

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

**RESOLUTION NO. 22-08**

**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, § 10720(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, § 10727); and

**C. WHEREAS**, the Tri-County Water Authority GSA (“TCWA GSA”) was created as a joint powers authority under a joint powers agreement dated January 1, 2015, as subsequently amended and restated, 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.

**F. WHEREAS**, DWR has designated both Tule and Tulare Lake Subbasins as critically overdrafted. Under SGMA, GSAs in critically overdrafted subbasins were required to submit separate and/or joint GSPs to DWR by January 31, 2020; and

**G. WHEREAS**, the Western Management Area is covered in the Tulare Lake GSP; and

**H. WHEREAS**, there are seven GSAs in the Tule Subbasin: Eastern Tule GSA, TCWA 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”), and six GSPs were developed and submitted to DWR for review by January 31, 2020; and

**I. WHEREAS**, multiple GSPs within a subbasin are required to coordinate the Tule GSAs entered 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)), and appointed a subbasin Plan Manger to contact and submit information for the entire Tule Subbasin to DWR; and

**J. WHEREAS**, DWR provided the Tule Subbasin with a Determination Letter, attached hereto and incorporated herein as **Exhibit A**, informing the Tule GSAs that their adopted GSPs were “incomplete” and recommending that the Tule GSAs amend the adopted GSPs to address several potential corrective actions, which amended GSP is required to be submitted to the DWR by July 27, 2022; and,

**K. WHEREAS**, in response and in consultation with technical personnel, TCWA GSA amended its GSP to address those recommended potential corrective actions (the “Amended TCWA GSP”); and

**L. WHEREAS**, on or about March 7, 2022, TCWA GSA provided written notice to the County of Tulare, County of Kings and Allensworth CSD regarding its intent to amend its GSP; and,

**L. WHEREAS**, in response, Tule GSAs collaborated on revisions to the Tule Subbasin Coordination Agreement, including the addition of a Mitigation Framework.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of TCWA 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 Amended TCWA 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 Executive Director and its consultants, and the Plan Manager to take such other actions as may be reasonably necessary to file the Amended TCWA GSP with DWR by July 27, 2022, and implement the purpose of this Resolution.

PASSED, APPROVED, AND ADOPTED this 21<sup>st</sup> day of July, 2022 by the following vote:

AYES: Magden, Nordstrom, VanderHam, Wilcox  
NAYS: None  
ABSTAIN: None  
ABSENT: None

  
Cory VanderHam, Chair

Attest:

  
Deanna Jackson, Secretary

Date: 7-21-22