



MARINA COAST WATER DISTRICT

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June 15, 2017

Michael A.M. Lauffer, Chief Counsel
State Water Resources Control Board
1001 I Street, 22nd Floor
Sacramento, CA 95814-2828
Michael.lauffer@waterboards.ca.gov

Re: Overlap Issues Regarding the Salinas Valley Basin Groundwater Sustainability Agency, Marina Coast Water District Groundwater Sustainability Agency, and the Arroyo Seco Groundwater Sustainability Agency

Dear Mr. Lauffer:

On behalf of the Marina Coast Water District (MCWD) Groundwater Sustainability Agency, I am writing to address a recent letter sent to you by the Salinas Valley Basin Groundwater Agency (SVBGSA).

MCWD recently met with staff from the State Water Resources Control Board (SWRCB) regarding the Ord Community “overlap” matter and appreciated the guidance provided from the SWRCB staff at that May 23, 2017 meeting. Essentially, it was communicated to MCWD that the multiple Groundwater Sustainability Agencies (GSA’s) within the Salinas Valley Groundwater Basin (SVGB) should be focusing on the bigger issue of successful sustainable groundwater management which depends on how the entities coordinate to develop Groundwater Sustainability Plans (GS Plans) for each of the eight SVGB subbasins. While there may be dispute over the meaning of GSA “service areas”, as defined by SGMA, it is undisputed that multiple GSA’s will be responsible for the development of GS Plans within the SVGB subbasins. As an exclusive GSA within portions of both the Monterey and 180/400 subbasins, MCWD is looking forward to coordinating with other GSA’s on the GS plans for the entirety of these two subbasins, focusing on the sustainability goal. While efforts may be expended to dispute the “service area” issue, it is our hope that the response by the SWRCB to the SVBGSA letter will focus on working together locally in our coordinated subbasin GS Plans.

If the SWRCB wishes to respond directly to the question from the SVBGSA letter regarding MCWD acting as a GSA over an area outside of its jurisdictional boundaries, we eagerly request that the SWRCB contact MCWD to be fully informed of MCWD’s position because the letter from

the SVBGSA is misleading regarding the basis for the District's service to the Ord Community. The letter's use of phrases such as "...merely allowed it (MCWD) to serve an area outside of its boundaries pursuant to a contract" is an example of this misinformation effort. There is far more to the legal basis for MCWD's service to the Ord Community over the last 20 years, and we will continue to provide service for the long term. MCWD is the exclusive water service provider to the former Fort Ord pursuant to the Federal Defense Base Closure and Realignment Act of 1990 and local implementing agreements for the economic redevelopment of the former Fort Ord. The U.S. Army conveyed by deed in 2001 all of its water infrastructure and its non-reserved groundwater rights to MCWD to serve the Ord Community, and the Army contracts with MCWD, through an "evergreen contract", for water service to all Federal activities within the Ord Community.

It is clear that over time, there will be changes to local agency jurisdictional boundaries from LAFCO-approved annexations across the state and not much clarity currently on how that will be reconciled with GSA boundaries, if at all. MCWD would eagerly volunteer to participate in any future state-wide discussions that may be necessary in developing an appropriate process for adjusting GSA boundaries based on changes to jurisdictional boundaries. It would also appear critical to sustainability that there be a clear process to reconcile the issue that an agency may have (or obtain) a responsibility for ensuring a sustainable groundwater supply for future development areas (e.g. spheres of influence), but may not currently be the GSA nor have authority for groundwater management within an approved GS plan for those areas.

The SWRCB staff provided practical guidance at our May 23, 2017 meeting that the multiple SVGB GSA's should be focusing on coordination and that our success will be highly influenced by how successful we are in coordinating the development of GS plans within each subbasin. The intent of SMGA is "to manage groundwater basins through *the actions of local governmental agencies to the greatest extent feasible, while minimizing state intervention to only when necessary* to ensure that local agencies manage groundwater in a sustainable manner". Again, it is our request that the State respond accordingly to the letter from the SVBGSA and focus on the requirement and need for good faith local coordination in developing subbasin GS plans.

Respectfully,



Keith Van Der Maaten
General Manager