

RESOLUTION NO. 2017-2398

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUSTINE
DECLARING THE FORMATION OF A GROUNDWATER SUSTAINABILITY AGENCY TO MANAGE
THE PORTION OF THE DELTA-MENDOTA SUBBASIN UNDERLYING THE CITY OF GUSTINE**

WHEREAS, the California Legislature has adopted, and the Governor has signed into law, the Sustainable Groundwater Management Act of 2014 (Water Code, Section 10720 et. seq.) (SGMA), which authorizes local agencies to manage groundwater in a sustainable fashion; and

WHEREAS, the main goals of SGMA are to achieve sustainable management of groundwater basins, enhance local management of groundwater consistent with rights to use or store groundwater, and establish standards for effective and continuous management of groundwater; and

WHEREAS, implementation of SGMA is achieved through the formation of Groundwater Sustainability Agencies (GSAs) and through preparation and implementation of Groundwater Sustainability Plans (GSPs); and

WHEREAS, in order to exercise the authority granted in SGMA, a local agency or combination of local agencies must decide to become or form a GSA pursuant to Water Code, Section 10723(a); and

WHEREAS, the City of Gustine (City) is a local agency, as SGMA defines that term in Water Code, Section 10721(n); and

WHEREAS, the City overlies a portion of the Delta-Mendota Subbasin, identified as Basin No. 5-22.07 in the California Department of Water Resources' (DWR) Bulletin 118 groundwater basin inventory (Subbasin) and depicted in Exhibit B to this Resolution; and

WHEREAS, SGMA requires that a GSA be established by June 30, 2017, for all basins and subbasins designated by DWR as high priority or medium priority ; and

WHEREAS, the Subbasin has been designated by DWR as high priority; and

WHEREAS, it is the intent of the City to work cooperatively with other local GSAs, as may be appropriate, to sustainably manage portions of the Subbasin that fall outside the City's jurisdiction; and

WHEREAS, Section 10723.2 of the Water Code 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 Water Code requires that a local public agency deciding to become or form a GSA shall inform DWR of its decision and intention to undertake sustainable groundwater management within the agency's jurisdictional boundary within 30 days of making the decision; and

WHEREAS, pursuant to Government Code 6066, notice of a public hearing on the City's decision to become a GSA has been published in the local newspaper, Gustine Standard, as required by Water Code Section 10723 ; and

WHEREAS, on March 21, 2017, the City held a public hearing to consider adoption of this Resolution; and

WHEREAS, it is in the City's interest to exercise the authorities and powers of a GSA granted by SGMA and to begin the process of cooperatively preparing a GSP with other GSAs as appropriate; and

WHEREAS, adoption of this Resolution does not constitute a "project" under California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(5) because it involves organizational and administrative activities of government that will not result in direct or indirect physical changes in the environment. Additionally, adoption of this Resolution is exempt from CEQA under CEQA Guidelines Sections 15320, 15004, and 15061(b)(3).

NOW, THEREFORE, BE IT RESOLVED by the Gustine City Council as follows:

1. The City of Gustine hereby decides to become a GSA for that portion of the Delta-Mendota Groundwater Subbasin(Bulletin 118 Basin No. No. 5-22.07) which underlies the area bound by the Gustine City limits as shown in Exhibit A; and
2. The City Council authorizes the City Manager or his designee to, within 30 days of the date of this Resolution, provide notice of the City's decision to become the GSA to DWR in the manner required by law; and
3. Such notification shall include the boundaries of the areas the City intends to manage, which shall include the lands within the Gustine City limits as shown in Exhibit A, a copy of this Resolution, a list of interested parties developed pursuant to Section 10723.2 of the Water Code, 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 GSP; and

4. The City Council hereby directs staff to begin discussions with all interested stakeholders and beneficial users within the Subbasin, resolve GSA boundary overlaps if necessary, and initiate the process of developing a coordinated GSP in accordance with SGMA.
5. This Resolution is intended to supplement Resolution No. 2017-XXX and does not explicitly or implicitly repeal Resolution No. 2017-XXX. Rather, this Resolution simply clarifies the deadline for City staff to provide notice to DWR of the City's election to become a GSA as set forth in Section 2 above.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Gustine held on the 20th day of June, 2017 and passed at said meeting by the following vote:

AYES: Turner, Hasness, Oliveira, Nagy, Mayor Oliveira

NOES: None

ABSENT: None

ABSTAIN: None

APPROVED:



Mayor

ATTEST:



Deputy City Clerk