

**BEFORE THE BOARD OF DIRECTORS OF
THE OLCESE GROUNDWATER SUSTAINABILITY AGENCY**

RESOLUTION NO. 431

IN THE MATTER OF:

**OLCESE GROUNDWATER SUSTAINABILITY AGENCY'S DECISION
TO ADOPT ITS GROUNDWATER SUSTAINABILITY PLAN**

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"), that went into effect on January 1, 2015, and has been amended from time-to-time thereafter; and

WHEREAS, the stated purpose of SGMA, as set forth in California Water Code section 10720.1, is to provide for the sustainable management of groundwater basins at the local level by providing local groundwater agencies with the authority and technical and financial assistance necessary to sustainably manage groundwater; and

WHEREAS, SGMA requires designation of groundwater sustainability agencies ("GSAs") for the purpose of achieving groundwater sustainability through the adoption and implementation of one or more groundwater sustainability plans ("GSPs") or an alternative plan for all medium- and high-priority basins designated by the California Department of Water Resources ("DWR"); and

WHEREAS, Olcese Water District has water supply, water management, or land use responsibilities within the Kern County Subbasin and is legally authorized under SGMA to become a GSA; and

WHEREAS, the Olcese Groundwater Sustainability Agency was duly formed and organized on November 28, 2016, and exists as the exclusive GSA recognized by DWR for a portion of the Kern County Subbasin, which is designated as subbasin number 5-022.14 in the most recent edition of DWR's Bulletin Number 118 ("Kem Basin"); and

WHEREAS, the Olcese GSA approved and adopted a GSP for its portion of the Kern County Subbasin following a duly noticed public hearing on January 6, 2020; and

WHEREAS, on January 28, 2022, DWR issued notice that the GSPs submitted to cover the Kern County was deemed incomplete and that certain amendments were required within 180 days; and

WHEREAS, the January 28, 2022 notice from DWR only recommended minor amendments to the Olcese GSA GSP; and

WHEREAS, the Olcese GSA has caused the necessary amendments to be made to its GSP as required by the January 28, 2022 notice from DWR and now desires to approved the amendments to the Olcese GSA GSP; and

WHEREAS, the Olcese GSA convened a duly noticed public meeting and conducted a public hearing on July 18, 2022, for the purpose of receiving and considering public comments to the GSP and to consider adoption of the Olcese GSA GSP; and

WHEREAS, the Olcese GSA reviewed and considered all comments received and consulted with any requesting city or county upon timely request; and

WHEREAS, the Board of Directors finds that the Olcese GSA has complied with all requirements of law, including those set forth in SGMA in analyzing, noticing, preparing, considering and now adopting the Amendments to the GSP and that adoption of the Amended GSP is in the best interest of the customers and landowners within Olcese GSA; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of Olcese Water District acting as the Board of Directors of the Olcese Groundwater Sustainability Agency as follows:

1. The Recitals set forth in this Resolution are true and correct statements and are incorporated herein as an operative part of this Resolution.
2. Pursuant to sections 10727 and 10728 of the California Water Code, the Olcese GSA adopts the Olcese GSA Amended Groundwater Sustainability Plan for the Kern Basin as set forth in the Attachment "A" to this Resolution and incorporated herein by this reference.
3. The Plan Manager of the Olcese GSA is authorized and directed to take such further action as necessary to comply with SGMA, including transmitting the GSP to the Kern County GSP Plan Manager and/or DWR in accordance with the requirements of section 10733, *et seq.*, of the California Water Code; and
4. If any section, subsection, sentence, clause or action in this Resolution or any part thereof, is for any reason held to be unconstitutional, invalid, or ineffective by any

court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Resolution or any part thereof. The Board of Directors hereby declares that it would have adopted each section irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or actions is declared to be unconstitutional, invalid, or ineffective.

5. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a special meeting of the Board of Directors of the Olcese Groundwater Sustainability Agency held on the 18th day of July, 2022, by the following rollcall vote, to wit:

AYES: Brian W. Grant, Jeff Siemens, Robert Teagarden

NOES:

ABSENT: James L. Nickel, Blaine Hanson

ABSTAIN:



James L. Nickel, President
Board of Directors, Olcese Water District

ATTESTED:



Robert O. Teagarden, Secretary
Olcese Water District