

RESOLUTION 2021-09

RESOLUTION OF SAN GORGONIO PASS WATER AGENCY ADOPTING A WATER SHORTAGE CONTINGENCY PLAN

WHEREAS, The California Urban Water Management Planning Act, (Wat. Code § 10610, et seq. (the Act)), mandates that every urban supplier of water providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre feet of water annually, prepare and adopt, in accordance with prescribed requirements, a Water Shortage Contingency Plan (WSCP) as part of its 2020 Urban Water Management Plan (2020 Plan); and

WHEREAS, the Act specifies the requirements and procedures for adopting such WSCPs; and

WHEREAS, pursuant to recent amendments to the Act, urban water suppliers are required to adopt and electronically submit their WSCPs to the California Department of Water Resources (DWR) by July 1, 2021; and

WHEREAS, pursuant to the Act, “urban water supplier” means a supplier, either publicly or privately owned, providing water for municipal purposes either directly or indirectly to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually. An urban water supplier includes a supplier or contractor for water, regardless of the basis of right, which distributes or sells for ultimate resale to customers; and

WHEREAS, SAN GORGONIO PASS WATER AGENCY meets the definition of an urban water supplier for purposes of the Act and is required to prepare and adopt and WSCP as part of its 2020 Plan; and

WHEREAS, SAN GORGONIO PASS WATER AGENCY has prepared a WSCP in accordance with the Act, and in accordance with applicable legal requirements, has undertaken certain coordination, notice, public involvement, public comment, and other procedures in relation to its WSCP; and

WHEREAS, in accordance with the Act, SAN GORGONIO PASS WATER AGENCY has prepared its WSCP with its own staff, with the assistance of consulting professionals, and in cooperation with other governmental agencies, and has utilized and relied upon industry standards and the expertise of industry professionals in preparing its WSCP, and has also utilized DWR’s Urban Water Management Plan Guidebook 2020, including its related appendices, in preparing its WSCP; and

WHEREAS, in accordance with applicable law, including Water Code section 10642, and Government Code section 6066, a Notice of a Public Hearing regarding SAN GORGONIO PASS WATER AGENCY’s WSCP was published within the jurisdiction of SAN GORGONIO PASS WATER AGENCY on June 4, 2021 and June 11, 2021; and

WHEREAS, in accordance with applicable law, including but not limited to Water Code section 10642, a public hearing was held on June 21, 2021 at 1:30 pm, or soon thereafter, by teleconference (1-669-900-6833; Meeting ID 817 7335 3899) and by Zoom: <https://us02web.zoom.us/j/81773353899> in order to provide members of the public and other

interested entities with the opportunity to be heard in connection with proposed adoption of the WSCP and issues related thereto; and

WHEREAS, pursuant to said public hearing on SAN GORGONIO PASS WATER AGENCY's WSCP, SAN GORGONIO PASS WATER AGENCY, among other things, encouraged the active involvement of diverse social, cultural, and economic members of the community within SAN GORGONIO PASS WATER AGENCY's service area with regard to the WSCP, and encouraged community input regarding SAN GORGONIO PASS WATER AGENCY's WSCP; and

WHEREAS, SAN GORGONIO PASS WATER AGENCY has reviewed and considered the purposes and requirements of the Act, the contents of the WSCP, and the documentation contained in the administrative record in support of the WSCP, and has determined that the factual analyses and conclusions set forth in the WSCP are legally sufficient; and

WHEREAS, SAN GORGONIO PASS WATER AGENCY desires to adopt the WSCP and to incorporate it as part of its 2020 Plan prior to July 1, 2021 in order to comply with the Act; and

WHEREAS, Section 10652 of the California Water Code provides that the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) (CEQA) does not apply to the preparation and adoption of a WSCP as part of Plan pursuant to California Water Code section 10632.

NOW THEREFORE BE IT RESOLVED, the BOARD OF DIRECTORS of SAN GORGONIO PASS WATER AGENCY hereby resolves as follows:

1. All of the above recitals are true;
2. The Water Shortage Contingency Plan (WSCP), attached hereto as Exhibit A, is hereby adopted as amended by changes incorporated by SAN GORGONIO PASS WATER AGENCY as a result of input received (if any) at the public hearing and ordered filed with the Secretary of SAN GORGONIO PASS WATER AGENCY and shall be incorporated into SAN GORGONIO PASS WATER AGENCY's 2020 Plan;
3. The GENERAL MANAGER is hereby authorized and directed to include a copy of this Resolution in SAN GORGONIO PASS WATER AGENCY's WSCP and/or in SAN GORGONIO PASS WATER AGENCY's 2020 Plan;
4. The GENERAL MANAGER is hereby authorized and directed, in accordance with Water Code sections 10621(d) and 10644(a)(1)-(2), to electronically submit a copy of the WSCP, as part of its 2020 Plan, to DWR no later than July 1, 2021;
5. The GENERAL MANAGER is hereby authorized and directed, in accordance with Water Code section 10644(a), to submit a copy of the WSCP, as part of its 2020 Plan, to the California State Library, and to any city or county within which SAN GORGONIO PASS WATER AGENCY provides water supplies no later than thirty (30) days after this adoption date;

6. The GENERAL MANAGER is hereby authorized and directed, in accordance with Water Code section 10645, to make the WSCP available for public review at SAN GORGONIO PASS WATER AGENCY's offices during normal business hours and on its website at www.sgpwa.com no later than thirty (30) days after filing a copy of the WSCP, as part of its 2020 Plan, with DWR;
7. The GENERAL MANAGER is hereby authorized and directed to implement the WSCP in accordance with the Act and to provide recommendations to SAN GORGONIO PASS WATER AGENCY regarding the necessary budgets, procedures, rules, regulations, or further actions to carry out the effective and equitable implementation of the WSCP.
8. SAN GORGONIO PASS WATER AGENCY finds and determines that this resolution is not subject to CEQA pursuant to Water Code Section 10652 because CEQA does not apply to the preparation and adoption of a WSCP or to the implementation of the actions taken pursuant to such plans. Because this resolution comprises SAN GORGONIO PASS WATER AGENCY's adoption of its WSCP and involves its implementation, no CEQA review is required.
9. Pursuant to CEQA, staff is directed to file a Notice of Exemption with the RIVERSIDE COUNTY CLERK and the SAN BERNARDINO COUNTY CLERK within five (5) working days of adoption of this resolution.
10. The document and materials that constitute the record of proceedings on which this resolution and the above findings have been based are located at 1210 Beaumont Avenue, Beaumont, CA. The custodian for these records is the GENERAL MANAGER.

ADOPTED, this 21st Day of June, 2021, by the following vote.

Ayes:
Noes:
Abstain:
Absent:

President, Board of Directors
San Gorgonio Pass Water Agency

ATTEST:

Secretary, Board of Directors
San Gorgonio Pass Water Agency