

MERCED IRRIGATION-URBAN GROUNDWATER SUSTAINABILITY AGENCY

MEMORANDUM OF UNDERSTANDING

RESOLUTION NO. 17-675

RESOLUTION OF THE WINTON WATER & SANITARY DISTRICT DECLARING ITS INTENTION TO FULFILL ITS COMMITMENT TO THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT AS PART OF THE MERCED IRRIGATION-URBAN GROUNDWATER SUSTAINABILITY AGENCY MEMORANDUM OF UNDERSTANDING FOR THE PORTION OF THE MERCED GROUNDWATER BASIN

WHEREAS, on September 16, 2014, Governor Edmund G. Brown, Jr. signed into law Senate Bills 1168 and 1319 and Assembly Bill 1739, known collectively as the Sustainable Groundwater Management Act (SGMA); 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 the Groundwater Sustainability Agency (GSA); and

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

WHEREAS, the Department of Water Resources (DWR) has designated the Merced Groundwater Subbasin as a critically overdrafted basin; and

WHEREAS, SGMA authorizes any local agency, with water or land management authorities, overlying the Basin to elect to become a GSA within the Basin; and

WHEREAS, the City of Merced, the City of Atwater, the City of Livingston, Winton Water and Sanitary District, and Merced Irrigation District are parties who have collectively executed the "Memorandum of Understanding Forming the Merced Irrigation-Urban Groundwater Sustainability Agency" (MIUGSA MOU); and

WHEREAS, the MIUGSA MOU is comprised of local agencies defined under the SGMA and are therefore eligible to serve as an individual GSA with the Basin, or to join other parties in an MOU to serve as a GSA within the Basin; and

WHEREAS, each of the parties to the MIUGSA MOU have approved and executed said MOU through a public meeting as a result of an action undertaken by the respective party; 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 notify the DWR of its election and intention to undertake sustainable groundwater management with a basin; and

WHEREAS, the Winton Water and Sanitary District held a public hearing at 5:00PM , on May 4, 2017 at the District Office, at 6951 N. Winton Way, Winton, Ca 95388 after publication of notice pursuant to Government Code section 6066 to consider the adoption of this Resolution; and

WHEREAS, the Winton Water and Sanitary District wishes to exercise the powers and authorities of a GSA granted by the SGMA through the MIUGSA MOU;

NOW, THEREFORE BE IT RESOLVED that the Winton Water and Sanitary District hereby elects to become party of the MIUGSA MOU for that portion of the Merced Groundwater Subbasin lying within its boundaries; and

BE IT FURTHER RESOLVED that the MIUGSA will develop an outreach program to include all stakeholders to ensure that all beneficial uses and users of groundwater are considered, and

BE IT FURTHER RESOLVED that the Winton Water and Sanitary District has been authorized by the MIUGSA MOU to submit to the DWR a notice of intent to undertake sustainable groundwater management in accordance with the SGMA (Part 2.74 of the Water Code); and

BE IT FURTHER RESOLVED that such notification shall include the boundaries of the Merced Groundwater Subbasin that the MIUGSA intends to manage, a copy of this resolution, a list of interested parties developed pursuant to Section 10723.2 of the SGMA, and an explanation of how their interests will be considered in the development and operation of the GSA and the development and implementation of the MIUGSA groundwater sustainability plan.

On motion by George Starling and seconded by Bob Neeley, the forgoing resolution was passed and adopted on May 4, 2017 by the following vote.

AYES- STARLING, GRISSOM, MARTINEZ, NEELEY, ALLISON

NOES- NONE

ABSTAINS- NONE

ABSENT- NONE

BY: 
Michelle Allison, President

ATTEST:

By: 
Georgina "Sam" Bos, Board Secretary