

**RESOLUTION AUTHORIZING THE ADOPTION OF THE TRI-COUNTY WATER
AUTHORITY GROUNDWATER SUSTAINABILITY PLAN BY THE TRI-COUNTY
WATER AUTHORITY GROUNDWATER SUSTAINABILITY AGENCY**

RESOLUTION NO. 19-06

A. 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” (Wat. Code, section 10720, subd. (d)); and

B. 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 groundwater sustainability agency (“GSA”) or multiple coordinated plans within a basin or subbasin (Wat. Code section 10727); and

C. WHEREAS, the Tri-County Water Authority GSA (“TCWA GSA”) was created as a joint powers authority under a joint powers agreement on January 1, 2015, as amended on January 7, 2016, and amended and restated effective January 1, 2017, and submitted notice of its election to form a GSA to the Department of Water Resources (“DWR”) on February 28, 2017 pursuant to California Water Code section 10723.8; and

D. WHEREAS, TCWA GSA is authorized to exercise all actions required or authorized by DWR and the State Water Resources Control Board for GSA purposes; and

E. WHEREAS, TCWA GSA’s jurisdictional area is divided into three management areas: the North Management Area, the Southeast Management Area and the West Management Area. The North and Southeast Management Areas overlay a portion of Tule Subbasin number 5-22.13 in Tulare County, and the West Management Area overlies a portion of Tulare Lake Subbasin number 5.022-12 in Kings County. Both Subbasins are in the San Joaquin Valley Groundwater Basin identified in DWR Bulletin 118, as its boundaries may be modified from time to time as provided by law. DWR has designated both Tule and Tulare Lake Subbasins as critically overdrafted. Under SGMA, GSAs in critically overdrafted subbasins are required to submit separate and/or joint GSPs to DWR by January 31, 2020; and

F. WHEREAS, there are seven GSAs in the Tule Subbasin: Eastern Tule GSA, TWCA GSA, Pixley Irrigation District GSA, Lower Tule River Irrigation District GSA, Delano-Earlimart Irrigation District GSA, Alpaugh GSA, and Tulare County GSA (collectively, the “Tule GSAs”). There are six GSPs being developed; and

G. WHEREAS, GSAs in a subbasin developing and implementing multiple GSPs must enter into a Coordination Agreement to ensure consistent interpretations of the basin setting and use of data and methodologies (Wat. Code section 357.4, subd. (a)). The Tule GSAs are currently negotiating a Coordination Agreement, which will appoint a subbasin Plan Manager to contact and submit information for the entire Tule Subbasin to DWR; and

H. WHEREAS, TCWA GSA released its draft GSP covering the North and Southeast Management Areas in the Tule Subbasin (the “TCWA GSP”) on September ____, 2019, by posting it on TCWA GSA’s website. TWCA GSA released an Addendum No. 1 on September 25, 2019 to correct and add certain information in the TCWA GSP (“GSP

Addendum"). Public comments were accepted on both the TCWA GSP and the GSP Addendum and TCWA GSA has reviewed comments received, and revised the TCWA GSP as appropriate; and

I. WHEREAS, the Western Management Area will be covered in the Tulare Lake GSP; and

J. WHEREAS, TWCA GSA has conducted public outreach, including direct mailing to landowners in the TWCA GSA's boundaries, holding public board and technical committee meetings, posting notices on its public website, and e-mailing all interested parties who signed up for notice; and

K. WHEREAS, on or about September 18, 2019, TWCA GSA provided a 90-day notice to the County of Tulare and the County of Kings that it would be conducting a public hearing on December 18, 2019 to adopt the TWCA GSP, pursuant to Water Code Section 10728.4.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of TWCA GSA finds as follows:

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

2. The Board of Directors hereby approves and adopts the TWCA GSP for the Tule Subbasin 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 of Directors authorizes the member agencies, its consultants, and the Plan Manager to take such other actions as may be reasonably necessary to file the TWCA GSP with DWR by January 31, 2020, and implement the purpose of this Resolution.

PASSED, APPROVED, AND ADOPTED this 18th day of December, 2019 by the following vote:

AYES: Cory VanderHam, Mark Grewal, Steve Jackson, Jack Mitchell

NAYS: X

ABSTAIN: X

ABSENT: X


Cory VanderHam, Chairman

Attest:


Deanna Jackson, Secretary

Date: 12-18-2019