

HAYWARD CITY COUNCIL

RESOLUTION NO. 17-_____

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE EAST BAY MUNICIPAL UTILITY DISTRICT TO WORK COOPERATIVELY TO DEVELOP A SINGLE GROUNDWATER SUSTAINABILITY PLAN THAT COVERS THE ENTIRE EAST BAY PLAIN SUBBASIN, AND SUPPORTING EBMUD'S GRANT APPLICATION FOR FUNDING ASSISTANCE TO PREPARE A GROUNDWATER SUSTAINABILITY PLAN.

WHEREAS, the California Legislature has adopted, and the Governor has signed into law, the Sustainable Groundwater Management Act of 2014 ("SGMA"), which authorizes local agencies to ensure sustainable management of groundwater resources; and

WHEREAS, SGMA requires that by January 31, 2022, all groundwater basins designated by the California Department of Water Resources ("DWR") as high- or medium-priority basins that are not subjected to critical conditions of overdraft be managed under a single Groundwater Sustainability Plan ("GSP"), coordinated GSPs prepared by the Groundwater Sustainability Agency or Agencies ("GSA") managing the basin, or an alternative plan, as provided for in Cal. Water Code Section 10720.7(a); and

WHEREAS, the East Bay Plain Subbasin 2-009.04 ("East Bay Plain Subbasin") is categorized as a medium-priority groundwater basin and subject to the provisions of SGMA; and

WHEREAS, Hayward and the East Bay Municipal Utility District (EBMUD) are the exclusive GSAs for their respective management areas in the East Bay Plain Subbasin; and

WHEREAS, Hayward and EBMUD have agreed that working cooperatively to prepare a single GSP that covers the entire East Bay Plain Subbasin would be feasible and mutually beneficial; and

WHEREAS, Hayward and EBMUD intend to negotiate in good faith to develop a cooperating agreement that would set forth the roles and responsibilities of each party to ensure SGMA compliance and sustainable management of the East Bay Plain Subbasin; and

WHEREAS, both parties desire to enter into a Memorandum of Understanding that would serve as a framework for developing the cooperating agreement; and

WHEREAS, Under Proposition 1, approved by the voters in November 2014, DWR has established the Sustainable Groundwater Planning Grant Program to provide funds for GSP development and implementation, for which Hayward and EBMUD are eligible to apply for funding for the East Bay Plain Subbasin; and

WHEREAS, EBMUD has agreed to serve as the lead agency for submitting a grant application and, if successful, administering the grant; and

WHEREAS, Hayward is committed to providing its full support to this funding assistance opportunity.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby authorizes the City Manager to execute a Memorandum of Understanding with the East Bay Municipal Utility District to work cooperatively to develop a single Groundwater Sustainability Plan that covers the entire East Bay Plain Subbasin,

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Hayward hereby fully supports East Bay Municipal Utility District's Sustainable Groundwater Planning grant application.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2017

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward