

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

Certified copy of portion of proceedings, Meeting of November 12, 2019

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION AUTHORIZING THE HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS TO SUBMIT AN APPLICATION TO THE CALIFORNIA DEPARTMENT OF WATER RESOURCES TO OBTAIN A SUSTAINABLE GROUNDWATER MANAGEMENT PLANNING GRANT FOR THE EEL RIVER VALLEY GROUNDWATER SUSTAINABILITY PLAN AND MONITORING WELL INSTALLATION PROJECT**

**WHEREAS**, the California Department of Water Resources (“DWR”) designated the Eel River Valley groundwater basin as a medium-priority basin for the initial prioritization under the Sustainable Groundwater Management Act (“SGMA”) which went into effect on January 1, 2015; and

**WHEREAS**, the medium-priority designation indicates that a basin has regional or statewide importance for water supply and does not imply that the basin is overdrafted or being managed unsustainably; and

**WHEREAS**, on October 6, 2015, the Humboldt County Board of Supervisors (“Board”) approved the formation of an Eel River Valley Groundwater Working Group consisting of stakeholders representing agricultural, municipal and environmental interests to provide input on organizing the local response to the requirements of SGMA for the Eel River Valley groundwater basin; and

**WHEREAS**, data and information on groundwater levels, groundwater use and groundwater/surface water interactions within the Eel River Valley groundwater basin were extremely limited in 2015; and

**WHEREAS**, on July 6, 2016, DWR awarded the County of Humboldt (“County”) a Proposition 1 Sustainable Groundwater Planning Grant in the amount Two Hundred and Fifty Thousand Dollars (\$250,000.00) to conduct geologic and hydrogeologic investigation activities in the Eel River Valley groundwater basin; and

**WHEREAS**, SGMA authorized local agencies to submit a Groundwater Sustainability Plan (“GSP”) Alternative by January 1, 2017, if the GSP Alternative demonstrates that the basin has operated within its sustainable yield over a period of ten (10) years and contains the functional equivalent of a GSP; and

**WHEREAS**, on December 13, 2016, the Board approved Resolution No. 16-142 authorizing the Humboldt County Department of Public Works (“Public Works”) to submit a GSP Alternative for the Eel River Valley groundwater basin; and

**WHEREAS**, the County deferred on formation of a Groundwater Sustainability Agency (“GSA”) because a GSP Alternative could be submitted by a local agency without forming a GSA; and

**WHEREAS**, on December 31, 2016, Public Works submitted a GSP Alternative for the Eel River Valley groundwater basin to DWR for review and approval; and

**WHEREAS**, Public Works performed annual monitoring and reporting activities for the Eel River Valley groundwater basin following submittal of the GSP Alternative; and

**WHEREAS**, in the 2018 SGMA Basin Prioritization process, the Eel River Valley groundwater basin received a score of 14.5 points, which was 0.5 points above the threshold for medium-priority designation; therefore, the basin continues to be classified as a medium-priority basin; and

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**WHEREAS**, on July 17, 2019, DWR issued a notification letter and staff report stating that DWR intends to not approve the GSP Alternative that was submitted for the Eel River Valley groundwater basin because the GSP Alternative did not contain all the required elements and did not provide sufficient evidence that the requirements for sustainable groundwater management had been performed for a period of ten (10) years; and

**WHEREAS**, on September 30, 2019, the County submitted a comment letter regarding DWR's review of the GSP Alternative for the Eel River Valley groundwater basin; and

**WHEREAS**, the County has not received notice of DWR's final determination on the GSP Alternative for the Eel River Valley groundwater basin, but is proceeding with the presumption that it will be disapproved; and

**WHEREAS**, SGMA requires that all medium-priority basins have an adopted GSP no later than January 31, 2022, if a GSP Alternative has not been approved; and

**WHEREAS**, SGMA authorizes the State Water Resources Control Board to intervene in a basin that is not covered by a GSA after June 30, 2017; and

**WHEREAS**, state intervention would result in mandatory fees and reporting requirements for groundwater users within the Eel River Valley groundwater basin; and

**WHEREAS**, the California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access for All Act of 2018 (Proposition 68) (California Public Resources Code Sections 80000, *et seq.*) authorized funds for competitive grants for projects that develop and implement groundwater plans and projects; and

**WHEREAS**, in September 2019, DWR released guidelines for the Sustainable Groundwater Management Grant Program's Planning Grant – Round 3 Solicitation (“Round 3 Planning Grants”); and

**WHEREAS**, eligible grantees must be GSAs or member agencies of GSAs; and

**WHEREAS**, a new applicant developing a GSP is eligible for a maximum grant of Two Million Dollars (\$2,000,000.00); and

**WHEREAS**, the Eel River Valley Groundwater Sustainability Plan and Well Monitoring Installation Project is eligible for a cost share waiver since it benefits an economically disadvantaged community; and

**WHEREAS**, following a two (2) week extension due to the statewide emergency declaration resulting from catastrophic wildfires and public safety power shutoffs, applications for Round 3 Planning Grants are due November 15, 2019.

**NOW, THEREFORE, THE HUMBOLDT COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES AS FOLLOWS:**

1. The County of Humboldt hereby commits to work collaboratively with water users and stakeholders to form a GSA for the Eel River Valley groundwater basin, based on a governance structure that provides appropriate representation for affected water users and stakeholders within the basin, by April 2020.

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

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- 2. The County of Humboldt hereby affirms its intent to consider forming an interim GSA prior to April 2020, while continuing to work toward forming a GSA with a more permanent governance structure, if necessary for grant eligibility or to forestall state intervention.
- 3. The Humboldt County Department of Public Works is hereby authorized, as a proxy for the future GSA, to prepare and submit an application to DWR to obtain a Round 3 Planning Grant pursuant to the Water Quality, Supply and Infrastructure Improvement Act of 2014 (Proposition 1) (California Water Code Sections 79700, *et seq.*) and/or the California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access for All Act of 2018 (Proposition 68) (California Public Resources Code Sections 80000, *et seq.*), and to enter into an agreement to accept and receive such Round 3 Planning Grant, if awarded, for the Eel River Valley Groundwater Sustainability Plan and Monitoring Well Installation Project.
- 4. The Director of the Humboldt County Department of Public Works, or a designee thereof, is hereby authorized and directed to prepare any and all necessary data, conduct investigations, file such application and execute a grant agreement with DWR and any amendments thereto.

Dated: November 12, 2019

\_\_\_\_\_  
 Rex Bohn, Chair  
 Humboldt County Board of Supervisors

Adopted on motion by Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_ and the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

STATE OF CALIFORNIA  
County of Humboldt

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

\_\_\_\_\_  
**KATHY HAYES**  
 Clerk of the Board of Supervisors of the  
 County of Humboldt, State of California