

#108a
12/14/2021

(R-2022-131)
COR. COPY

RESOLUTION NUMBER R- 313830

DATE OF FINAL PASSAGE DEC 17 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DETERMINING THAT THE ADOPTION OF THE SAN PASQUAL VALLEY GROUNDWATER BASIN GROUNDWATER SUSTAINABILITY PLAN IS CATEGORICALLY AND STATUTORILY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTIONS 15061(b)(1), 15262, 15306 AND 15307.

WHEREAS, in 2014, the California Legislature and the Governor passed into law the Sustainable Groundwater Management Act (SGMA), which provides a new framework for best management of groundwater resources in California; and

WHEREAS, implementation of SGMA is achieved through the formation of a Groundwater Sustainability Agency (GSA) and through the subsequent preparation and implementation of a Groundwater Sustainability Plan (GSP) for medium and high priority groundwater basins; and

WHEREAS, the San Pasqual Valley Groundwater Basin (Basin) was designated a medium priority basin by the California Department of Water Resources (DWR) due to the Basin's complete reliance on groundwater for agricultural and domestic uses; and

WHEREAS, on June 27, 2017, City Council approved a Memorandum of Understanding (MOU) between the City and the County of San Diego (County) to create a GSA for the development of the GSP (Project), which is required to be adopted by City Council and the San Diego County Board of Supervisors prior to submitting to DWR by no later than January 31, 2022; and

WHEREAS, the California State Legislature, through the California Environmental Quality Act (CEQA), Public Resources Code sections 21000-21177, has determined that CEQA does not apply to various types of projects listed therein; and

WHEREAS, the action adopting the San Pasqual Valley Groundwater Sustainability Plan (GSP) is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15061(b)(1) because Water Code section 10728.6 states that Division 13 (commencing with Section 21000) of the Public Resources Code does not apply to the preparation and adoption of Groundwater Sustainability Plans pursuant to the implementation of the Sustainable Groundwater Management Act; and

WHEREAS, CEQA section 21084 states that the CEQA Guidelines shall list those classes of Projects which have been determined not to have a significant effect on the environment and which shall be exempt from CEQA; and

WHEREAS, pursuant to that authority, CEQA Guidelines sections 15260-15285 list the statutory exemptions promulgated by the California State Legislature; and

WHEREAS, the Planning Department has established that the Project is statutorily exempt from CEQA pursuant to CEQA Guidelines section 15262; and

WHEREAS, the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.), section 21084, states that the CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, section 15000 et seq.) shall list those classes of projects which have been determined not to have a significant effect on the environment and which shall be exempt from CEQA; and

WHEREAS, pursuant to that authority, CEQA Guidelines sections 15300-15333 list the categorical exemptions promulgated by the California Office of Planning and Research; and

adopted by the Secretary of the California Natural Resources Agency for those classes of Projects which have been determined not to have a significant effect on the environment; and

WHEREAS, the Planning Department has established that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines sections 15306 and 15307 and that no exception to the exemptions, as set forth in CEQA Guidelines section 15300.2, applies to the Project; and

WHEREAS, the Council of the City of San Diego has considered the potential environmental effects of the Project, and

WHEREAS, on DEC 14 2021, the City Council held a duly noticed public meeting and considered the written record for the Project as well as any public comment; and

WHEREAS, the Council of the City of San Diego, using its independent judgment, has determined that the Project will not have a significant effect on the environment as the activities involve planning, feasibility and information collection pursuant to implementation of SGMA; NOW, THEREFORE,

BE IT RESOLVED, that the action adopting the San Pasqual Valley Groundwater Sustainability Plan (GSP) is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15061(b)(1) because Water Code section 10728.6 states that Division 13 (commencing with Section 21000) of the Public Resources Code does not apply to the preparation and adoption of Groundwater Sustainability Plans pursuant to the implementation of the Sustainable Groundwater Management Act.

BE IT FURTHER RESOLVED, that the Project is statutorily exempt from CEQA pursuant to CEQA Guidelines section 15262.

BE IT FURTHER RESOLVED, that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines sections 15306 and 15307, and that an exception to the exemptions as set forth in CEQA Guidelines section 15300.2 does not apply.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Exemption regarding the Project with the Clerk of the Board of Supervisors for the County of San Diego.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Raymond C. Palmucci
Raymond C. Palmucci
Deputy City Attorney

RCP:cw
10/15/21
12/02/21 COR. COPY
Or.Dept: Public Utilities Department
CC No.: N/A
Doc. No.: 2828942

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 14 2021

ELIZABETH S. MALAND
City Clerk

By Cennie Patterson
Deputy City Clerk

Approved: 12/17/21
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on DEC 14 2021, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 17 2021.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

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