

FEATHER WATER DISTRICT  
RESOLUTION NUMBER 11/8/05- 01  
Adopting a Groundwater Management Plan

WHEREAS, in 1992, the State Legislature enacted AB.3030 (adding §§ 10750-10755.4 to the Water Code), declaring groundwater to be a valuable natural resource, and encouraging local agencies to work cooperatively to manage their groundwater resources by adopting and implementing groundwater management plans; and,

WHEREAS, in 2002, the State Legislature enacted SB 1938 (adding § 10753.7 to the Water Code), which added to and clarified the necessary components of a groundwater management plan. A groundwater management plan that satisfies said section is eligible for state funds to construct groundwater projects or other projects that directly affect groundwater levels or quality; and,

WHEREAS, Water Code § 10753.2 requires a local agency that is contemplating the adoption of a groundwater management plan to provide public notice of its intention prior to the consideration and adoption of a plan; such notice is made by publication prior to and subsequent the adoption of a "Resolution of Intention" to adopt a groundwater management plan; and,

WHEREAS, on July 1 and 8, 2005, the Board of Directors of Feather Water District caused to be published in the Appeal Democrat a Notice of Public Hearing on Whether to Adopt a Resolution of Intention to Draft a Groundwater Management Plan; and,

WHEREAS, on July 12, 2005, the Board of Directors held a duly noticed meeting and adopted Resolution of Intention 7/12/05-1, which authorized the District to cause to be drafted a groundwater management plan; said Resolution being published in the Appeal Democrat on August 1, 2005 in accordance with Water Code § 10753.3; and,

WHEREAS, the District is not authorized to make binding determinations of water rights in the adoption of a groundwater management plan, nor does such a plan authorize the District to limit or suspend extractions unless the District has determined through study and investigation that groundwater replenishment programs or other alternative sources of water supply have proved insufficient or infeasible to reduce the demand for groundwater; and,

WHEREAS, the adoption of a groundwater management plan is optional with local agencies; no other agency can manage groundwater within District boundaries without the District's prior written consent; agencies within the same groundwater basin may adopt coordinated groundwater management plans; and,

WHEREAS, a local agency that adopts a groundwater management plan may impose equitable annual fees and assessments for groundwater management to pay costs incurred for groundwater management, if approved by a majority of the votes cast at an election to authorize the levy of such assessments or fees; and,

WHEREAS, shortly after adopting the Resolution of Intention on July 12, 2005, the District caused to be drafted a groundwater management plan for the District; and,

WHEREAS, after the groundwater management plan was drafted, and in accordance with Water Code § 10753.5, the District caused to be published in the Appeal Democrat on October 4, 2005, a second notice of the District's intent to adopt a groundwater management plan, which was now drafted and subject to public review; and,

WHEREAS, on October 11, 2005, the District held its second public meeting on whether to adopt its draft groundwater management plan; and,

WHEREAS, at the October 11, 2005, second public meeting the Board received no oral or written comments or protests from members of the public or landowners or water users with the District regarding the proposed groundwater management plan; and,

NOW, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE FEATHER WATER DISTRICT AS FOLLOWS:

Section 1 – No majority protest, as it is defined in Water Code § 10753.6, exists with regard to whether the District should adopt this groundwater management plan as drafted.

Section 2 – The Board has reviewed the groundwater management plan and finds it acceptable for the District's needs.

Section 3 – The Board does hereby adopt the proposed groundwater management plan.

Section 4 – This plan shall be made available for distribution to other federal, state, and local agencies.

PASSED AND ADOPTED this 8<sup>th</sup> day of November, 2005, by the following roll call vote:

AYES: 3

NOES: 0

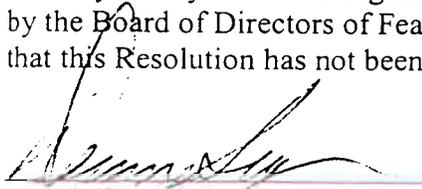
ABSENT: 2



Neill Mitchell, President

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I hereby certify that the foregoing is a full, true, and correct copy of a resolution passed and adopted by the Board of Directors of Feather Water District at a meeting held on November 8, 2005, and that this Resolution has not been revoked and is now in full force and effect.



Dennis Serger, Secretary

Date: 11/8/05