

A RESOLUTION OF THE RECLAMATION DISTRICT 744, SCRIBNER, ELECTING TO BE A GROUNDWATER SUSTAINABILITY AGENCY FOR THE UNMANAGED GROUNDWATER BASINS UNDERLYING ITS SERVICE AREA

WHEREAS, the California Sustainable Groundwater Management Act of 2014 ("SGMA") went into effect on January 1, 2015; and,

WHEREAS, if no Groundwater Sustainability Agency ("GSA") has been identified to manage groundwater in basins subject to SGMA's requirements by June 30, 2017, those unmanaged areas are subject to reporting requirements and potential State Water Resources Control Board intervention; and

WHEREAS, any local public agency that has water supply, water management, or land use responsibilities within a groundwater subbasin may elect to be a GSA under Water Code Sections 10721 and 10723(a); and,

WHEREAS, in order to use the authority granted in the Sustainable Groundwater Management Act, a local agency or combination of local agencies must elect to become a groundwater sustainability agency; and

WHEREAS, RD 744 is a California Reclamation District organized under Water Code Sections 50000 and following, and is eligible to serve as a GSA for the groundwater basin underlying its boundaries; and

WHEREAS, where more than one local agency overlies a groundwater basin, the Sustainable Groundwater Management Act calls on local agencies to cooperate to manage the groundwater basin in a sustainable manner for the common good; and

WHEREAS, within ninety days of an entity giving notice to the Department of Water Resources of the intent to form, or having formed, a GSA, that entity shall be presumed to be the exclusive GSA for that area unless another entity provides notice to the Department of Water Resources of their intent to form, or notice that the entity formed, a GSA pursuant to Water Code Section 10723.8; and,

WHEREAS, RD 744 believes that retaining local jurisdiction over water management and land use is essential to sustainably manage groundwater and to the vitality of Delta's economy, communities, and environment; and,

WHEREAS, RD 744 intends to work cooperatively with other local public agencies to manage the groundwater basins in this region in a sustainable manner; and,

WHEREAS, consistent with that intent, RD 744 is in the process of negotiating, with other public agencies and interested parties, the terms of an agreement establishing the Northern Delta Groundwater Sustainability Agency ("NDGSA"), a multi-agency GSA intended to provide for SGMA compliance within its boundaries; and

WHEREAS, RD 744 anticipates that these coordination efforts may result in a future modification of ENTITY NAME's existing GSA boundaries to be included within the management area of the NDGSA; and

WHEREAS, the Freshwater Trust has offered financial and technical assistance to, RD 744 and other similarly situated entities to prepare for SGMA implementation in the North Delta; and

WHEREAS, adoption of this Resolution does not constitute a "Project" under the California Environmental Quality Act ("CEQA") pursuant to Title 14 of the California Code of Regulations Sections 15378(a) and (b)(5), because this Resolution does not result in a direct or indirect physical change in the environment; and,

WHEREAS, the Board of Trustees of the RD 744 held a public hearing on this date after publication of notice in compliance with California Government Code Section 6066 to consider an election to become a GSA.

NOW, THEREFORE, BE IT RESOLVED, that the RD 744 hereby elects to become a Groundwater Sustainability Agency for the unmanaged groundwater basins underlying its boundaries; and.

BE IT FURTHER RESOLVED that staff are directed to coordinate with the Freshwater Trust to prepare and submit a Notice to DWR of the District's election to serve as the GSA for its boundaries within thirty days of the District's decision to serve as the GSA.

BE IT FURTHER RESOLVED that RD 744 shall continue to pursue SGMA compliance in consultation and close coordination with other local agencies, as contemplated by the Sustainable Groundwater Management Act, and those efforts may include future participation in the NDGSA.

PASSED AND ADOPTED by the Reclamation District 744 this 27 day of June, 2017, by the following vote:

AYES: 2

NOES: 0

ABSENT: 0

NOT VOTING: 0

Signed Russell E. Van Dusen Date 6/27/17