



Fillmore and Piru Basins Groundwater Sustainability Agency

RESOLUTION NO. 2019-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FILLMORE AND PIRU BASINS GROUNDWATER SUSTAINABILITY AGENCY DETERMINING AND ESTABLISHING GROUNDWATER EXTRACTION CHARGES AGAINST ALL PERSONS OPERATING GROUNDWATER PRODUCING FACILITIES WITHIN THE FILLMORE AND PIRU BASINS

WHEREAS, pursuant to the Sustainable Groundwater Management Act (SGMA), Groundwater Sustainability Agencies (GSAs) are authorized to collect fees to fund the cost of preparing a Groundwater Sustainability Plan (GSP), including the preparation and amendment of a sustainability plan, investigation of groundwater conditions, compliance assistance, enforcement and program administration (California Water Code sec 10730); and

WHEREAS, the type of fees that can be imposed to fund the cost of preparing a GSP include permit fees, fees on groundwater extraction, and fees on other regulated activity; and

WHEREAS, the Agency, as the lead agency under the California Environmental Quality Act (“CEQA”), in consultation with the Agency’s Legal Counsel, determined that the charges adopted by resolution are exempt from further CEQA review under Public Resources Code section 21080(b)(8) and California Code of Regulations section 15273 because the groundwater extraction charges are necessary and reasonable to fund the cost of preparing a groundwater sustainability plan and the related investigation of groundwater conditions, inspections, compliance assistance, enforcement, and program administration, including a prudent reserve; and

WHEREAS, the Agency has provided notice of the pending adoption of these fees through: publication of a notice in the Fillmore Gazette on July 4, 2019 and again on July 11, 2019; and

WHEREAS, the Agency posted this information on the Internet Website of the Agency; and

WHEREAS, the agency provided notice by email to all interested parties who filed a request for email notifications with the Agency; and

RESOLUTION No. 2019-04
(continued)

WHEREAS, the Agency made the data upon which the fee is based available to the public more than 20 days prior to the public meeting.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Fillmore and Piru Basins Groundwater Sustainability Agency that groundwater extraction charges should be levied pursuant to Water Code Section 10730 as follows:

NOW, THEREFORE, BE IT RESOLVED that groundwater extraction charges shall be levied pursuant to Water Code Section 10730 as described herein.

BE IT FURTHER RESOLVED that the Board of Directors of the Fillmore and Piru Basins Groundwater Sustainability Agency does hereby affirm its establishment of a groundwater extraction charge of \$12 per acre foot. The GSA does hereby affirm its levy, assessment and fixing of this groundwater extraction charge in compliance with law against all persons operating groundwater producing facilities within the GSA Boundary.

BE IT FURTHER RESOLVED that the Board of Directors of the Fillmore and Piru Basins Groundwater Sustainability Agency has elected to bill for these groundwater extraction charges semiannually with billing periods covering January through June and July through December.

BE IT FURTHER RESOLVED that based on testimony and evidence (including exhibits) presented at said meetings and public hearing, for purposes of calculating the groundwater extraction charge, the Board of Directors of the Fillmore and Piru Basins Groundwater Sustainability Agency hereby establishes the following methods to be used in computing with a reasonable accuracy the amount of water produced from a water-producing facility: (a) a permitted water flow meter; or (b) Edison electrical meter with such calculations made pursuant to the United Water Conservation District's Groundwater Extraction Reporting Policy adopted by its Board on May 15, 2013;

BE IT FURTHER RESOLVED that in levying groundwater charges within the GSA as set forth herein, the Board of Directors of the Fillmore and Piru Basins Groundwater Sustainability Agency makes the following findings, based upon the testimony and evidence (including exhibits) presented at said meetings and public hearing:

- (a) Revenues derived from the groundwater extraction charges will not exceed the funds required to provide the GSA's Groundwater Sustainability Plan and related administrative services.

RESOLUTION No. 2019-04
(continued)

- (b) Revenues derived from the groundwater extraction charges shall not be used for any purpose other than that for which the groundwater charges are imposed.

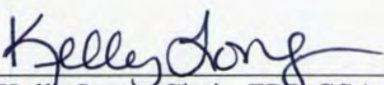
We, the undersigned, being the duly qualified and current Chair and Secretary, respectively, of the Board of Directors of Fillmore and Piru Basins Groundwater Sustainability Agency, do hereby certify that the above and foregoing resolution was duly and regularly adopted and passed by resolution of the Board of Directors of said groundwater sustainability agency at a meeting thereof held on the 18th day of July, 2019, by the following vote:

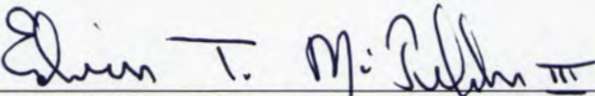
In favor thereof, Directors: Edmonds, Kimball, McFadden, Meneghin, Pace

Abstain, Directors: none

Not in favor, Directors: none

Absent, Directors: Long

ATTEST: 
Kelly Long, Chair, FPB GSA Board of Directors

ATTEST: 
Edwin T. McFadden III, Vice Chair/Secretary/Treasurer, FPB GSA Board of Directors