

## **RESOLUTION NO. 2021-147**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENTWOOD APPROVING AND ADOPTING THE FINAL GROUNDWATER SUSTAINABILITY PLAN DATED OCTOBER 15, 2021 FOR THE AREA WITHIN THE SAN JOAQUIN VALLEY-EAST CONTRA COSTA SUBBASIN 5-022.19, IN WHICH THE CITY HAS JURISDICTION; DELEGATES TO THE WORKING GROUP, ITS CONSULTANTS, AND THE PLAN MANAGER THE RESPONSIBILITY AND THE AUTHORITY TO TAKE SUCH OTHER ACTIONS ON ITS BEHALF AS MAY BE REASONABLY NECESSARY TO SUBMIT THE GROUNDWATER SUSTAINABILITY PLAN TO THE CALIFORNIA DEPARTMENT OF WATER RESOURCES BY JANUARY 31, 2022; AND AUTHORIZING IMPLEMENTING ACTIONS FOR THE PURPOSE OF THIS RESOLUTION.**

**WHEREAS**, in August 2014, the California Legislature passed, and in September 2014 the Governor signed, legislation creating the Sustainable Groundwater Management Act ("SGMA") "to provide local groundwater sustainability agencies with the authority and technical and financial assistance necessary to sustainably manage groundwater" (Water Code, § 10720, (d)); and

**WHEREAS**, on March 22, 2016, by Resolution No. 2016-34, City Council approved and authorized the City Manager or designee to submit an initial notification to the California Department of Water Resources ("DWR") regarding the City of Brentwood's intent to pursue a request to modify the boundary of the San Joaquin Valley Basin 5-022.15 ("Tracy Subbasin") to comply with the SGMA to promote the local, sustainable management of groundwater supplies; and

**WHEREAS**, on March 28, 2017, by Resolution No. 2017-39, City Council approved and authorized the City Manager or designee to execute a Memorandum of Understanding with East Contra Costa County participating agencies to facilitate the creation of the local Groundwater Sustainability Agencies ("GSAs") and to adopt and implement a Groundwater Sustainability Plan ("GSP"); and

**WHEREAS**, on December 12, 2017, by Resolution No. 2017-158, City Council supported a grant application to the DWR for the Sustainable Groundwater Planning Grant Program in an amount up to \$1,000,000 and, authorized the City Manager or designee to execute and submit all necessary documents for the Grant process and to allocate and expend the required 50 percent cost share funds in an amount not to exceed \$500,000; and

**WHEREAS**, on December 12, 2017, by Resolution No. 2017-159, City Council approved and authorized the City Manager or designee to execute Amendment One to the Memorandum of Understanding with East Contra Costa County participating agencies to facilitate the creation of the local GSAs and to adopt and implement a GSP for the Tracy Subbasin; and

**WHEREAS**, on May 8, 2018, by Resolution 2018-41, City Council approved and authorized the City Manager or designee to submit a Basin Boundary Modification Request to the DWR regarding the City of Brentwood's intent to pursue a request to modify the boundary of the Tracy Subbasin; and

**WHEREAS**, on October 22, 2019, by Resolution 2019-116, City Council supported a grant application to the DWR for the Sustainable Groundwater Management Grant Program in an amount up to \$1,500,995; and authorized the City Manager or designee to execute and submit all necessary documents for the Grant process and to allocate and expend the required 15 percent cost share funds in an amount not to exceed \$264,882; and

**WHEREAS**, on February 25, 2020, by Resolution 2020-21 City Council authorized the execution of the Amended and Restated Memorandum of Understanding with East Contra Costa County participating agencies to develop and implement a GSP for the ECC Subbasin; and

**WHEREAS**, SGMA requires sustainable management through the development of GSPs, which can be a single plan developed by one or more GSAs or multiple coordinated plans within a basin or subbasin (Water Code, § 10727); and

**WHEREAS**, SGMA requires a GSA be formed to manage groundwater in all basins designated by the DWR as a medium or high priority, including the ECC Subbasin; and

**WHEREAS**, the City of Antioch, City of Brentwood, Byron-Bethany Irrigation District, Contra Costa County, Diablo Water District, East Contra Costa Irrigation District, and Discovery Bay Community Services District each formed GSAs for the purposes of sustainably managing groundwater in the ECC Subbasin within their jurisdictional boundaries, pursuant to the requirements of SGMA; and

**WHEREAS**, the GSAs have the authority to draft, adopt, and implement a GSP (Water Code, § 10725 *et seq.*); and

**WHEREAS**, on May 9, 2017, the GSAs entered into a Memorandum of Understanding ("Agreement") with all other GSAs within the ECC Subbasin, along with Contra Costa Water District ("CCWD"), for the purpose of jointly developing a single GSP for the ECC Subbasin and coordinating sustainable groundwater management in the Subbasin (Water Code, §10727(a)(2)); and

**WHEREAS**, initial notification was submitted to the DWR on behalf of all the GSAs to jointly develop a GSP for the ECC Subbasin on February 12, 2018; and

**WHEREAS**, a working group consisting of the GSAs and CCWD has coordinated to draft a single GSP; and

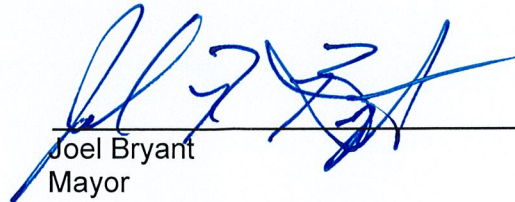
**WHEREAS**, a draft GSP was released on September 7, 2021; and

**WHEREAS**, comments were received and responded to; and the final GSP was released on October 15, 2021.

**NOW, THEREFORE BE IT RESOLVED** the City Council of the City of Brentwood does hereby approve and adopt the final Groundwater Sustainability Plan dated October 15, 2021 for the area within the San Joaquin Valley-East Contra Costa Subbasin 5-022.19, in which the City has jurisdiction; delegates to the working group, its consultants, and the Plan Manager the responsibility and the authority to take such other actions on its behalf as may be reasonably necessary to submit the Groundwater Sustainability Plan to the California Department of Water Resources by January 31, 2022; and authorizes implementing actions for the purpose of this Resolution.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Brentwood at a regular meeting held on the 16<sup>th</sup> day of November, 2021, by the following vote:

**AYES:** Bryant, Mendoza, Meyer, Rarey, Rodriguez  
**NOES:** None  
**ABSENT:** None  
**RECUSE:** None

  
\_\_\_\_\_  
Joel Bryant  
Mayor

ATTEST:

  
\_\_\_\_\_  
Margaret Wimberly, MMC  
City Clerk