

IN THE BOARD OF SUPERVISORS

County of San Luis Obispo, State of California

Tuesday, May 23, 2017

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

ABSENT: None

RESOLUTION NO. 2017-146

**RESOLUTION FORMING THE SAN LUIS OBISPO VALLEY 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 Groundwater Sustainability Agencies (GSAs) for the purpose of achieving groundwater sustainability through the adoption and implementation of Groundwater Sustainability Plans (GSPs) for all medium and high priority basins as designated by the California Department of Water Resources (DWR); and

WHEREAS, SGMA requires that a local agency or collection of agencies decide to become a GSA for all medium and high priority basins on or before June 30, 2017 and that the GSA or GSAs for basins DWR has not designated as “subject to critical conditions of overdraft” develop a GSP or coordinated GSPs on or before January 31, 2022; and

WHEREAS, the San Luis Obispo Valley Groundwater Basin (Basin) has been designated by DWR as a medium priority basin, but not subject to critical conditions of overdraft; and

WHEREAS, the County of San Luis Obispo and the City of San Luis Obispo are each a "local agency" within the Basin as defined in Water Code Section 10721(n) and thus are eligible to form GSAs; and

WHEREAS, it is anticipated that the City of San Luis Obispo will form a GSA for the portion of the Basin within the City boundary; and

WHEREAS, the County of San Luis Obispo intends to form a GSA to cover all other portions of the Basin; and

WHEREAS, SGMA authorizes certain entities, specifically water corporations regulated by the Public Utilities Commission and mutual water companies, to participate in a GSA through a memorandum of agreement or other legal agreement; and

WHEREAS, a number of such entities overlie the Basin, including the Edna Valley Growers Mutual Water Company, the Edna Ranch Mutual Water Company, the Varian Ranch Mutual Water Company and the Golden State Water Company, and it is anticipated that such entities will desire to enter into a memorandum of agreement with the County and City of San Luis Obispo establishing a process by which such entities will participate in the preparation of the GSP for the Basin; 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 23, 2017; and

WHEREAS, the County of San Luis Obispo is committed to the sustainable management of groundwater within the Basin and intends to consider the interests of all beneficial users and uses of groundwater within the Basin through, among other things, coordination with the City of San Luis Obispo and the entities eligible to participate in SGMA as described above.

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 Basin, with the exception of the portions of the Basin located within the City of San Luis Obispo ("GSA Boundary"). The GSA shall be known as the San Luis Obispo Valley Basin – County of San Luis Obispo Groundwater Sustainability Agency, and 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 develop and maintain 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 and directed to take such other and further actions as may be necessary or appropriate to implement the intent and 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 Hill, seconded by Supervisor Gibson, and on the following roll call vote, to wit:

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

NOES: None

ABSENT: None

ABSTAINING: None

the foregoing resolution is hereby adopted on the 23rd 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 1, 2017

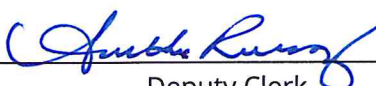
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STATE OF CALIFORNIA,)
) ss.
COUNTY OF SAN LUIS OBISPO)

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 23rd day of May, 2017.

(SEAL)

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

