

BEFORE THE BOARD OF SUPERVISORS

of the

COUNTY OF SAN LUIS OBISPO

Tuesday, May 16, 2017

PRESENT: Supervisors Bruce S. Gibson, Adam Hill, Lynn Compton, Debbie Arnold, and
Chairperson John Peschong

ABSENT: None

RESOLUTION NO. 2017-134

RESOLUTION FORMING THE PASO BASIN – COUNTY OF SAN LUIS OBISPO GROUNDWATER SUSTAINABILITY AGENCY AND FINDING THAT THE PROJECT IS EXEMPT FROM SECTION 21000 *ET SEQ.* OF THE CALIFORNIA PUBLIC RESOURCES CODE (CEQA)

The following Resolution is hereby offered and read:

WHEREAS, in 2014, the California Legislature adopted, and the Governor signed into law, three bills (SB 1168, AB 1739, and SB 1319) collectively referred to as the Sustainable Groundwater Management Act (SGMA) (Water Code §§ 10720 *et seq.*), that became effective on January 1, 2015, and that have been subsequently amended; and

WHEREAS, the intent of SGMA, as set forth in Water Code section 10720.1, is to provide for the sustainable management of groundwater basins at a local level by providing local groundwater agencies with the authority, and technical and financial assistance necessary, to sustainably manage groundwater; and

WHEREAS, SGMA requires the formation of a groundwater sustainability agency (GSA) or agencies for all basins designated by the California Department of Water Resources (DWR) as high or medium priority on or before June 30, 2017; and

WHEREAS, SGMA further requires the adoption of a groundwater sustainability plan (GSP) for all basins designated by DWR as high or medium priority and subject to critical conditions of overdraft on or before January 31, 2020; and

WHEREAS, the Paso Robles Area Groundwater Subbasin (Basin No. 3-004.06) (Basin) has been designated by DWR as a high priority basin subject to critical conditions of overdraft; and

WHEREAS, the County of San Luis Obispo is a “local agency” within the Basin as defined in Water Code Section 10721(n) and thus is eligible to form a GSA in the Basin; and

WHEREAS, the Salinas Valley Basin Groundwater Sustainability Agency, City of El Paso de Robles, San Miguel Community Services District, Heritage Ranch Community Services District, and Shandon-San Juan Water District are also local agencies within the Basin, and it is anticipated that they will each become the GSA for their respective service areas within the Basin; and

WHEREAS, on April 6, 2017, the San Luis Obispo Local Agency Formation Commission (LAFCO) conditionally approved the formation of the Estrella-El Pomar-Creston Water District (EPCWD) for the purpose of serving as (or part of) a GSA and which could be formed as early as Fall 2017; and

WHEREAS, although it is anticipated that the EPCWD will desire to become the GSA for its service area consistent with LAFCO's conditional approval, this decision cannot be made or effectuated until the EPCWD is formed, the Board of Directors are seated and the Board of Directors holds the necessary public hearing; and

WHEREAS, the County of San Luis Obispo's SGMA Strategy specifically acknowledges the possibility that a new eligible local agency may be formed shortly after the June 30, 2017 deadline and permits the County of San Luis Obispo to include the potential future service area of the EPCWD in its initial boundary submittal to DWR and then permits them through future action by the Board of Supervisors to subsequently withdraw from serving as the GSA within said area; and

WHEREAS, the County of San Luis Obispo desires to form a GSA to cover all areas within the Basin within the County of San Luis Obispo that will not otherwise be covered by a GSA as of the June 30, 2017 deadline; and

WHEREAS, the County of San Luis Obispo published a notice of public hearing consistent with the requirements contained within Water Code Section 10723(b); and

WHEREAS, the Board of Supervisors conducted such a public hearing on May 16, 2017; and

WHEREAS, the County of San Luis Obispo is committed to the sustainable management of groundwater within the Paso Basin and intends to coordinate with the other GSAs and affected parties, and to consider the interests of all beneficial users and uses of groundwater within the Paso Basin through a memorandum of agreement with the other GSAs.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, that:

Section 1: The foregoing recitals are true and correct and are incorporated herein by reference.

Section 2: The County of San Luis Obispo hereby decides to become the GSA for, and undertake sustainable groundwater management within, the portions of the Basin within the County of San Luis Obispo, with the exception of the portions of the Basin located within the boundaries of the City of El Paso de Robles, the San Miguel Community Services District, the Heritage Ranch Community Services District, and the Shandon-San Juan Water District ("GSA Boundary"). A map of the GSA Boundary is attached hereto as Exhibit A and incorporated herein.

Section 3: The Director of Public Works of the County of San Luis Obispo, or designee, is hereby authorized and directed to submit notice of adoption of this Resolution in addition to all other information required by SGMA, including but not limited to, all information required by Water Code Section 10723.8, to DWR, and to support the development and maintenance of an interested persons list as described in Water Code Section 10723.4 and a list of interested parties as described in Water Code Section 10723.8(a)(4).

Section 4: The Director of Public Works of the County of San Luis Obispo, or designee, is hereby authorized to take such other and further actions as may be necessary to effectuate the purposes of this Resolution.

Section 5: The Board of Supervisors finds that the adoption of this Resolution is exempt from the requirements of the California Environmental Quality Act (Public Resources Code §§ 21000 et seq.) (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

Section 6: The Environmental Coordinator of the County of San Luis Obispo is hereby directed to file a Notice of Exemption in accordance with the provisions of CEQA.

Upon motion of Supervisor Arnold, seconded by Chairperson Peschong, and on the following roll call vote, to wit:

AYES: Supervisors Arnold, Chairperson Peschong, Gibson, Hill and Compton

NOES: None

ABSENT: None

ABSTAINING: None

the foregoing resolution is hereby adopted on the 16th day of May, 2017.

John Peschong
Chairperson of the Board of Supervisors

ATTEST:

TOMMY GONG
Clerk of the Board of Supervisors

By: Annette Ramirez
Deputy Clerk

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL
County Counsel

By: /s/ Erica Stuckey
Deputy County Counsel

Dated: May 4, 2017

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STATE OF CALIFORNIA,)
) ss.
COUNTY OF SAN LUIS OBISPO)

I, Tommy Gong, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this 16th day of May, 2017.

(SEAL)

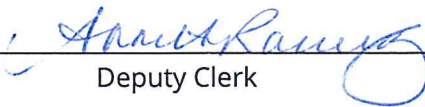
Tommy Gong
County Clerk and Ex-Officio Clerk
of the Board of Supervisors
By: 
Deputy Clerk

EXHIBIT A

Paso Basin Groundwater Sustainability Agencies Boundaries

