

RESOLUTION NO. 2017-01

RESOLUTION OF INTENT OF THE BOARD OF DIRECTORS OF THE BEDFORD-COLDWATER GROUNDWATER SUSTAINABILITY AUTHORITY, A JOINT POWERS AUTHORITY, TO BECOME THE GROUNDWATER SUSTAINABILITY AGENCY FOR THE BEDFORD COLDWATER SUB-BASIN OF THE ELSINORE GROUNDWATER BASIN

WHEREAS, in September 2014, the Sustainable Groundwater Management Act (“SGMA”) was signed into law, with an effective date of January 1, 2015, and codified at California Water Code, Section 10720 et seq; and

WHEREAS, the legislative intent of SGMA is to, among other goals, provide for sustainable management of alluvial groundwater basins and sub-basins defined by the California Department of Water Resources (“DWR”), to enhance local management of groundwater, to establish minimum standards for sustainable groundwater management, and to provide specified local agencies with the authority and the technical and financial assistance necessary to sustainably manage groundwater; and

WHEREAS, Water Code section 10723(a) authorizes a “local agency” with water supply, water management or local land use responsibilities, or a combination of local agencies with such responsibilities overlying a groundwater basin, to decide to become a Groundwater Sustainability Agency (GSA) under SGMA; and

WHEREAS, Elsinore Valley Municipal Water District (“EVMWD”), the City of Corona (“Corona”) and Temescal Valley Water District (“TVWD”) jointly requested the Elsinore Basin be split into two distinct groundwater areas; and

WHEREAS, on October 11, 2016, the California Water Commission approved the subject request and established two sub-basins within the Elsinore Basin; the southerly Elsinore Valley Sub-Basin (Bulletin 118 Basin No. #8-004.1) and the northerly Bedford Coldwater Sub-Basin (#8-004.2); and

WHEREAS, Bedford Coldwater Groundwater Sustainability Authority (Authority) is a “local agency” comprised of EVMWD, Corona, and TVWD (each a “Member”) with “water management” responsibilities within the Bedford-Coldwater Sub Basin (DWR Bulletin 118, No. 8-004.2) (the “Sub-Basin”) of the Elsinore Groundwater Basin (DWR Bulletin 118, No. 8-004); and

WHEREAS, sustainable groundwater management of groundwater basins designated by DWR as high and medium priority basins is required by SGMA; and

WHEREAS, the boundaries of the Authority overlie the Sub-Basin, which is not adjudicated and is designated by DWR as a high priority basin; and

WHEREAS, California Water Code Section 10723.8 requires that a local agency deciding to serve as a GSA notify DWR within 30 days of the local agency's decision to become a GSA authorized to undertake sustainable groundwater management within a basin; and

WHEREAS, California Water Code Section 10723.8 mandates that 90 days following the posting by DWR of the local agency's decision to become a GSA, that entity shall be presumed to be the exclusive GSA for the area within the basin the agency is managing as described in the notice, provided that no other GSA formation notice covering the same area has been submitted to DWR; and

WHEREAS, the Authority intends to manage all portions of the Sub-Basin subject to SGMA under a groundwater sustainability plan (GSP); and

WHEREAS, in accordance with Section 10723(b) of the California Water Code, and Section 6066 of the California Government Code, a notice of public hearing was published in two general circulation newspapers in Riverside County regarding the Authority's intent to consider becoming a GSA for the Sub-Basin.

NOW, THEREFORE, THE AUTHORITY BOARD OF DIRECTORS HEREBY FINDS, DETERMINES, RESOLVES, AND ORDERS AS FOLLOWS:

SECTION 1. The above recitals, and each of them, are true and correct, and are incorporated as terms of this resolution.

SECTION 2. The Authority Board of Directors hereby decides and determines that the Authority shall become the GSA for all of those portions of the Sub-Basin that are required to be managed under SGMA.

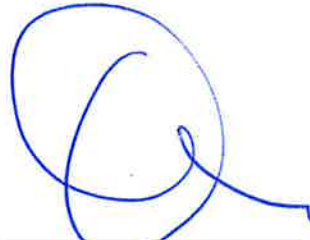
SECTION 3. Authority staff, or staff of one of the Authority Members on behalf of the Authority, shall submit to DWR, within thirty (30) days of the approval of this Resolution, all documentation and information required by Water Code section 10723.8 to support the Authority's formation of a GSA over the Sub-Basin.

SECTION 4. The approval of this Resolution and the actions described herein are exempt from the requirements of the California Environmental Quality Act (CEQA) since: (1) they are not a "project" for purposes of CEQA (CEQA Guidelines 14 Cal. Code Regs. §15378 (b)(5)) because the approval will not result in direct or indirect physical changes in the environment; and (2) it can be seen with certainty that there is no possibility that the approval in question may have a significant effect on the environment. (CEQA Guidelines, 14 Cal. Code Regs. §15061(b)(3).) Staff is directed to file and post within ten (10) business days a Notice of Exemption for this approval with the Clerk of the Board of Supervisors of Riverside County.

SECTION 5. The Board Secretary shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 29th day of March, 2017, by the following vote:

AYES:
NOES:
ABSENT:



Chairperson

ATTEST:


Secretary