

Omochumne Hartnell Water District
Resolution No. 2021/22-01
Adopting a 2021/2022 Groundwater Sustainability Fee

WHEREAS, in the fall of 2014 the California legislature adopted, and the Governor signed into law, three bills (SB 1168, AB 1739, and SB 1319) collectively referred to as the “Sustainable Groundwater Management Act” (“SGMA”), that initially became effective on January 1, 2015, and that has been amended from time-to-time thereafter; and,

WHEREAS, the stated purpose of SGMA, as set forth in California Water Code section 10720.1, is to provide for the sustainable management of groundwater basins at a local level by providing local groundwater agencies with the authority, and technical and financial assistance necessary, to sustainably manage groundwater; and,

WHEREAS, SGMA requires the designation of Groundwater Sustainability Agencies (“GSAs”) for the purpose of achieving groundwater sustainability through the adoption and implementation of regulatory programs known as Groundwater Sustainability Plans (“GSPs”) or an alternative plan for all medium and high priority basins as designated by the California Department of Water Resources (“DWR”); and

WHEREAS, SGMA authorizes GSAs to impose fees to fund various regulatory activities, including the development and implementation of GSPs; and,

WHEREAS, Omochumne Hartnell Water District (“District”) is the exclusive GSAs for its boundaries and in that role is responsible for regulating groundwater within its boundaries; and

WHEREAS, in collaboration with the other GSAs acting within its basins, the District has developed a Groundwater Fee Study, evaluating the costs of providing groundwater management and GSP development for the lands within boundaries; and

WHEREAS, the Groundwater Fee Study reflects that the cost of providing such services amounts to approximately \$10 per groundwater-irrigated acre; and

WHEREAS, the District hereby proposes to levy a regulatory fee of \$10/groundwater irrigated acre to fund SGMA compliance within its boundaries, including the development a legally sufficient and required GSP; and

WHEREAS, the District noticed and conducted a public hearing on July 28, 2021, for the purpose of considering approval of the Fee, as required by SGMA;

WHEREAS, the data upon which the fee is based was available to the public at least ten days prior to the public meeting, also as required by SGMA;

WHEREAS, the public meeting has been held and the Board has received public input regarding the Fee; and,

WHEREAS, as proposed, the Fee will comply with the requirements of the California Constitution and state law;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of Omochumne Hartnell Water District as follows:

1. The Board of Directors adopts a Groundwater Sustainability Fee of \$10.00 per groundwater irrigated acre, as identified in the Fee Study, to fund the District's SGMA compliance activities and associated groundwater management work.
2. The Sacramento County Auditor - Controller and Board of Supervisors to collect the Fee in the same manner as ad valorem property taxes pursuant to Water Code section 10730(d), in the amounts identified in Attachment 1.
3. Should the Fee not be able to be collected in the same manner as ad valorem property taxes for any reason, the General Manager is hereby authorized and directed to cause the direct billing of the Fee as more fully set forth in Attachment 1.
4. District staff are hereby authorized and directed to take such other and further actions as may be necessary or appropriate to implement the intent and purposes of this resolution.

PASSED AND ADOPTED on July 28, 2021 by the following vote:

AYE:

NAY:

ABSTAIN:

President