

RESOLUTION NO. 09-17

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCALON
ELECTING FORMATION OF A JOINT GROUNDWATER SUSTAINABILITY
AGENCY PURSUANT TO THE SUSTAINABLE GROUNDWATER
MANAGEMENT ACT**

WHEREAS, the Sustainable Groundwater Management Act of 2014, California Water Code section 10720 et. seq., went into effect on January 1, 2015, and

WHEREAS, the legislative intent of the Act is to provide for the sustainable management of groundwater basins, to enhance local management of groundwater, to establish minimum standards for sustainable groundwater management, and to manage groundwater basins through the actions of local governmental agencies to the greatest extent feasible while minimizing state intervention; and

WHEREAS, the Act requires that California groundwater basins and subbasins designated by the California Department of Water Resources as high priority or medium priority be managed by one or more Groundwater Sustainability Agencies (GSAs) and that such management be accomplished pursuant to one or more approved Groundwater Sustainability Plans (GSPs) for the basin; and

WHEREAS, California Water Code Section 10721(j) defines a GSA as one or more local agencies that implement the provisions of the Act; and

WHEREAS, any local public agency that has water supply, water management or land use responsibilities within a groundwater basin may decide to become a GSA over that basin (California Water Code Sections 10721 and 10723); and

WHEREAS, SGMA provides that a combination of local agencies may form a GSA by a joint powers agreement, a memorandum of agreement, or other legal agreement (Water Code Section 10723.6); and

WHEREAS, the City of Escalon overlies a portion of the San Joaquin Valley Groundwater Basin, Eastern San Joaquin Groundwater Subbasin (defined in the Department of Water Resources' Bulletin 118 as Basin No. 5-22.01), which has been designated by the State of California as a high priority basin that is in a condition of critical overdraft; and

WHEREAS, the City of Escalon is the local agency with exclusive public drinking water supply, water quality and water production responsibilities within and for the City of Escalon; and

WHEREAS, the current exclusive source of the City of Escalon's water supply is groundwater from the Eastern San Joaquin Groundwater Subbasin; and

WHEREAS, it is beneficial to the health, safety and water supply reliability of the City of Escalon to retain local jurisdiction and control over groundwater resources within the City Limits of Escalon; and

WHEREAS, the City of Escalon previously filed notice with California Department of Water Resources (DWR) to become a GSA on February 9, 2017; and

WHEREAS, the City has been working cooperatively with other local agencies that also plan to manage groundwater in compliance with SGMA, including the South San Joaquin Irrigation District (SSJID) and the City of Ripon (Ripon); and

WHEREAS, the City, along with its regional partners SSJID and Ripon intend to jointly form the South San Joaquin Groundwater Sustainability Agency (SSJGSA) through a Memorandum of Agreement to work collaboratively to manage groundwater resources within their respective service areas and to comply with SGMA; and

WHEREAS, prior to adopting a resolution of intent to establish the City of Escalon as a member of the SSJGSA, Water Code Section 10723 requires the City to hold a public hearing, after publication of notice pursuant to California Government Code Section 6066, on whether to become a GSA; and

WHEREAS, pursuant to Government Code Section 6066, notices of a public hearing on whether or not to adopt a resolution to establish the SSJGSA through a Memorandum of Agreement were published on March 15, 2017 and March 22, 2017; and

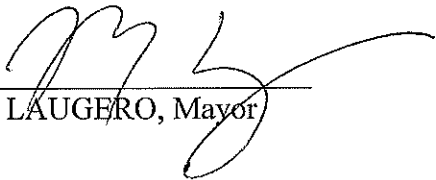
WHEREAS, adoption of this Resolution does not constitute a project under the California Environmental Quality Act because it does not result in any direct or indirect physical change in the environment;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Escalon does hereby:

1. Elect to participate as a member of the SSJGSA to manage groundwater within the boundaries of the SSJGSA, which includes the portion of the Eastern San Joaquin Groundwater Subbasin underlying the jurisdictions of the City of Escalon, Ripon and SSJID; and
2. Authorize the City Manager or her designee to withdraw the previous GSA election notice to DWR to facilitate the City of Escalon's participation in the SSJGSA;
3. Authorize the City Manager to execute the "Memorandum of Agreement Between South San Joaquin Irrigation District, the City of Ripon and the City of Escalon to Form the South San Joaquin Groundwater Sustainability Agency"; and
4. Authorize the City Manager or her designee to coordinate with the other members of the SSJGSA to provide a copy of this resolution, a Notice of Intent, and all other necessary documentation to DWR within 30 days and to otherwise comply with the requirements of Water Code Section 10723.8; and
4. Authorize the City Manager or her designee to coordinate with the other members of the SSJGSA to maintain a list of interested parties regarding the newly formed SSJGSA pursuant to Water Code Section 10723.4.

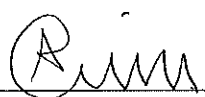
PASSED, APPROVED, AND ADOPTED this 3rd day of April 2017, by the following vote:

AYES: Councilmembers Swift, Fox, Alves, Murken, Mayor Laugero
NOES: None
ABSENT: None
ABSTAIN: None



JEFF LAUGERO, Mayor

ATTEST:



ADRI CRIM, Deputy City Clerk