

**RESOLUTION CONFIRMING AND CONSOLIDATING THE BOUNDARIES OF THE TRI-COUNTY WATER AUTHORITY GROUNDWATER SUSTAINABILITY AGENCY**

**RESOLUTION NO. 19-07**

**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 agencies with the authority and technical and financial assistance necessary to sustainably manage groundwater” (Wat. Code, Section 10720, subd. (d)); and

**B. 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, or a memorandum of agreement or other legal agreement (Wat. Code Section 10723.6); 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

**D. 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; and

**E. WHEREAS**, SGMA requires GSAs to file an initial notice of formation (“Initial Notice”) with Department of Water Resources (“DWR”) within thirty (30) days of deciding to form a GSA and hold public hearings, followed by a ninety (90) day waiting period to allow DWR and other GSAs in the subbasin to determine the existence of overlapping boundaries with other noticed GSAs. (Wat. Code § 10723.8.) After the 90-day period has expired with no overlap identifications, the organization becomes effective as a GSA. DWR states that a material change to the boundaries from the Initial Notice may require a new 90-day waiting period; and

**F. WHEREAS**, TCWA GSA submitted its Initial Notice to DWR on March 18, 2016 for all Management Areas in both the Tule and Tulare Lake Subbasins (“TCWA-1”) and held properly noticed public hearings on February 29, 2016 in Allensworth, California. No conflicts arose and TCWA GSA effectively became a GSA at the end of the ninety (90) day period; and

**G. WHEREAS**, TCWA GSA submitted additional boundary maps for various areas within both the Tulare Lake and Tule Subbasins as follows:

<b>Title</b>	<b>Date Submitted</b>	<b>Subbasin</b>
TCWA-2	June 30, 2016	Tule

TCWA-3	June 30, 2016	Tule
TCWA-4	July 22, 2016	Tule
TCWA-5	September 13, 2016	Tulare Lake
TCWA-6	September 13, 2016	Tulare Lake
TCWA-7	September, 13, 2016	Tule
TCWA-Kings2017	March 9, 2017	Tulare Lake

**H. WHEREAS,** DWR now requests TCWA GSA to consolidate all eight submissions into two submissions: one for Tulare Lake Subbasin and one for Tule Subbasin for streamlining purposes only; and

**I. WHEREAS,** TWCA GSA now desires to consolidate and confirm its boundaries pursuant to DWR's request.

**NOW, THEREFORE,** BE IT RESOLVED that the Board of Directors of TCWA GSA find as follows:

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

2. The Board of Directors finds that the consolidation of the boundary submissions does not constitute a material change requiring re-noticing from the Initial Notice, because the boundaries of TCWA GSA have not changed and therefore no re-noticing is required.

3. The Board of Directors approves the consolidation of all eight prior submissions (TCWA-1 through -7, and TCWA-Kings2017), to be replaced by two submissions consolidating all TCWA GSA boundaries in the Tule Subbasin and the Tulare Lake Subbasin, respectively.

4. The Board of Directors authorizes TCWA GSA's Executive Director, its member agencies, and its consultants to take such other actions as may be reasonably necessary to file this Resolution with the DWR, make the two streamlined boundary submissions, and otherwise implement the purpose of this Resolution.

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

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

NAYS: 0

ABSTAIN: 0

ABSENT: 0

Cory VanderHam, Chairman

Attest:

Deanna Jackson, Secretary

Date: 12-18-2019