

**STANISLAUS AND TUOLUMNE RIVERS GROUNDWATER BASIN ASSOCIATION
GROUNDWATER SUSTAINABILITY AGENCY
RESOLUTION NO. 2024-01**

**RESOLUTION ADOPTING A REVISED GROUNDWATER SUSTAINABILITY PLAN
AND DOCUMENTING THE COMMITMENT TO DEVELOP AND IMPLEMENT A
WELL MITIGATION PROGRAM AND MANAGEMENT ACTIONS IN THE
MODESTO GROUNDWATER SUBBASIN**

A. WHEREAS, the Stanislaus and Tuolumne Rivers Groundwater Basin Association Groundwater Sustainability Agency (STRGBA GSA), consisting of the City of Modesto, Modesto Irrigation District, City of Oakdale, Oakdale Irrigation District, City of Riverbank, City of Waterford and County of Stanislaus was formed on February 16, 2017, for the purpose of sustainably managing groundwater in the Modesto Subbasin, within its jurisdictional boundaries, pursuant to the requirements of the Sustainable Groundwater Management Act (SGMA); and

B. WHEREAS, the STRGBA GSA coordinated with the County of Tuolumne GSA to develop a single, coordinated groundwater sustainability plan (GSP) for the Modesto Subbasin which was approved by both the STRGBA GSA and County of Tuolumne GSA; and

C. WHEREAS, the final Modesto Subbasin GSP was submitted to DWR on January 31, 2022; and

D. WHEREAS, Minimum Thresholds (MTs) were established in the Modesto Subbasin GSP as a basis of where long-term Undesirable Results would start to occur; and

E. WHEREAS, 2027 Interim Milestones (IMs) were established in the Modesto Subbasin GSP to acknowledge the continued groundwater level decline anticipated to occur temporarily during the initial years of GSP implementation; and

F. WHEREAS, the STRGBA GSA acknowledges that during the 20-year GSP implementation period it will be necessary to implement projects and management actions to achieve and maintain sustainable groundwater conditions in the Subbasins by or before 2042; and

G. WHEREAS, it is acknowledged that successful implementation of planned GSP projects to achieve their intended recharge benefits during the 20-year GSP implementation period (prior to 2042) is dependent in part on uncertainties related to hydrologic conditions, including precipitation and snowpack, and available water supply during that time period, and

H. WHEREAS, the STRGBA GSA acknowledges that implementation of management actions will be necessary to offset these uncertainties related to project implementation and project benefits to ensure that sustainable groundwater conditions are achieved in the subbasin by or before 2042; and

I. WHEREAS, it is acknowledged that wet hydrologic conditions and faster implementation of projects may result in diminished need for management actions, and

J. WHEREAS, the STRGBA GSA acknowledges that dry hydrological conditions, prolonged drought, and delayed implementation of projects may result in an accelerated need for management actions, and

K. WHEREAS, on January 18, 2024, DWR provided notification to the STRGBA GSA and County of Tuolumne GSA that the GSP was considered incomplete and two deficiencies were identified; and

L. WHEREAS, a revised GSP to address the deficiencies identified by DWR must be submitted to DWR by July 16, 2024 to avoid the state intervention process provided for in SGMA; and

M. WHEREAS, on March 29, 2024 the STRGBA GSA and County of Tuolumne GSA released the Notice of Intent to Adopt the Revised GSP to cities and counties in the plan area pursuant to Water Code section 10728.4;

N. WHEREAS, the STRGBA GSA and County of Tuolumne GSA have addressed the deficiencies through the development of a revised GSP which has been reviewed by the GSA member agencies and presented at public meetings; and

O. WHEREAS, the STRGBA GSA and County of Tuolumne GSA have reviewed and responded to comments on the revised Modesto Subbasin GSP; and

P. WHEREAS, all seven STRGBA GSA member agencies have held public hearings, adopted the draft GSP and authorized the Modesto Subbasin Plan Manager to submit the final GSP to DWR; and

Q. WHEREAS, the STRGBA GSA recognizes that in order to obtain a determination that the GSP is complete, DWR is seeking a firm commitment from the STRGBA GSA and County of Tuolumne GSA to develop a well mitigation program and management actions to address and mitigate impacts from groundwater level declines that may occur when water levels drop below the MTs defined in the Modesto Subbasin GSP; and

R. WHEREAS, such management actions to be considered as outlined in the GSP include, but are not limited to:

- A groundwater allocation and pumping management program
- A groundwater extraction and surface water reporting program
- Groundwater extraction fees
- A groundwater pumping credit market and trading program
- Voluntary conservation/land fallowing
- Conservation practices; and

S. WHEREAS, the STRGBA GSA acknowledges that SGMA requires sustainable groundwater management based on a 2015 baseline but does not make STRGBA GSA and County of Tuolumne GSA responsible for injury caused by overdraft; and

T. WHEREAS, the STRGBA GSA acknowledges that they cannot control groundwater conditions not caused by actions taken by the GSA; and

U. WHEREAS, the STRGBA GSA commits to develop a well mitigation program and management actions along with the County of Tuolumne GSA; and

V. **WHEREAS**, funding sources may be subject to the Proposition 218 process and may include GSA fees and assessments, landowner groundwater pumping fees and penalties, agency funds, and grant funding; and

NOW, THEREFORE, BE IT RESOLVED that the STRGBA GSA finds as follows:

1. STRGBA GSA hereby adopts this resolution approving the revised Modesto Subbasin GSP and committing to develop a well mitigation plan and management actions in the Modesto Subbasin to ensure long-term groundwater sustainability.
2. STRGBA GSA authorizes its member agencies to collaborate with consultants, stakeholders and the County of Tuolumne GSA to take such actions as may be reasonably necessary to:
 - a. Develop and implement a well mitigation program inclusive of the procurement of baseline funding amounting to \$300,000 no later than January 31, 2026. Upon implementation, the well mitigation program shall continue into perpetuity unless otherwise directed by the STRGBA GSA.
 - b. Develop management actions, inclusive of a fee structure and/or identified sources of funding, no later than January 31, 2026. Such management actions shall be implemented no later than January 31, 2027 and, upon implementation, shall continue into perpetuity unless otherwise directed by the STRGBA GSA.
3. The STRGBA GSA authorizes the Modesto Subbasin Plan Manager to submit the revised GSP to DWR by July 16, 2024.

Upon motion of Barahona, seconded by Pitcock, and duly submitted to the STRGBA GSA for its consideration, the above-titled Resolution was adopted this 10th day of July, 2024.

STRGBA GSA


Eric C. Thorburn
STRGBA GSA Chair


Jesse Franco
STRGBA GSA Vice-Chair