected to become, within YCWA's boundaries, the groundwater sustainability agency (GSA) under the Sustainable Groundwater Management Act (SGMA) for the North Yuba and South Yuba Subbasins (Basin Nos. 5-21.60 and 5-21.61) of the Sacramento Valley Groundwater Basin. The YCWA Board of Directors adopted Resolution No. 2015-19 electing to become a GSA under SGMA on August 11, 2015 following a duly noticed public hearing. A copy of Resolution No. 2015-19, which includes a map showing the GSA's boundaries, is enclosed with this letter. I also have enclosed: (1) a copy of the proof of publication of YCWA's notice of its hearing on its election to be a GSA; and (2) the staff report that YCWA's Board of Directors considered in adopting Resolution No. 2015-19. YCWA's Board of Directors did not adopt new bylaws, ordinances or policies along with Resolution No. 2015-19.

SGMA (Water Code section 10723.8(a)(4)) requires YCWA to include with this notice a list of interested parties within its proposed GSA management area as set forth in Water Code section 10723.2 and to explain how their interests will be considered in YCWA's development and operation of the GSA and the development and implementation of a groundwater sustainability plan. The enclosed staff report contains this information. As stated in Resolution No. 2015-19 and that staff report, YCWA has a long history of cooperating and coordinating with other local agencies and private landowners in Yuba County in developing and implementing its groundwater management programs and policies. The staff report provides a detailed explanation of how YCWA's current structure and operations already consider and protect these numerous stakeholder interests and how YCWA intends to continue its coordination, cooperation and outreach efforts to ensure that these interests are taken into account in its operations as a GSA and its development and implementation of a groundwater sustainability plan under SGMA.

As discussed in the enclosed staff report, YCWA is well-suited to be the GSA for the portions of the North Yuba and South Yuba Subbasins within YCWA's boundaries for, among other reasons, the following:

- YCWA’s Board of Directors includes the five members of the Yuba County Board of Supervisors, and each Supervisor’s district overlies a different portion of either the North Yuba or the South Yuba Subbasin. Such representation ensures that Yuba County’s diverse water interests are represented in YCWA’s decision-making processes and are considered whenever YCWA develops its surface water and groundwater management policies. This representation addresses the interests of the stakeholders identified in Water Code section 10723.2(a)-(i).
- YCWA’s Board of Directors also includes a director elected from north of the Yuba River and a director elected from south of the Yuba River. Because the Yuba River also forms the boundary between the North Yuba and South Yuba Subbasins, YCWA’s Board of Directors includes a director who specifically represents each subbasin. This representation also addresses the interests of the stakeholders identified in Water Code section 10723.2(a)-(i).
- YCWA’s various groundwater-related programs have included robust measures and management actions aimed at maximizing and promoting stakeholder involvement. These activities have included the preparation of its 2010 groundwater management plan update and its agricultural water management plan, the preparation of annual monitoring and measuring reports, implementation of the Lower Yuba River Accord, participation in the Yuba County Integrated Regional Water Management Plan as lead agency, and operation of the Yuba River Development Project. These activities address the interests of the stakeholders identified in Water Code section 10723.2(a)-(i). YCWA intends to continue and expand these actions to ensure that the outreach requirements of Water Code section 10723.2 continue to be met. Detailed descriptions of these activities and planned actions are included in the enclosed staff report.
- Consistent with Water Code section 10723.2(j), YCWA itself is the CASGEM monitoring and reporting agency.

Please do not hesitate to contact me if you require additional information or have any questions regarding the contents of this notice.

Very truly yours,



Curt Aikens  
General Manager

Encls: Resolution No. 2015-19 (includes Exhibit A, Map of GSA Boundaries)  
Proof of Publication of Notice of Public Hearing on Intent to Consider Becoming a GSA  
under SGMA  
YCWA Staff Report supporting Resolution No. 2015-19

**RESOLUTION NO. 2015-19**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE YUBA COUNTY WATER AGENCY  
ELECTING TO BECOME A GROUNDWATER SUSTAINABILITY AGENCY  
UNDER THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT**

WHEREAS, the Legislature enacted the Sustainable Groundwater Management Act (Water Code §§ 10720-10236.6 ("SGMA")) in 2014 and SGMA took effect on January 1, 2015;

WHEREAS, retaining local jurisdiction over water management and land use is essential to sustainably manage groundwater as a critical resource and to the vitality of Yuba County's economy, community, and environment; and

WHEREAS, Yuba County Water Agency ("YCWA") is authorized under the Yuba County Water Agency Act (Water Code Appendix, ch. 84) to, among other things, store, conserve, and reclaim water; appropriate and acquire water and water rights; prevent the wasteful use of water within its boundaries; prevent the interference with or diminution of, or declare rights in, the natural flow of any stream or surface or subterranean supply of waters used by YCWA; prevent the unlawful exportation, pollution, and contamination of surface and subsurface water; and is empowered to do any and every lawful act necessary to ensure that sufficient water is available for present and future beneficial uses of the lands within Yuba County (Water Code Appendix §§ 84-4, 84-4.3);

WHEREAS, YCWA overlies much of the North Yuba and South Yuba Subbasins of the Sacramento Valley Groundwater Basin (Department of Water Resources Basin Nos. 5-21.60 and 5-21.61);

WHEREAS, YCWA already is implementing a comprehensive program to monitor and sustainably manage these subbasins;

WHEREAS, YCWA is eligible to be a groundwater sustainability agency under SGMA and its existing groundwater management program in the North Yuba and South Yuba Subbasins already is consistent with SGMA's objectives;

WHEREAS, YCWA has a long history of cooperating and coordinating with other local water agencies and private landowners in Yuba County in its development and implementation of its groundwater monitoring plan, the preparation of its annual monitoring and measuring reports, its implementation of its conjunctive use program under the Lower Yuba River Accord, its participation in the Yuba County Integrated Regional Water Management Plan and in its operation of surface water facilities under its Yuba River Development Project;

WHEREAS, YCWA's governance structure ensures that diverse water interests are represented in its decision-making processes and development of groundwater management policies because the Board of Directors consists of the five members of the Yuba County Board of Supervisors, with each of the five representing a particular area of the County that overlies a different portion of the North Yuba or South Yuba Subbasin, and two at-large members, with one elected from north of the Yuba River and the other elected from south of the Yuba River;

WHEREAS, YCWA intends to continue its coordination, cooperation and outreach efforts to ensure that various stakeholder interests are taken into account in its management of the North Yuba and South Yuba Subbasins by integrating its existing stakeholder involvement and public participation processes into the development of sustainable groundwater management policies and the development and implementation of a groundwater sustainability plan;

WHEREAS, on June 9, 2015, the Board of Directors adopted Resolution No. 2015-15 stating YCWA's intent to be a groundwater sustainability agency and resolved to take all necessary, required and

appropriate actions to become the groundwater sustainability agency in the portions of the North Yuba and South Yuba Subbasins within YCWA's boundaries under SGMA; and

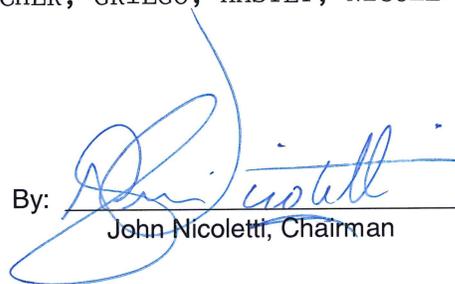
WHEREAS, YCWA has conducted the public hearing required by Water Code section 10723.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Yuba County Water Agency as follows:

1. The foregoing recitals are true and correct.
2. Pursuant to SGMA, YCWA elects to be the groundwater sustainability agency for the portions of the North Yuba and South Yuba Subbasins of the Sacramento Valley Basin within YCWA's boundaries as shown on Exhibit A attached hereto and incorporated herein by reference.
3. The General Manager or his designee is directed to, within 30 days of the date of this resolution, provide notification of this election to the Department of Water Resources, including a copy of this resolution and additional information required by Water Code section 10723.8, in the manner required by law.
4. YCWA shall establish and maintain a list of persons interested in receiving notices regarding the preparation of any groundwater sustainability plan, meeting announcements and availability of draft groundwater sustainability plans, maps, and other relevant documents pursuant to Water Code section 10723.4. Any person may request, in writing, to be placed on this list of interested persons.

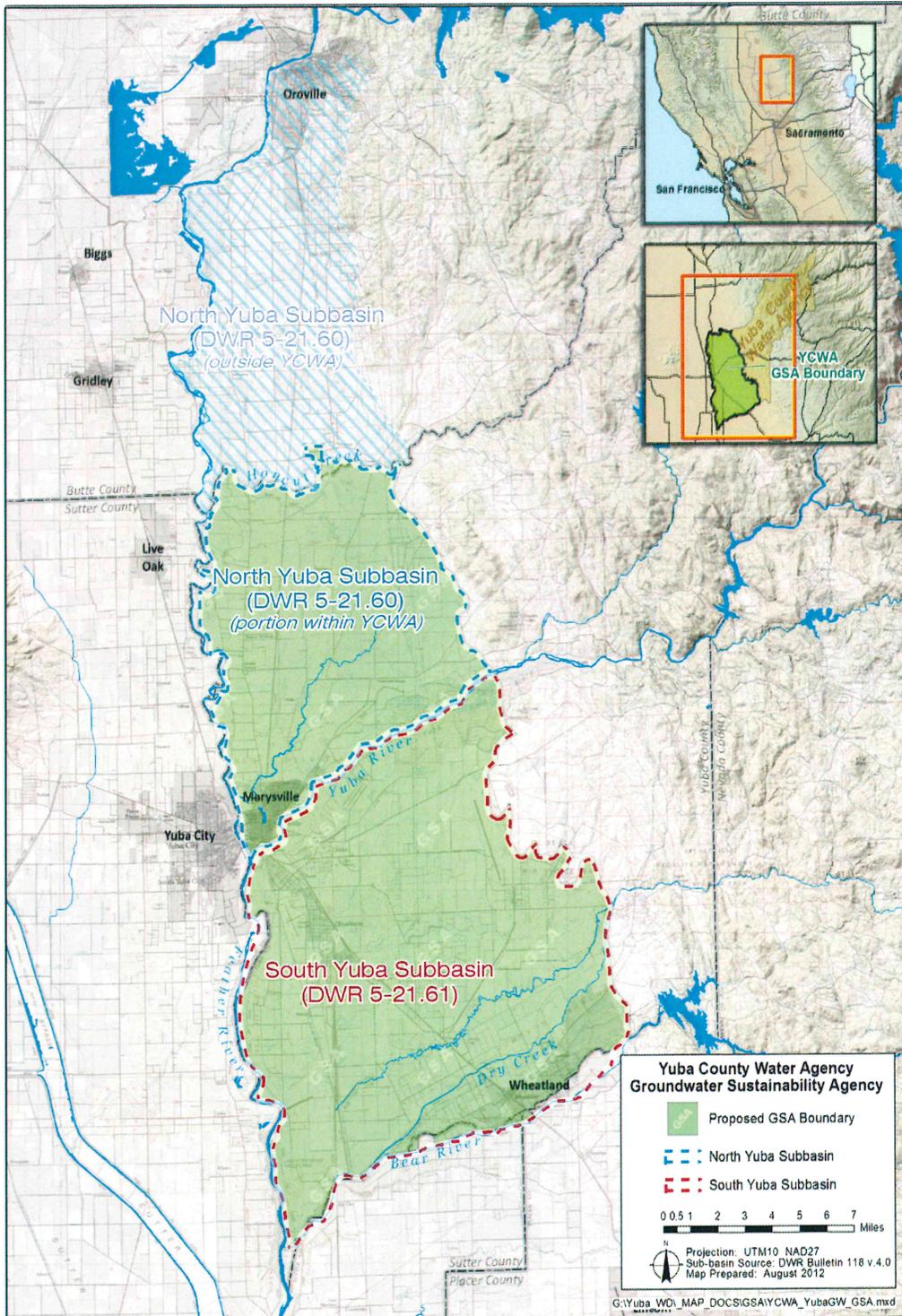
PASSED AND ADOPTED by the Board of Directors of the Yuba County Water Agency on the 11<sup>th</sup> day of August, 2015, by the following vote:

AYES:	DIRECTORS ABE, BELZA, FLETCHER, GRIEGO, HASTEY, NICOLETTI AND VASQUEZ
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

By:   
John Nicoletti, Chairman

Attest:  
  
Jeanne Upton, Assistant Secretary

**EXHIBIT A**  
**MAP OF GSA BOUNDARIES**



**AFFIDAVIT OF PUBLICATION**  
(2015.5 C.C.P.)



**APPEAL-DEMOCRAT**

1530 Ellis Lake Drive, Marysville, CA 95901 \* (530) 749-4700

**STATE OF CALIFORNIA \* Counties of Yuba and Sutter**

I am not a party to, nor interested in the above entitled matter. I am the principal clerk of the printer and publisher of THE APPEAL-DEMOCRAT, a newspaper of general circulation, printed & published in the City of Marysville, County of Yuba, to which Newspaper has been adjudged a newspaper of general circulation by The Superior Court of the County of Yuba, State of California under the date of November 9, 1951, No. 11481, and County of Sutter to which Newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Sutter, State of California under the date of May 17, 1999, Case No.CV PT99-0819. The Notice, of which the annexed is a copy, appeared in said newspaper on the following dates:

**July 26 & August 1, 2015**

I declare under penalty of perjury that the foregoing is true and correct.

**August 3, 2015**

Date

Signature

**Yuba County Water Agency**

**Yuba County Water Agency**

**COPY:  
YUBA COUNTY WATER AGENCY**

**NOTICE OF PUBLIC HEARING  
ON INTENT TO CONSIDER BECOMING A  
GROUNDWATER SUSTAINABILITY AGENCY  
UNDER THE SUSTAINABLE GROUNDWATER  
MANAGEMENT ACT**

PLEASE TAKE NOTICE that the Board of Directors of the Yuba County Water Agency ("Agency") will hold a public hearing commencing at 8:30 a.m. on August 11, 2015, in the Chambers of the Yuba County Board of Supervisors at the Yuba County Government Center, 915 8th Street, Marysville, California 95901 to consider the adoption of a resolution electing to become a groundwater sustainability agency under the Sustainable Groundwater Management Act (Water Code §§ 10720-10736.6) (the "Act"). The Act authorizes a local agency overlying a groundwater basin to serve as the groundwater sustainability agency for that basin. The Agency overlies all portions of the North Yuba and South Yuba Subbasins of the Sacramento Valley Groundwater Basin (designated as basin numbers 5-21.60 and 5-21.61, respectively, by the California Department of Water Resources, as more particularly described in California's Groundwater Bulletin 118) located in Yuba County. By this notice, the Agency states its intent to consider becoming the groundwater sustainability agency for all portions of the above-referenced subbasins within Yuba County in order to sustainably manage the County's groundwater resources.

At the public hearing, the Board of Directors will consider all written and oral comments and objections regarding an election by the Agency to become a groundwater sustainability agency. Additional information on the proposed election, including the proposed resolution of election, is available for public inspection at the Agency office, 1220 F Street, Marysville, California 95901 during regular business hours.

This notice is provided pursuant to Government Code section 6066 and Water Code section 10723(a).

First publication: July 26, 2015  
Second publication: August 1, 2015

Curt Aikens  
General Manager  
Yuba County Water Agency

July 26 & August 1, 2015 Ad #00183067

**Staff Report for YCWA Board Consideration of Election to Become a  
Groundwater Sustainability Agency under the Sustainable Groundwater Management Act  
(August 11, 2015)**

**BACKGROUND**

The Sustainable Groundwater Management Act (SGMA), which took effect on January 1, 2015, gives certain local agencies additional powers and authority to sustainably manage groundwater. Among other things, SGMA establishes a definition of sustainable groundwater management and a framework for local agencies to develop plans and implementing strategies to sustainably manage groundwater resources, with the goal of limiting state intervention to only when necessary to ensure that local agencies achieve such sustainable management.

SGMA requires, by June 30, 2017, the formation of groundwater sustainability agencies (GSAs) primarily responsible for achieving sustainable groundwater management within a specific groundwater basin. Any local agency or combination of local agencies overlying a groundwater basin may elect to be a GSA (or form a GSA) for that basin. (Water Code § 10723). SGMA sets forth the procedures a local agency must follow to elect to become a GSA. On June 9, 2015, the YCWA Board of Directors adopted a resolution (Resolution 2015-15) stating its intent to be a GSA and resolved to take all necessary and appropriate actions to become a GSA under SGMA.

YCWA is well-suited to be the GSA for the portions of the North Yuba and South Yuba Subbasins of the Sacramento Valley Basin within YCWA's boundaries because of its broad authority under the Yuba County Water Agency Act to ensure that sufficient water is available for present and future beneficial uses within Yuba County and its long and successful history of managing surface water and groundwater within the County. As a GSA, YCWA would have additional tools and powers to manage the groundwater within its boundaries.

YCWA's existing programs and activities are consistent with SGMA's objectives. Because YCWA already undertakes many of these actions as part of its groundwater management program and under the Lower Yuba River Accord, YCWA already has a framework in place to comprehensively and sustainably manage Yuba County's groundwater resources and possesses the technical expertise and experience necessary to implement a groundwater sustainability plan under SGMA.

**CONSIDERATION OF STAKEHOLDER INTERESTS**

As part of the process for becoming a GSA, SGMA requires YCWA to consider the interests of all beneficial uses and users of groundwater as well as those responsible for implementing groundwater sustainability plans (that is, other local agencies that designate themselves as GSAs for the portions of the North Yuba and South Yuba Subbasins that will not be covered by YCWA's management area as a GSA). (Water Code § 10723.2.) In addition, as part of the information that each GSA must submit to the Department of Water Resources (DWR), YCWA must include a list of the interested stakeholders identified in Water Code section 10723.2 and explain how their interests will be considered in the development and

operation of the GSA and in the development and implementation of the GSA's groundwater sustainability plan. (Water Code § 10723.9, subd. (a)(4).)

YCWA has a long history of actively managing Yuba County's water resources for beneficial use in cooperation with its member units, stakeholders, and local, state and federal agencies. Moreover, its current structure and operations already considers and protects the various stakeholder interests, as follows:

- YCWA's Board of Directors includes the five members of the Yuba County Board of Supervisors. Each Supervisor's district overlies a different portion of either the North Yuba or South Yuba Subbasin. Such representation ensures that Yuba County's diverse water interests are represented in YCWA decision-making processes and are considered whenever YCWA develops its surface water and groundwater management policies.
- YCWA's Board of Directors also includes a director elected from north of the Yuba River and a director elected from south of the Yuba River. Because the Yuba River also forms the boundary between the North Yuba and the South Yuba Subbasins, YCWA's Board of Directors includes a director that specifically represents each subbasin.
- YCWA's groundwater management plan (GMP), which was updated in December 2010, includes as one of its basin management objectives "improved communication and coordination among Yuba groundwater basin stakeholders." To this end, YCWA has implemented specific management actions to promote stakeholder involvement. For example, although not required by the Water Code, YCWA actively solicited public participation and comments in developing its updated GMP. It held several public meetings prior to the adoption of the updated GMP and continues to involve the public throughout the updated GMP's implementation by providing regular public briefings during YCWA Board meetings.
- YCWA has prepared annual monitoring and measuring reports since 2006 for the North Yuba and South Yuba Subbasins. Among other things, these reports document progress in implementing YCWA's GMP and evaluate groundwater conditions for the following year. In preparing these reports, YCWA coordinates with DWR and other local water managers in Yuba County to obtain their groundwater monitoring and measuring data as well as to ensure that their groundwater management actions complement and support YCWA's groundwater management policies.
- YCWA's Lower Yuba River Accord includes robust measures to conjunctively manage groundwater and surface water supplies. Specifically, as part of the Accord, YCWA implements conjunctive use agreements with seven of its member units (Brophy Water District, Browns Valley Irrigation District, Dry Creek Mutual Water Company, Hallwood Irrigation District, Ramirez Water District, South Yuba Water District and Wheatland Water District) that set forth various conjunctive use measures aimed at integrating surface water and groundwater supplies. These members units and their customers use the majority of surface-water supplies within Yuba County.

- In developing YCWA's agricultural water management plan, which details the full range of efficient water management practices and objectives required by Senate Bill x7-7 (the Water Conservation Act of 2009), YCWA implemented a public participation process that involved several stakeholder meetings and the publication of various informational materials.
- YCWA is a key participant in the Yuba County Integrated Regional Water Management Plan (IRWMP), which was released in 2008 and updated in 2015 and was developed to facilitate regional coordination of water management opportunities, including improving water supply and addressing water-resource needs in environmentally appropriate ways. Having served as the regional lead agency in developing the IRWMP and as the lead agency for the IRWMP management group in preparing grant applications under Proposition 50 and Proposition 84, YCWA has coordinated with numerous local agencies and stakeholder groups to identify funding opportunities in the region.
- YCWA operates its Yuba River Development Project in coordination with various federal, state and local agencies, as well as with other environmental stakeholders in the region.
- YCWA and Yuba County recently hosted a public meeting focused on the long-term sustainability of the County's groundwater basins and implementation of SGMA, giving interested persons and groundwater management stakeholders a venue for discussing the various issues relevant to groundwater management within the County and providing valuable input concerning the development of sustainable groundwater policies.

In addition, with respect to the specific categories of stakeholder interests described in Water Code section 10723.2 that are not already covered by YCWA's above activities, YCWA addresses, and will continue to address, these interests as follows:

Municipal well operators and public water systems: Yuba County's five municipal water purveyors — California Water Service, Linda County Water District, the City of Wheatland, Olivehurst Public Utility District, and Beale Air Force Base – rely exclusively on groundwater to meet their water service needs. They have participated actively in developing YCWA's updated GMP and YCWA intends to continue its coordination efforts with these entities in developing a groundwater sustainability plan under SGMA.

Local land use planning agencies: YCWA has a long history of coordinating with Yuba County and the Cities of Marysville and Wheatland to ensure that YCWA's water management policies support and complement the County's and cities' local land use policies.

Federal government: YCWA coordinates with Beale Air Force Base, which collects water quality data for both its groundwater remediation program and municipal water service purposes and regularly shares their water quality monitoring data with YCWA. YCWA intends to continue coordinating with Beale Air Force Base to review the latter's monitoring activities.

State agencies: YCWA is the monitoring entity for Yuba County under DWR's California Statewide Groundwater Elevation Monitoring (CASGEM) program. In this role, YCWA coordinates with its member units and groundwater stakeholders to continually improve the accuracy of groundwater data reporting and develop opportunities for greater coordination in monitoring for potential adverse impacts. In addition, YCWA closely tracks the studies and results published by the State Water Resources Control Board (SWRCB) under its Groundwater Ambient Monitoring and Assessment program to identify specific applications to groundwater basins within Yuba County, in coordination with YCWA's member units and other local water agencies.

Disadvantaged communities and Native American tribes: To the extent that YCWA's existing groundwater management policies and the development of a groundwater sustainability plan under SGMA implicate the unique interests of disadvantaged communities and Native American tribes within the County, YCWA will continue its outreach to these stakeholders to achieve their consistent participation in developing sustainable groundwater management practices.

YCWA's long history of cooperating and coordinating with various stakeholders in developing and implementing its groundwater management policies, actions and programs demonstrates that, as the GSA, it is capable of considering and protecting the numerous and diverse groundwater interests in the North Yuba and South Yuba Subbasins.

## **RECOMMENDATION**

Staff recommends that the Board conduct a public hearing to consider becoming a GSA for the portions of the North Yuba and South Yuba Subbasins within YCWA's boundaries and, following the public hearing, approve the resolution (Resolution 2015-19) electing to become a GSA in substantially the form presented at this meeting, and authorize and direct the General Manager to perform all actions set forth in SGMA that are necessary to complete YCWA's election to become a GSA.