

SAN GORGONIO PASS GROUNDWATER SUSTAINABILITY AGENCY

Special Meeting Agenda

January 12, 2022 at 10:00 a.m.

AS PERMITTED UNDER AB 361, IN AN EFFORT TO PROTECT PUBLIC HEALTH, PREVENT THE SPREAD OF COVID-19 (CORONAVIRUS), AND BECAUSE STATE AND/OR LOCAL OFFICIALS ARE RECOMMENDING MEASURES TO PROMOTE SOCIAL DISTANCING, THE PUBLIC MAY VIEW THIS MEETING ONLINE. THERE WILL BE NO PUBLIC LOCATION FOR ATTENDING THIS BOARD MEETING IN PERSON. MEMBERS OF THE PUBLIC MAY LISTEN AND PROVIDE PUBLIC COMMENT VIRTUALLY BY CALLING THE FOLLOWING NUMBER: 669-900-6833; MEETING ID: 838 2772 8134 OR VIA ZOOM: [Zoom Link Board Meeting](#)

1. Call to Order
2. Pledge of Allegiance
3. Approval of Agenda
4. [Adopt Resolution No. 2022-01 Authorizing Remote Teleconference/Virtual Meetings of San Gorgonio Pass Groundwater Sustainability Agency](#)
5. Public Comment
6. Election of Chair
7. Presentation by Staff on Groundwater Sustainability Plan
8. Public Hearing
9. [Consideration of Resolution 2022-02, a Resolution to Approve and Adopt the San Gorgonio Pass Subbasin Groundwater Sustainability Plan](#)
10. Member Comments
11. Adjourn



RESOLUTION NO. 2022-01

A RESOLUTION OF THE SAN GORGONIO PASS GROUNDWATER SUSTAINABILITY AGENCY AUTHORIZING REMOTE TELECONFERENCE/VIRTUAL MEETINGS OF THE LEGISLATIVE BODY FOR THE PERIOD OF JANUARY 12, 2022 TO FEBRUARY 11, 2022 PURSUANT TO BROWN ACT PROVISIONS

WHEREAS, the San Gorgonio Pass Groundwater Sustainability Agency (GSA) is committed to preserving and nurturing public access and participation in meetings of the Board. Meetings of the GSA (“Legislative Body”) are open and public, as required by the Ralph M. Brown Act (Government Code Sections 54950 – 54963); and

WHEREAS, the Brown Act makes provisions for remote teleconferencing participation subject to the existence of certain conditions. A required condition is that a state of emergency is declared by the Governor. It is further required that state or local officials have imposed or recommended measures to promote social distancing, or, meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the GSA, specifically, on March 4, 2020, the Governor proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19. In addition, state officials have issued orders imposing or recommending social distancing measures, specifically, the California Department of Public Health has stated that one of the steps that can be taken to slow the spread of COVID-19 is to: “Stay at least 6 feet away from others, whenever possible. This is called social distancing. This is very important in preventing the spread of COVID-19;” and

WHEREAS, as a consequence of the State of Emergency and the social distancing recommendations mentioned above, the GSA shall conduct meetings of the Legislative Body without compliance with Government Code Section 54953(b)(3), as authorized by Government Code Section 54953(e), and the Legislative Body shall comply with the requirements to provide the public with access to the meetings as prescribed in Government Code Section 54953(e)(2); and

WHEREAS, as permitted under AB 361, the GSA will provide the public with the ability to view meetings online. Members of the public who wish to provide comment may make comments virtually.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SAN GORGONIO PASS GROUNDWATER SUSTAINABILITY AGENCY AS FOLLOWS:

1. Incorporation Of Recitals The Recitals in this Resolution are true and correct and the Board so finds, determines and represents. Said Recitals are incorporated herein and made a part of this Resolution.

2. Authority To Implement Designees of the Legislative Body are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code Section 54953(e) and other applicable provisions of the Brown Act.

3. Effective Date This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of: (a) February 11, 2022; or (b) such time as the Legislative Body adopts a subsequent resolution in accordance with Government Code Section 54953(e)(3) to extend the time during which the Legislative Body may continue to teleconference without compliance with Government Code Section 54953(b)(3).

4. Severability If any section, subsection, clause or phrase in this Resolution is for any reason held invalid, the validity of the remainder of this Resolution shall not be affected thereby. The Legislative Body hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof be held invalid.

ADOPTED AND APPROVED this 11th day of January, 2022.

Chair

RESOLUTION 2022-02

A RESOLUTION OF THE BOARD OF THE SAN GORGONIO PASS GROUNDWATER SUSTAINABILITY AGENCY ADOPTING THE GROUNDWATER SUSTAINABILITY PLAN FOR THE SAN GORGONIO PASS SUBBASIN

WHEREAS, the California Legislature passed a statewide framework for sustainable groundwater management, known as the Sustainable Groundwater Management Act (California Water Code Section 10720 *et seq.*), pursuant to Senate Bill 1168, Senate Bill 1319, and Assembly Bill 1739, which was approved by the Governor and Chaptered by the Secretary of State on September 16, 2014; and

WHEREAS, the Sustainable Groundwater Management Act (SGMA) went into effect on January 1, 2015; and

WHEREAS, SGMA requires all high and medium-priority basins, as designated by the California Department of Water Resources (DWR) Bulletin 118 to be managed by one or more Groundwater Sustainability Agencies (GSA's); and

WHEREAS, the San Gorgonio Pass Subbasin has been designated by DWR as a medium-priority basin (Bulletin 118 Groundwater Basin: 7-021.04); and

WHEREAS, the San Gorgonio Pass Water Agency, the City of Banning, Cabazon Water District, and the Banning Heights Mutual Water Company (participating by Memorandum of Agreement) formed the San Gorgonio Pass GSA and chose, on March 28, 2017, to become the San Gorgonio Pass Groundwater Sustainability Agency (San Gorgonio Pass GSA), one of three GSA's in the Subbasin; and

WHEREAS, each forming member of the GSA has appointed a representative to serve as its respective representative to the San Gorgonio Pass GSA; and

WHEREAS, SGMA requires, pursuant to Water Code Sections 10720.7 and 10727, that a Groundwater Sustainability Plan (GSP) or multiple GSP's be developed and implemented by January 31, 2022 for each medium-priority basin; and

WHEREAS, the San Gorgonio Pass GSA, in concert with the Verbenia GSA and the Desert Water Agency GSA, has prepared a GSP for the San Gorgonio Pass Subbasin in accordance with Water Code Section 10727.2, as required by SGMA; and

WHEREAS, the San Gorgonio Pass GSA Board of Directors has had the opportunity to review the most current version of the GSP; and

WHEREAS, the San Gorgonio Pass GSA, the Verbenia GSA, and the Desert Water Agency GSA gave notice on September 17, 2021, pursuant to Water Code Section 10728.4, to the County of Riverside and the City of Banning regarding their intent to adopt a GSP; and

WHEREAS, the San Gorgonio Pass GSA held a public hearing on January 12, 2022 for the purpose of receiving public comment and considering adoption of a GSP for the San Gorgonio Pass Subbasin; and

WHEREAS, upon adoption of a GSP, Water Code Section 10733.4 requires that GSP to be submitted by an authorized plan manager to DWR for review; and

WHEREAS, in accordance with Cal. Code Regs., tit. 23, Sections 351(z) and 353.4, the San Gorgonio Pass GSA hereby authorizes Provost and Pritchard (Plan Manager), or designee, as the authorized representative of the San Gorgonio Pass GSA to do the following on behalf of the San Gorgonio Pass GSA: (a) submit the GSP to DWR; (b) submit the First Annual Report; and (c) to otherwise serve as the point of contact with DWR on behalf of the San Gorgonio Pass GSA with respect the San Gorgonio Pass GSP and First Annual Report; and

WHEREAS, The San Gorgonio Pass GSA Board finds that pursuant to Public Resources Code § 20165 and CEQA Guidelines § 15378(a), the adoption of the GSP is not a “project” subject to CEQA. The Board further finds that even if the adoption is a project, the adoption is exempt from CEQA pursuant to Water Code Section 10728.6 and CEQA Guidelines Section 15061(b)(3) and Section 15300.2. The Board hereby directs that all documents and other materials constituting the record of proceedings related to the adoption of the GSP be maintained by the General Manager of the San Gorgonio Pass GSA, or his designee, on file at the San Gorgonio Pass Groundwater Sustainability Agency, 1210 Beaumont Avenue, Beaumont, CA. The Board of Directors directs Staff to file a Notice of Exemption with the County Clerk for the County of Riverside.

NOW, THEREFORE, BE IT RESOLVED by the San Gorgonio Pass Groundwater Sustainability Agency as follows:

1. The forgoing is true and correct and incorporated herein by this reference.
2. The GSP in the form presented this day to the San Gorgonio Pass GSA is hereby approved and adopted.
3. The Plan Manager named above, or designee, is hereby authorized and directed to submit the GSP to DWR and to serve as the point of contact with DWR on behalf of the San Gorgonio Pass GSA consistent with the authorization described above and the requirements contained within the GSP Regulations. Without limiting the foregoing, the Plan Manager is hereby authorized to provide to DWR all information required by SGMA and necessary for DWR’s evaluation of the San Gorgonio Pass GSP thereunder, to submit the Annual Report required under SGMA, and to take such further actions as may be necessary to effectuate the purposes of this Resolution.
4. The San Gorgonio Pass GSA Board finds that pursuant to Public Resources Code § 20165 and CEQA Guidelines § 15378(a), the adoption of the GSP is not a “project” subject to CEQA. The Board further finds that even if the adoption is a project, the adoption is exempt from CEQA pursuant to Water Code Section 10728.6 and CEQA Guidelines Section 15061(b)(3) and Section 15300.2. The Board hereby directs that all documents and other materials constituting the record of proceedings related to the adoption of the GSP be maintained by the General Manager of the San Gorgonio Pass Groundwater Sustainability Agency, or his designee, on file at the San Gorgonio Pass Groundwater Sustainability Agency, 1210 Beaumont Avenue, Beaumont, CA. The Board of Directors directs Staff to file a Notice of Exemption with the County Clerk for the County of Riverside.

PASSED AND ADOPTED by the San Geronio Pass Groundwater Sustainability Agency, this 12th day of January, 2022, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Chair