

RESOLUTION NO. 19-04

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA NELLA COUNTY WATER DISTRICT
AUTHORIZING ADOPTION OF THE CENTRAL DELTA-MENDOTA GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AGREEMENT**

A. WHEREAS, the Santa Nella County Water District is a California County Water District; and

B. WHEREAS, in August 2014, the California Legislature passed, and in September 2014 the Governor signed, legislation creating the Sustainable Groundwater Management Act (or "SGMA," as that term is defined in section 1.11, below) "to provide local groundwater agencies with the authority and technical and financial assistance necessary to sustainably manage groundwater" (Wat. Code, Section 10720, subd. (d)); and

C. WHEREAS, SGMA provides that each affected groundwater basin or subbasin may be regulated separately by one or more groundwater sustainability agency ("GSA"). Any local agency, as that term is defined in SGMA, may decide to become the GSA for a basin or subbasin within its boundaries. SGMA also provides that a combination of local agencies may form a GSA through a joint powers agreement ("JPA"), or a memorandum of agreement or other legal agreement (Wat. Code Section 10723.6); and

D. WHEREAS, groundwater sustainability under SGMA is to be achieved through groundwater sustainability plans ("GSPs"), which can be a single plan developed by one or more GSAs or multiple coordinated plans within a basin or subbasin (Wat. Code Section 10727); and

E. WHEREAS, Eagle Field Water District; the County of Fresno; Fresno Slough Water District; County of Merced; Mercy Springs Water District; Pacheco Water District; Panoche Water District; San Luis Water District; Santa Nella County Water District; and Tranquillity Irrigation District (individually, a "Party" and in the plural or collectively, the "Parties") are all public agencies authorized to contract with the State or Federal governments and agencies, and to exercise powers related to groundwater management, land use, or both, within their jurisdictional boundaries. Each Party would qualify individually to serve as a GSA under SGMA; and

F. WHEREAS, each Party's jurisdictional area overlies the Central Delta-Mendota Region, which is a portion of the Delta-Mendota Subbasin number 5-22.07 of the San Joaquin Valley Groundwater Basin identified in the California Department of Water Resources ("DWR") Bulletin 118, as its boundaries may be modified from time to time as provided by law. DWR has designated the entire Delta-Mendota Subbasin as critically over-drafted. Under SGMA, each GSA is required to resume its regulatory role by June 30, 2017, and to submit a GSP to DWR by January 31, 2020; and

G. WHEREAS, the Parties previously entered into that certain "Agreement Supporting Formation and Operation of the Central Delta-Mendota Region Multi-Agency Groundwater Sustainability Agency in the Central Delta-Mendota Region," effective February 15, 2017 (the "Initial Agreement"), to establish and operate the Central Delta-Mendota Region Multi-Agency GSA to meet their mutual goal of cost-effective, sustainable groundwater management that considers the interests and concerns of the Parties and other stakeholders in the Central Delta-Mendota Region without establishing a legal entity separate from the individual agencies; and

H. **WHEREAS**, in Section 5.4 of the Initial Agreement, the Parties agreed to consider entering into a JPA if they found it necessary or beneficial to achieve the goal of maintaining local control of sustainable groundwater management in the Central Delta-Mendota Region in compliance with SGMA; and

I. **WHEREAS**, under the Joint Exercise of Powers Act (Chapter 5 (commencing with section 6500) of the Division 7 of Title I of the Government Code) ("Act"), two or more public agencies may by agreement jointly exercise any power held in common by agencies entering into such an agreement. All of the Parties are public agencies as defined by the Act; and

J. **WHEREAS**, the Parties are entering into the Central Delta-Mendota Groundwater Sustainability Agency Joint Powers Agreement ("Joint Powers Agreement") to replace the Central Delta-Mendota Multi-Agency GSA for the Central Delta-Mendota Region; and

K. **WHEREAS**, the Parties and the boundaries will be the same as between the Central Delta-Mendota Groundwater Sustainability Multi-Agency GSA and the Joint Powers Agreement, but the structure of the entity will change; and

L. **WHEREAS**, the Parties are entering into the Joint Powers Agreement for the purpose of acting as a separate and independent public agency and as a single GSA for the Central Delta-Mendota Region; and

M. **WHEREAS**, the Parties desire to achieve the objectives recited above.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Santa Nella County Water District finds as follows:

1. The facts stated in the Recitals above are true and correct and the Board of Directors of the District so finds, orders, and determines.

2. The Board hereby authorizes the General Manager of the Santa Nella County Water District to execute the Joint Powers Agreement in substantially the form presented, subject to such modifications as the executing officer shall approve, said execution to provide conclusive proof of approval of any such modifications.

3. The Board authorizes the General Manager to take such other and additional actions as may be reasonably necessary to implement the purpose of this Resolution.

PASSED AND ADOPTED by the Board of Directors of the Santa Nella County Water District on the 11th day of July 2019 by the following vote:

AYES: Villanreal, Silvas, Landry, Griffith

NAYS:

ABSTAIN:

ABSENT: Ramos - Anderson

ATTEST:

Secretary-Manager

President

Agency Name: **SAN LUIS WATER DISTRICT**

By: _____

Name: _____

Title: _____

Date: _____

Agency Contact information:

Address: _____

Telephone: _____

Fax: _____

Email address: _____

Agency Name: **SANTA NELLA COUNTY WATER DISTRICT**

By:  _____

Name: Amy Montgomery

Title: General Manager

Date: 7/23/19

Agency Contact information:

Address: 12931 S Hwy 33 Santa Nella

Telephone: 209-826-0920 CA 95322

Fax: 209-826-8359

Email address: amontgomery@sn cwd.com