

**Before the Board of Directors of the
Salinas Valley Basin Sustainable Groundwater Management Agency**

Resolution No. 2024-02

Setting the Tier 1 Groundwater Sustainability)
Fee for Fiscal Year 2024-2025 (“FY 2025”))
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WHEREAS:

1. The Sustainable Groundwater Management Act (“SGMA”) is a regulatory program implemented at the local level with oversight at the state level. (See e.g., Water Code section 10720.1.); and
2. Each of the six subbasins within the Salinas Valley Basin Groundwater Sustainability Agency’s (“SVBGSA”) jurisdiction has been designated either High or Medium Priority by the Department of Water Resources (“DWR”) making them subject to SGMA; and
3. SGMA requires Groundwater Sustainability Agencies to adopt management actions and projects to achieve sustainability in a groundwater basin or subbasin no later than 20 years following implementation of a groundwater sustainability plan (“GSP”); and
4. GSP for the 180/400-Foot Aquifer Subbasin was approved by DWR in June 2021 and GPSs for the other 5 subbasins in April 2023; and
5. SVBGSA’s activities will now be focused on implementing the GSPs in their respective subbasins, and further compliance with the reporting requirements of SGMA; and,
6. Agricultural and domestic water users in the Salinas Valley are heavily dependent on groundwater, with limited reliance on surface water; and
7. Groundwater users therefore burden the regulatory program to be implemented within the respective subbasins, and they all will benefit from the goal of reaching sustainability; and
8. SVBGSA reached an agreement with the Arroyo Seco Groundwater Sustainability Agency (“ASGSA”) to manage an area of the Forebay Subbasin referred to as the Arroyo Seco Cone pursuant to the Forebay Subbasin GSP; and
9. SVBGSA agreed with the ASGSA to collect fees for implementation of SGMA within the Forebay Subbasin and share a proportionate amount of the fees collected with the ASGSA to manage the Arroyo Seco Cone Management Area as set forth in that certain Implementation Agreement between the SVBGSA and ASGSA effective April 22, 2021; and
10. SVBGSA reached an agreement with the Marina Coast Water District Groundwater Sustainability Agency (“MCWDGSA”) to manage the areas of the Monterey Subbasin referred to as the Marina and Ord Areas pursuant to the Monterey Subbasin GSP, and the SVBGSA would manage that area of the Monterey Subbasin referred to as the Corral de Tierra Area; and

11. SVBGSA agreed with the MCWDGSA that the MCWDGSA would collect the necessary funds to implement the Monterey Subbasin GSP within the Marina and Ord Areas; and
12. The Monterey County Groundwater Sustainability Agency (“MCGSA”) was determined to be by DWR the exclusive Groundwater Sustainability Agency for a small unmanaged portion of the 180/400 Foot Subbasin; and
13. MCGSA and SVBGSA reach an agreement whereby the SVBGSA would manage the MCGSA’s area on behalf of the MCGSA pursuant to the GSP for the 180/400 Foot Subbasin, and collect fees within that area for that purpose; and
14. Pursuant to SGMA (California Water Code section 10730), on March 14, 2019, SVBGSA Board of Directors (“Board”) adopted Resolution No. 2019-03 creating a regulatory fee (“Fee”) to fund the implementation of SGMA; and
15. Resolution No. 2019-03 requires SVBGSA to annually, during the budget process, review the Fee to determine if the Fee should remain the same, or be increased or decreased; and
16. On February 9, 2023, Board adopted a Tiered Fee Policy (“Policy”), as amended on June 29, 2023, whereby the Fee would be set on a tiered basis; and

WHEREAS:

17. The Board approved the FY 2025 Work Plan and FY 2025 Budget that establish the revenue requirement for FY 2025 Fee calculations; and
18. A public hearing was noticed for the Board of Directors meeting of May 9, 2024, for the purpose of considering setting the FY 2025 Tier 1 and Tier 2 Fees; and
19. Adoption of the FY 2025 Fees is based on the best available data known at the time, is specific to FY 2025, and is not intended to be determinative of how the Fees may be set in the future to fund either management actions or projects; and
20. It is the intent of the Board that nothing in this resolution is to 1) affect the water rights or other entitlement to the use of water of any holder of such rights or entitlements within the Basin, 2) affect the rights or obligations held by any party to prior litigation, whether by settlement or final judgement, or 3) suggest, imply or determine that lands subject to the Fee have different, greater or lesser rights under any applicable GSP than lands not subject to the Fee; and
21. As set, the FY 2025 Tier 1 Fee will comply with the requirements of the California Constitution and state law.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Salinas Valley Basin Groundwater Sustainability Agency, as follows:

1. The above recitals are true and correct and substantial evidence supports them.
2. FY 2025 Tier 1 Groundwater Sustainability Fee is hereby set as follows:

Agricultural User (per irrigated acre)	\$ 9.11
Domestic User (per connection)	\$ 4.26

3. FY 2025 Tier 1 Groundwater Sustainability Fee will be collected in all subbasins except the Marina and Ord Areas of the Monterey Subbasin.

4. Except as specifically set forth herein, the terms and conditions of Resolution No. 2019-03 and its Attachment 1 remain in effect.
5. The General Manager and Agency Counsel 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 this 9th day of May, 2024, by the following vote, to-wit:

AYES: Adams, Adcock, Brennan, Chapin, Church, Cremers, Moitoso, Pereira, Rocha, Stefani and Chair Pro Tem Bramers
NOES: None
ABSENT: None
ABSTAIN: None

I, Debra McNay, Clerk of the Board of Directors of the Salinas Valley Basin Groundwater Sustainability Agency, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Directors duly made and entered in the minutes thereof for the meeting on May 9, 2024.

Dated: 5/9/2024

Debra McNay, Clerk of the Board of Directors of the Salinas Valley Basin Groundwater Sustainability Agency,
County of Monterey, State of California

Debra McNay

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