

**RESOLUTION NO. 2018-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF MERCED, CALIFORNIA,  
OPPOSING THE STATE WATER RESOURCES  
CONTROL BOARD SUBSTITUTE  
ENVIRONMENTAL DOCUMENT REGARDING  
POTENTIAL CHANGES TO THE WATER  
QUALITY CONTROL PLAN FOR THE SAN  
FRANCISCO BAY – SACRAMENTO/SAN  
JOAQUIN DELTA ESTUARY**

WHEREAS, the State Water Resources Control Board’s Draft Substitute Environmental Document (SED) proposes to require the Stanislaus, Tuolumne, and Merced Rivers release 40 percent of unimpaired flow from February to June each year;

WHEREAS, the proposed requirement will create “**significant and unavoidable**” impacts to the economy, agriculture, and the groundwater basin used by the residents and business owners of the City of Merced;

WHEREAS, the proposed requirement will result in an over-draft of the groundwater basin used by the City of Merced and its residents, which rely exclusively on groundwater for their drinking supplies;

WHEREAS, the City and County of Merced face significant challenges with poverty, unemployment and foreclosures, and the City of Merced’s economic development efforts benefit significantly from competition between investor-owned utilities and the Merced Irrigation District;

WHEREAS, the proposed requirement would fallow approximately 128,295 acres of prime farm land and result in the loss of over 800 family farms in the region;

WHEREAS, the adverse impacts of the proposed SED include approximately \$29.4 million in annual losses to this economically distressed community, seriously affecting the people that live and work in and around the City of Merced;

WHEREAS, approximately 3,484 jobs will be permanently lost in and around the City of Merced;

WHEREAS, the proposed requirement ignores non-flow alternatives that are less costly and more effective;

WHEREAS, the City of Merced is caught between two state agencies with opposing mandates, the State Department of Water Resources demands the City end its dependence on groundwater as its drinking water source and start using renewable water resources with the Merced River being the only potential source readily available to us, and the State Water Resources Control Board eliminating the City's potential source of renewable water under this plan; and

WHEREAS, the state is shifting housing to Merced to alleviate a severe housing shortage in the San Francisco Bay Area through new transportation plans by extending the Altamont Commuter Express tracks to Merced and the High Speed Rail line from San Jose to Merced without any regards to a renewable water supply for new or existing residents.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. The City of Merced opposes the proposed requirements contained in the State Water Resources Control Board's draft SED.

SECTION 2. The State Water Resources Control Board should pursue a comprehensive solution that prioritizes non-flow measures to protect native fish species, such as predation reduction programs, before demanding flow increases that would threaten the economic vitality of already distressed people, businesses, and small family farms located in and around the City of Merced.

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PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_ 2018, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:  
STEVE CARRIGAN, CITY CLERK

BY: \_\_\_\_\_  
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

Kelly Fincher 8/13/18  
City Attorney Date