

Resolution No. 2025-07

A RESOLUTION OF THE FOX CANYON GROUNDWATER MANAGEMENT AGENCY BOARD OF DIRECTORS ESTABLISHING THE AMOUNT AND AUTHORIZING THE LEVYING AND COLLECTION OF A SEPARATE FISCAL YEAR 2025-26 BASIN ASSESSMENT FOR THE DEVELOPMENT, IMPLEMENTATION, AND ADMINISTRATION OF BASIN OPTIMIZATION PROJECTS IN THE LAS POSAS VALLEY BASIN

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, on July 10, 2023, the Santa Barbara Superior Court entered final Judgment in *Las Posas Valley Water Rights Coalition, et al. v. Fox Canyon Groundwater Management Agency*, Santa Barbara Sup. Ct. Case No. VENC100509700 (Judgment); and

WHEREAS, the Judgment comprehensively determines and adjudicates all groundwater rights within the Las Posas Valley Groundwater Basin (Basin), establishes and implements a Physical Solution for the Basin, and appoints the Agency to serve as Watermaster to assist the court with implementing and administering the Judgment; and

WHEREAS, Section 7 of the Judgment requires the Watermaster to set, levy, and collect Basin Assessments from the Water Right Holders to fund implementation and administration of the Judgment including any Groundwater Enhancement Projects or Basin Optimization Projects included in the Basin Optimization Plan; and

WHEREAS, on July 23, 2025, the Agency Board of Directors adopted a Fiscal Year (FY) 2025-26 Watermaster Budget that includes the Agency's costs and expenses to implement and administer the Judgment throughout the Basin (and not the costs or expenses of any project) and a \$60 per acre-foot (AF) Basin Assessment to be levied and collected from every Water Right Holder accordingly to their annual Water Right Allocation; and

WHEREAS, on June 25, 2025, the Agency Board of Directors approved the Las Posas Valley Basin Optimization Plan, which is the five-year plan required by the Judgment to identify and analyze projects intending to maintain the Basin's Operating Yield at 40,000 AF per year (AFY) and includes a first-year budget, separate from the FY 2025-26 Watermaster Budget, of \$290,000, for the development, implementation, and administration of the Basin Optimization Project selected for implementation; and

WHEREAS, neither the FY 2025-26 Watermaster Budget nor the budget included in the Basin Optimization Plan approved any Basin Assessment to fund the development, implementation, and administration of any Basin Optimization Projects; and

WHEREAS, based on the budget included in the Basin Optimization Plan approved on June 25, 2025 and the authority granted to the Agency as Watermaster for

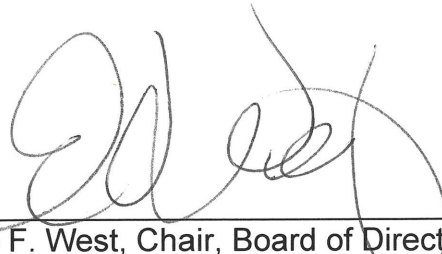
the Basin, the Agency Board of Directors determined and decided at its September 24, 2025 meeting to levy and collect from Water Right Holders an additional FY 2025-26 Basin Assessment in the amount of \$7.25/AF of Water Year (WY) 2026 Annual Water Right Allocation to fund the development, implementation, and administration of the Basin Optimization Project selected in the Basin Optimization Plan for initial implementation.

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED by the Fox Canyon Groundwater Management Agency Board of Directors as follows:

1. A \$7.25/AF Basin Assessment shall be levied on and collected from all Water Right Holders for the development, implementation, and administration of Basin Optimization Projects selected for initial implementation during FY 2025-26, WY 2025.
2. The \$7.25/AF Basin Assessment for the development, implementation, and administration of Basin Optimization Projects shall be levied and collected in addition to the \$60/AF Basin Assessment approved on July 23, 2025, to fund the FY 2025-26 Watermaster Budget (which includes only the Agency's costs and expenses to implement and administer the Judgment).
3. Staff is directed to collect the \$7.25/AF Basin Assessment for the development, implementation, and administration of Basin Optimization Projects in four quarterly installments on the same schedule as Watermaster's collection of the \$60/AF Basin Assessment approved on July 23, 2025, to fund the FY 2025-26 Watermaster Budget (which includes only the Agency's costs and expenses to implement and administer the Judgment).

On motion by Tony Tremblay and seconded by Lynn Manhardt the foregoing resolution was passed and adopted on September 24, 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. 2025-07.

By: 
Elka Weber, Clerk of the Board