

Resolution No. 2022-05
of the
Fox Canyon Groundwater Management Agency

**A RESOLUTION INCREASING FEE ON GROUNDWATER
EXTRACTIONS TO FUND THE COSTS OF A GROUNDWATER
SUSTAINABILITY PROGRAM**

WHEREAS, the Fox Canyon Groundwater Management Agency (the Agency) is a groundwater sustainability agency under the Sustainable Groundwater Management Act (the Act) for the basins within the Agency's statutory boundaries; and

WHEREAS, the Act authorizes a groundwater sustainability agency to impose a fee on groundwater extractions to fund the costs of a groundwater sustainability program; and

WHEREAS, the Agency currently collects a groundwater extraction charge of \$6.00 per acre-foot pursuant to authority granted by the Agency's enabling legislation, revenues from which fund groundwater management programs throughout the Agency; and

WHEREAS, the Agency Board of Directors approved a Fiscal Year 2022-23 Budget, which is attached to this Resolution, that projects total annual operating expenditures of \$5,316,065, which amount includes costs associated with implementation of groundwater sustainability plans and other work related to the Agency's role as a groundwater sustainability agency; and

WHEREAS, the Agency anticipates incurring ongoing additional costs related to the implementation of its groundwater sustainability plans, including periodic evaluation of the plans, assessment of changing conditions that may warrant modification of the plans or the Agency's sustainable groundwater management objectives, additional enforcement activity, compliance assistance, public outreach, coordination with the Department of Water Resources, and overall program administration; and

WHEREAS, the revenue generated from the Agency's current groundwater extraction charge is not adequate to allow the Agency to carry out its responsibilities as a groundwater sustainability agency or fully exercise the powers and authorities granted under the Act; and

WHEREAS, a sustainability fee of \$4.00 per acre-foot on groundwater extractions was approved on September 23, 2015, which was increased to \$6.50 per acre-foot on July 20, 2016, and to \$11.00 and then \$14.00 per acre-foot on September 25, 2019, and generates additional annual revenue of \$1,694,000 based on annual groundwater extractions within the Agency of 121,000 acre-feet per year; and

WHEREAS, a sustainability fee increase of \$15.00 to \$29.00 per acre-foot on groundwater extractions will generate annual revenue of \$2,601,500 based on annual groundwater extractions of 121,000 acre-feet which is the reasonably anticipated cost of the Agency's groundwater sustainability program for Fiscal Year 2022-23; and

WHEREAS, the Agency's groundwater sustainability program will provide benefits to all water users within the territory of the Agency; and

WHEREAS, the data upon which the proposed fee increases are based was presented at a regular meeting of the Agency Board of Directors on June 22, 2022, and has been made available to the public for at least 20 days prior to adoption of this Resolution; and

WHEREAS, the Fiscal Year 2022-23 Budget approved by the Agency Board of Directors at a regular meeting on June 22, 2022, included revenue projections based on these fee increases; and

WHEREAS, prior to adoption of this Resolution, the Agency held the public meeting required under Section 10730, subdivision (b), of the Act, notice of which was given as required by law, and notice was provided to the California Public Utilities Commission as required by Water Code section 10730.1.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED that effective October 1, 2022, a groundwater sustainability fee of twenty-nine dollars (\$29.00) per acre-foot shall be imposed on groundwater extractions from facilities within the boundaries of the Fox Canyon Groundwater Management Agency. This fee shall not be imposed on any person who extracts, for domestic purposes, two (2) acre-feet per year or less.

On motion by Director Perello and seconded by Director Long, the foregoing resolution was passed and adopted on September 28, 2022, by the following vote.

AYES – 3
NOES – 2
ABSTAINS – 0
ABSENT – 0

By: 
Eugene F. West, Chair, Board of Directors
Fox Canyon Groundwater Management Agency

ATTEST: I hereby certify that the above is a true and correct copy of Resolution No. 2022-05.

By: Keely Royas
Keely Royas, Clerk of the Board