

PANOCHÉ WATER DISTRICT

RESOLUTION NO. 719-17

**RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT
SUPPORTING FORMATION AND OPERATION OF
CENTRAL DELTA-MENDOTA REGION MULTI-AGENCY GROUNDWATER
SUSTAINABILITY AGENCY IN THE CENTRAL DM REGION,
APPOINTING REPRESENTATIVES TO STEERING COMMITTEE,
AUTHORIZING REPRESENTATIVE
TO DECLARE PANOCHÉ WATER DISTRICT INTENTION
TO BECOME PART OF A
MULTI-AGENCY GROUNDWATER SUSTAINABILITY AGENCY UNDER
THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT,
AND AUTHORIZING RELATED ACTIONS**

WHEREAS, on September 16, 2014, the California legislature passed a statewide framework for sustainable groundwater management, known as Sustainable Groundwater Management Act (SGMA) (California Water Code Section 10720 et seq.) pursuant to Senate Bills 1168 and 1319 and Assembly Bill 1739, which was approved by the Governor and Chaptered by the Secretary of State; and

WHEREAS, SGMA went into effect on January 1, 2015; and

WHEREAS, SGMA requires all high and medium priority groundwater basins, as designated by the California Department of Water Resources (DWR) Bulletin 118, to be managed by a Groundwater Sustainability Agency (GSA); and

WHEREAS, the San Joaquin Valley Groundwater Basin (Basin) has been designated by DWR as a high priority basin; and

WHEREAS, SGMA authorizes any local agency overlying the Basin to elect to become a GSA within the Basin or to join with other agencies in forming a Multi-Agency GSA; and

WHEREAS, the Panoche Water District is a California Water District formed and operating pursuant to and in accordance with Division 13 of California Water Code and overlies a portion of the Delta-Mendota Subbasin, as defined in Bulletin 118 of the California Department of Water Resources and is therefore a "local agency" as defined under the SGMA and is therefore eligible to serve as a GSA within the Basin; and

WHEREAS, Merced and Fresno Counties are local public agencies as defined under the SGMA and are therefore eligible to serve as a GSA; and

WHEREAS, DWR has approved boundary modifications so that all of the

geographical area depicted on the map attached hereto as Exhibit "A" and by reference incorporated herein, may be included within a single multiagency GSA within a portion of the Delta-Mendota Subbasin, said portion designated by the parties as the "Central Delta-Mendota Region" or "Central DM Region;" and

WHEREAS, the Panoche Water District has considered that certain proposed Agreement Supporting Formation and Operation of Central Delta-Mendota Region Multi-Agency Groundwater Sustainability Agency in the Central Delta-Mendota Region (the "Agreement") presented to the Board and attached hereto as Exhibit "B," to this Resolution, which establishes the terms pursuant to which proposed parties will organize themselves to form the Central Delta-Mendota Multi-Agency GSA ("Central DM Region Multi-Agency GSA"); and

WHEREAS, under the terms of the Central DM Region Multi-Agency GSA, each party is entitled to appoint one (1) Steering Committee Member and one (1) alternate Steering Committee Member, to serve from the date said appointments are communicated to the other parties at the pleasure of the appointing District's Board of Directors; and

WHEREAS, Section 10723.2 of the SGMA 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, Section 10723.8 of the SGMA requires that a local agency electing to be a GSA to notify the DWR of its election and intention to undertake sustainable groundwater management within a basin; and

WHEREAS, the District intends to delegate authority to its Steering Committee Member at a meeting of the Central DM Region Multi-Agency GSA Steering Committee, or in such Steering Committee's Member's absence from the meeting, to its alternate Steering Committee Member: to conduct public hearings in Fresno and Merced Counties after publication of notice pursuant to Government Code section 6066; to consider taking action to form the Central DM Region Multi-Agency GSA, and if such action is taken, to appoint the person authorized to submit to the DWR on behalf of the District acting through the Central DM Region Multi-Agency GSA a notice of intent to undertake sustainable groundwater management in accordance with SGMA (Part 2.74 of the Water Code); and allowing the District, acting through the Central DM Region Multi-Agency GSA, to exercise the powers and authorities of a GSA granted by SGMA.

NOW, THEREFORE, BE IT RESOLVED that

Section 1. The facts stated in the recitals above are true and correct and the Board of Directors of the Panoche Water District so finds, orders and determines.

Section 2. The Board hereby authorizes the President of the District to execute the Central DM Region Multi-Agency GSA Agreement in substantially the form presented, subject to such modifications as the executing officer shall approve, said execution to provide conclusive proof of approval of any such modifications.

Section 3. The District hereby appoints Joe McGahan as its Central DM Region Multi-Agency GSA Steering Committee Member and Chris Linneman as its Steering Committee Alternate Member, to serve from the date the appointment is communicated in writing to the other parties to the Agreement at the pleasure of the Board.

Section 4. The District hereby delegates authority to its Steering Committee Member at a meeting of the Central DM Region Multi-Agency GSA Steering Committee, or in such Steering Committee's Member's absence from the meeting, to its alternate Steering Committee Member: to conduct public hearings in Fresno and Merced Counties after publication of notice pursuant to Government Code section 6066; to consider taking action to form the Central DM Region Multi-Agency GSA, and if such action is taken, to appoint the person authorized to submit to the DWR on behalf of the District acting through the Central DM Region Multi-Agency GSA a notice of intent to undertake sustainable groundwater management in accordance with SGMA (Part 2.74 of the Water Code); and allowing the District, acting through the Agreement, to exercise the powers and authorities of a GSA granted by SGMA.

Section 5. The Board authorizes the District General Manager to take such other and additional actions as may be reasonably necessary to implement the purpose of this Resolution.

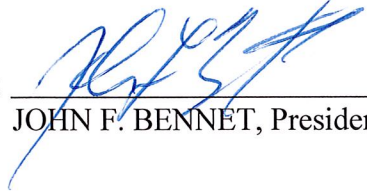
On motion by STEARNS seconded by LINNEMAN, the forgoing resolution was passed and adopted on February 14, 2017 by the following vote.

AYES: BENNETT, REDFERN-WEST, STEARNS, LINNEMAN, KODA

NAYS : NONE

ABSTAIN: NONE

ABSENT : NONE

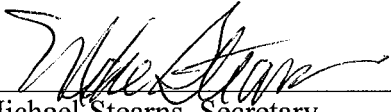
By: 
JOHN F. BENNET, President

ATTEST:

By: 
MICHAEL STEARNS, Secretary
PANOCHÉ WATER DISTRICT

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I hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Panoche Water District, a California Water District at a meeting of the Board of Directors thereof duly called and held at the Panoche Water District on the 14th day of February, 2017.



Michael Stearns, Secretary
PANOCHÉ WATER DISTRICT