

IWVGA ADMINISTRATIVE OFFICE

MEMORANDUM

TO: IWVGA Board Members **DATE:** August 15, 2018

FROM: Phillip Hall, IWVGA Staff

SUBJECT: Resolution 06-19 – Resolution Adopting a Groundwater Extraction Owner and User Registration Form.

DISCUSSION

The attached Resolution formally adopts a Groundwater Extraction Owner and User Registration Form in compliance with Authority Ordinance No 01-19. As provided for in that Ordinance, all owners and users of Groundwater Extraction Facilities within the Indian Wells Valley Groundwater Basin must register with the authority through the use of the attached form. This form is not required if the property owner receives water from a public purveyor so long as that owner does not also own or receive water from a non-public purveyor's Groundwater Extraction Facility.

RECOMMENDATION

Adopt Resolution.

BEFORE THE BOARD OF DIRECTORS INDIAN WELLS VALLEY GROUNDWATER AUTHORITY

In the matter of:

Resolution No. 06-19

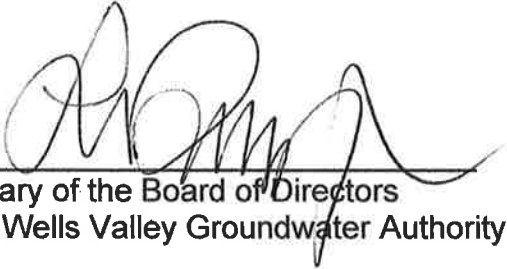
RESOLUTION ADOPTING A GROUNDWATER EXTRACTION OWNER AND USER REGISTRATION FORM

I, Lauren Duffy, Secretary of the Board of Directors for the Indian Wells Valley Groundwater Authority, do certify that the following resolution, on motion of Director Gleason, seconded by Director Hayman, was duly passed and adopted by the Board of Directors at an official meeting this 15th day of August, 2019, by the following vote:

AYES: Gleason, Hayman, Kicinski, Page, Vallejo

NOES: _____ 0 _____

ABSENT: _____ 0 _____



Secretary of the Board of Directors
Indian Wells Valley Groundwater Authority

WHEREAS:

- (a) The comprehensive groundwater legislation collectively enacted and referred to as the "Sustainable Groundwater Management Act" ("SGMA") initially became effective on January 1, 2015.
- (b) The stated purpose of SGMA, as set forth in California Water Code section 10720.1, is to provide for the sustainable management of groundwater basins at a local level by providing local groundwater agencies with the authority and technical and financial assistance necessary to sustainably manage groundwater.
- (c) SGMA further provides for and anticipates that the local groundwater agencies and federal governmental entities overlying a basin will form Groundwater Sustainable Agencies ("GSAs") for the

purpose of achieving groundwater sustainability through the adoption and implementation of Groundwater Sustainability Plans (“GSPs”) for the basin.

(d) The Indian Wells Valley Groundwater Authority (“Authority”) was formed for the purpose of cooperatively carrying out the requirements of SGMA, including, but not limited to, the funding, development, adoption and implementation of a GSP that achieves groundwater sustainability in the Indian Wells Valley Groundwater Basin (“Basin”), which is designated as basin number 6-54 in Department of Water Resources’ Bulletin No. 118.

(e) The Indian Wells Valley Groundwater Authority (“Authority”) is the exclusive GSA for the Basin.

(f) The Authority has adopted Ordinance No 01-19 which in relevant part requires that all owners and users of Groundwater Extraction Facilities within the Indian Wells Valley Groundwater Basin register their use with the Authority.

(g) The data in the attached form is requested and needed for the benefit of GSP drafting and implementation and as a result the failure to properly fill out the form and file it with the Authority could have detrimental impacts on the owner and/or user in the GSP.

(h) The Authority has reviewed and considered the environmental impacts of this action and concluded that this action is exempt from further environmental review pursuant to California Environmental Quality Act Guidelines section 15061(b)(3) because it can be seen with a certainty that this action will not have a significant effect on the environment.

THEREFORE IT IS RESOLVED by the Board of Directors of the Indian Wells Valley Groundwater Authority, as follows:

Section 1. This Board finds that the recited facts are true and that it has the jurisdiction to consider, approve, and adopt this Resolution.

Section 2. This Board finds that the this action is exempt from further environmental review pursuant to California Environmental Quality Act Guidelines section 15061(b)(3) because it can be seen with a certainty that this action will not have a significant effect on the environment.

Section 3. Groundwater Extraction Owner and User Registration Form. The attached Groundwater Extraction Owner and User Registration Form is hereby adopted as the registration form to be used in accordance with the requirements of Authority Ordinance No 01-19.

Section 4. Violations. Anyone that violates any provision of this Resolution shall be subject to possible civil penalties and civil action by the Authority. The Authority’s civil penalties and civil action rights are an additional right to those rights which may otherwise be prescribed to the Authority by Law. Additionally, as these forms will be used in the development and implementation of the GSP, any violations of this Resolution or Ordinance No 01-19 could have detrimental impacts on the owner and/or user in GSP.

Section 5. Severability. Should any provision of this Resolution, or its application, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise invalid, that determination shall have no effect on any other provision of this Resolution to that end, the provisions hereof are severable.