

**RESOLUTION NO. 2019/20-03\_\_**

**Considering and Adopting Principles of Agreement Related to the Removal of Overlap Between Groundwater Sustainability Agencies in the Sacramento Valley South American Subbasin**

WHEREAS, the 2014 Sustainable Groundwater Sustainability Act (SGMA) authorizes and directs local agencies to manage groundwater in a sustainable fashion, to coordinate the sustainable management of groundwater between and within groundwater basins, and to form Groundwater Sustainability Agencies (GSAs) to carry out these tasks;

WHEREAS, where more than one local agency overlies a groundwater basin, SGMA calls on local agencies to cooperate in the sustainable management of the groundwater basin;

WHEREAS, on April 25, 2016, following proper notice and hearing, OHWD notified DWR of its intent to serve as the GSA for that portion of its boundaries within the Sacramento Valley South American Subbasin (DWR Bulletin 118 Basin 5-21.65) pursuant to Water Code section 10723.8; and

WHEREAS, within 90 days of that submittal Sacramento Central Groundwater Authority and Sloughhouse Resource Conservation District also submitted notices that indicated their respective intents to serve as GSAs over the same area with OHWD's jurisdictional boundaries (GSA Overlap Area); and

WHEREAS, under such circumstances, SGMA provides that the decision to serve as GSA shall not take effect unless the other notification is withdrawn or modified to eliminate any overlap in the areas proposed to be managed (Water Code § 10723.8(c)); and

WHEREAS, on April 11, 2017 the County of Sacramento notified DWR of its intention accept GSA status for unmanaged areas, pursuant to Water Code section 10724; and

WHEREAS, if the GSAs responsible for developing the groundwater sustainability plan or plans for the entire basin have not been identified within 180 days of DWR's rejection of a proposed Alternative Plan, the entire basin may be designated by the SWRCB as probationary pursuant to Water Code section 10735.2(a)(1); and

WHEREAS, the County of Sacramento, Sacramento Central Groundwater Authority, and OHWD (Overlapping Parties) agree that the long-term sustainability of the basin would be best served by the identification of a responsible GSA and the removal of overlap in the GSA overlap area; and

WHEREAS, in pursuit of that goal, the Overlapping Parties negotiated the Principles of Agreement attached hereto as Exhibit A; and

WHEREAS, the Overlapping Parties intend that these non-binding Principles of Agreement will establish a framework for the development of a Memorandum of Understanding between Sacramento Central Groundwater Authority, Omochumne Hartnell Water District, and Sacramento County to resolve the GSA overlap in the South American groundwater subbasin; and

WHEREAS, any such Memorandum of Understanding must be submitted to the OHWD Board of Directors prior to its approval and execution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Omochumne Hartnell Water District that:

- 1) The Board of Directors endorses the Principles of Agreement.

- 2) OHWD's Legal Counsel, General Manager, and South American groundwater subbasin subcommittee are directed to negotiate on behalf of OHWD to develop the Memorandum of Understanding consistent with the attached Principles of Agreement for future presentation to the OHWD Board of Directors.

PASSED AND ADOPTED by the following vote of the Board of Directors of the Omochumne-Hartnell Water District this 20<sup>st</sup> day of August 2019:

Certification

I, Shasta Burns, hereby certify that I am and at all times mentioned herein was contracted Secretary of the OHWD Water District which was organized and exists under and by virtue of the laws of the State of California, that the foregoing is a full, true and correct copy of a Resolution duly and regularly adopted at a regular meeting of the Board of Directors of said District duly held August 20, 2019, a majority and quorum of the members of said Board of Directors being present and voting in favor of said Resolution; and that said Resolution has not been modified, rescinded, altered or amended and is now in full force and effect.

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Shasta Burns, Secretary