



**BOARD OF SUPERVISORS**  
COUNTY OF BUTTE, STATE OF CALIFORNIA

Resolution No. 17-170

**RESOLUTION IN SUPPORT OF  
THE AGRICULTURAL GROUNDWATER USERS OF BUTTE COUNTY INVOLVEMENT IN THE  
SUSTAINABLE GROUNDWATER MANAGEMENT ACT PROCESS**

**WHEREAS**, the Sustainable Groundwater Management Act of 2014 ("SGMA") provides local agencies (counties and cities with land-use authority and single and multipurpose special districts with water management authority) with the directive and authority to manage groundwater locally, with State oversight; and

**WHEREAS**, high and medium priority groundwater basins must develop and be managed under a Groundwater Sustainability Plan (GSP), which must be submitted to the California Department of Water Resources by January 31, 2022, for the subbasins within Butte County; and

**WHEREAS**, one of the steps in that process in Butte County is for eligible local agencies in each sub-basin to determine the make-up of a governance structure in their respective groundwater subbasin. The governance agencies, known as Groundwater Sustainability Agencies (GSAs), can be a single entity managing an entire basin or sub-basin or multiple entities; and

**WHEREAS**, in many counties throughout the Central Valley of California, including Butte County, which are subject to SGMA with high and medium priority sub-basins, there are tracts of land known as "white areas," which are areas within counties that are not within the boundaries of an otherwise eligible local agency; and

**WHEREAS**, pursuant to SGMA, these "white areas" may be covered and regulated by a county, or they may elect to annex through a Local Agency Formation Commission (LAFCo) process to an eligible local agency with SGMA authority, or petition LAFCo to form a new eligible local agency under SGMA such as a California Water District (Water Code Sections 34000 et.al.); and

**WHEREAS**, Butte County is located within the Sacramento Valley Basin, and the State has identified four subbasins within the Sacramento Valley Basin per DWR's Bulletin 118, partially located within Butte County: namely Vina, West Butte, East Butte, and Wyandotte Creek; and

**WHEREAS**, Butte County began a collaborative process in 2015 with all eligible local agencies to reach consensus within the County on principles of GSA formation and future SGMA governance. The goal of this process is to define a set of working principles that are shared among eligible local agencies and that consistently and constructively shape SGMA interaction and decision-making; and

**WHEREAS**, those principles include the following:

1. Maximize value of familiar structures and relationships;
2. Acknowledge all key interests of eligible local agencies;
3. Respect legally recognized rights;
4. Anticipate GSP requirements;
5. Make use of basin boundary adjustments;
6. Comply with SGMA regulations;
7. Identify opportunities to address interests of current non-GSA stakeholders;
8. Distribute costs in an equitable manner as possible;
9. Respect mutual interests in maintaining independent decision-making; and

**WHEREAS**, the “white areas” of Butte County within the four subbasins are not represented by other eligible local agencies and will therefore be represented by Butte County unless these areas choose to annex to an eligible local agency or form a new one; and

**WHEREAS**, some landowners in Butte County that are within these “white areas” have expressed interest to Butte County and the Butte LAFCo to explore the formation of a new California Water District to better represent their interests in the on-going stakeholder process; and

**WHEREAS**, the Agricultural Groundwater Users of Butte County recognizes and respects the leadership of Butte County and in its efforts to create a workable and cooperative structure to discuss GSP development and to identify GSAs among the existing eligible local agencies and eliminate overlap within the four subbasins by June 30, 2017; and

**WHEREAS**, the Agricultural Groundwater Users of Butte County recognizes and respects the leadership of Butte County to move forward to complete a comprehensive GSP by January 31, 2022; and

**WHEREAS**, inherent in this process and timeframe, Butte County will endeavor through the stakeholder process to develop a governance structure, for SGMA oversight of each of the four subbasins within Butte County consistent with the nine principles enumerated above; and

**WHEREAS**, principle number 7 above, recognizes that “private pumpers” in “white areas” can at any point now or in the future pursue formation of additional local agencies for purposes of water transfers, delivery, storage or other uses identified in the enabling legislation and perform such other activities typically performed by water districts; and

**WHEREAS**, Butte County recognizes the value of input into the SGMA process by the Agricultural Groundwater Users of Butte County, which is comprised of a group of landowners who farm in Butte County.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The County of Butte will continue to work with eligible local agency stakeholders within Butte County with the collaborative process to identify subbasin GSAs and an ultimate governance structure, and the Agricultural Groundwater Users of Butte County will openly and earnestly participate and cooperate in that process as “private pumpers”.
2. If, and when, the Agricultural Groundwater Users of Butte County desire to move forward with creation of a new California Water District or other type or eligible local agency with the dual purpose of: a) SGMA responsibility, and b) exercising powers and duties as a special district as authorized by the Water Code

for water purveyance and ancillary activities, Butte County will work constructively, cooperatively and collaboratively with landowners on the formation process of a new eligible local agency for involvement in SGMA issues.

3. As a governance structure for implementation of SGMA is discussed among, and ultimately decided by all eligible local agencies within the four subbasins within the County, the County of Butte and the Agricultural Groundwater Users of Butte County will work together to advocate for and implement landowner representation within each applicable governance structure/entity as applied to each of the four subbasins.
4. Furthermore, the County of Butte and the Agricultural Groundwater Users of Butte County support governance structures in each subbasin that will recognize and allow for new eligible local agencies to become members of the governance structure in compliance with SGMA.

**PASSED AND ADOPTED** by the Butte County Board of Supervisors this 10<sup>th</sup> day of October, 2017, by the following vote:

**AYES:** Supervisors Wahl, Lambert, Teeter, and Vice Chair Kirk

**NOES:** None

**ABSENT:** Chair Connelly

**NOT VOTING:** None

  
\_\_\_\_\_  
**Maureen Kirk**, Vice Chair  
Butte County Board of Supervisors

**ATTEST:**

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

By:   
Deputy