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November 18, 2015

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**NOTICE OF CITY OF LIVE OAK'S INTENT TO SERVE AS GROUNDWATER
SUSTAINABILITY AGENCY FOR A PORTION OF THE EAST BUTTE SUBBASIN**

This letter constitutes notice to the Department of Water Resources (DWR), pursuant to Water Code sections 10723(d) and 10723.8, of the City of Live Oak's (the City") intent to undertake sustainable groundwater management of the East Butte Subbasin (the Basin) as a Groundwater Sustainability Agency (GSA) pursuant to the Sustainable Groundwater Management Act (SGMA). This notice of intent is timely filed within 30 days of the date the City Council for the City of Live Oak's (Council) approved a resolution electing to serve as a GSA. The resolution is attached hereto as Exhibit A and a map showing the City's service area and City's sphere of influence is attached to the Resolution as an exhibit. The City's proposed GSA

management area is coterminous with the City's Sphere of Influence, but excludes the portion of the East Butte Subbasin that is within the City's Sphere of Influence that is currently covered by the Butte Water District's Election to Serve as Groundwater Sustainability Agency. No new bylaws, ordinances, or other new authorities were adopted in connection with this Resolution to serve as GSA.

Sutter Extension Water District, County of Butte, Western Canal Water District, Richvale Irrigation District, Butte Water District (Sutter and Butte Counties), and Biggs-West Gridley Water District (Sutter and Butte Counties) have submitted an intent to serve as GSA for the Basin and DWR has posted said notices pursuant to Water Code section 10733.3. It does not appear that there is any overlap between any of the proposed GSAs. Should they elect to serve as GSAs, the GSA management areas of City of Gridley, City of Biggs; and County of Sutter may be near, adjacent to, or overlapping the City's proposed GSA management area.

Interested parties within the City's proposed GSA management area, determined pursuant to Water Code section 10723.2, include:

- (a) Holders of overlying groundwater rights, including:
 - (1) Agricultural users - the area is comprised primarily of urban area so agricultural users are limited in quantity.
 - (2) Domestic well owners - There are minimal domestic wells within the GSA, however, based on current and likely future groundwater conditions in the Basin, it is possible that the Groundwater Sustainability Plan (GSP) may exclude domestic wells.
- (b) Municipal well operators - City of Live Oak
- (c) Public water systems - City of Live Oak
- (d) Local land use planning agencies - Sutter County and City of Live Oak. Sutter County was notified of the City's notice of intention to serve as a GSA.
- (e) Environmental users of groundwater - There are environmental users of groundwater near the City's proposed GSA management area. These environmental users pump groundwater to provide habitat to migrating waterfowl and other species.
- (f) Surface water users, if there is a hydrologic connection between surface and groundwater bodies - n/a
- (g) The federal government, including, but not limited to, the military and managers of federal lands - n/a none within the City's proposed GSA management area.
- (h) California Native American tribes - n/a none within the City's proposed GSA management area.
- (i) Disadvantaged communities, including, but not limited to, those served by private domestic wells or small community water systems - City of Live Oak.

- (j) Entities listed in Section 10927 that are monitoring and reporting groundwater elevations in all or a part of a groundwater basin managed by the groundwater sustainability agency – City of Live Oak

Under Water Code section 10723.8(a)(4), this notice must explain how the interests of the interested parties identified above will be considered in the development and operation of the GSA and the development and implementation of the GSP. The City is committed to an open and inclusive process to implement SGMA. Interested parties will have opportunities, both formal and informal, to provide input to the City throughout the process of developing, operating, and implementing the GSA and GSP. Such opportunities may include, but are not limited to, public comment periods required by SGMA (e.g., Water Code section 10728.4); opportunities for public comment during the City's regular and special council meetings; and at other times to be determined and noticed pursuant to Water Code section 10727.8(a)).

Very Truly Yours,



Nicole D. Delerio
City Attorney
City of Live Oak

RESOLUTION NO 34-2015
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIVE OAK
APPROVING THE ELECTION TO SERVE AS GROUNDWATER
SUSTAINABILITY AGENCY

WHEREAS, the Sustainable Groundwater Management Act of 2014 (“SGMA”) was signed into law on September 16, 2014 and became effective on January 1, 2015; and

WHEREAS, SGMA requires that each California groundwater basin or sub-basin be managed by a Groundwater Sustainability Agency (“GSA”), or multiple GSAs, and that such management be implemented pursuant to an approved Groundwater Sustainability Plan (“GSP”) or multiple GSPs; and

WHEREAS, the City of Live Oak (“City”) overlies a sub-basin of the Sacramento Valley Groundwater Basin known as the East Butte Sub-basin (Basin No. 5-21.59 in the Department of Water Resources’ CASGEM system), an unadjudicated groundwater basin overlying portions of Butte and Sutter Counties (the “Basin”); and

WHEREAS, Water Code Section 10723(a) authorized any local agency or combination of local agencies overlying a groundwater basin to elect to be a GSA for that basin; and

WHEREAS, Water Code Section 10721(j) defines a GSA as one or more local agencies that implement the provisions of SGMA; and

WHEREAS, the City, a local public agency overlying the Basin, is authorized to be a GSA for the Basin; and

WHEREAS, retaining local jurisdiction over sustainable groundwater management and land use is beneficial to the health, safety, and welfare of City residents; and

WHEREAS, the City is in a unique position and shall consider the interests of all beneficial users of groundwater, and those responsible for implementing groundwater sustainability plans as required by SGMA; and

WHEREAS, SGMA requires that a local agency electing to become a GSA must notify the Department of Water Resources of its intent to undertake sustainable groundwater management within a basin; and

WHEREAS, the City intends to work cooperatively with other local agencies to manage the aforementioned groundwater basins in a sustainable fashion;

WHEREAS, adoption of this Resolution does not constitute a "Project" under the California Environmental Quality Act ("CEQA") pursuant to Sections 15378(a) and (b) of Title 14 of the California Code of Regulations because this Resolution does not result in direct or indirect physical change in the environment; and

WHEREAS, notice of a public hearing to consider whether the City should elect to be a GSA for the Basin, a copy of which is attached hereto as **Exhibit A**, was published in the Marysville Appeal Democrat, on October 21, 2015, and again on October 28, 2015, pursuant to section 6066 of the Government Code, as required by section 10723(b) of the Water Code; and

WHEREAS, courtesy copies of the hearing notice were also sent to each of the Basin's other potential GSAs, including the Boards of Supervisors of Butte and Sutter Counties, City Council for City of Gridley and City of Biggs, Richvale Irrigation District, Western Canal Water District, Biggs-West Gridley Water District, Sutter Extension Water District, and Butte Water District;

WHEREAS, the City held a public hearing at which the City Council considered whether the City should become a GSA for the Basin; and

WHEREAS, it would be in the best interest of the City to become a GSA for the Basin;

NOW, THEREFORE, BE IT RESOLVED, ORDERED, AND DIRECTED that:

1. The City hereby elects to be the exclusive Groundwater Sustainability Agency for at least that portion of the East Butte Sub-basin that is within the City's Sphere of Influence and excepting any area currently covered by the Butte Water District's Election to Serve as Groundwater Sustainability Agency, and as further depicted on the map attached hereto as **Exhibit B**, which is incorporated herein by this reference.
2. Within 30 days of the date of this Resolution, the City Manager or his designee is directed to submit a notice of the City's intent to the Department of Water Resources, pursuant to Water Code section 10723.8(a).
3. The City Manager or his designee shall, after complying with Water Code section 10727.8, begin the process of developing the City's Groundwater Sustainability Plan for the Basin in accordance with all applicable statutes and regulations.
4. The City Manager or his designee shall create and maintain a list of persons interested in receiving notices concerning the City's SGMA process pursuant to section 10723.4 of the Water Code.

5. The City Manager or his designee shall provide regular progress reports on the SGMA implementation process to the Council at least quarterly.

6. The City Manager or his designee shall engage with other GSAs to discuss potential modification to the boundaries of the Basin.

THIS RESOLUTION WAS PASSED AND ADOPTED by the City Council for the City of Live Oak, State of California, at the meeting held on the 4th Day of November, 2015, by the following vote:

AYES: Council Members Banks, Baland, Vice-Mayor Ghag and Mayor Hodges
NOES: None
ABSENT: Council Member Alvarado
ABSTAIN: None

APPROVED:



Diane Hodges
Diane Hodges, Mayor

ATTEST:

Melissa Dempsey
Melissa Dempsey, City Clerk

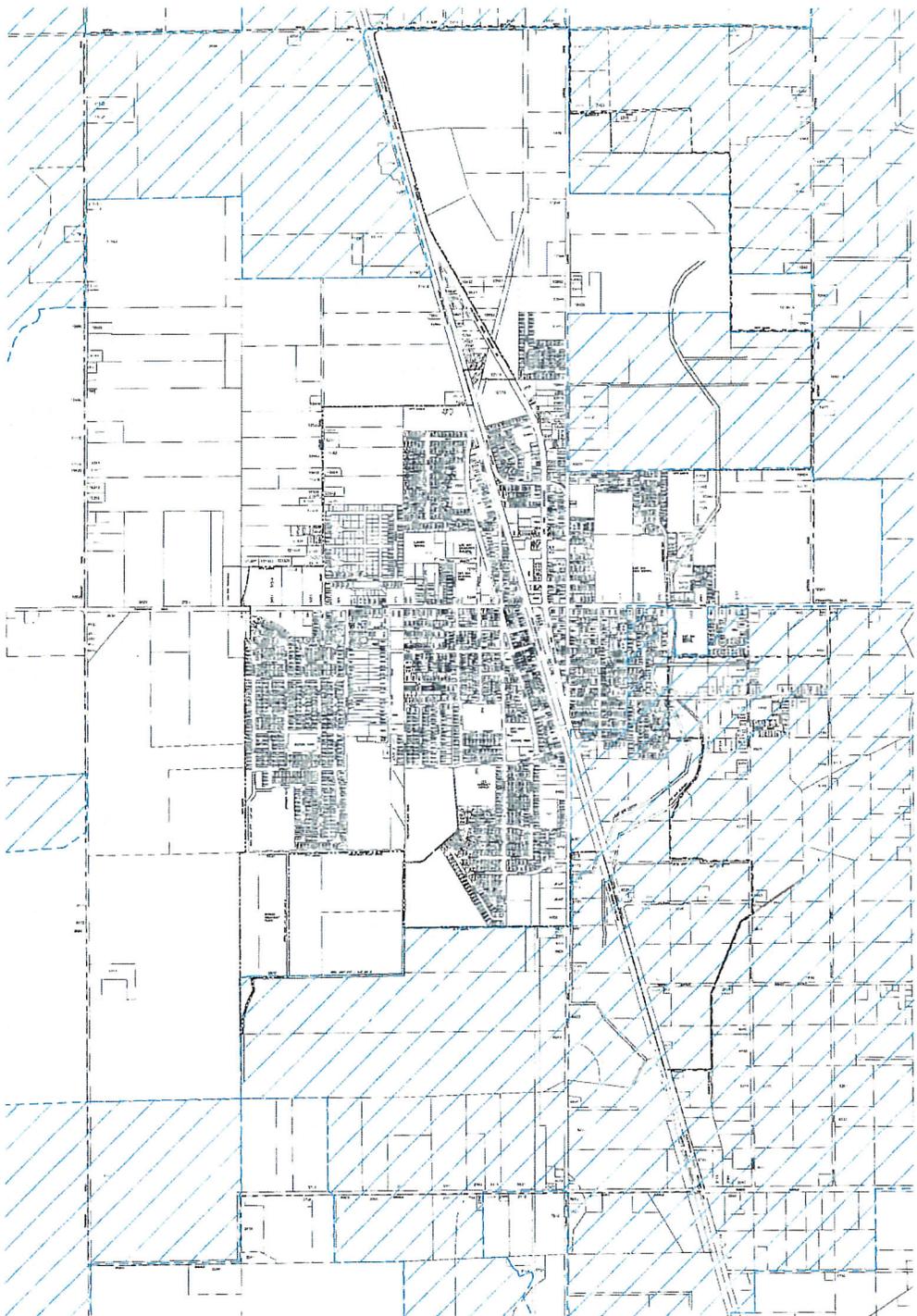
APPROVED AS TO FORM:

Nicole Delerio
Nicole D. Delerio, City Attorney

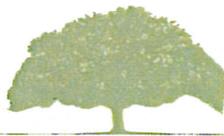
EXHIBIT A

CITY OF LIVE OAK Notice of Public Hearing- Election to Become Groundwater Sustainability Agency Under the Sustainable Groundwater Management Act NOTICE IS HEREBY GIVEN that, pursuant to Water Code section 10723, City of Live Oak will hold a public hearing during a meeting on November 4, 2015, commencing at 6:00 PM at the Live Oak City Hall - Council Chambers at 9955 Live Oak Blvd., Live Oak, CA, 95953, to determine whether the City will elect to become a Groundwater Sustainability Agency for a portion of the East Butte Subbasin of the Sacramento Valley Groundwater Basin. Written comments may be submitted to the City, Attn: Jim Goodwin, no later than 5:00 pm. on November 4, 2015, to 9955 Live Oak Blvd., Live Oak, CA, 95953, or by hand delivery to the address above. During the hearing, the City will allow oral comments, and will receive additional written comments before making a decision. The presiding officer may limit oral comments to a reasonable length.

Published: October 21, 2015 and October 28, 2015



Address Map



LIVE OAK

CALIFORNIA



Legend

- STREET ADDRESS
- STREET ALLEYS (VACANT)
- PLANNING AREA
- CITY LIMITS
- ROUTE 101 SAN COUNTY

Prepared by
RAR
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 DATE: JANUARY, 2011