



BOARD OF SUPERVISORS
COUNTY OF BUTTE, STATE OF CALIFORNIA

Resolution No. 17-084

**RESOLUTION TO ESTABLISH THE BUTTE COUNTY GROUNDWATER SUSTAINABILITY AGENCY
IN THE VINA SUBBASIN**

WHEREAS, the Sustainable Groundwater Management Act (SGMA) of 2014 went into effect on January 1, 2015; and

WHEREAS, SGMA enables the State Water Resources Control Board to intervene in groundwater basins unless a local public agency or combination of local public agencies form a Groundwater Sustainability Agency or Agencies (GSA) by June 30, 2017 (Water Code §10735); and

WHEREAS, retaining local jurisdiction over water management and land use is essential to sustainably manage groundwater and to the vitality of Butte County's economy, communities, and environment; and

WHEREAS, any local public agency that has water supply, water management or land use responsibilities within a subbasin may elect to be a Groundwater Sustainability Agency (Water Code §10721 and §10723(a)); and

WHEREAS, counties are presumed to be the Groundwater Sustainability Agency for areas within a basin that is not within the management area of another Groundwater Sustainability Agency (Water Code §10724); and

WHEREAS, Butte County is eligible and presumed to be a Groundwater Sustainability Agency for the portions of the Vina, West Butte, East Butte, and Wyandotte Creek (formally North Yuba) subbasins in Butte County; and

WHEREAS, on October 13, 2015, after holding a public hearing and publication of notice pursuant to Government Code section 6066, the Butte County Board of Supervisors adopted Resolution No. 15-146, electing to become a GSA for all portions of Butte County that overlie the Vina, West Butte, East Butte, and Wyandotte Creek (formally the North Yuba) subbasins; and

WHEREAS, on November 3, 2015, Tehama County adopted Resolution 05-2015 electing to become a GSA for the portions of the Vina subbasin in Tehama County; and

WHEREAS, on November 17, 2015, Chico held a public hearing to determine whether to become a GSA and on November 17, 2015, Chico adopted Resolution No. 63-15, electing to become a GSA; and

WHEREAS, on September 22, 2016, the Rock Creek Reclamation District held a public meeting to determine whether to become a GSA and on October 18, 2016, the Rock Creek Reclamation District adopted Resolution No. 01, electing to become a GSA; and

WHEREAS, on January 1, 2016, legislation known as Senate Bill 13 took effect which among other things requires that if the proposed GSA management areas of two or more entities overlap, then none of the entities would be recognized as GSAs until the overlap was resolved or eliminated (Water Code §10723.8(c)); and

WHEREAS, the Butte County GSA area submitted through Resolution No. 15-146 overlap the GSA areas of the City of Chico and the Rock Creek Reclamation District and has prevented the establishment of GSAs as required by SGMA; and

WHEREAS, failing to eliminate the GSA overlaps and establish GSAs by June 30, 2017 will subject the respective basin to State Water Resources Control Board intervention that will result in the imposition of fees and the loss of local land use and water management authority; and

WHEREAS, pursuant to Water Code §10723.8(c), entities whose proposed GSA management areas overlap may modify their proposed management areas in order to eliminate overlaps, and such modification does not require a new notice of intent unless the modification would effect a "material change" to the previously submitted notice of intent; and

WHEREAS, Butte County, Tehama County, the City of Chico, and the Rock Creek Reclamation District support a cooperative and ongoing working relationship that will allow compliance with SGMA through eliminating GSA boundary overlaps and establish multi-GSA partnerships; and

WHEREAS, Butte County can resolve the overlap with the City of Chico and the Rock Creek Reclamation District by modifying its GSA notice with a revised GSA map which reflects that the Butte County GSA area will be the portions of the Vina subbasin not covered by the City of Chico or the Rock Creek Reclamation District; and

WHEREAS, the modified GSA filing would resolve the overlaps in the Vina subbasin and does not involve a material change requiring a new notice of intent; and

WHEREAS, Butte County, Tehama County, the City of Chico, and Rock Creek Reclamation District intend to advance SGMA compliance for the Vina subbasin through cooperation and partnership.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Butte hereby modifies its proposed GSA management areas in the Vina (5-21.57) subbasin by removing the overlap of the City of Chico and Rock Creek Reclamation District areas as depicted in the map attached as Exhibit A; and

BE IT FURTHER RESOLVED that the Butte County Department of Water and Resource Conservation is authorized to submit a modified GSA boundary and other related documents for the Vina subbasin.

PASSED AND ADOPTED by the Butte County Board of Supervisors this 23rd day of May, 2017 by the following vote:

AYES: Supervisors Wahl, Lambert, Teeter, and Chair Connelly

NOES: None

ABSENT: Supervisor Kirk

NOT VOTING: None



Bill Connelly, Chair
Butte County Board of Supervisors

ATTEST:

Paul Hahn, Chief Administrative Officer
and Clerk of the Board of Supervisors

By: 
Deputy

**Exhibit A:
Butte County Groundwater Sustainability Agency
In the Vina Subbasin**

