



# Council Agenda Report

## Groundwater Sustainability Agenda Report

From: Christopher Alakel, Utilities Director

Subject: Approval of Amendment No. 2 to the “Memorandum of Agreement Regarding Preparation of a Groundwater Sustainability Plan for the Paso Robles Groundwater Basin” allowing the County of San Luis Obispo to Serve as a Contracting Agent

CEQA Determination: The City finds that this action is not a project under the California Environmental Quality Act pursuant to State Guidelines Section State CEQA Guidelines, §§ 15060, subd. (c)(2)-(3), 15378.

Date: January 16, 2024

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### Facts

1. In 2014, the California State Legislature passed, and the Governor signed into law, the Sustainable Groundwater Management Act (SGMA) which required local management of groundwater resources in California through the formation of Groundwater Sustainability Agencies (GSAs) and through preparation and implementation of Groundwater Sustainability Plans (GSPs).
2. The City of Paso Robles and four other local agencies (County of San Luis Obispo, the Shandon-San Juan Water District, Estrella-El Pomar-Creston Water District, and the San Miguel Community Services District) within the Paso Groundwater Subbasin (Basin), voted to form a GSA within their respective jurisdiction, such that the service areas of the GSAs collectively cover the entire Basin. These agencies are referred to as the “Paso Basin GSAs.”
3. Consistent with the options identified in Water Code Section 10727, the Paso Basin GSAs entered into a Memorandum of Agreement (MOA) for the purpose of preparing a single GSP for the Basin and establishing the Paso Basin Cooperative Committee (PBCC) to conduct activities related to GSP development and SGMA implementation.
4. On June 21, 2022, the Paso Robles GSA Board adopted a revised Groundwater Sustainability Plan that was submitted to DWR on July 19, 2022 to comply with SGMA requirements. The GSP includes management actions, projects, and activities to achieve sustainable use of groundwater.
5. The MOA anticipates the PBCC will periodically retain the services of consultants for conducting GSP-related activities and Section 6.2 identifies the City of Paso Robles as the sole contracting agent on behalf of the PBCC.
6. To provide flexibility for contracting with consultants and lessen administrative burden on City staff, PBCC staff have proposed amending the MOA to allow the County of San Luis Obispo to also act as a contracting agent, along with the City of Paso Robles, on behalf of the PBCC.
7. The MOA requires unanimous written consent by all Parties to the MOA. Approval from a Party is valid only after the Party’s governing body approves the amendment in a public meeting.

### Options

1. Take no action;

2. Approve Amendment No. 2 to the “Memorandum of Agreement Regarding Preparation of a Groundwater Sustainability Plan for the Paso Robles Groundwater Basin” to allow the County of San Luis Obispo to serve as a contracting agent on behalf of the PBCC, or;
3. Provide alternative direction to staff.

### **Analysis and Conclusions**

With the approval of the Paso Robles Basin GSP, the GSAs are now focused on implementation of the projects and management actions that are identified in the GSP. Implementation measures include management actions, projects, and activities, such as bringing supplemental water into the Basin, to reduce groundwater pumping in the basin and achieve sustainable use. The implementation measures and activities conducted under the GSP require the services of consultants. Currently, the MOA allows only the City of Paso Robles to serve as contracting agent on behalf of the PBCC.

Amendment 2 to the MOA is being proposed to allow the County of San Luis Obispo to also act as a contracting agent. This change will provide greater flexibility in contracting for consultant services, the PBCC will benefit from County resources and staff for contract administration and will reduce overall demand on City staff resources for contract administration on behalf of the PBCC.

Each individual GSA has been requested to consider formal approval of the proposed Amendment 2 (Attachment 2) prior to an upcoming PBCC Board in early 2024. 1. The MOA requires unanimous written consent by all Parties to the MOA. Approval from a Party is valid only after the Party’s governing body approves the amendment in a public meeting. To effectuate this approval the City Council and Paso Robles GSA are jointly considering this action.

### **Fiscal Impact**

None

### **CEQA**

The Paso Robles GSA finds that this action is not a project under the California Environmental Quality Act pursuant to State Guidelines Section State CEQA Guidelines, §§ 15060, subd. (c)(2)-(3), 15378.

### **Recommendation (Option 2)**

Acting jointly as the City Council and the Paso Robles Groundwater Sustainability Agency Board, approve and authorize the City Manager on behalf of the City of Paso Robles and the Paso Robles GSA to sign Amendment No. 2 to the “Memorandum of Agreement Regarding Preparation of a Groundwater Sustainability Plan for the Paso Robles Groundwater Basin” to allow the County of San Luis Obispo to serve as an additional contracting agent on behalf of the PBCC.

### **Attachments**

1. Resolution 24-XXX - Approval of Amendment No. 2 to the “Memorandum of Agreement Regarding Preparation of a Groundwater Sustainability Plan for the Paso Robles Groundwater Basin”
2. Amendment No. 2 to the Memorandum of Agreement Regarding Preparation of a Groundwater Sustainability Plan for the Paso Robles Groundwater Basin