



COUNTY EXECUTIVE OFFICE

James L. Brown
County Executive Officer

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Equal Opportunity Employer

March 9, 2017

Via Email and U.S. Mail

Mr. Mark Nordberg, GSA Project Manager
Sustainable Groundwater Management Program
California Department of Water Resources
901 P Street, Room 213-B
P. O. Box 942836
Sacramento, CA 94236

Mr. Mike McKenzie, Senior Engineering Geologist
South Central Region
California Department of Water Resources
3374 East Shields Avenue
Fresno, CA 93726

RE: *Notice of the County of Merced's intent to serve as Groundwater Sustainability Agency for a portion of the Chowchilla Groundwater Subbasin*

Dear Mr. Nordberg and Mr. McKenzie:

This letter constitutes notice to the Department of Water Resources (DWR), pursuant to Water Code sections 10723(d) and 10723.8, of the County of Merced's (Merced County) intent to undertake sustainable groundwater management of a portion of the Chowchilla Subbasin as a Groundwater Sustainability Agency (GSA) pursuant to the Sustainable Groundwater Management Act (SGMA). Merced County is a public agency with land use authority for the portion of the Chowchilla Subbasin located within the boundaries of the county. This notice of intent is timely filed within 30 days of the County of Merced Board of Supervisors approving a resolution electing to serve as a GSA. The resolution is attached hereto as Exhibit A and a map showing the proposed Merced County GSA management area, which includes all of the unmanaged, "white area" in the Chowchilla Subbasin within Merced County is attached to the resolution as an exhibit. No new bylaws, ordinances, or other new authorities were adopted in connection with this resolution to serve as a GSA.

The proposed Merced County GSA management area is approximately 1,300 acres, located fully within Merced County's portion of the Chowchilla Subbasin and outside the Chowchilla Water District's service area and GSA. The proposed GSAs in the Chowchilla Subbasin are: 1) the County of Madera, 2) Chowchilla Water District and 3) the County of Merced. There is no intentional overlap in the proposed management area of this GSA. The majority of the Merced County GSA service area will be within the Sierra Vista Mutual Water Company service area. Merced County will coordinate with the Sierra Vista Mutual Water Company on the groundwater management within the common area.

Merced County has been participating in coordination efforts with other local agencies and interests in the Chowchilla Subbasin and intends to enter into a memorandum of understanding or other form of agreement with these parties to coordinate preparation of a single Groundwater Sustainability Plan (GSP) for the Chowchilla Subbasin.

Merced County has met with the Sierra Vista Mutual Water Company regarding the intent to form a GSA and

Mr. Mark Nordberg

Mr. Mike McKenzie

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has received support from the Sierra Vista Mutual Water Company. On February 21, 2017, Merced County held a public hearing to receive comment on the proposed GSA. Notice of this hearing was provided in compliance with Water Code Section 10723(b) and Government Code Section 6066, attached as Exhibit B.

Merced County is committed to an open and inclusive process to implement SGMA. As required by Water Code section 10723.8(a)(4), Exhibit C outlines a list of interested parties who will be included in the development of a GSP. In compliance with SGMA, the Merced County GSA will consider all beneficial uses and users of groundwater within the GSA's proposed service area.

If you have any questions regarding this notice, please contact Lacey Kiriakou, Water Resources Coordinator, at (209) 385-7654.

Sincerely,

A handwritten signature in black ink, appearing to read "James L. Brown", with a long horizontal flourish extending to the right.

James L. Brown
County Executive Officer

Enclosures

Exhibit A

County of Merced Resolution Electing to Form the Merced County Groundwater Sustainability
Agency Within the Chowchilla Groundwater Subbasin and Map

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF MERCED, STATE OF CALIFORNIA

In the Matter of

RESOLUTION ELECTING TO FORM THE	)	
MERCED COUNTY GROUNDWATER	)	
SUSTAINABILITY AGENCY WITHIN THE	)	RESOLUTION NO. 2017-15
CHOWCHILLA GROUNDWATER SUBBASIN	)	

WHEREAS, the Sustainable Groundwater Management Act (SGMA) was signed into law on September 16, 2014 and adopted as California Water Code, section 10720, et. seq.; and,

WHEREAS, the purpose of SGMA is to provide sustainable management of groundwater basins and enhance local management of groundwater through empowering local management agencies with authority, technical, and financial assistance necessary to sustainably manage groundwater; and,

WHEREAS, SGMA requires high and medium priority basins to be managed by one or more groundwater sustainability agencies (GSA) and such agency/agencies must be formed by June 30, 2017; and,

WHEREAS, Water Code section 10723(a) authorizes any local agency with water or land management authority overlying a basin to elect to be the GSA for that basin; and,

WHEREAS, Water Code section 10724(a) presumes that any area not within the management area of a GSA will be managed by the county, as the GSA for that area; and,

WHEREAS, Water Code section 10735.2(a) provides that the State Water Resources Control Board may designate the basin as probationary if any portion of the basin is not covered by a GSA before June 30, 2017; and,

WHEREAS, the County of Merced is located in the Chowchilla Subbasin as defined in the California Department of Water Resources Bulletin 118; and,

WHEREAS, the County of Merced is a local agency that is eligible to elect to become a GSA pursuant to SGMA; and,

WHEREAS, Water Code section 10723.2 requires that a GSA consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing groundwater sustainability plans; and,

WHEREAS, the County of Merced is committed to working with regional partners to sustainably manage the groundwater resources; and,

WHEREAS, retaining local jurisdiction and control over groundwater management is beneficial to the health, safety, and water supply reliability of the County of Merced and its customers and constituents; and,

WHEREAS, the County of Merced wishes to exercise the powers and authorities of a GSA granted by SGMA; and,

WHEREAS, Water Code section 10723.8 requires a local public agency electing to be a GSA to notify the California Department of Water Resources of its election and intention to undertake sustainable groundwater management within a subbasin; and,

WHEREAS, Water Code section 10723(b) requires a public hearing be held before to the decision to become a GSA and the publication of notice pursuant to section 6066 of the Government Code; and,

WHEREAS, pursuant to Government Code section 6066, notices of a public hearing regarding whether to adopt a Resolution to elect to become a GSA were published in the Merced Sun Star; and,

WHEREAS, the County of Merced held a public hearing on February 21, 2017 to consider adoption of this Resolution; and,

WHEREAS, adoption of this Resolution does not constitute a project under the California Environmental Quality Act because it does not result in any direct or indirect physical change in the environment; and,

NOW THEREFORE, BE IT RESOLVED that the County of Merced hereby elects to become a GSA for those portions of the Chowchilla Subbasin shown in the map attached hereto as Exhibit A; and

BE IT FURTHER RESOLVED that the Merced County GSA hereby created shall establish and maintain a list of persons interested in receiving notices regarding plan preparation, meeting announcements, and availability of draft plans, maps, and other relevant documents; and,

BE IT FURTHER RESOLVED that the County of Merced authorizes its staff to, within 30 days from the date of this Resolution, provide notification of this election to the California Department of Water Resources, including a copy of this Resolution and additional information required by Water Code section 10723.8, in the manner required by law.

I, JAMES L. BROWN, Clerk of the Board of Supervisors of the County of Merced, do hereby certify that the foregoing Resolution was regularly introduced, passed, and adopted by said Board at a regular meeting thereof held on this 21st day of February, 2017 by the following vote:

SUPERVISORS:

AYES: Daron McDaniel, Rodrigo Espinoza, Lee Lor, Lloyd Pareira, Jerry O'Banion

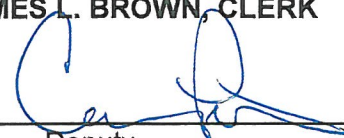
NOES: None

ABSENT: None

WITNESS my hand and the Seal of this Board this 21st day of February, 2017.



JAMES L. BROWN, CLERK

By: 

Deputy

Exhibit A

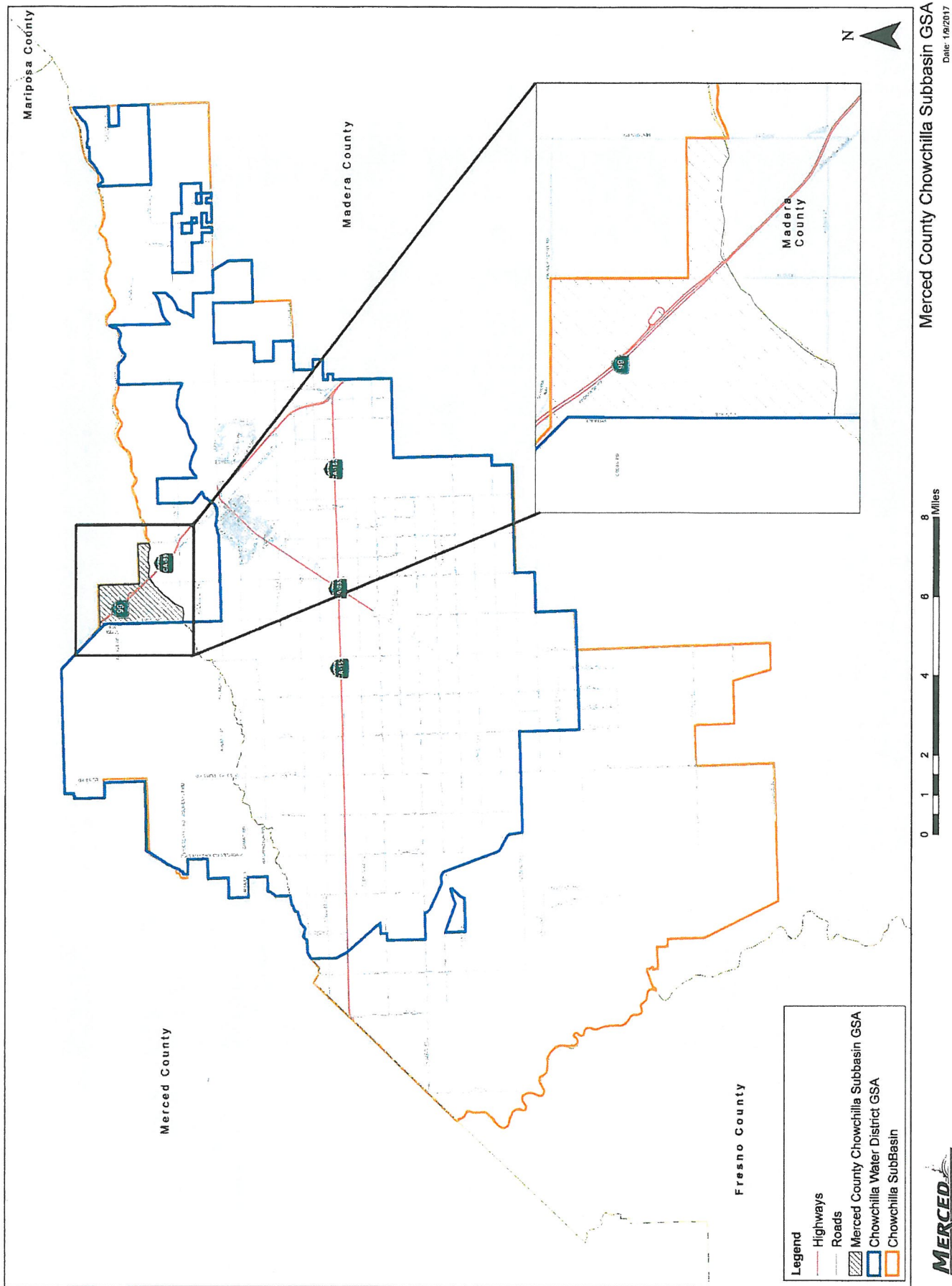


Exhibit B

Notice of Public Hearing

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Cols	Lines
337617	0002910477	HEARING GSA TERESA HALEY		1	32

Attention:

MERCED COUNTY PLANNING
 2222 M STREET
 MERCED, CA 95340

NOTICE OF PUBLIC HEARING

A Public Hearing will be held by the Board of Supervisors of the County of Merced, State of California, on Tuesday, February 21, 2017, at 10:00 a.m. in the Board Room, Third Floor, County Administration Building, 2222 M Street, Merced, California, to consider a resolution electing to form the Merced County Groundwater Sustainability Agency in the Chowchilla Groundwater Subbasin.

Pursuant to California Water Code section 10723(b), the County of Merced Board of Supervisors shall hold a public hearing to consider and determine whether the County of Merced shall file to form a Groundwater Sustainability Agency pursuant to the Sustainable Groundwater Management Act in a portion of the Chowchilla Subbasin.

All persons interested are invited to attend and will be given an opportunity to be heard. Community & Economic Development Department, By Mark J. Hendrickson, Director.
 MER-2910477 2/7, 14

Declaration of Publication 2015.5 C.C.P.

STATE OF CALIFORNIA)
) ss.
 County of Merced)

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Merced Sun-Star, a newspaper of general circulation, printed and published in the city of Merced, County of Merced, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Merced, State of California, under the date of July 14, 1964 Case Number 33224 that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

February 07, 2017, February
 14, 2017

I certify (or declare) under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Merced, California on:

Date: 14th, day of February, 2017

Signature

Exhibit C

List of Interested Parties

List of Interested Parties

Interested parties within Merced County's proposed GSA management area in the Chowchilla Subbasin, as determined pursuant to Water Code section 10723.2, include:

(a) Holders of overlying groundwater rights, including:

(1) Agricultural users.

The Merced County proposed GSA management area is composed almost entirely of agricultural users.

(2) Domestic Well owners.

There are no known domestic wells within the proposed GSA management area.

(b) Municipal well operators.

There are no municipal well operators within the proposed GSA management area.

(c) Public water systems.

There are no public water systems within the proposed GSA management area.

(d) Local land use planning agencies.

The County of Merced is the only local land use planning agency within the proposed GSA management area

(e) Environmental users of groundwater

There are no known environmental users within the proposed GSA management area.

(f) Surface water users, if there is a hydrologic connection between surface and groundwater bodies.

The Sierra Vista Mutual Water Company holds prescriptive water rights on the Chowchilla River, which are administered by Chowchilla Water District.

(g) The federal government, including but not limited to, the military and managers of federal lands.

The Federal government does not manage any area within the proposed GSA management area.

(h) California Native American Tribes.

There are no California Native American tribes, reservations or lands held in trust within the proposed GSA management area.

(i) Disadvantaged communities, including, but not limited to, those served by private domestic wells or small community water systems.

There is a disadvantaged community, Le Grand, near, but not within the proposed GSA management area.

(j) Entities listed in Section 10927 that are monitoring and reporting groundwater elevations in all or a part of a groundwater basin managed by the GSA.

The Merced Area Groundwater Pool Interests and the Madera-Chowchilla CASGEM Group both monitor and report groundwater elevation in all or part of the Chowchilla Subbasin.

The interests of the interested parties identified above will be considered in the development and operation of the GSA and the development and implementation of the GSP. Merced County is committed to an open and inclusive process to implement SGMA. Interested parties will have opportunities, both formal and informal, to provide input to the County throughout the process of developing , operating, and implementing the GSA and GSP. Such opportunities may include, but are not limited to, public workshops and comment periods required by SGMA (e.g. Water Code section 10728.4); opportunities for public comment during the County's regular Board of Supervisor meetings; and at other times to be determined and noticed pursuant to Water Code section 10727.8(a).