

RESOLUTION NO. 3161

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
CASTAIC LAKE WATER AGENCY
TO APPROVE THE MEMORANDUM OF UNDERSTANDING
TO FORM THE SANTA CLARITA VALLEY
GROUNDWATER SUSTAINABILITY AGENCY AND FINDING APPROVAL OF THE
MEMORANDUM OF UNDERSTANDING EXEMPT FROM REVIEW UNDER THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

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

WHEREAS, the legislative intent of SGMA 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, SGMA 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 SGMA; 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, Castaic Lake Water Agency's Santa Clarita Water Division overlies a portion of the Santa Clara River Valley East Subbasin, groundwater basin number 4-4.07 per the State of California, Department of Water Resources (DWR) Groundwater Bulletin 118, which has been designated by the State of California as a high priority basin; and

WHEREAS, Castaic Lake Water Agency's Santa Clarita Water Division has water supply and water management responsibilities within the Santa Clara River Valley East Subbasin; and

WHEREAS, it is beneficial to the health, safety, and water supply reliability of the Santa Clarita Valley for Castaic Lake Water Agency's Santa Clarita Water Division to retain local jurisdiction over groundwater resources within the Santa Clara River Valley East Subbasin; and

WHEREAS, Castaic Lake Water Agency's Santa Clarita Water Division has been working cooperatively with other local agencies that also plan to manage groundwater in

compliance with SGMA, including Newhall County Water District, Los Angeles County Waterworks District No. 36, Castaic Lake Water Agency acting as a water wholesaler, the City of Santa Clarita, and the County of Los Angeles; and

WHEREAS, Castaic Lake Water Agency's Santa Clarita Water Division, along with its regional partners Newhall County Water District, Los Angeles County Waterworks District No. 36, the Castaic Lake Water Agency acting as a water wholesaler, the City of Santa Clarita, and the County of Los Angeles intend to jointly form the Santa Clarita Valley Groundwater Sustainability Agency (SCV-GSA) through a Memorandum of Understanding to work collaboratively to manage groundwater resources in the Santa Clara River Valley East Subbasin and to comply with SGMA; and

WHEREAS, Castaic Lake Water Agency's Santa Clarita Water Division staff evaluated the proposed Memorandum of Understanding and formation of the SCV-GSA in light of the proposed standards for environmental review outlined in the California Environmental Quality Act ("CEQA") and the California Code of Regulations (Cal. Code Regs., tit. 14, §§ 15000 et seq.) ("State CEQA Guidelines"); and

WHEREAS, based on that review, staff determined that the proposed Memorandum of Understanding and the formation of the SCV-GSA would not constitute a project within the meaning of CEQA or the State CEQA Guidelines; and

WHEREAS, even assuming the proposed Memorandum of Understanding and formation of the SCV-GSA constitutes a project within the meaning of CEQA, staff has evaluated the proposed actions and determined that each, individually and in the aggregate, would be exempt from CEQA review pursuant to State CEQA Guidelines sections 15307, 15308, and 15061(b)(3); and

WHEREAS, prior to adopting a resolution of intent to establish Castaic Lake Water Agency's Santa Clarita Water Division as a member of the SCV-GSA, Water Code Section 10723 requires Castaic Lake Water Agency 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 SCV-GSA through a Memorandum of Understanding were published on May 10, 2017 and May 17, 2017; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Castaic Lake Water Agency does hereby resolve as follows:

1. The Board hereby finds and determines that the approval of the Memorandum of Understanding and formation of the SCV-GSA is not a project pursuant to CEQA. Specifically, the Board finds that, because these actions do not approve any projects, or authorize any further activities, they do not constitute the approval of any project within the meaning of CEQA that would contain enough meaningful information for environmental assessment. In the alternative, and assuming the approval of the Memorandum of Understanding and formation of the SCV-GSA constitutes a project under CEQA, the Board finds that these actions, individually

and in the aggregate, are exempt from CEQA pursuant to State CEQA Guidelines sections 15307 and 15308, each of which exempts actions, as authorized by state law, taken by regulatory agencies that are designed to assure the maintenance, restoration, enhancement, or protection of the environment or a natural resource where the regulatory process involves procedures for protection of the environment. In addition, the Board finds that these actions are exempt from further review under CEQA because it can be seen with certainty that there is no possibility that these actions may have a significant effect on the environment pursuant to State CEQA Guidelines section 15061(b)(3).

2. The Board hereby elects that Castaic Lake Water Agency's Santa Clarita Water Division will participate as a member of the SCV-GSA to manage groundwater within the boundaries of the Santa Clara River Valley East Subbasin pursuant to the Memorandum of Understanding to Form the Santa Clarita Valley Groundwater Sustainability Agency; and

3. The Board hereby authorizes the General Manager or his designee to execute the "Memorandum of Understanding to Form the Santa Clarita Valley Groundwater Sustainability Agency," a copy of which is attached hereto as **Exhibit A**; and

4. The Board hereby authorizes the General Manager or his designee to coordinate with the other members of the SCV-GSA to provide a copy of this resolution, Notice of Intent, and all other necessary documentation to DWR within 30 days of full execution of the Memorandum of Understanding and to otherwise comply with the requirements of Water Code Section 10723.8; and

5. The Board hereby authorizes the General Manager or his designee to coordinate with the other members of the SCV-GSA to maintain a list of interested parties regarding the newly formed SCV-GSA pursuant to Water Code Section 10723.4.

6. The Chairperson of the Board shall sign this Resolution and the Secretary of the Board shall certify this Resolution was duly and properly adopted by the Board.

7. The documents and materials that constitute the record of proceedings on which these findings have been based are located at Castaic Lake Water Agency's office located at 27234 Bouquet Canyon Road, Santa Clarita, CA 91350. The custodian for these records is the Board Secretary.


President

ATTEST:


Secretary



I, the undersigned, hereby certify: That I am the duly appointed and acting Secretary of the Castaic Lake Water Agency, and that at a regular meeting of the Board of Directors of said Agency held on May 24, 2017, the foregoing Resolution No. 3161 was duly and regularly adopted by said Board, and that said resolution has not been rescinded or amended since the date of its adoption, and that it is now in full force and effect.

DATED: May 24, 2017


Secretary