

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

Resolution No. 2024-03

Setting the 180/400-Foot Aquifer Subbasin)
Tier 2 Groundwater Sustainability Fee for)
Fiscal Year 2024-2025 (“FY 2025”))
)
)

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. 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
9. 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
10. 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
11. 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
12. 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:

13. The Board approved the FY 2025 Work Plan and FY 2025 Budget that establish the revenue requirement for FY 2025 Fee calculations; and
14. 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
15. 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
16. 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
17. As set, the FY 2025 180/400-Foot Aquifer Subbasin Tier 2 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 180/400-Foot Aquifer Subbasin Tier 2 Groundwater Sustainability Fee is hereby set as follows:

Agricultural User (per irrigated acre)	\$ 2.62
Domestic User (per connection)	\$ 1.21

3. FY 2025 180/400-Foot Aquifer Subbasin Tier 2 Fee will be collected in 180/400-Ft Aquifer 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
5/9/2024
