

## ORDINANCE NO. 95

### AN ORDINANCE OF THE TWENTYNINE PALMS WATER DISTRICT ADOPTING A GROUNDWATER MANAGEMENT PLAN UPDATE PURSUANT TO WATER CODE SECTION 10750 ET SEQ. AND SUPERSEDING ORDINANCE 91

**WHEREAS**, the Board of Directors of the Twentynine Palms Water District (“District”) has heretofore adopted Ordinance 82 on October 24, 2001, adopting a Groundwater Management Plan and establishing a Groundwater Management Program; and

**WHEREAS**, the District is a County Water District duly formed and operating pursuant to Section 31000 et seq. of the California Water Code and has the authority to provide water service to customers within its service area; and

**WHEREAS**, groundwater is a valuable resource within the State of California and particularly within the boundaries of the District and such groundwater must be monitored and evaluated; and

**WHEREAS**, in recognition of the value of groundwater as a resource, the California State Legislature enacted Water Code section 10750 et seq. (“AB 3030”) which encourages local water purveying agencies to manage groundwater resources within their jurisdictions and to develop and implement groundwater management plans; and

**WHEREAS**, in keeping with the intent of AB 3030 to ensure the safe production, quality and storage of groundwater within its jurisdiction, the District has adopted and implemented a Groundwater Management Plan; and

**WHEREAS**, the District’s Board of Directors has determined that it is prudent to update its Groundwater Management Plan; and

**WHEREAS**, as required by Water Code Section 10753.2(a) and Government Code Section 6066, notice of a public hearing was published in the Desert Trail September 19, 2013 and September 21, 2013 declaring the District’s intent to amend its Groundwater Management Plan; and

**WHEREAS**, on September 25, 2013, the Board of Directors adopted Resolution No. 13-17 Declaring an Intent to Amend the District’s Groundwater Management Plan and as required by Water Code Section 10753.3 and Government Code Section 6066, Resolution 13-17 was published in the Desert Trail on April 17, 2014 and April 24, 2014 and a Groundwater Management Plan Update was subsequently prepared; and

**WHEREAS**, as required by Water Code Section 10753.5 and Government Code Section 6066, notice of a second public hearing was published in the Desert Trail on April 17, 2014 and April 23, 2014 and a second public hearing was conducted on April 23, 2014 by the Board of Directors of the District in order to receive and consider any protests on whether or not to adopt the Groundwater Management Plan Update. Pursuant to Water Code Section 10753.6(c)(3), the Board of Directors has determined that a majority protest has not been filed and therefore, the Board wishes to take action to adopt the Groundwater Management Plan Update.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Directors of the Twentynine Palms Water District as follows:

1. Adoption of the Groundwater Management Plan Update. Pursuant to Water Code Sections 10753 and 10753.6, the District hereby adopts that certain Groundwater Management Plan Update set forth as Exhibit "A" attached hereto and incorporated herein by reference. Pursuant to the Groundwater Management Plan Update, the District hereby establishes a Groundwater Management Program as set forth in the Plan attached hereto as Exhibit "A."

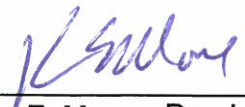
2. Ordinance Shall be Superseding. All ordinances, resolutions, or administrative actions by the Board, or parts thereof that are inconsistent with any provision of this Ordinance are hereby superseded only to the extent of such inconsistency. As of the effective date of this Ordinance, Ordinance 91 shall be of no further force or effect.

3. Effective Date. This Ordinance shall be in full force and effect immediately upon adoption.

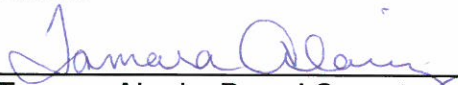
4. Publication of Ordinance. The Secretary of the District is hereby authorized and directed to publish this Ordinance in the Desert Trail within fifteen (15) days from the date of adoption. Upon written request, the Secretary shall also provide any interested persons with a copy of this Ordinance.

**PASSED, APPROVED AND ADOPTED** this 28th day of May 2014 by the following vote:

Ayes:	Directors Bourikas, Chambers, Horn, Moore, and Shinaver
Noes:	None
Abstain:	None
Absent:	None

  
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Kerron E. Moore, President  
Board of Directors

Attest:

  
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Tamara Alaniz, Board Secretary  
Twentynine Palms Water District

