



**BOARD OF SUPERVISORS
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
J. STEVEN WORTHLEY
District Four
MIKE ENNIS
District Five

AGENDA DATE: June 27, 2017

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
CONTACT PERSON: Denise England PHONE: 636-5005				

SUBJECT: Letter of Opposition for SB 252

REQUEST(S):
That the Board of Supervisors:
Approve sending a letter of opposition for SB 252

SUMMARY:
SB 252 includes onerous requirements for counties relative to well permitting and appears to move well permitting from a ministerial to a discretionary decision making process. Such movement should be opposed by Tulare County due to the lack of efficiency, cost effectiveness, and limited expertise to inform such decisions.

SB 252 includes provisions to collect additional information on well permit applications such as, pumping capacity, acreage served, pumping schedule, and annual extraction. While this information appears to be of value, Tulare County has no way to evaluate whether or not the reported information is 1) accurate, 2) protective of other groundwater users, and 3) creates a sustainable groundwater environment. In Tulare County there are many conjunctive use districts that use surface water when available, provide recharge in wet years, and pump groundwater in dry times. SB 252 provides no provision for these users.

Additionally, the Sustainable Groundwater Management Act (SGMA) is actively being implemented in Tulare County. SGMA requires medium and high priority groundwater sub-basins to be sustainably managed pursuant to locally adopted Groundwater Sustainability Plans. SGMA authorizes a Groundwater Sustainability Agency to require the registration of groundwater wells, reporting of well extraction data on a

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regular basis, and groundwater monitoring. Therefore, regardless of the number of wells constructed GSAs will ensure each groundwater basin is sustainable.

FISCAL IMPACT/FINANCING:

N/A

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's Strategic Plan includes an initiative to provide for the safety and security of the public which includes the goal of providing an adequate and safe water supply.

ADMINISTRATIVE SIGN-OFF:

Denise England

Water Resources Director

Cc: Auditor-Controller
County Counsel
County Administrative Office (2)

Attachment: Letter

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

**IN THE MATTER OF LETTER OF
OPPOSITION FOR SB 252**

)
) Resolution No. _____
)
)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

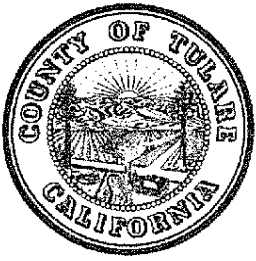
AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: MICHAEL C. SPATA
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

Approved sending a letter of opposition for SB 252



County of Tulare

June 27, 2017

The Honorable Bill Dodd
State Capitol Room 5064
Sacramento, CA 95814-4900
(916) 651-4903

BOARD OF SUPERVISORS

Kuyler Crocker
District One

Pete Vander Poel
District Two

Amy Shuklian
District Three

J. Steven Worthley
District Four

Mike Ennis
District Five

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BOARD STAFF

Julieta Martinez
Melinda Benton
Carrie Crane
Samantha Ferrero

*

CLERK OF THE BOARD

Michelle Baldwin
Chief Clerk

*

Administration Bldg.
2800 West Burrel
Visalia, CA 93291

TEL: (559) 636-5000
FAX: (559) 733-6898

To Whom It May Concern:

The Tulare County Board of Supervisors opposes SB 252, which includes onerous requirements for counties relative to well permitting and appears to move well permitting from a ministerial to a discretionary decision making process. Such movement is opposed by Tulare County due to the lack of efficiency, cost effectiveness, and limited expertise to inform such decisions.

SB 252 includes provisions to collect additional information on well permit applications such as, pumping capacity, acreage served, pumping schedule, and annual extraction. While this information appears to be of value, Tulare County has no way to evaluate whether or not the reported information is 1) accurate, 2) protective of other groundwater users, and 3) creates a sustainable groundwater environment. In Tulare County there are many conjunctive use districts that use surface water when available, provide recharge in wet years, and pump groundwater in dry times. SB 252 provides no provision for these users.

The Sustainable Groundwater Management Act (SGMA) was signed into law in September 2016 and is being implemented in all high- and medium- priority sub-basins. As Groundwater Sustainability Agencies (GSAs) implement SGMA they will conduct investigations to fill existing data gaps, make sustainable yield determinations based on sound science, and employ groundwater extraction restrictions as appropriate for their area. SB 252 bypasses SGMA and adds another layer of regulation on top of what is authorized through SGMA.

Further, SGMA requires all GSAs to adopt and implement a Groundwater Sustainability Plan by January 2020. Timing on SB 252 suggests a January 2018 start date and would only apply to well permits issued after that date. GSPs will take into consideration all wells in a sub-basin and make a determination for sustainable extraction. Regardless of a well being permitted and constructed GSAs will exercise their authority to limit extraction to a sustainable level.

Tulare County has been and will continue to be an active participant in the implementation of SGMA. As such, Tulare County must oppose SB 252 due to the onerous nature of the bill without sound outcomes. SB 252 does not solve the groundwater overdraft problem.

Sincerely,

Kuyler Crocker
District One

Pete Vander Poel
District Two

Amy Shuklian
District Three

J. Steven Worthley
District Four

Mike Ennis
District Five

CC: Tulare County Delegation
Assemblyman Eduardo Garcia, Assembly Committee on Water, Parks, and Wildlife Chair