

RESOLUTION NO. 2019-_____

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
AUTHORIZING EXECUTION OF
GROUNDWATER SUSTAINABILITY PLAN FOR
THE MERCED GROUNDWATER BASIN**

WHEREAS, on September 16, 2014 then-Governor Jerry Brown signed into law Senate Bills 1168 and 1319, and Assembly Bill 1739, known collectively as the Sustainable Groundwater Management Act (SGMA);

WHEREAS, SGMA generally requires sustainable management of groundwater basins within California through the development of groundwater sustainability plans (GSP), which can be a single plan developed by one or more Groundwater Sustainability Agency (GSA), or multiple coordinated plans within the basin or subbasin;

WHEREAS, SGMA allows for local control of groundwater resources by authorizing the creation of GSAs that govern implementation and enforcement of SGMA within their respective areas;

WHEREAS, the City of Merced is a member of the Merced Irrigation-Urban Groundwater Sustainability Agency (MIUGSA), which was formed through a Memorandum of Understanding dated on or about April 24, 2017;

WHEREAS, the 3 California Department of Water Resources (DWR) approved GSAs governing the Merced Groundwater Subbasin are: MIUGSA, the Merced Subbasin Groundwater Sustainability Agency (MSGSA), and the Turner Island Water District Groundwater Sustainability Agency (TIWD GSA-1), collectively referred to herein as the 'Merced Subbasin GSAs';

WHEREAS, each Merced Subbasin GSA has the authority to draft, adopt, and implement a GSP (Wat. Code, § 10725 *et seq.*);

WHEREAS the Merced Subbasin GSAs have elected to develop and implement a single GSP covering the entire basin (Wat. Code, §10725 *et seq.*);

WHEREAS, the Merced Subbasin GSAs submitted a Notification of Intent to DWR to jointly develop a GSP for the Merced Groundwater Subbasin on January 4, 2018 in accordance with California Water Code §10727.8 and California Code of Regulations, Title 23, Section 353.6;

WHEREAS the Merced Subbasin GSAs have considered the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing groundwater sustainability plans (Wat. Code, §10725 *et seq.*);

WHEREAS, the Merced Subbasin GSAs released a draft Merced Groundwater Subbasin GSP for public comment on July 19, 2019;

WHEREAS, the Merced Subbasin GSAs reviewed and responded to comments on the draft Merced Groundwater Subbasin GSP;

WHEREAS, the Merced Subbasin GSAs provided a Notice of Intent to adopt a GSP for the Merced Subbasin to cities and counties within the geographic area covered by the pending GSP on July 22, 2019, in accordance with California Water Code §10728.4;

WHEREAS, the Merced Subbasin GSAs released the final Merced Groundwater Subbasin GSP on November 12, 2019, a copy of which is on file at the City of Merced City Clerk's office; and,

WHEREAS, the City Council of the City of Merced (City) have had the opportunity to review the final Merced Groundwater Subbasin GSP, and after review the City believes it is in the best interest of the City of Merced to authorize execution of said GSP by MIUGSA.

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

SECTION 1. The recitals set forth hereinabove are true and correct and are incorporated herein.

SECTION 2. The Merced Irrigation-Urban Groundwater Sustainability Agency is hereby authorized to approve and adopt the final Merced Groundwater Subbasin GSP in the substantial form presented, and the City further authorizes its consultants and the Plan Manager to take such other actions as may be reasonably necessary to submit the Merced Groundwater Subbasin GSP to DWR by January 31, 2020.

SECTION 3. The City of Merced City Manager or Assistant City Manager or either of their designees is hereby authorized to execute such documents and take such actions as such officers shall deem necessary or appropriate to carry out

and implement the intent of this Resolution, said execution or action to provide conclusive evidence of the City's approval.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the ____ day of _____ 2019, 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:

Prudencio A. Hernandez 11-14-19
City Attorney Date