

Resolution No. 9-2022

A RESOLUTION OF THE TEHAMA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS SETTING THE ANNUAL FEE TO BE CHARGED BY THE TEHAMA COUNTY GROUNDWATER SUSTAINABILITY AGENCY FOR THE ADMINISTRATIVE COSTS OF THE TEHAMA COUNTY GROUNDWATER SUSTAINABILITY AGENCY WELL REGISTRATION PROGRAM

WHEREAS, the California Water Code Section 10725.6, permits the groundwater sustainability agency to require the registration of groundwater extraction facilities, more commonly known as “wells,” within the management area of that agency; and

WHEREAS, the Tehama County Flood Control and Water Conservation District acting as the Groundwater Sustainability Agency for all of Tehama County will incur actual and reasonable costs in receiving and processing such registrations; and

WHEREAS, the California Water Code Section 10730, provides that a groundwater sustainability agency may impose fees for regulated activities to fund the cost of the groundwater sustainability program including but not limited to “investigations, inspections, compliance assistance, enforcement, and program administration”; and

WHEREAS, pursuant to its foundational legislation and, by agreement, through the proper exercise of Tehama County’s police powers under article XI, section 7 of the California Constitution, the Tehama County Flood Control District has the authority to recover the administrative and regulatory costs related to those activities to assure landowner access to groundwater.

WHEREAS, the regulatory fees may, upon request, be collected in the same manner as ordinary ad valorem taxes.

NOW, THEREFORE, BE IT RESOLVED by the Tehama County Flood Control and Water Conservation District Board of Directors (“Board of Directors”) does now require that groundwater extraction facilities in the County of Tehama be registered with the Tehama County Flood Control and Water Conservation District.

BE IT FURTHER RESOLVED by the Board of Directors that, for a three year period, an annual fee for the administrative costs of a well registration program is hereby established as follows: \$0.29 per acre for each legal parcel in the Tehama County Groundwater Sustainability Agency.

This fee shall be added to the tax rolls and collected in the same manner as ordinary ad valorem taxes.

BE IT FURTHER RESOLVED that the Board of Directors hereby finds that the amounts set forth herein are reasonably necessary to recover the costs of providing the services described therein, and that the costs imposed by such fees are fairly apportioned so that charges allocated to any payor will bear a fair and reasonable relationship to the payor’s burdens on or benefits from the services performed by the Tehama County

Groundwater Sustainability Agency. The Board of Directors further finds that these fees are imposed for a specific government service provided directly to the payor that is not provided to those not charged, and do not exceed the reasonable costs to the County of providing the service.

The foregoing Resolution was offered by Director Moule, and seconded by Director Leach on June 20, 2022 and adopted by the following vote:

AYES: Directors Leach, Moule, Williams

NOES: Director Carlson

ABSENT OR NOT VOTING: Director Garton

STATE OF CALIFORNIA)

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COUNTY OF TEHAMA)

I, JENNIFER VISE, County Clerk and ex-officio Clerk of the Board of Directors of the Tehama County Flood Control and Water Conservation District, State of California, hereby certify the above and foregoing to be a full, true and correct copy of a resolution adopted by said Board of Directors on the 20th day of June 2022.

Dated: June 21, 2022

JENNIFER A. VISE, County Clerk and ex-officio
Clerk of the Board of Directors of the Tehama
County Flood Control and Water Conservation District,
State of California

By: _____

Deputy

