

Resolution No. 2025-06

of the

Fox Canyon Groundwater Management Agency

A RESOLUTION DIRECTING STAFF TO COLLECT \$24.00 PER ACRE-FOOT OF GROUNDWATER EXTRACTED FOR THE FISCAL YEAR 2025-2026, WATER YEAR 2026 SUSTAINABILITY FEE

WHEREAS, the Sustainable Groundwater Management Act (SGMA) deems Fox Canyon Groundwater Management Agency (Agency) the exclusive groundwater sustainability agency (GSAs) responsible for complying with SGMA within its statutory boundaries (Wat. Code, § 10723(c)(1)(D)); and

WHEREAS, SGMA authorizes GSAs to adopt and impose fees “to fund the costs of a groundwater sustainability program, including, but not limited to, preparation, adoption, and amendment of a groundwater sustainability plan, and investigations, inspections, compliance assistance, enforcement, and program administration, including a prudent reserve” (Wat. Code, § 10730(a)) (collectively, a Sustainability Fee); and

WHEREAS, SGMA requires GSAs to comply with specified requirements of Proposition 218 (specifically California Constitution, article XIII D, section 6) when imposing Sustainability Fees and prohibits GSAs from imposing Sustainability Fees on de minimis extractors (“a person who extracts, for domestic purposes, two acre-feet or less per year”) unless the GSAs have regulated such extractors pursuant to SGMA (Wat. Code, §§ 10730(a), 10730.2(c)); and

WHEREAS, the Agency's SGMA groundwater sustainability program provides benefits to all users within the territory of the Agency; and

WHEREAS, since the enactment of SGMA, the Agency has adopted several Sustainability Fees at different times and rates to be charged for each acre-foot of groundwater extracted from the basins with the Agency's territory to fund the cost of its SGMA sustainability programs, including a \$4.00 per acre-foot (AF) fee with the adoption of Resolution No. 2015-04 on September 23, 2015; a \$6.50/AF fee with the adoption of Resolution No. 2016-03 on July 20, 2016; a \$14.00/AF fee with the adoption of Resolution No. 2019-03 on September 25, 2019; and most recently a \$29.00/AF with the adoption of Resolution No. 2022-05 on September 22, 2022; and

WHEREAS, through its Fiscal Year (FY) 2025-26 budget development process, the Agency determined that collecting \$24/AF of groundwater extracted for the FY 2025-26, Water Year 2026 Sustainability Fee (rather than \$29/AF set with the approval of Resolution 2022-05) would reduce FY 2025-26 projected revenues and contribute to an overall net negative balance but that the Agency could absorb those fiscal impacts in the FY 2025-26 budget once the current balance of the Agency's Operating Account is carried forward to FY 2025-26, Water Year 2026 such that the year-end balance of the Agency's Operating Account is projected to be a net positive amount; and

WHEREAS, the Agency's Board of Directors intends this resolution to result only in Agency staff collecting less than the current amount (rate) of its Sustainability Fee (\$29.00) for FY 2025-26, Water Year 2026, and therefore does not intend this resolution to reduce the current amount (rate) of its Sustainability Fee as approved with the adoption of Resolution 2022-05.

NOW, THEREFORE, IT IS HEARBY RESOLVED AND ORDERED by the Fox Canyon Groundwater Management Agency Board of Directors that:

Agency staff are directed to collect \$24.00/AF of groundwater extracted from the basins within the Agency's territory for the Fiscal Year 2025-26, Water Year 2026 Sustainability Fee

1. No Sustainability Fee shall be imposed on or collected from any person who extracts, for domestic purposes, two (2) acre-feet or less per year.
2. Agency staff are directed to return to collecting \$29.00/AF of groundwater extracted from the basins within the Agency's territory, as approved with the adoption of Resolution No. 2022-05, for the Fiscal Year 2026-27, Water Year 2027 Sustainability Fee.

On motion by Director Kelly Long, and seconded by Director Michael Cravietto, the foregoing Resolution was passed and adopted on August 27, 2025, by the following vote:

AYES – 5
NOES –
ABSTAINS –
ABSENT –

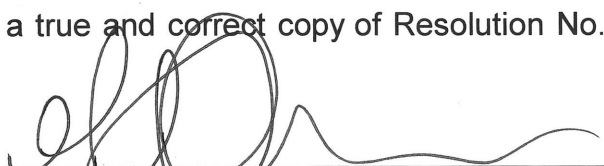
By:



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. 2025-06.

By:



Elka Weber, Clerk of the Board of Directors