

**BEFORE
THE BOARD OF DIRECTORS
FOR THE COUNTY OF MADERA
GROUNDWATER SUSTAINABILITY AGENCY
CHOWCHILLA SUBBASIN**

In the Matter of)	Resolution No.: 2022 - <u>104</u>
)	
THE SUSTAINABLE)	RESOLUTION ADOPTING AMENDED
GROUNDWATER MANAGEMENT)	GROUNDWATER SUSTAINABILITY PLAN
ACT)	
)	
Chowchilla Subbasin)	
)	
_____)	

WHEREAS, the Sustainable Groundwater Management Act of 2014, Water Code sections 10720-10737.8 ("SGMA") was signed into law on September 16, 2014; and

WHEREAS, SGMA requires that each groundwater basin be managed by a Groundwater Sustainability Agency ("GSA"), or multiple GSAs, and that such management be pursuant to an approved Groundwater Sustainability Plan ("GSP"), or multiple GSPs; and

WHEREAS, on January 24, 2017, the Board of Supervisors for the County of Madera ("Board") elected to have the County of Madera become the exclusive GSA for the portions of the Chowchilla Subbasin that are in unincorporated areas of Madera County, and not otherwise covered by another public agency; and

WHEREAS, on or about May 13, 2017, the County of Madera became the exclusive GSA for portions of the Chowchilla Subbasin not otherwise covered by another public agency (hereinafter "Madera County Chowchilla GSA"); and

WHEREAS, pursuant to Water Code section 10727, SGMA requires that a Groundwater Sustainability Plan (“GSP”), or multiple GSPs, be developed and implemented by January 31, 2020 for each high-priority basin; and,

WHEREAS, the Madera County GSA, the Chowchilla Water District GSA, the Triangle T Water District GSA, and Merced County Chowchilla GSA collaboratively prepared a single GSP for the Chowchilla Subbasin in accordance with Water Code section 10727.2 to include all the components required by SGMA; and

WHEREAS, on December 17, 2019, the County GSA, along with the Chowchilla Water District GSA, the Triangle T Water District GSA, and Merced County GSA for the Chowchilla Subbasin, adopted a GSP for the Chowchilla Subbasin; and

WHEREAS, on or about January 29, 2020, the GSP for the Chowchilla Subbasin was submitted to the Department of Water Resources (“DWR”) for review, public comment, and approval; and,

WHEREAS, on November 18, 2021, DWR sent a letter to the Chowchilla Subbasin GSP Plan Manager (Doug Welch of the Chowchilla Water District GSA), indicating that DWR staff had substantially completed the initial review of the Chowchilla Subbasin GSP, and that there were potential deficiencies that might preclude DWR from approving the GSP; and

WHEREAS, on January 28, 2022, DWR sent a letter to the Chowchilla Subbasin GSP Plan Manager stating that the GSP was determined to be incomplete because the GSP has not defined sustainable management criteria in the manner required by SGMA and the GSP Regulations related to subsidence, and the Chowchilla Subbasin GSAs did not sufficiently demonstrate that interconnected surface water or undesirable results

related to depletions of interconnected surface water are not present and are not likely to occur in the Chowchilla Subbasin; and

WHEREAS, in the January 28, 2022 letter, DWR represented that the deficiencies identified in the letter were not addressed by July 27, 2022, DWR, after consultation with the State Water Resources Control Board, would determine the GSP to be inadequate, possibly triggering the state intervention process outlined in SGMA; and

WHEREAS, the Chowchilla Subbasin GSP has been amended to address the deficiencies outlined in the January 28, 2022 letter from DWR; and

WHEREAS, the Chowchilla Subbasin Plan Manager, on behalf of all the GSAs in the Chowchilla Subbasin, gave notice on April 18, 2022, pursuant to Water Code section 10728.4, to affected cities and counties regarding the intent of the GSAs to each to adopt the GSP; and

WHEREAS, the Madera County Chowchilla GSA published a notice on July 9, 2022 and in the Madera Tribune, a newspaper of general circulation in Madera County and the Chowchilla Subbasin, giving notice that a public hearing (Hearing) would be held on July 26, 2022, at 10:30 a.m., for the purpose of considering adoption of the amended GSP for its portion of the Chowchilla Groundwater Subbasin; and,

WHEREAS, upon adoption of a GSP, Water Code section 10733.4 requires that the GSP be submitted to DWR for review.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Madera, State of California, sitting as Board of Directors for the County of Madera GSA for the Chowchilla Subbasin, as follows:

1. The above Recitals are hereby incorporated by reference and are made a substantive part of this Resolution.
2. The amended GSP in the form presented at the Hearing is hereby approved and adopted.
3. The Director of the County Department of Water and Natural Resources (“Department Director”) is hereby authorized and directed to timely provide notification of this approval and adoption to DWR, including a copy of this Resolution, the approved GSP, and any additional information required by law.

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The foregoing Resolution was adopted this 26TH day of JULY,
2022, by the following vote:



Director Frazier voted:

Yes

Director Rogers voted:

Yes

Director Poythress voted:

Yes

Director Gonzalez voted:

absent

Director Wheeler voted:

Yes

Tom Alcala
Chairman, Board of Directors

ATTEST:

Sharon Schriver
Clerk, Board of Directors

Approved as to Legal Form:
COUNTY COUNSEL

Michael R. Linden
Digitally signed by: Michael R. Linden
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C = US O = LOZANO SMITH
Date: 2022.07.08 11:53:21 -0700
By Linden