

**BEFORE
THE BOARD OF DIRECTORS
FOR THE COUNTY OF MADERA
GROUNDWATER SUSTAINABILITY AGENCY
DELTA-MENDOTA SUBBASIN**

In the Matter of)	Resolution No.: 2022 - <u>097</u>
)	
THE SUSTAINABLE)	RESOLUTION ADOPTING AMENDED
GROUNDWATER MANAGEMENT)	GROUNDWATER SUSTAINABILITY PLAN
ACT)	
)	
Delta-Mendota 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 Delta-Mendota 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 the portion of the Delta-Mendota Subbasin within Madera County not within the jurisdiction of another agency (hereinafter "Madera County Delta-Mendota 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 Delta-Mendota GSA is a participant within the San Joaquin River Exchange Contractors GSP (the “Exchange Contractors GSP”) for the Delta-Mendota Subbasin in accordance with Water Code section 10727.2 to include all the components required by SGMA; and

WHEREAS, on December 17, 2019, the Madera County Delta-Mendota GSA, adopted the Exchange Contractors GSP for the Delta-Mendota Subbasin; and

WHEREAS, on or about January 23, 2020, the Exchange Contractors GSP was submitted to the Department of Water Resources (“DWR”) for review, public comment, and approval; and,

WHEREAS, on December 9, 2021, DWR sent a letter to the point of contact for the Delta-Mendota Subbasin (John Brodie from the San Joaquin River Exchange Contractors), indicating that DWR staff had substantially completed the initial review of the Exchange Contractors GSP, and that there were potential deficiencies that might preclude DWR from approving the GSP; and

WHEREAS, on January 21, 2022, DWR sent a letter to John Brodie stating that the Exchange Contractors GSP was determined to be incomplete because (1) the Delta-Mendota Subbasin GSPs did not use the same data and methodologies, (2) the Delta-Mendota Subbasin GSPs did not establish common definitions of undesirable results in the Subbasin, (3) the Delta-Mendota Subbasin GSPs did not set sustainable management criteria in accordance with the GSP Regulations, and (4) the management

areas established in the Plan did not sufficiently address the requirements specified in 23 CCR § 354.20; and

WHEREAS, in the January 21, 2022 letter, DWR represented that the deficiencies identified in the letter were not addressed by July 20, 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 Exchange Contractors GSP has been amended to address the deficiencies outlined in the January 21, 2022 letter from DWR; and

WHEREAS, the Executive Director for the San Joaquin River Exchange Contractors gave notice on March 24, 2022, pursuant to Water Code section 10728.4, to affected cities and counties regarding the intent to adopt an amended GSP; and

WHEREAS, the Madera County Delta-Mendota GSA published a notice on July 9, 2022 in the Madera Tribune, a newspaper of general circulation in Madera County and the portion of the Delta-Mendota Subbasin under the jurisdiction of the Madera County Delta-Mendota GSA, giving notice that a public hearing would be held on July 19, 2022 for the purpose of considering the adoption of an amended GSP for its portion of the Delta-Mendota 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 Delta-Mendota 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 amended GSP, and any additional information required by law.

//

//

//

//

//

//

//

//

//

//

//

* * * * *

The foregoing Resolution was adopted this 19TH day of July, 2022, by the following vote:



Director Frazier voted:

yes

Director Rogers voted:

yes

Director Poythress voted:

yes

Director Gonzalez voted:

yes

Director Wheeler voted:

yes

Tom Wheeler
Chairman, Board of Directors

ATTEST:

Helen Scrivner

Clerk, Board of Directors

Approved as to Legal Form:
COUNTY COUNSEL

Michael

By R. Linden

Digitally signed by: Michael R. Linden
DN: CN = Michael R. Linden
email = mlinden@lozanosmith.com
C = US O = LOZANO SMITH
Date: 2022.07.08 11:49:33 -07'00'

J:\wdocs\01245\092\RES\00976440.DOCX