September 18, 2018

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Resolution authorizing the Deputy Director of Environmental Health Services to file an application for a boundary modification of the Sand Point Area Groundwater Basin (2-27) as defined in the California Department of Water Resources Bulletin 118

RECOMMENDATION: Conduct a public hearing and adopt the attached Resolution authorizing the Deputy Director of Environmental Health Services to file an application for a boundary modification of the Sand Point Area Groundwater Basin (2-27) as defined in the California Department of Water Resources Bulletin 118.

SUMMARY:
In 2014, the State passed a three-bill legislative package known as the Sustainable Groundwater Management Act (SGMA) requiring local agencies to prevent overdraft and achieve balanced pumping and recharge in groundwater basins with either a high or medium priority designation. The Department of Water Resources (DWR) classifies California’s basins into priorities based on certain datasets and other components identified in the California Water Code.

To achieve this mandate, the legislation calls for a new governance structure to address groundwater through the creation of local Groundwater Sustainability Agencies with the authority to adopt and implement Groundwater Sustainability Plans. (In general, the Plans should demonstrate priority basins reach sustainable levels by 2020.) County governments are presumed to act in the capacity of a Groundwater Sustainability Agency (GSA) for areas with high or medium priority designations that are not located within the boundaries of an existing Agency. Because Marin does not have an existing GSA, the County’s Environmental Health Services Division (EHS) has been tracking SGMA administration.

In 2014, DWR classified each of the five significant basins in Marin as low or very low priority, which relieved the County from forming a GSA. However, this past May, the Department of Water Resources released a draft 2018 SGMA Basin Prioritization that proposed reprioritizing the Wilson Grove Formation Highlands (Wilson Grove) Basin in Marin from low to a medium priority. The Wilson Grove Basin covers the community of Tomales and a portion of the Dillon Beach area in northwestern Marin County. As DWR currently define Wilson Grove Basin (1-59) in Bulletin 118, 24% of the basin’s land area is in the northwestern portion of Marin County, with the remaining land area in Sonoma County. (See Attachment 1 - Map of Marin Groundwater Basins.) The
boundary modification being recommended by staff does not add or remove any area from a groundwater basin, it merely combines the portion of the Wilson Grove Basin located within Marin into the contiguous Sand Point Area Basin located in the Dillon Beach and Lawson’s Landing area. The Sand Point Area Basin is designated low priority, which the State is not recommending be changed in the proposed 2018 Basin Prioritization.

Since the reprioritization, EHS staff has consulted with several water users in Marin and Sonoma Counties while analyzing the best way to sustainably manage the Wilson Grove Basin, including Sonoma County and Sonoma County Water Agency, City of Petaluma, City of Sebastopol, Marin Resources Conservation District, North Marin Water District, Sonoma Resource Conservation District, and the Estero Mutual Water Company. These discussions revealed significant differences in land use, agricultural practices, and the amount of groundwater used in the Marin County portions of the Wilson Grove basin as compared to the portions in Sonoma County. In general, the basin area within Sonoma County includes more water dependent agriculture (vineyards and orchards), larger communities with more population, and therefore creates a greater potential for groundwater pumping. It became apparent that given these distinct differences in land and water uses that a jurisdictional boundary change would be the best way to assure that oversight and protection of the groundwater resources in Marin can best be undertaken. Sustainable groundwater practices would be based on land use and water use specific to Marin land and water use.

The SGMA provides a process for local agencies to request a modification of groundwater basin boundaries. Because of our land and water use jurisdiction, the County qualifies to submit such a request. The deadline for requesting a boundary modification to the DWR is September 28, 2018.

Given the requirements for jurisdictional boundary changes and given the short time frame to submit a request, it was determined that the most appropriate modification would be an internal boundary change to extend the northern boundary of the Sand Point Area Basin to encompass the portion of the Wilson Grove Basin currently in Marin County. The new northern boundary of the Sand Point Area Basin would be the Marin County line. It is anticipated that the newly reconfigured groundwater basin would remain a low priority due to limited agriculture use, low population, and low water usage. If accepted by DWR, the new Wilson Grove Basin would be solely in Sonoma County. (See Exhibit A of the Attached Resolution.)

Concurrently, EHS is the designated groundwater monitoring entity for DWR’s California Statewide Groundwater Elevation Monitoring Program (CAGEM) for the groundwater basins within the County. In April 2018, EHS submitted our current CAGEM Plan to DWR. While this plan will be updated if DWR approves the boundary request, the monitoring sites and schedule will remain the same. Well levels will be measured twice-a-year in the newly configured Sand Point Area Basin. Information gathered from our monitoring will provide valuable baseline information to the public, local water users, and the State to help manage the groundwater resources in Marin.
Staff has reached out to other agencies and water users in the current Wilson Grove and Sand Point Area Basins to solicit their comments and support for the boundary modification. (See Letters of Support.) The proposed basin boundary modification would result in a single planning authority over land and water use within the expanded Sand Point Area Basin that would better support sustainable groundwater management in this basin.

**FISCAL IMPACT:**
No significant financial impacts are expected as a result of the proposed action other than staff time to submit the application and coordinate with other agencies within the existing Wilson Grove and Sand Point Area Basins. The ongoing groundwater monitoring program is being funded from the current Community Development Agency budget. Staff does not anticipate a future budget impact over existing SMGA costs if the County’s application is approved and the newly configured Sand Point Area Basin retains a low priority designation. If the County’s application request is denied by DWR, staff will consult with Sonoma County regarding cost effective means of SMGA compliance for the Wilson Grove Basin. Potential budget impacts will be vetted with the County Administrator’s office and addressed through the County budget process.

**REVIEWED BY:**
- [ ] Department of Finance
- [X] County Counsel
- [ ] Human Resources

**SIGNATURE:**
- Rebecca Ng
  Deputy Director
  Environmental Health Services

- Brian C. Crawford
  Agency Director
  Community Development Agency

**Attachments:**
1. Existing Groundwater Basins
2. Resolution with Exhibit A
3. Letters of Support:  
   - North Marin Water District
   - County of Sonoma and Sonoma County Water Agency
   - City of Petaluma