

RESOLUTION NO. 34099-16

A RESOLUTION TO BECOME THE GROUNDWATER SUSTAINABILITY AGENCY FOR
THE EAST BAY PLAIN SUBBASIN OF THE SANTA CLARA VALLEY BASIN WITHIN
THE EAST BAY MUNICIPAL UTILITY DISTRICT'S SERVICE AREA

Introduced by Director **McIntosh** ; Seconded by Director **Linney**

WHEREAS, the East Bay Municipal Utility District ("District") is a public agency formed under the Municipal Utility District Act that provides water service to approximately 1.4 million customers in Alameda County and Contra Costa County; and

WHEREAS, the comprehensive groundwater legislation referred to as the Sustainable Groundwater Management Act ("SGMA") was signed into law on September 16, 2014, with an effective date of January 1, 2015, and is codified at Water Code section 10720 *et seq.*; and

WHEREAS, the stated purpose of SGMA is to provide for the sustainable management of groundwater basins and subbasins at a local level by providing local agencies, including agencies with water supply responsibilities, the legal authority and technical and financial assistance necessary to sustainably manage groundwater; and

WHEREAS, SGMA further provides for and anticipates that eligible local agencies overlying basins or subbasins that are designated by the California Department of Water Resources ("DWR") as "high priority" or "medium priority" will form Groundwater Sustainability Agencies ("GSAs") for the purpose of achieving groundwater sustainability through the adoption and implementation of Groundwater Sustainability Plans; and

WHEREAS, the East Bay Plain Subbasin of the Santa Clara Valley Basin ("East Bay Plain") has been designated by DWR as a medium priority subbasin; and

WHEREAS, the District currently exercises water supply and water management responsibilities within its service area, which service area overlies the majority of the East Bay Plain; and

WHEREAS, the District's expertise in water resources management renders it well-suited to serve as the GSA for the portion of the East Bay Plain within its service area; and

WHEREAS, the District has had ongoing close coordination with local agencies that overlie the East Bay Plain; and

WHEREAS, as required by Water Code section 10723(b), a notice of public hearing to consider this decision to become a GSA was published pursuant to Government Code section 6066, and the Board of Directors held the noticed public hearing before adopting this Resolution;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Municipal Utility District does hereby find and determine as follows:

1. The District hereby elects to become the GSA for the entire portion of the East Bay Plain that underlies the District's service area and to undertake sustainable groundwater management within that area.

2. The District intends to provide broad opportunity for public involvement in the ongoing management of groundwater in the East Bay Plain.

3. The District will continue to coordinate with other local agencies that overlie the East Bay Plain and with other groundwater management entities that elect to be the GSA for neighboring groundwater basins or subbasins.

4. The decision to become a GSA is not a "Project" pursuant to Public Resources Code section 21065 and therefore is not subject to the requirements of the California Environmental Quality Act. (See Title 14, Cal. Code Regs. § 15378(b)(5).)

5. Staff is directed to prepare notification of the District's decision to become a GSA and to submit that notification, and all supporting documentation, to DWR in accordance with Water Code section 10723.8(a).

6. The Secretary of the District is directed to file a Notice of Exemption with the County Clerks of Alameda County and Contra Costa County, in accordance with the law.

ADOPTED this 9th day of August, 2016 by the following vote:

AYES: **Directors Coleman, Katz, Linney, McIntosh, Patterson, Young and President Mellon.**

NOES: **None.**

ABSENT: **None.**

ABSTAIN: **None.**


President

ATTEST:


Secretary

APPROVED AS TO FORM AND PROCEDURE:


General Counsel