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RESOLUTION NO.3140-20

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SOUTH
TAHOE PUBLIC UTILITY DISTRICT OF INTENTION
TO DRAFT AN UPDATED GROUNDWATER MANAGEMENT
PLAN PURSUANT TO THE GROUNDWATER MANAGEMENT ACT**

WHEREAS, California Water Code section 10750 contains a legislative finding and declaration that groundwater is a valuable natural resource that should be managed to insure its safe production and quality, and that local agencies should work cooperatively to manage groundwater resources within their jurisdiction;

WHEREAS, California Water Code section 10753 authorizes a local agency to adopt a groundwater management plan pursuant to California Water Code sections 10750 et seq., for basins or portions of basins within the jurisdiction of the agency that are not already subject to a Groundwater Management Plan;

WHEREAS, the Tahoe Valley South Subbasin was designated by the Department of Water Resources ("DWR") as basin number 6-005.01 ("TVS Basin");

WHEREAS, the South Tahoe Public Utility District boundary overlies the majority of the TVS Basin;

WHEREAS, the El Dorado County Water Agency ("EDCWA") boundary overlies the entire TVS Basin;

WHEREAS, on December 7, 2000, the District enacted Ordinance No. 477-00 adding Division 7 to the Administrative Code authorizing the administration of the ("TVS Basin") by a Groundwater Management Plan ("2000 GMP") pursuant to California Water Code section 10750, et seq.;

WHEREAS, on December 4, 2014, the District adopted Resolution No. 2969-14 and enacted Ordinance 553-14 to update the 2000 GMP ("2014 GMP") in order to ensure compliance with current requirements in California Water Code section 10750 et. seq., AB 3030 and SB 1938;

1 **WHEREAS**, in 2014, the California Legislature adopted, and the
2 Governor signed into law, the Sustainable Groundwater Management Act
3 ("Act"), which authorizes local agencies overlying all or a portion of a
4 groundwater basin to manage groundwater in a sustainable fashion;

5 **WHEREAS**, the District and the EDCWA are committed to the
6 sustainable management of the groundwater resources within the TVS
7 Basin, as shown by, among other actions, their collaborative development
8 and implementation of both the 2000 GMP and 2014 GMP;

9 **WHEREAS**, for many years, the District and the EDCWA have also
10 worked collaboratively to sustainably manage the TVS Basin in multiple
11 other ways, including creating and participating in the Stakeholder
12 Advisory Group ("SAG"), dividing monitoring responsibilities for the TVS
13 Basin and sharing the resulting information, and jointly funding and
14 implementing multiple other studies and monitoring program activities;

15 **WHEREAS**, the District adopted Resolution No. 2986-15 electing to
16 be the Groundwater Sustainability Agency ("GSA") for the portion of the
17 TVS Basin within its service area boundary on July 16, 2015, submitted its
18 GSA Formation Notification to DWR on August 12, 2015 ("2015 GSA
19 Formation Notification"), and was recognized as the exclusive GSA for this
20 portion of the TVS Basin on November 17, 2015 ("South Tahoe Public Utility
21 District GSA");

22 **WHEREAS**, shortly thereafter, the District also adopted Resolution
23 No. 3040-16 electing to be the GSA for the portion of the TVS Basin outside
24 its service area boundary on September 15, 2016, submitted its GSA
25 Formation Notification to DWR on September 16, 2016 ("2016 GSA
26 Formation Notification"), and was recognized as the exclusive GSA for this
27 portion of the TVS Basin on December 28, 2016 ("South Tahoe Public Utility
28 District GSA-2");

29 **WHEREAS**, subsequent discussions with the State Water Resources
30 Control Board ("SWRCB") raised concerns about a local agency forming

1 a GSA outside of its service area boundary. These concerns raised a risk
2 that the 2016 GSA Formation Notification may have been considered
3 invalid and that the TVS Basin could potentially be designated as
4 "probationary" by the SWRCB and be put under the SWRCB
5 management;

6 **WHEREAS**, to mitigate this potential risk, and pursuant to discussions
7 between the District and the EDCWA, the EDCWA adopted Resolution No.
8 WA-11-2017 electing to be the GSA for the portion of the TVS Basin outside
9 of the District's service area boundary on June 14, 2017, submitted its GSA
10 Formation Notification to the DWR on June 15, 2017 ("2017 GSA Formation
11 Notification"), and was recognized as the exclusive GSA for this portion of
12 the TVS Basin on September 13, 2017 ("El Dorado County Water Agency
13 GSA");

14 **WHEREAS**, in anticipation of the EDCWA becoming the El Dorado
15 County Water Agency GSA for the portion of the TVS Basin outside of the
16 District's service area boundary, the District submitted a notice of intent to
17 withdraw as the South Tahoe Public Utility District GSA-2, which became
18 effective upon the El Dorado County Water Agency GSA being
19 recognized as the exclusive GSA for this area;

20 **WHEREAS**, the District and the EDCWA intend to continue to
21 cooperatively manage the TVS Basin and have agreed to implement the
22 Act in the TVS Basin;

23 **WHEREAS**, to this end, the District prepared and submitted to DWR,
24 with the EDCWA's support, both the 2014 GMP and an analysis of basin
25 conditions as alternatives to a Groundwater Sustainability Plan ("GSP");

26 **WHEREAS**, on July 17, 2019, DWR determined that the 2014 GMP
27 satisfied the objectives of the Act and approved it as an existing plan
28 alternative to a GSP ("DWR Approved Alternative"); and,

29 **WHEREAS**, the District and the EDCWA desire to continue to
30 cooperatively and sustainably manage groundwater resources within the

1 TVS Basin and to coordinate implementation of the DWR Approved
2 Alternative in accordance with the Act.

3 **WHEREAS**, the EDCWA will be considering whether to adopt a
4 resolution of intention to draft an updated 2014 GMP for the El Dorado
5 County Water Agency GSA;

6 **WHEREAS**, on May 8, 2020 and May 15, 2020, in accordance with
7 Water Code § 10753.2(a), the District published a notice of public hearing
8 on whether to adopt a resolution of intention to draft an updated 2014
9 GMP for the South Tahoe Public Utility District GSA;

10 **WHEREAS**, on May 21, 2020, the District held a public hearing to
11 consider whether to adopt a resolution of intention to draft an updated
12 2014 GMP for the South Tahoe Public Utility District GSA;

13 **WHEREAS**, the District believes the District and the EDCWA should
14 continue to cooperatively and sustainably manage groundwater
15 resources within the TVS Basin and coordinate implementation of the DWR
16 Approved Alternative in accordance with the Act.

17
18 **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

19 **1.** The Board of Directors of the District deems it advisable and in
20 the best interest of the District to draft an update to the 2014 GMP for the
21 South Tahoe Public Utility District GSA pursuant to Water Code section
22 10750 et seq.;

23 **2.** The District is authorized to draft an update to the 2014 GMP
24 for the South Tahoe Public Utility District GSA consistent with the DWR
25 Approved Alternative;

26 **3.** The District is authorized and directed to publish this Resolution
27 of intention to draft an update to the 2014 GMP for the South Tahoe
28 Public Utility District GSA pursuant to Water Code section 10753.3;

29 **4.** The General Manager is directed to take any additional
30 action necessary and appropriate to implement this Resolution.

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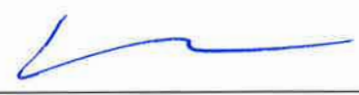
5. This Resolution shall take effect immediately.

WE, THE UNDERSIGNED, do hereby certify that the above and foregoing Resolution was duly and regularly adopted and passed by the Board of Directors of the South Tahoe Public Utility District at a meeting duly held on the 21st day of May, 2020, by the following vote:

AYES: CEFALU, VOGELGESANG, SHEEHAN, EXLINE

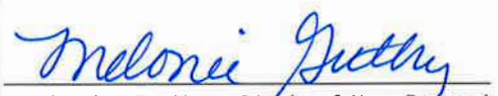
NOES: NONE

ABSENT: NONE



Randy Vogelgesang, Board President
South Tahoe Public Utility District

ATTEST:



Melonie Guttry, Clerk of the Board
South Tahoe Public Utility District