

BEFORE THE BOARD OF DIRECTORS INDIAN WELLS VALLEY GROUNDWATER AUTHORITY

In the matter of:

Resolution No. 02-16

RESOLUTION ELECTING TO BECOME A GROUNDWATER SUSTAINABILITY AGENCY FOR THE ENTIRETY OF THE INDIAN WELLS VALLEY GROUNDWATER BASIN.

I, Lauren Duffy, Clerk of the Board of Directors for the Indian Wells Valley Groundwater Authority, do certify that the following resolution, on motion of Director Brown , seconded by Director Breeden, was duly passed and adopted by the Board of Directors at an official meeting this 8th day of December, 2016, by the following vote:

AYES: Peggy Breeden, Peter Brown, Mick Gleason, Matt Kingsley, BobPage

NOES: None.

ABSENT: None.



Clerk of the Board of Directors
Indian Wells Valley Groundwater Authority

RESOLUTION

Section 1. WHEREAS:

(a) The comprehensive groundwater legislation referred to as the "Sustainable Groundwater Management Act" (SGMA) was signed into law on September 16, 2014 with an effective date of January 1, 2015, and codified at California Water Code sections 10720 *et seq.*; and

(b) The stated purpose of SGMA, as set forth in California Water Code Section 10720.1, is to provide for the sustainable management of groundwater basins, and subbasins, as defined by the California Department of Water Resources at a local level by providing local water supply, water management and land use agencies with the authority and technical and financial

assistance necessary to sustainably manage groundwater; and

(c) SGMA further provides for and anticipates that eligible local agencies overlying basins that are designated by California Department of Water Resources (DWR) as "high or medium priority" will form Groundwater Sustainable Agencies ("GSAs") for the purpose of achieving groundwater sustainability through the adoption and implementation of Groundwater Sustainability Plans ("GSPs"); and

(d) Water Code section 10723(a) authorizes local agencies with water supply, water management or local land use responsibilities, or a combination of those local agencies, overlying a groundwater basin to elect to become a GSA; and

(e) Water Code section 10735.2(a) provides that the State Board may designate the Basin as probationary if any portion of the Basin is not covered by a GSA before June 30, 2017; and

(f) The general members of the Indian Wells Valley Groundwater Authority (all of which fall within the SGMA definition of a GSA eligible agency) formed the Authority for, and with, the express purpose of forming a GSA for the entirety of the unadjudicated groundwater basin known as Indian Wells Valley Groundwater Basin (Basin); and

(g) The combined political boundaries of the general members overly the entirety of the Basin, which is designated in DWR Bulletin 118 as Basin No. 6-54 and which is included on the list of critically overdrafted basins; and

(h) Staff has reviewed this matter and determined that this matter is exempt from further CEQA review pursuant CEQA Guideline section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and CEQA Guideline section 15378(b)(5) because the matter is an organizational activity that will not result in a direct or indirect physical change in the environment; and

(i) As required by Water Code section 10723(b), the notice of public hearing to consider this election to become a GSA for the Basin was published pursuant to Government Code section 6066 in The Bakersfield Californian, The Inyo Register, and The Daily Press; and

(j) On December 8, 2016, the Board of Directors properly held the noticed public hearing required by Water Code section 10723(b) at 10:00 a.m. in the City Council Chambers for the City of Ridgecrest, 100 West California Avenue, Ridgecrest, CA 93555; and the Inyo County Water Department Conference Room, 135 Jackson Street, Independence, CA, 93526; and Jerry Lewis High Desert Government Center, 15900 Smoke Tree Street, 2nd Floor, Multi-Purpose Conference Room No. 221, Hesperia, California 92345.

Section 2. IT IS RESOLVED by the Board of Indian Wells Valley Groundwater Authority,

State of California, as follows:

1. This Board finds that the recited facts are true and that it has the jurisdiction to consider, approve, and adopt this Resolution.

2. This Board incorporates and makes all the findings recommended by staff, whether verbally or in their written reports.

3. This Board finds and determines that the applicable provisions of the California Environmental Quality Act of 1970 ("CEQA"), the State CEQA Guidelines, and the Kern County Guidelines have been observed in conjunction with the hearing and the considerations of this matter and it is exempt from further CEQA review pursuant Sections 15061(b)(3) and 15378(b)(5).

4. This Board hereby elects to form a GSA for the entirety of the Basin.

5. As required by Water Code section 10723.2, the Authority shall consider the interests of all beneficial uses and users of groundwater in the Basin.

6. As required by Water Code section 10723.4, the Authority shall establish and maintain a list of all persons and entities interested in receiving notices regarding the GSP preparation, meetings, announcements, and the availability of draft plans, maps and other relevant documents.

7. Counsel is directed to ensure that the notice of GSA formation, and all required supporting documentation, is submitted to California Department of Water Resources as soon as possible and within the legally mandated 30 days.

8. The Clerk of this Board shall cause a Notice of Exemption to be filed with the County Clerks in Kern County, San Bernardino County and Inyo County.