



CITY COUNCIL OF THE CITY OF ATWATER

RESOLUTION NO. 2957-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATWATER 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 A 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 a 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, Planada Community Services District, Le Grand Community Services 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 as defined under the SGMA and are therefore eligible to serve as an individual GSA within 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 within a basin; and

WHEREAS, the City of Atwater held a public hearing at 6:00 PM on Monday, May 8, 2017 at the City of Atwater Council Chambers, 750 Bellevue Road, Atwater, CA 95301, after publication of notice pursuant to Government Code section 6066 to determine whether the Merced Irrigation District, as a party of the MOU forming the MIUGSA, should submit the MOU to the DWR to fulfill its requirement in opting to manage groundwater within the MIUGSA; and

WHEREAS, the City of Atwater wishes to exercise the powers and authorities of a GSA granted by the SGMA through the MIUGSA MOU.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Atwater that the City of Atwater does hereby elect to become a party of the MIUGSA MOU for that portion of the Merced Groundwater Subbasin lying within its boundaries.

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

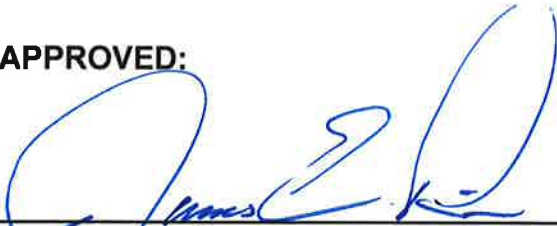
BE IT FURTHER RESOLVED that City Council of the City of Atwater does hereby authorize the Merced Irrigation District to submit to the DWR a notice of intent to undertake sustainable groundwater management in accordance with the SGMA (Part 2.74 of the Water Code).

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.

The foregoing resolution is hereby adopted this 30th day of May, 2017.

AYES: Creighton, Raymond, Vierra, Vineyard, Price
NOES: None
ABSENT: None

APPROVED:



JAMES E. PRICE, MAYOR

ATTEST:



DON HYLER III
CITY CLERK