Resolutions Supporting Proposed Basin Boundary Modifications

On June 12 2018, the Board of Supervisors authorized the Department of Water and Resource Conservation to submit applications for three proposed Basin Boundary Modifications (BBM): 1. Expand Vina further south, 2. Expand Wyandotte Creek subbasin to the west, 3. Clean up along the Sacramento River of the Vina and West Butte subbasins. Since that time, the Feather River Districts (Western Canal Water District, Richvale Irrigation District, Biggs West Gridley, Butte Water District) proposed a new modification that would combine large portions of the West Butte and East Butte subbasins to create a new "Butte subbasin" while also incorporating the northern groundwater dependent areas of these subbasins into the Vina subbasin. This change reduces the number of subbasins in Butte County from four to three providing greater efficiency and reduced costs for Butte County and other GSAs, both for long term governance of groundwater in these subbasins and for development and implementation of Groundwater Sustainability Plans. The Department proposes the Board of Supervisors adopt two resolutions. The first resolution authorizes the Department to submit a BBM application for the Wyandotte Creek subbasin, as originally proposed in June. The second resolution authorizes the Department to submit a BBM application to include the creation of the new "Butte subbasin", the expansion of the Vina subbasin, and the Sacramento River clean up that affects the existing Vina and West Butte subbasins. The original deadline to submit BBM applications was June 30 2018, but has been extended by the Department of Water Resources to July 31, 2018.

Fiscal Impact:

Does not apply.

Personnel Impact:

Does not apply.

Action Requested:

Adopt the resolutions (2) and authorize the Chair to sign.

Administrative Office Review:  Casey Hatcher, Economic and Community Development Manager
MEMORANDUM

DATE: July 10, 2018

TO: Butte County Board of Supervisors

FROM: Christina Buck, Assistant Director

RE: Update on Proposed Basin Boundary Modifications for Sustainable Groundwater Management Act Implementation

On June 12, 2018 the Board adopted a resolution (No. 18-089) authorizing our Department to submit a basin boundary modification (BBM) application to the Department of Water Resources (DWR). The deadline for submitting BBM applications was June 30. The deadline has since been extended to July 31, 2018. The Board authorized three proposed modifications: 1) Moving the southern boundary of Vina farther south to include the City of Chico and non-agricultural areas into Vina, 2) Expanding Wyandotte Creek subbasin to fully include the City of Oroville, and 3) Clean up to the Sacramento River boundary along the western boundaries of Vina and West Butte subbasins. These modifications are shown in attached Figure 1.

Since that time, the Feather River Districts (Districts) have proposed a different subbasin boundary modification that includes an alternate southern boundary for Vina and the combination of large portions of the West Butte and East Butte subbasins (see Figure 2). This would result in the creation of a new “Butte subbasin” that would replace West Butte and East Butte subbasins. This proposal is consistent with Butte County’s original proposal to expand the Wyandotte Creek subbasin and other neighboring Groundwater Sustainability Agencies’ (GSA) proposals that affect these subbasins. The only direct conflict is with Butte County’s Vina modification proposal.

On June 18, Sean Earley, Manager of Richvale Irrigation District, presented their proposed BBM concept to the Butte County Groundwater Pumpers Advisory Committee (GPAC). The GPAC agreed to hold a special meeting to consider action regarding the proposal. On June 25, the GPAC voted unanimously to recommend that the Butte County Board of Supervisors support the Districts’ BBM proposal. The “Butte subbasin” proposal has been met with interest and general support from other stakeholders in the affected subbasins. Affected GSAs including the City of Chico, Durham Irrigation District, Rock...
Creek Reclamation District, Reclamation District 2106, the City of Live Oak, in addition to the Feather River Districts, support the “Butte subbasin” proposal. To date no opposition to the proposal has come forward.

Staff recommends support of the “Butte subbasin” proposal for several reasons. This modification reduces the number of subbasins subject to the Sustainable Groundwater Management Act (SGMA) from four down to three in Butte County. This change provides greater efficiency and will reduce cost for Butte County and other GSAs, both for long term governance of groundwater in these subbasins and for development and implementation of Groundwater Sustainability Plans (GSP). The major, contiguous groundwater dependent areas would be in one subbasin. This would afford greater efficiency in communications and coordination with groundwater dependent communities and stakeholders. This modification also places the City of Chico solely in the Vina subbasin and Western Canal Water District solely in the newly created “Butte subbasin,” which would allow them to participate in the development and implementation of a single GSP in each of their respective subbasins.

Importantly, the proposed governance structure for the Vina subbasin accommodates this modification and would only require a change of adding an additional Management Area in the Durham area. The proposed Vina Joint Powers Agreement would accommodate the addition of Durham Irrigation District (DID) to the Vina GSA board. DID supports joining the Vina JPA and the other Vina GSAs are preliminarily amenable to these potential changes.

The “Butte subbasin” modification promotes effective and efficient sustainable groundwater management, consistent with the standards by which a jurisdictional BBM may be approved by DWR under SGMA regulations. As with the other proposed modifications, coordination between subbasins will continue to occur and be necessary since groundwater flow does not stop along any of these subbasin lines, existing or modified. Interbasin groundwater flow will be estimated and accounted for as part of the Basin Setting and water budgets for each subbasin during GSP development.

Our Department has coordinated with the Districts on the logistics of reconciling the Butte County and Districts BBM proposals. Our Department is prepared to submit an application for the Wyandotte Creek subbasin modification as proposed and authorized by Resolution No. 18-089. However to proceed with the new BBM, a replacement to Resolution No. 18-089 is necessary. The Department proposes the Board of Supervisors adopt two resolutions. The first resolution authorizes the Department to submit a BBM application for the Wyandotte Creek subbasin, as originally proposed. The second resolution authorizes the Department to submit a BBM application to include the creation of the new "Butte subbasin", an expansion of the Vina subbasin, and the Sacramento River clean up that affects the existing Vina and West Butte subbasins. Given the large
amount of County GSA area involved in this new proposal and the effects it has on Vina governance, it makes sense for the application to be submitted by Butte County in coordination with all of the affected GSAs. This approach is consistent with the Wyandotte Creek proposal. Having Butte County submit the BBM is the most streamlined and efficient approach for the affected GSAs and for DWR in reviewing applications.

Following submission of a BBM application to DWR, a 30-day comment period begins. DWR expects to evaluate and make decisions on submitted BBM in the fall of 2018.

Requested Actions

1. Adopt the resolutions authorizing the Department to submit two basin boundary modification proposals.
Figure 1. Butte County originally proposed basin boundary modifications affecting the Vina, West Butte, East Butte and Wyandotte Creek subbasins in Butte County.
Figure 2. Feather River Districts proposed basin boundary modifications forming the new “Butte subbasin” and further expanding the Vina subbasin.
A RESOLUTION OF THE BOARD OF SUPERVISORS TO FILE AN APPLICATION FOR MODIFICATION
OF THE PORTIONS OF THE CALIFORNIA DEPARTMENT OF WATER RESOURCES BULLETIN 118 DEFINED VINA,
WEST BUTTE, AND EAST BUTTE SUBBASINS LOCATED WITHIN BUTTE COUNTY

WHEREAS, the Legislature has adopted, and the Governor signed into law, Senate Bills 1168 and 1319
and Assembly Bill 1739, known collectively as the Sustainable Groundwater Management Act of 2014; and

WHEREAS, the Sustainable Groundwater Management Act of 2014 went into effect on January 1, 2015; and

WHEREAS, on May 23, 2017 by Resolution 17-084 Butte County elected to become the Groundwater
Sustainability Agency for all those portions of the Vina (5-21.57) subbasin, as defined in the California
Department of Water Resources Bulletin 118, located within Butte County and not otherwise within the
jurisdiction of another Groundwater Sustainability Agency; and

WHEREAS, on May 23, 2017 by Resolution 17-083 Butte County elected to become the Groundwater
Sustainability Agency for all those portions of the West Butte (5-21.58) subbasin, as defined in the California
Department of Water Resources Bulletin 118, located within Butte County and not otherwise within the
jurisdiction of another Groundwater Sustainability Agency; and

WHEREAS, on May 23, 2017 by Resolution 17-085 Butte County elected to become the Groundwater
Sustainability Agency for all those portions of the East Butte (5-21.59) subbasin, as defined in the California
Department of Water Resources Bulletin 118, located within Butte County and not otherwise within the
jurisdiction of another Groundwater Sustainability Agency; and

WHEREAS, the Sustainable Groundwater Management Act of 2014 established a process for local
agencies to request that the California Department of Water Resources adjust the boundaries of existing
groundwater basins or subbasins as defined be California Department of Water Resources Bulletin 118,
including Jurisdictional Modifications; and

WHEREAS, the Butte County Department of Water and Resource Conservation in coordination with the
 Feather River Districts (Western Canal Water District, Richvale Irrigation District, Biggs West Gridley, Butte
 Water District) identified that a Jurisdictional Modification, as set forth by the map in Exhibit A, combining
 portions of West Butte and East Butte subbasins and incorporating portions of those subbasins into the Vina
 subbasin, would improve groundwater management within these subbasins; and

WHEREAS, the Butte County Department of Water and Resource Conservation in coordination with
 neighboring Groundwater Sustainability Agency’s along the Sacramento River identified that modifying the
 subbasin boundary along the River to be defined by the County Line, would improve groundwater management
 within the Corning, Colusa, Vina and West Butte subbasins.
NOW, THEREFORE, BE IT RESOLVED that the Butte County Board of Supervisors hereby authorizes the Department of Water and Resource Conservation to prepare and file an application to the California Department of Water Resources to modify the boundaries of the Vina, West Butte, and East Butte subbasins as depicted in Exhibit A.

PASSED AND ADOPTED by the Butte County Board of Supervisors this 24th day of July, 2018, by the following vote:

AYES:
NOES:
ABSENT:
NOT VOTING:

______________________________
Steve Lambert, Chair
Butte County Board of Supervisors

ATTEST:
Shari McCracken, Chief Administrative Officer
and Clerk of the Board of Supervisors

By: ____________________________
Deputy
Exhibit A:
Proposed Modifications to Bulletin 118 Subbasin Boundaries
A RESOLUTION OF THE BOARD OF SUPERVISORS TO FILE AN APPLICATION FOR MODIFICATION OF THE PORTIONS OF THE CALIFORNIA DEPARTMENT OF WATER RESOURCES BULLETIN 118 DEFINED WYANDOTTE CREEK SUBBASIN LOCATED WITHIN BUTTE COUNTY

WHEREAS, the Legislature has adopted, and the Governor signed into law, Senate Bills 1168 and 1319 and Assembly Bill 1739, known collectively as the Sustainable Groundwater Management Act of 2014; and

WHEREAS, the Sustainable Groundwater Management Act of 2014 went into effect on January 1, 2015; and

WHEREAS, on March 28, 2017 by Resolution 17-051 Butte County elected to become the Groundwater Sustainability Agency for all those portions of the Wyandotte Creek (5-21.69) subbasin, as defined in the California Department of Water Resources Bulletin 118, located within Butte County and not otherwise within the jurisdiction of another Groundwater Sustainability Agency; and

WHEREAS, the Sustainable Groundwater Management Act of 2014 established a process for local agencies to request that the California Department of Water Resources adjust the boundaries of existing groundwater basins or subbasins as defined by California Department of Water Resources Bulletin 118, including Jurisdictional Modifications; and

WHEREAS, the Butte County Department of Water and Resource Conservation in coordination with the City of Oroville identified that a Jurisdictional Modification, as set forth by the map in Exhibit A, incorporating the portion of the East Butte subbasin located within Butte County, into the portion of the Wyandotte Creek subbasin, would improve groundwater management within these subbasins.

NOW, THEREFORE, BE IT RESOLVED that the Butte County Board of Supervisors hereby authorizes the Department of Water and Resource Conservation to prepare and file an application to the California Department of Water Resources to modify the boundaries of the Wyandotte Creek subbasin as depicted in Exhibit A.

PASSED AND ADOPTED by the Butte County Board of Supervisors this 24th day of July, 2018, by the following vote:

AYES:  
NOES:  
ABSENT:  
NOT VOTING:  

______________________________  
Steve Lambert, Chair  
Butte County Board of Supervisors

ATTEST:  
Shari McCracken, Chief Administrative Officer  
and Clerk of the Board of Supervisors

By: ______________________________  
Deputy
Exhibit A:
Proposed Modifications to Bulletin 118 Wyandotte Creek Subbasin Boundaries