

**STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES**

**STATEMENT OF FINDINGS REGARDING THE
APPROVAL OF
THE COASTAL PLAIN OF ORANGE COUNTY ALTERNATIVE**

The Department of Water Resources (Department) is required to evaluate and assess whether submitted alternatives to groundwater sustainability plans satisfy the objectives of the Sustainable Groundwater Management Act (SGMA) pursuant to Water Code Section 10733.6. This Statement of Findings explains the Department's decision regarding the alternative (Alternative) submitted by the Orange County Water District, the City of La Habra, and the Irvine Ranch Water District (Agencies) for the Coastal Plain of Orange County (Basin No. 8-001). The Alternative was submitted under Water Code Section 10733.6(b)(3), which allows for the submittal of an analysis of basin conditions that demonstrates the basin has operated within its sustainable yield over a period of at least 10 years.

Department management has reviewed the Department staff report, entitled Sustainable Groundwater Management Program Alternative Assessment Staff Report – Coastal Basin (Staff Report), attached as Exhibit A, recommending approval of the Alternative. Based on its review of the Staff Report, Department management is satisfied that staff have conducted a thorough evaluation and assessment of the Alternative and concurs with staff's recommendation and all the recommended actions, and thus hereby approves the Alternative on the following grounds:

1. The Alternative was submitted within the statutory deadline of January 1, 2017 (Water Code Section 10733.6(c)).
2. The Alternative is within a basin that is in compliance with Part 2.11 (commencing with Water Code Section 10920) as required by Water Code Section 10733.6(d).
3. The Alternative has been submitted by the Agencies pursuant to Water Code Section 10733.6(b)(3) and included a report prepared by a registered professional engineer or geologist who is licensed by the state and submitted under that engineer's or geologist's seal.
4. The Agencies explained how the elements of the Alternative are functionally equivalent to the elements of a groundwater sustainability plan required by Articles 5 and 7 of the GSP Regulations, 23 CCR Section 350 et seq., in the Alternative Elements Guide submitted by the Agencies.

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5. Based on Paragraphs 3 and 4 above, the Alternative is considered complete and includes the information required by SGMA and the GSP Regulations, sufficient to warrant an evaluation by the Department. 23 CCR Section 358.4(a)(3).
6. The Alternative applies to and covers the entire Basin as required by 23 CCR Section 358.2(a) and 358.4(a)(4), respectively, and as discussed in Section IV.D of the Staff Report.
7. The Agencies have the legal authority and financial resources necessary to implement the Alternative.
8. The Department has received public comments on the Alternative and has considered them in the evaluation of the Alternative as required by 23 CCR Section 358.2(f).

Department management makes the following specific findings based on the evaluation and assessment of the Alternative prepared by Department staff:

9. The Alternative includes a reasonable and sufficient assessment of the Basin's groundwater conditions, including the basin's hydrology, historical and current groundwater elevations, historical and current groundwater production, and future water demand projections.
10. The Agencies have adopted and enforced objective standards of groundwater management based on minimum groundwater storage levels that have been empirically determined to prevent the occurrence of undesirable results in the Basin, and has successfully managed the Basin to those standards for at least 10 years.
11. The Alternative demonstrates a commitment and reasonable plan to further evaluate the connection between groundwater pumping and surface water within the Santa Ana Canyon Management Area, which comprises only three percent of the land area in the Coastal Plain of Orange County Basin.
12. The Agencies demonstrates a commitment to maintain and protect the groundwater quality and quantity in the Coastal Plain of Orange County Basin.
13. In light of Paragraphs 1-12 above, the Alternative satisfies the objectives of SGMA.

In addition to the grounds listed above, the Department also finds that:

1. The Alternative has demonstrated that the Coastal Plain of Orange County has operated within the range of historical data, sufficient to avoid undesirable results, and that groundwater management by the Agencies is consistent with the state policy regarding the human right to water (Water Code Section 106.3) and the public trust doctrine.
2. The evaluation and assessment of whether the Alternative submitted by the Agencies for the Coastal Plain of Orange County satisfies the objectives of SGMA is a project under CEQA, but that the project is exempt from CEQA under the common sense exemption for the following reasons.

No physical change to the environment is associated with the evaluation and assessment of the alternatives undertaken by the Department. The Alternative submitted by the Agencies is based on a demonstration that the basin has operated within its sustainable yield over a period of at least 10 years and thus does not directly implicate future activities that might constitute “projects” under CEQA.

By finding that the Alternative satisfies the objectives of SGMA, the Agencies are authorized to continue to manage the basin subject to that Alternative, without the need to develop a GSP. As a result, the evaluation and assessment of the Alternative undertaken by the Department creates no foreseeable indirect impacts, and any impacts that might occur would be difficult to predict with any accuracy and too speculative to allow the Department to provide for meaningful analysis and review.

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Based on the above, the Alternative submitted by the Agencies for the Coastal Plain of Orange County is approved. The recommended actions identified in the Staff Report will assist the Department's review of the Alternative's implementation for consistency with SGMA and are thus recommended to be included in the resubmitted Alternative, due on January 1, 2022, as required by Water Code Section 10733.6(c).

Signed:



Karla Nemeth, Director

Date: July 17, 2019

Exhibit A: Sustainable Groundwater Management Program Alternative Assessment
Staff Report – Coastal Basin