Glenn Groundwater Authority

Groundwater Sustainability Agency

PO Box 351, Willows, CA 95988 | 530.934.6501

BOARD OF DIRECTORS AGENDA BACKUP MATERIALS

MEETING DATE: JULY 8, 2019

AGENDA ITEM 1: CALL TO ORDER

The Chairperson will call the meeting to order.

AGENDA ITEM 2: ROLL CALL

Roll call will be conducted.

AGENDA ITEM 3: PERIOD OF PUBLIC COMMENT

Members of the public are encouraged to address the GGA Board of Directors on items relevant to the GGA that are not on the agenda. Public comment will be limited to 5 minutes.

AGENDA ITEM 4: FINANCIAL REPORT

- a. *Review and accept Monthly Activities Report.
- b. *Review and consider approval of claims.

Monthly Activities Report and Claims Summary are attached.

Beginning Balance \$ 553,785.16 Revenue
Total Revenue \$-
Expenses
Provost & Pritchard Inv # 73422 \$ 10,044.57
O'Laughlin & LLP Inv # 9081 \$ 10,610.00
Davids Engineering Inc Inv 1178.01-3513 \$ 2,175.75
Total Expenses \$ 22,830.32
Ending Balance \$ 530,954.84

Glenn Groundwater Authority Monthly Activities Report June 2019 DRAFT

	Description	Ar	nount
Beginning Balance		\$	530,954.84
Revenue			
Total Revenue		\$	-
Expenses			
	Davids Engineering Inc Inv 1178.01-3458	\$	2,641.50
	Provost & Pritchard Inv # 73018	\$	16,343.75
	O'Laughlin & LLP Inv # 9049	\$	7,015.00
Total Expenses		\$	26,000.25
Ending Balance		\$	504,954.59

Glenn Groundwater Authority Invoices to be paid

Meeting Date: July 8, 2019

Invoice Date	Invoice Number	Description	Amount
6/24/2019	73954	Provost & Pritchard	\$ 16,817.32
6/30/2019	1178.01-3528	B Davids Engineering (HCM/Water Budget)	\$ 5,898.00

Total	\$ 22,715.32

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AGENDA ITEM 5: PUBLIC HEARING: GLENN GROUNDWATER AUTHORITY PROPERTY-RELATED FEE

See attached Staff Report.

Staff Report

Item 4 – Proposition 218 Hearing on Proposed Property Related Fee

1. Background

The Sustainable Groundwater Management Act (SGMA) is a collection of Bills (SB 1168, AB 1739, SB 1319) that were signed into law by Governor Brown on September 16, 2014. The intent of the Act was to mandate comprehensive groundwater management throughout the state. The Act focuses on local control, but provides state oversight and state intervention if local efforts fail to manage groundwater conditions effectively.

Locally, eligible agencies in the Colusa Subbasin have committed to undertake the responsibility of SGMA implementation by serving as a Groundwater Sustainability Agency as provided by the law. Groundwater Sustainability Agencies were given authorities and responsibilities to sustainably manage groundwater within their jurisdiction while avoiding six undesirable results, including significant and unreasonable:

- Chronic lowering of groundwater levels
- Reduction of groundwater storage
- Seawater intrusion
- Degraded water quality
- Land subsidence
- Depletions of interconnected surface water

The Glenn Groundwater Authority (GGA) is a nine-member, multi-agency Joint Powers Authority that was formed on June 20, 2017 with the purpose of serving as the Groundwater Sustainability Agency responsible for implementation and compliance of SGMA in the Glenn County portion of the Colusa Subbasin (5-21.52). The Board made a commitment to maintain local control and develop a more tailored planning process than the State would be able to provide at a reasonable cost, within the Glenn County portion of the Colusa Subbasin. The GGA Board is composed of representatives from the following member agencies:

- County of Glenn
- City of Orland
- City of Willows
- Glenn-Colusa Irrigation District
- Glide Water District
- Princeton-Codora-Glenn/Provident Irrigation District (shared seat)
- Orland-Artois Water District
- Kanawha Water District
- Glenn Ground Water District (Pending)

2. Long Term Funding and Proposed GGA Operations Fee

As a groundwater regulating agency, the GGA (in partnership with other adjacent Groundwater Sustainability Agencies such as the Colusa Groundwater Authority [CGA]) is tasked with achieving and maintaining sustainable groundwater conditions in the Colusa Subbasin. Compliance with SGMA is achieved through the preparation and implementation of one or more Groundwater Sustainability Plans (GSP or Plan). Plan development is underway in the Basin and the Plan(s) must be adopted by January 31, 2022.

In order to ensure initial SGMA compliance and to provide a mechanism to begin this long-range effort, the GGA member agencies agreed to fund the agency operations for the first two years of operation beginning in 2017. GGA operations include administration, legal services, consultant services, insurance, office and outreach materials, accounting, monitoring and reporting to DWR, and special studies, if needed. The Colusa Groundwater Authority has received Proposition 1 grant funding on behalf of the Groundwater Sustainability Agencies in the Colusa Subbasin to cover a significant amount of the work necessary to develop a Plan; however, costs for Plan preparation and initial implementation that are in excess of grant funding will also need to be covered by the proposed GGA Operations Fee.

If the local GSAs do not comply with SGMA, including the development of the Plan(s) and the necessary activities required to implement the Plans, the State Water Resources Control Board (State Board) may take over groundwater management responsibilities. The State Board fees for such management can be found as an attachment to this report.

The GGA's position is that local control is preferred over State intervention in order to develop planning and implementation processes that are applicable to the region and control costs, but must have adequate funding sources to maintain the agency and to comply with SGMA. To fund its activities and the development of an adequate Plan, the GGA developed a budget for annual operations expenses for a five-year period spanning fiscal years 2019/20 to 2023/24. This budget includes projected costs for Plan preparation and initial implementation, administration, legal services, insurance, printing/copying, accounting, facilitation, monitoring and reporting to the Department of Water Resources (DWR), and special studies, if needed.

The GGA retained Provost & Pritchard Consulting Group to prepare a fee study to review the best options to fund GGA operations over the next five years. An operations cost and fee analysis is included in the study. Each parcel of land within the GGA's boundary is receiving SGMA management services from the GGA and the fee was developed by allocating the GGA budget in proportion to the cost of providing services to each acre of land in its service area. By law, the GGA may not collect more revenue from property related fees than is necessary to provide the cost of the water related service. The City of Orland and the City of Willows have agreed to pay the GGA directly on behalf of the landowners for all acreage within the cities' boundaries. All other parcels will be subject to the proposed GGA Operations Fee charged by

acre and will be placed on the Glenn County tax roll. The GGA Fee Study was adopted at the GGA Regular Board meeting on May 13, 2019.

3. Outreach and Notice

The proposed GGA Operations Fee has been discussed at multiple open public meetings including regular meetings of the GGA Board and Executive Committees. All meeting agendas and minutes can be found on the GGA meetings page at:

https://www.countyofglenn.net/dept/agriculture/water-resources/glenn-groundwaterauthority/gga-meetings

Three public workshops were held to provide an opportunity to learn about SGMA, the GGA, and the proposed GGA Operations fee. Several Board members, staff, and consultants were available at each meeting to answer questions and to receive comments. The workshops were held:

- March 21, 2019 in Orland
- March 28, 2019 in Willows
- April 2, 2019 in Ord Bend

A Notice of Hearing on Proposed Fee Study was mailed to landowners within the GGA service area according to the requirements of Article XIIID, Section 6 of the California Constitution. The Notice provided the date and time of the Public Hearing to consider the adoption of a new property related fee in the amount of \$1.93 per acre annually for the 2019 Fiscal Year and the subsequent four fiscal years, to fund operations of the GGA. The Notice also provided background information on the GGA, the long term funding process, the proposed property related fee, and instructions to obtain additional information. The Public Hearing and Majority Protest process were explained and a form was provided for landowners wishing to protest the proposed fee.

In accordance with Government Code 6066 and Water Code Section 10730, a notice was advertised in the Sacramento Valley Mirror on June 22, 2019 and June 29, 2019. The Proof of Publication is attached.

Additionally, the following documents regarding the proposed fee have been placed on the information page on the GGA website:

- Glenn Groundwater Authority Notice of Hearing on Proposed Fee Study (English)
- <u>Glenn Groundwater Authority Notice of Hearing on Proposed Fee Study (Spanish)</u>
- Fee Study for the Glenn Groundwater Authority
- <u>Public Information Workshops</u> (includes announcements and presentation)

The GGA information page can be found by clicking the following link:

https://www.countyofglenn.net/dept/agriculture/water-resources/glenn-groundwaterauthority/gga-information

4. Public Hearing

The purpose of the Public Hearing is to consider the adoption of the proposed GGA Operations Fee and the subsequent four fiscal years, to fund operations of the GGA. The Public Hearing provides an opportunity to hear comments and receive written protests from landowners affected by the potential property related fee. The Public Hearing complies with the requirements of Proposition 218.

The Public Hearing will be conducted as follows:

- (a) Board chair opens hearing
- (b) GGA counsel will explain the Proposition 218 requirements and process
- (c) Facilitator will provide background on SGMA, the GGA, and the proposed GGA Operations Fee
- (d) GGA Board opportunity to comment
- (e) Public opportunity to comment
- (f) Final call for protests or retractions
- (g) Tally of protests
- (h) Board chair closes hearing

If written protests submitted account for a majority of the total assessed parcels, the GGA will not adopt the GGA Operations Fee. Absent a majority protest, the GGA is authorized to adopt the proposed GGA Operations Fee following the Public Hearing.

Attachments:

- 1. Presentation
- 2. GGA Fee Study adopted on 5/13/19
- 3. State Water Board Fee Summary
- 4. Prop 218 schedule adopted on 5/13/19
- 5. Resolution by City of Willows
- 6. Resolution by City of Orland

ATTACHMENT 1.

Presentation

The Presentation will be available at the GGA Board meeting on July 8, 2019 and will be posted to the GGA website following the Public Hearing or available by request.

ATTACHMENT 2.

GGA Fee Study adopted on 5/13/19

Due to the size of this document, this version of the meeting packet has excluded Appendix B: GGA 2019 Operations Fee Role of the Fee Study. If you wish to review Appendix B, please open the meeting packet on GGA meeting page:

https://www.countyofglenn.net/resources/agendas-groundwater-authority-minutes-water/glenn-groundwater-authority-meeting-july-8

The full Fee Study document can also be downloaded on the website at:

https://www.countyofglenn.net/sites/default/files/Water_Resources/Glenn_Groundwater_Authority/2 019-0521%20GGA%20Prop%20218%20Report%20Final.pdf

FEE STUDY FOR THE GLENN GROUNDWATER AUTHORITY

INTENDED TO COMPLY WITH PROPOSITION 218 PROCEDURES FOR ESTABLISHING GROUNDWATER SUSTAINABILITY OPERATIONS FEE

May 2019



Signed 05/21/2019

Prepared for:

Glenn Groundwater Authority

Prepared by:

Provost & Pritchard Consulting Group Chico, California



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ACRONYMS

AF	acre-feet
Agency	Glenn Groundwater Authority
Basin	Colusa Subbasin of the Sacramento Valley Groundwater Basin
CASGEM	California State Groundwater Elevation Monitoring
County	
DACs	Disadvantaged Communities
	California Department of Water Resources
	Fiscal Year
GGA	Glenn Groundwater Authority
	Groundwater Management Plan
GSA	Groundwater Sustainability Agency
PLAN	Groundwater Sustainability Plan
IRWMP	Integrated Regional Water Management Plan
JPA	Joint Powers Authority
	Local Agency Formation Commission
SGMA	Sustainable Groundwater Management Act
	State Water Resources Control Board

INTRODUCTION AND EXECUTIVE SUMMARY

The Glenn Groundwater Authority (GGA or Agency) is a nine-member, multi-agency Joint Powers Authority (JPA) that was formed on June 20, 2017. The GGA is the Groundwater Sustainability Agency (GSA) responsible for implementation of the Sustainable Groundwater Management Act (SGMA) in the Glenn County portion of the Colusa Subbasin (5-21.52). The Board of the GGA is composed of representatives of the following:

County of Glenn, City of Orland, City of Willows, Glenn-Colusa Irrigation District, Glide Water District, Princeton-Codora-Glenn/Provident Irrigation District (1 seat). Orland-Artois Water District, and Kanawha Water District formed with the primary purpose to comply with and implement SGMA.

The GGA Member agencies currently fund the GGA through member contributions but are required to develop a long-term funding plan (proposed GGA Operations Fee) to cover long-term operations including administration, legal services, insurance, printing/copying, accounting, facilitation, monitoring and reporting to DWR, and special studies, if needed. The GGA has received Proposition 1 grant funding to cover a majority of the work to develop a Groundwater Sustainability Plan (Plan). Any costs for Plan preparation and initial implementation in excess of costs covered by grants, will also need to be covered by the GSA Operations Fee.

In coordination with the Colusa Groundwater Authority (CGA), the GGA will develop a Plan that provides for achieving groundwater sustainability in the Colusa Subbasin by January 2042. Because the Colusa Subbasin is not critically over-drafted, SGMA requires the Plan be submitted to the California Department of Water Resources (DWR) by January 31, 2022.

GGA has developed a planning level budget of approximately \$450,000 to \$550,000 in annual operations expenses for a five-year period spanning fiscal years 2019/20 to 2023/24. In order to fund the GGA, the long-term funding plan requires the GGA to develop a source of operations revenue. Together, GGA and CGA are developing a Plan which will be updated every five years and implemented after submission to DWR as required by SGMA. GGA operations and associated expenses are anticipated to be ongoing during the development and implementation period

The proposed Operations Fees are property-related fees for water service governed by Proposition 218 and apply equally on a cost of service per acre basis to lands within the Agency's boundaries in the manner described in this Fee Study. SGMA provides authority for GGA to charge fees to support its operations. In addition, as a JPA, the GGA has the common power of its members to enact property-related fees. Failure to adequately manage the groundwater basin may subject the GGA to intervention by the State Water Resources Control Board (SWRCB). If it intervenes, the SWRCB may impose fees within the GGA ranging from \$100 per de minimis well, to \$300 per well plus up to \$55 per acrefoot pumped per well, with no guarantee of assistance in bearing costs to address any groundwater issues within the Basin. See **Appendix A** for SWRCB fees and <u>https://www.waterboards.ca.gov/water_issues/programs/gmp/docs/intervention/intervent</u> ion_fs.pdf for more complete information. By collecting the Operations Fees, GGA will provide landowners with local groundwater management with a tailored, more affordable approach for managing the Basin.

Appendix B identifies assessor's parcel numbers (APNs) and acreage that would be subject to the proposed Operations Fee.

The Cities of Willows and Orland will continue to fund the GGA through member contribution. The contribution will be in the same price per acre as the proposed Operations Fee. The LAFCo boundary for each City was used for fee calculations. The Draft Resolutions each of the Cities will pass in order to agree to fund the GGA are included as **Appendix C**.

The following Table ES-1 provides an example schedule of the proposed Operations Fees which will fund the administrative and operating expenses calculated using the GGA's budget on a cost per acre basis during the next five years. The Operations Fee is proposed to remain the same for the next five years. Operations expenses have not been projected beyond Fiscal Year 2023/24.

The Operations Fees include projected costs of administrative and operational expenses. This projected budget does not include projects that may be identified as management options in the Plan but may include special projects necessary for Plan completion and early Plan implementation. Complete funding for Plan proposed projects, monitoring, and reporting requirements to attain sustainability and maintain the threshold levels established in the Plan may require supplemental funding and any such fees would require greater than the Operations Fees described in this report. Potential future fees would require additional approval by the landowners in a future Proposition 218 election.

	Proposed 2019/20	Proposed 2020/21	Proposed 2021/22	Proposed 2022/23	Proposed 2023/24
Operating Expenses	\$458,552	\$461,281	\$492,365	\$550,600	\$550,900
Total Proposed Assessment (\$/Acre)	\$1.61	\$1.62	\$1.73	\$1.93	\$1.93

Table ES-1. Proposed 5-Year Operations Fee Schedule

The GGA is proposing to implement an annualized fee of \$1.93 per acre for all assessable parcels identified in **Appendix B** for groundwater management activities required by SGMA. The projected budget is shown in the table and explained further in this report.

Implementation of this property-related fee for water service is being conducted in accordance with provisions of Proposition 218, as reflected in Article XIII D of the California Constitution and Sections 53750 through 53756 of California Government

Code. These constitutional and statutory provisions establish mandatory procedures that local agencies must follow prior to enacting fees.

Under the Proposition 218 process, an agency must notify landowners and provide these landowners with the opportunity to protest proposed fees prior to establishing and collecting fees for water service.

The GGA Board of Directors will hold a public hearing at which all landowners affected by the Operations Fee may participate and are entitled to protest the Operations Fee. At the public hearing, the Agency will consider and address comments and questions from owners of land that would be subject to the proposed GGA Operations Fee. Landowner protests received prior to and by the close of the public hearing will then be counted and the protest results will be certified. If written protests are submitted accounting for a majority of the total assessed parcels, GGA will not adopt the Operations Fee. Absent a majority protest, GGA is authorized to adopt the proposed Operations Fee at the public adoption hearing.

1. PURPOSE OF THE REPORT

1.1. General

This Fee Study is prepared to describe the proportional cost distribution of the Glenn Groundwater Authority (GGA) proposed Operations Fee to each parcel identified in **Appendix B.** Parcels located within the Cities of Orland and Willows will be funded by the cities through a resolution agreeing to contribute at the same rate per acre as the proposed Operations Fee to the GGA. Draft resolutions are included as Appendix C. The proposal is for the Agency to collect revenue in the form of Operations Fees that will be used to cover the costs of the GGA's operations. These operations include Groundwater Sustainability Plan (Plan) preparation and initial implementation, Plan administration, legal services, insurance, printing/copying, accounting, facilitation, monitoring and reporting to the Department of Water Resources (DWR), and special studies, if needed. As explained further in Section 2.2 of this Fee Study, the GGA was formed to sustainably manage groundwater resources in the Colusa Subbasin in collaboration with other GSAs in the subbasin. Sustainable management of the Colusa Subbasin's groundwater resources will, amongst other things, safeguard the long-term supply of groundwater in the subbasin for use by GGA stakeholders and continued ability to rely on groundwater as a resource, as well as comply with SGMA laws and regulations.

1.2. Sustainable Groundwater Management Act

On September 16, 2014, the Governor of California signed into law a three-bill legislative package (Senate Bill 1168, Assembly Bill 1739 and Assembly Bill 1319) that provided a framework for statewide sustainable groundwater management. These laws are collectively known as the Sustainable Groundwater Management Act (SGMA). SGMA defines sustainable groundwater management as the *management and use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing undesirable results*. Undesirable results are defined in SGMA as any of six primary effects caused by groundwater conditions occurring throughout the basin:

Chronic lowering of groundwater levels indicating a significant and unreasonable depletion of supply

- Significant and unreasonable reduction of groundwater storage
- 🛕 s
 - Significant and unreasonable seawater intrusion
 - Significant and unreasonable degraded water quality
- A
- Significant and unreasonable land subsidence
- Depletions of interconnected surface water that have significant and unreasonable adverse impacts on beneficial uses of the surface water

These potential undesirable results are the focus of SGMA and must be addressed in Plans. Each of the undesirable results will need to be described and evaluated as part of the Plan development. The Plan will include measurable goals and objectives and implementation actions to achieve and maintain sustainable conditions in the Colusa Subbasin. SGMA requires the development and implementation of Plans that achieve groundwater basin sustainability within a prescribed 20-year window through projects and management actions. During the Plan implementation phase, GSAs are required to update the Plan every 5 years and provide DWR with annual updates on the progress of achieving sustainability.

1.3. Agency's Authority to Impose Property-Related Fees for Water Service

The GGA is a nine-member, multi-agency Joint Powers Authority (JPA) that was formed on June 20,2017. The GGA is the GSA responsible for compliance and implementation of SGMA in the Glenn County portion of the Colusa Subbasin (5-21.52). The Board of the GGA is composed of representatives of the following:

County of Glenn, City of Orland, City of Willows, Glenn-Colusa Irrigation District, Glide Water District, Princeton-Codora-Glenn/Provident Irrigation District (1 seat), Orland-Artois Water District, and Kanawha Water District.

As a GSA, the GGA may develop, adopt, and implement a Plan for sustainable management of groundwater underlying the Agency.

The GGA Member agencies funded the GGA through member contributions for the first two years of operation, after which a long-term funding plan (GSA Operations Fee) is proposed to be initiated to cover the GGA's operations. The GGA has been deemed the exclusive local agency with powers to comply with SGMA in its jurisdiction. Pursuant to Chapter 8 (commencing with Section 10730) of Part 2.74 of Division 6 of the Water Code, a GSA may impose fees, including, but not limited to, permit fees and fees on groundwater extraction or other regulated activity, to fund the costs of a groundwater sustainability program, including, but not limited to, preparation, adoption, and amendment of a Plan, and investigations, inspections, compliance assistance, enforcement, and program administration, including a prudent reserve.

1.4. State Intervention Alternative

If local GSAs are unable or unwilling to sustainably manage their groundwater basin, the State Water Resources Control Board (SWRCB) may protect the groundwater resources by designating the subbasin as probationary and taking over local management using a process called state intervention. After a basin is designated as probationary, the SWRCB has the authority for setting and collecting fees to recover the costs associated with state intervention and has established a fee structure as shown in **Appendix A**. The SWRCB fee schedule would cost significantly more than management under the GGA.

As explained in **Appendix A**, the SWRCB has the authority to intervene and implement the requirements of the SGMA in the Colusa Subbasin (as well as other areas of the State) if locals are unable or unwilling to comply with the law. In such a case, the Subbasin would be designated as a "Probationary Basin" by the SWRCB and fees would be charged to each groundwater extractor (landowner). The SWRCB fees would be as follows:

- Base Filing Fee: \$300 per well, plus \$40 per acre-foot (AF) per year (Probationary Basin) or \$55 per AF per year (Interim Plan), plus costs for needed studies.
- De minimis wells (less than or equal to 2 AF per year) would be charged \$100 per year.

For illustration of these costs, in a basin designated as probationary where a landowner has 40 acres with one well and applies 3.0 AF per acre. The associated annual SWRCB fees would be \$300 (filing fee) plus \$4,800 (3.0 AF/acre x 40 acres x \$40/AF) for a total of \$5,100 per year. If the SWRCB determined the basin needed an Interim Plan, the annual cost would go to \$6,900. Over the next five years, the 40-acre landowner would pay \$25,500 to \$34,500 based on SWRCB designation, without achieving the benefit of any project development to help comply with SGMA.

By comparison, under the rates and schedule proposed for the GGA through this Fee Study, this same landowner would pay a maximum of \$77.20 per year (40 acres x \$1.93/acre) or \$386 over the five-year period. From a cost standpoint, as well as a regulation standpoint, the GGA desires to prevent state intervention while effectively managing groundwater resources and provide a tailored approach to groundwater management. As such, the purpose of the GGA is to fully comply with SGMA on behalf of its landowners to avoid state intervention.

1.5. Proposition 218 Requirements

In November 1996, the California voters approved Proposition 218, the *Right to Vote on Taxes Act*, which added Article XIII D to the California Constitution. Proposition 218 imposes certain requirements relative to the imposition of certain assessments, fees and charges by local agencies. There are two processes for approval of revenue generation under Proposition 218, Section 4 and Section 6. Section 4 addresses special assessments, which are levies or charges on real property by an agency for a special benefit conferred on the assessed property. Section 6 addresses fees or charges on a parcel by an agency in exchange for providing a property-related service to the charged parcel. Because the GSA Operations Fee is a property-related fee for water service, the GGA Board of Directors approved applying fees under Section 6 of Proposition 218. The Operations Fee was calculated by using GGA's budget as the cost of providing water service to proportionally recover costs on a cost per acre basis.

New charges subject to Section 6 of Proposition 218 must comply with the following requirements:

1. Revenues derived from the fee or charge must not exceed the funds required to provide the property-related service;

- 2. Revenue from the fee or charge must not be used for any purpose other than that for which the fee or charge is imposed;
- 3. No fee or charge may be imposed for general governmental services, such as police, fire, ambulance, or libraries, where the service is available to the public in substantially the same manner as it is to property owners;
- 4. The amount of a fee or charged imposed upon any parcel or person as an incident of property ownership must not exceed the proportional cost of the service attributable to the parcel; and,
- 5. The fee or charge may not be imposed for service, unless the service is actually used by or immediately available to, the owner of the property in question.

1.6. Limitations of the Fee Study and Revenue Objectives

This report is limited to the proposed GSA Operations Fee to fund the Agency's annual operations and comply with the requirements of the SGMA legislation forecast over the next five (5) years.

2. GGA BACKGROUND INFORMATION

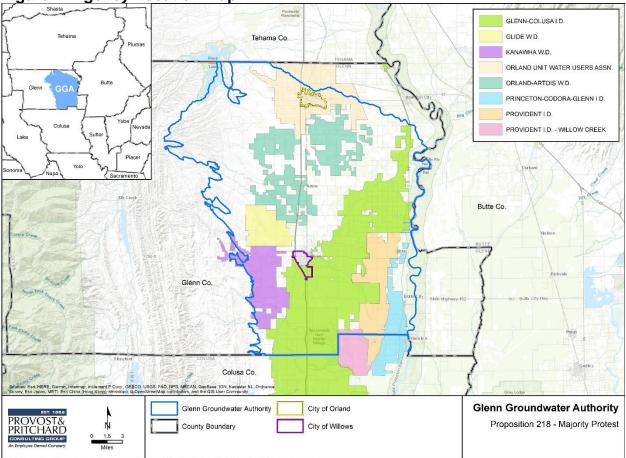
2.1. Location

The GGA is a JPA whose members are located in the northern Sacramento Valley and encompasses a total area of approximately 305,458 acres within Glenn County. The service area of the GGA is shown in **Figure 1**. The Agency is located within the Colusa Subbasin of the Sacramento Valley Groundwater Basin (5-021.52) as defined in DWR Bulletin No. 118.

Agriculture is the major producing industry in the territory of the GGA. Top crops include almonds, rice, walnuts, olives, prunes, alfalfa, vine seed, and miscellaneous fruit and vegetable crops. Two incorporated cities and other smaller communities and rural residential use are included. The communities of City of Willows, City of Orland and Artois have been identified by DWR as disadvantaged communities (DACs). The boundaries of the GGA include areas within County of Glenn including the City of Orland, City of Willows, Glenn-Colusa Irrigation District, Princeton-Codora-Glenn/Provident Irrigation District, Glide Water District, Kanawha Water District, and Orland-Artois Water District.

The GGA is working collaboratively with CGA to manage groundwater within the Colusa Subbasin as shown in **Figure 2**. At this time, each GSA has indicated they plan to prepare a single Plan for the Colusa Subbasin and work cooperatively together to achieve SGMA compliance in the Colusa Subbasin, which has been designated by DWR as a "highpriority" groundwater basin. SGMA requires high priority subbasins not deemed to be in critical overdraft, such as the Colusa Subbasin, to submit Plans by January 31, 2022. As required by SGMA, the GGA will be responsible for coordinating with the CGA to achieve sustainability at the subbasin level. Collectively the GSAs, through implementation of the Plan, must achieve the sustainability goal for the entire Colusa Subbasin within 20 years of implementation (by 2042) without adversely affecting the ability of adjacent basins to implement their respective Plans or achieve their respective sustainability goals.

Figure 1. Agency Location Map



5/6/2019 : G:\Glenn Groundwater Authority-2871\287119001-Prop 218 Majority Protest\GIS\Map\GGA_Location.mxd

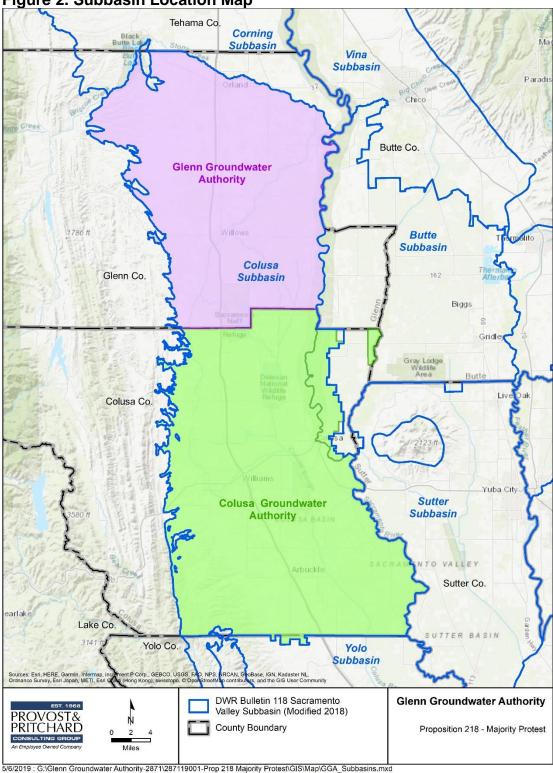


Figure 2. Subbasin Location Map

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2.2. History

The GGA was formed in 2017 to comply with the governance requirements of SGMA. The primary purpose for forming the Agency was to fulfill the role of a GSA for compliance with SGMA on behalf of the landowners in the area. The GGA allows direct local representation for implementation of the 2014 SGMA legislation. As a public entity, the GGA provides representation for local stakeholders during Plan development and implementation in its portion of the Colusa Subbasin.

While the GGA is a new agency, management of the groundwater resources within the territory of the Agency and surrounding lands has been occurring for many years by member agencies. These agencies have been involved in a variety of cooperative efforts to preserve the area's water and groundwater resources. For many years local agencies have developed and implemented groundwater management plans under the authority of AB 3030 and/or SB 1938 for their respective areas. The agencies have prepared studies and reports on groundwater conditions since the early 2000's and before.

The County of Glenn is the designated California Statewide Groundwater Elevation Monitoring (CASGEM) entity for the Glenn County portions of the Colusa Subbasin. The County is signatory to the JPA and will continue to be a part of planning and implementation of SGMA. Other agencies participating in CASGEM monitoring and reporting within the basin include the US Bureau of Reclamation, DWR, and Glenn-Colusa Irrigation District.

Glenn County is one of six counties that participates in the Northern Sacramento Valley Integrated Regional Water Management Group. Glenn County has seats on the Board and the Technical Advisory Committee. Others include Butte, Colusa, Shasta, Sutter, and Tehama Counties. The Board adopted the Final Integrated Regional Water Management Plan (IRWMP), on April 14, 2014. The IRWMP defines problems and issues; regional goals and objectives; water management strategies; and projects to enhance the beneficial uses of water for the Sacramento Valley. Extensive stakeholder involvement and numerous meetings among various work groups and participants were associated with the IRWMP. The IRWMP includes a combination of projects to improve the way water is managed for the future. These projects have been proposed as partnerships between member irrigation districts, cities, counties and environmental organizations, which is important because the agricultural users and urban entities need to work together to ensure compatibility and consistency between the prevailing land use and water supply plans for the area. The IRWM Board and Technical Advisory Committee meetings have also been a successful venue to provide SGMA outreach.

2.2.1. <u>Surface Water</u>

Portions of the County have surface water available from the Sacramento River. Glenn-Colusa Irrigation District, Princeton-Codora-Glenn Irrigation District and Provident Irrigation District have settlement contracts for Sacramento River water. Orland-Artois Water District, Kanawha Water District and Glide Water District receive Sacramento River water through the Central Valley Project. Additionally, some individual landowners have water rights that allow the diversion of Sacramento River Water. Approximately 136,000 acres in the GGA area are not located within an irrigation district. The majority of these lands do not have surface water available.

2.2.2. <u>Groundwater</u>

Groundwater in the GGA service area is extracted to serve municipal, domestic, and agricultural beneficial uses. Municipal and domestic water supply demand in the GGA service area is met with groundwater. Surface water supplies for irrigation districts within the GGA vary in seniority but are generally adequate to meet crop requirements in many year types. Agricultural water users within the GGA area that do not have an adequate surface water supply must rely upon groundwater to meet the entire agronomic water demand.

3. AGENCY FINANCIAL INFORMATION

The GGA is a relatively new organization and has obtained funding for administrative activities from inception to date through contributions by member agencies. As discussed above, the primary purpose of the GGA is to organize and represent stakeholders for the purposes of SGMA. Because SGMA has a fifty-year planning horizon and the requirements for continual management of groundwater do not sunset, the cost of maintaining the Agency on a long-term basis will need to be addressed. In the first several years of SGMA implementation, the GGA will identify characteristics of the groundwater basin, evaluate technical reports by others, and ultimately, in coordination with the CGA, develop and implement a Plan for the Colusa Subbasin. The GGA also plans to coordinate with adjacent planning processes consistent with the requirements of SGMA. The technical report evaluations and Plan development are discrete activities and primarily occur over the first few years, with implementation of the Plan in the following years. The remainder of this section provides further detail on estimated costs for each component of the proposed budget for this Proposition 218 funding proposal.

3.1. Programs/Projects

Under this proposal, the Agency is seeking approval of Operations Fees to fund its annual administrative operating costs, Plan costs not expected to be covered by grants, and special studies, as needed.

Plan Implementation will include groundwater monitoring and development of programs and projects to attain groundwater sustainability. The funding of specific monitoring, programs, and projects will likely require additional funding mechanisms and could be subject to subsequent Proposition 218 processes. It should be noted that, although the Plan development and initial implementation is anticipated to be funded in part through a State grant and a portion of the GSA Operations Fee, other grant funding could reduce the level of GSA Operations Fees in one or more years. If revenue collected by the Operations Fee exceeds the projected annual fiscal year budget, the Board has the option to lower the Operations Fee in subsequent years to ensure the Operations Fee appropriately reflects the cost of service. Sections 3.1.1 and 3.1.2 show the estimated costs of the GGA for the current and next 5year period, organized by major categories and sub-categories. Actual costs for particular sub-categories may be more or less than projected, and as identified in this Fee Study. The Board has the authority to move funding to sub-categories needing additional funding or to offset additional costs within the major categories with grants or other funding that may become available to the Agency, as long as the total costs do not exceed the fee proposed in this report. Additionally, if funds from the collected Operations Fees exceed the immediate cost of service, the Board may choose to establish reasonable and prudent reserve for anticipated costs within these major cost categories.

3.1.1. Prior Expenditures and Current Budget

Table 3-1 lists the Agency's current fiscal year budget which includes an estimate of the costs associated with conducting a Proposition 218 proceeding. Pre-formation and formation costs were funded by agency contributions and are not included in the future budget. These prior expenditures and the current budget are being funded by member agency contributions.

	Actual	Estimated
OPERATING EXPENSES	2017/18	2018/19
Administration- Contracted County Services	\$59 <i>,</i> 599	\$85 <i>,</i> 000
Program Administration Support	0	0
Legal Services	18,535	70,000
Certified Public Accountant (Yearly Audits)	0	9,500
JPA Insurance	1,350	1,800
County Bookkeeper	0	0
Plan Development/Implementation	0	50,000
Long Term Funding Options	0	50,000
Professional Services	6,486	0
Board Expenses	0	1,000
Special Department Expenses	0	2,000
Legal Notices	0	500
TOTAL OPERATING EXPENSES	\$85 <i>,</i> 970	\$269,800

Table 3-1. Prior Expenditures and Current Budget

3.1.2. <u>Annual Administration</u>

Per the JPA Agreement, Glenn County, as one of the Agency members will act as the administrative agent to be responsible for administrative tasks assigned by the Board of Directors including the following tasks:

- 1. Develop agendas and Board packets and attend GGA Board meetings and brief the Board on all relevant issues;
- 2. Prepare and present a proposed budget to the Board and control approved budget;
- 3. Implement and manage contracts and agreements approved by the Board; and
- 4. Perform other such additional duties as assigned by the Board.

The Agency was formed, in part, to provide stakeholders a vehicle to participate in SGMA. Through this representation and compliance with SGMA, the GGA service will facilitate the ability for the region to continue to rely on groundwater to satisfy agriculture and municipal beneficial uses. The proposed Operations Fees is the mechanism through which the Agency is seeking to obtain funding for future annual operational and SGMA-related expenses. The costs shown in Table 3-2 assume that the assessments shown will be collected and used in the fiscal years shown, enabling the Agency to meet SGMA obligations during the period indicated. If a higher assessment rate is necessary to meet the Agency's SGMA obligations as a result of project development during implementation, the Board will comply with the Proposition 218 process to increase funding at that time. These revenues, if approved, are anticipated to be levied in the fall of 2019 and payable with County taxes in December 2019 and April 2020 and each subsequent December and April.

Table 3-2 lists the estimated annual budget for the on-going administration of the GGA and special studies.

OPERATING EXPENSES	Proposed 2019/20	Proposed 2020/21	Proposed 2021/22	Proposed 2022/23	Proposed 2023/24
Administration- Contracted County Services	\$120,000	\$150,000	\$150,000	\$150,000	\$150,000
Program Administration Support			20,000	20,000	20,000
Legal Services	80,000	80,000	80,000	80,000	80,000
Certified Public Accountant (Yearly Audits)	9,750	10,000	10,500	10,800	11,100
JPA Insurance	1,800	1,800	1,800	1,800	1,800
County Bookkeeper	5,000	5,000	5,000	5,000	5,000
Plan Development/Implementation	72,002	59,481	66,865	50,000	50,000
Long Term Funding Options	15,000			70,000	70,000
Professional Services	35,000	35,000	35,000	35,000	35,000
Board Expenses	2,000	2,000	2,000	2,000	2,000
Special Department Expenses	25,000	25,000	25,000	25,000	25,000
Legal Notices	1,000	1,000	1,200	1,000	1,000
County Tax Roll Fee	50,000	50,000	50,000	50,000	50,000
Contingency 10%	42,000	42,000	45,000	50,000	50,000
TOTAL OPERATING EXPENSES	\$458,552	\$461,281	\$492,365	\$550,600	\$550,900

Table 3-2. Projected 5-Year Annual Budget

4. BENEFITS OF GGA OVERSIGHT

4.1. General

For the activities covered in this initial five-year budget, the GGA proposes to levy charges equally to all assessable acreage. The Operations Fee is a property-related fee for water service because the existence of the GGA, and its ongoing operations, provides the

benefit of SGMA compliance to all landowners within its boundaries. Although some properties might not presently utilize groundwater, all parcels located within the Colusa Subbasin, as defined by DWR, have overlying groundwater rights and must comply with SGMA requirements. The information generated by the development of a Plan will inform the landowners about the water supply available to their land on a current and future basis, the potential for additional groundwater recharge, allow stakeholders to be directly represented through the GGA as the GSA continues to meet the requirements of SGMA, and protect the ability to rely on the use of groundwater resources in the future. In addition, without this local management, the SWRCB would be the entity managing regional groundwater supplies.

This section provides the breakdown of the benefits that are to be attributed to landowners within the GGA boundaries, if the proposed charges are approved. Table 4-1 summarizes the acreages used in the analyses.

Descriptio	on	Acres
City of Orland*		1,841.60
City of Willows*		1,737.29
Assessable GGA Acreage**		281,611.74
	NET ASSESSABLE ACRES	285,190.63

Table 4-1. Acres Subject to GGA Operations Fee

*City acreage based on LAFCo/County provided boundary. Excludes exempt parcels.

**Excludes SGMA-exempt (Federal) parcels and tax exempt parcels (ie. State and other public parcels)

The lands that have been identified as being subject to the GGA Operations Fee are illustrated in **Figure 3**. The proposed 2019 GGA Operations Fee, based on the Colusa Subbasin GGA portion of the 2018 tax rolls of Glenn County, lists parcels that will be subject to the proposed Operations Fee, acreage and calculated maximum fee, and is included as **Appendix B**. The complete roll will be submitted to the County Department of Finance upon implementation of the GGA Operations Fee.

The parcels located within the Cities of Willows and Orland will not be subject to the Operations Fee. Instead, each City will pay the equivalent of the Operations Fee for the land in the City boundary and owned by the City. The LAFCo boundaries for each of these entities were used for assessable acreage and fee calculations. The agreement to fund the GGA in this manner will be memorialized in a Resolution adopted by each City. Draft resolutions are included as **Appendix C**.

Parcels listed by the assessor as tax-exempt will not be subject to the fee, with the exception of lands owned by member agencies, such as the County of Glenn, the Cities of Willows and Orland, and irrigation and water districts.

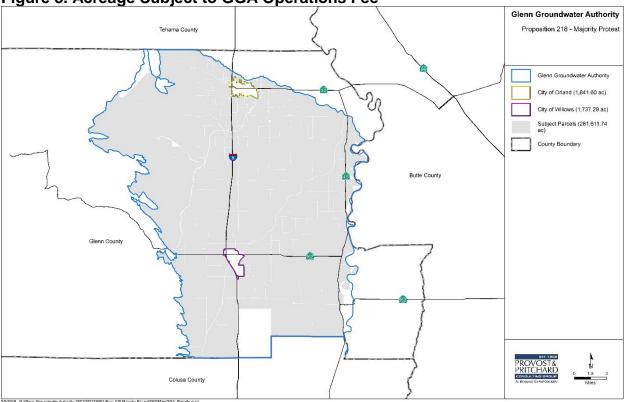


Figure 3. Acreage Subject to GGA Operations Fee

GGA Formation and Annual Operations 4.1.1.

The GGA has incurred operating expenses since its formation including the retention of consultants and legal counsel to address SGMA related issues and to carry out the efforts identified in Section 3.1 of this report. Work thus far has been financed by the member agencies. All lands within the GGA boundaries have the benefit of being represented by a GSA, in compliance with SGMA, as opposed to being managed by the SWRCB. The GGA will need to address groundwater sustainability and will spend time and effort to comply with State regulations and laws, for the benefit of all of the GGA's landowners.

4.1.2. Groundwater Sustainability Plan Development

A large effort under SGMA is the development of the Plan, and consultants have been retained for professional services. The Plan will evaluate the existing groundwater sustainability of the Colusa Subbasin and develop projects and management actions to ensure continued sustainability within the Colusa Subbasin. Plan development benefits all land within the Agency service area, all land will receive the special benefits arising out of the development of a Plan and the overlying rights of all landowners will be protected by ensuring groundwater is sustainable. For these reasons, the cost to fund the GGA, including the Plan development, is proposed to be placed on all parcels within the GGA service area.

While a particular parcel may not directly pump groundwater, and particular parcels may use more or less groundwater, groundwater is potentially available to all land within the territory of the GGA and the groundwater resources are shared by all. All landowners are affected if the groundwater resources in the area are not sustainable. Additionally, all land located within the Colusa Subbasin boundary as defined by DWR, is subject to the requirements of SGMA and has the potential for state intervention if the requirements are Section 3.1.2 identifies the estimated costs associated with professional not met. services for the Plan development and project management.

4.1.3. Plan Implementation

Implementing and updating the Plan will be an on-going effort, and it is anticipated that a significant number of programs and projects will be required to comply with the requirements of SGMA. In addition, after submitting the Plan, the Plan will be subject to possible revisions from DWR. As the burden of SGMA compliance falls on all lands within the defined subbasin, and hence all assessable parcels, the benefits of Plan implementation and associated costs accrue to all those lands. As projects are identified and developed during Plan implementation, any projects that do not benefit the entire GGA service area would need to be proportionally funded by those lands that receive the benefit through a separate Proposition 218 election.

4.1.4. No Agency/GSA Alternative

As previously discussed in Section 1.4, it is important to note that the SWRCB has the authority to intervene and implement the requirements of SGMA in the Colusa Subbasin if the GSA does not adopt a Plan and the Colusa Subbasin as a whole is unable to comply with the law. In such case, the Subbasin would be considered a "Probationary Basin" and the SWRCB will develop an "Interim Plan". The SWRCB fee schedule for intervening (see Appendix A) would be applied directly to each groundwater extractor (landowner) and would result in significantly higher costs to groundwater users than the local GGA management. Under State Intervention, the State would tell each landowner how much water they could pump each year, require annual reporting and fee collection, with all of the fees going to the State without achieving the benefit of any local project development to help comply with SGMA. From a cost standpoint, as well as a regulation standpoint, the desire is for the GGA to be successful at the local level and prevent state intervention.

5. PROPOSED FEES

This section describes the GGA's proposed Operations Fee to funding GSA operations expenses and special studies.

5.1. General

Based on the services provided by the Agency, the Agency proposes to charge fees to all assessable parcels within the territory of the GGA that are identified on the tax roll of Glenn County, plus lands owned by member agencies, such as the County of Glenn, the Cities of Willows and Orland, and irrigation and water districts.

5.2. Proposed Budget Funding and Fee Design

In conformance with this Fee Study, the GGA proposes Operations Fee revenues to fund its operating expenses, Plan, and special studies in compliance with SGMA legislation.

Table 5-1 below summarizes the proposed budget and total fees needed to fund the Agency efforts over the next five years and the methodology for setting fees in proportion to cost of service. Proposition 218 requires that fees charged to each customer be proportional to the cost of service attributable to that customer. The costs of administering the GSA and special studies for landowners in the GGA are proportional to the number of acres covered by the GSA and studies. Therefore, collecting fees on a cost per acre basis fulfills the proportionality requirement.

•	-						
	Actual	Estimated	Proposed				
OPERATING EXPENSES	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Administration- Contracted County							
Services	\$59 <i>,</i> 599	\$85,000	\$120,000	\$150,000	\$150,000	\$150,000	\$150,000
Program Administration Support	0	0	0	0	20,000	20,000	20,000
Legal Services	18,535	70,000	80,000	80,000	80,000	80,000	80,000
Certified Public Accountant (Yearly							
Audits)	0	9,500	9,750	10,000	10,500	10,800	11,100
JPA Insurance	1,350	1,800	1,800	1,800	1,800	1,800	1,800
County Bookkeeper	0	0	5,000	5,000	5,000	5,000	5,000
Plan							
Development/Implementation	0	50,000	72,002	59,481	66,865	50,000	50,000
Long Term Funding Options	0	50,000	15,000	0	0	70,000	70,000
Professional Services	6,486	0	35,000	35,000	35,000	35,000	35,000
Board Expenses	0	1,000	2,000	2,000	2,000	2,000	2,000
Special Department Expenses	0	2,000	25,000	25,000	25,000	25,000	25,000
Legal Notices	0	500	1,000	1,000	1,200	1,000	1,000
County Tax Roll Fee	0	0	50,000	50,000	50,000	50,000	50,000
Contingency/Reserve	0	0	42,000	42,000	45,000	50,000	50,000
TOTAL OPERATING EXPENSES	\$85,970	\$269,800	\$458,552	\$461,281	\$492,365	\$550,600	\$550,900

Table 5-1. Proposed 5-Year Budget Summary

Table 5-2 below indicates the proportionate amount of fees for each category for the budget shown above.

Table 5-2. Proposed 5-Year Fee Schedule

	Proposed 2019/20	Proposed 2020/21	Proposed 2021/22	Proposed 2022/23	Proposed 2023/24
Operating Expenses	\$458,552	\$461,281	\$492,365	\$550,600	\$550,900
Total Proposed Assessment (\$/Acre)	\$1.61	\$1.62	\$1.73	\$1.93	\$1.93

The GGA is seeking to implement an annualized charge of up to \$1.93 per acre for all assessable parcels.

5.2.1. Property Fee Collection Compliance with Proposition 218

The Operations Fee proposed by the GGA is a property-related fee. In compliance with the requirements of Proposition 218 (listed in Section 1.5) the GGA and Provost & Pritchard calculated the proposed fee based on the following:

- Provost & Pritchard calculated the property-related fee based on the projected operational budget developed by GGA to ensure the Operations Fee would provide funding to GSA for operations over the 5-year period but would not exceed the cost of providing SGMA management and representation.
- All items included in the budget prepared and adopted by the GGA are related to future operations of the GGA including administrative operation costs, Plan costs not covered by grants, and special studies, as needed. No items unrelated to funding the operations of the GSA are included.
- The Operations Fee proposed by the GGA will not fund other government services, such as police, fire, ambulance, or libraries, but includes only the cost of SGMA representation through the GGA.
- As more fully described herein, the Operations Fee was structured to ensure it would not exceed the cost of service attributable to each parcel. The cost of service is generated on a per acre basis, which spreads the cost of the service equally over the GGA's boundary. The cost of service includes SGMA representation and maintenance of continued reliance on groundwater. Because the quantification of an overlying water right is based on the acreage of land overlying the groundwater basin, the per acre approach ensures the service (which includes management and continued reliance) is proportionally allocated.
- The properties included in the proposed fee overlie the Colusa groundwater basin and have an overlying right to access groundwater. The service provided by the GGA (operating the GSA and facilitating compliance with SGMA) provides regulatory coverage to each parcel owner. Because SGMA coverage and preservation of existing rights are provided to each landowner, these landowners rely on the service provided by the GGA.

5.3. Conclusion

The primary objective of the Board of Directors regarding revenues is to ensure that the Agency's expenditures are necessary, the costs are directly related to the price of service and allocated in a fair and equitable manner. Based on the revenue objectives, the Agency's proposal is to fund its annual operations and future activities identified in this five-year budget for the benefit of all parcels within the Agency service area that pay the Operations Fee.

Absent the creation of the Agency (or a similar entity) and funding by the proposed fee, GGA landowners would have no ability to locally comply with SGMA. Without such representation, the SWRCB would manage the regional groundwater resource, as provided by SGMA. However, with this proposed fee, properties will receive SGMA compliance with local representation at substantially lower costs and a tailored Plan compared to State management. If no GSA were formed, the landowners would pay much higher fees and be left subject to regulation and oversight of the SWRCB with no guarantee that costs for addressing groundwater issues would be shared by the State.

6. IMPLEMENTATION PROCEDURES

Based on an examination of procedural options available to the Agency's Board of Directors, it is the Engineer's opinion that the proposed fee structure offers an equitable procedure to the GGA to generate revenues for its operations and special studies associated with SGMA compliance. The GGA intends to proceed with a protest hearing complying with the provisions of Article XIII D of the California Constitution to allow for the application of Operations Charges.

The Agency Board of Directors will consider the following actions: (a) approve and accept the Fee Study; (b) set a public hearing on the proposed fees; and (c) circulate the notice to landowners proposing the enactment of Operations Fee with instructions for protest. At the public hearing, the GGA will state its intentions and justifications for proposing the Operations Fee, take into consideration any objections to the proposed Operations Fee, and count the written protests received as of the close of the hearing. If written protests account for a majority of the total assessed parcels, the GGA may not adopt the fee. Absent a majority protest, GGA may adopt the proposed fee. Because the Operations Fee is a property-related fee for water service, affirmative voter approval (beyond the majority protest procedures) is not required. (California Constitution, Art. XIII D, § 6 (c).)

7. REFERENCES

Bulletin No. 118, California's Groundwater, 2003 and 2016 Interim Update California Department of Water Resources

California Department of Water Resources, Groundwater Information Center Interactive Map Application, https://gis.water.ca.gov/app/gicima/#bookmark DepthBelowGroundSurface

California Department of Water Resources, Disadvantaged Communities Mapping Tool https://gis.water.ca.gov/app/dacs/

Glenn County Assessor's Office, Ownership Records and Acreage, October 2018

Glenn County Department of Agriculture/Weights and Measures, 2017 Glenn County Annual Crop and Livestock Report, September 2018

Glenn County Planning & Public Works Agency, GIS Parcel Shapefile, April 2017, Provided February 2019

Proposition 218, Local Agency Guidelines for Compliance, 2019 Update Association of California Water Agencies

Sustainable Groundwater Management Act, and related provisions, effective January 1, 2016, http://groundwater.ca.gov/docs/2014 Sustainable Groundwater Management Legislation with 2015 amends 1-15-2016.pdf

Appendix A

State Intervention Fee Structure

APPENDIX A

SWRCB Fees, 2018				
BASE FEE (per well)	\$300			
Volumetric Fee (per AF)				
Unmanaged, metered	\$10/AF			
Unmanaged, unmetered	\$25/AF			
An unmanaged area is a part of a basin not within the management area of a GSA before July 1, 2017				
Probation	\$40/AF			
If locals fail to form a GSA, fail to develop an adequate sustainability plan, or fail to implement the plan successfully, the Board may designate the entire basin probationary. The Board may require the use of a meter to measure extractions and reporting of additional information.				
Interim Plan	\$55/AF			
If local agencies are unable to fix the deficiencies, the Board will develop an interim plan to directly manage groundwater extractions.				
De minimis (less than 2 AF/year)	\$100/well			
Late Fee	25% per month			
https://www.waterboards.ca.gov/water_issues/programs/gmp/fees.html				

Appendix B

GGA 2019 Operations Fee Roll

APPENDIX B

ASMT APN	ACRES	ESTIMATED FEE
001-010-009-000	0.00	0.00
001-010-014-000	26.03	50.24
001-010-018-000	228.96	441.89
001-010-023-000	12.16	23.47
001-010-025-000	1.85	3.57
001-021-003-000	1.16	2.24
001-021-004-000	3.00	5.79
001-081-003-000	0.57	1.10
001-081-009-000	0.29	0.56
001-081-012-000	0.31	0.60
001-081-013-000	0.47	0.91
001-081-016-000	0.80	1.54
001-081-027-000	0.98	1.89
001-081-028-000	1.85	3.57
001-091-010-000	0.49	0.95
001-330-014-000	0.40	0.77
001-360-003-000	1.00	1.93
005-010-002-000	0.85	1.64
005-010-003-000	1.07	2.07
005-010-004-000	1.22	2.35
005-010-005-000	1.11	2.14
005-010-006-000	4.80	9.26
005-010-008-000	0.94	1.81
005-010-010-000	1.07	2.07
005-010-011-000	0.87	1.68
005-010-012-000	1.39	2.68
005-010-014-000	1.10	2.12
005-010-015-000	1.10	2.12
005-010-016-000	2.99	5.77
005-020-001-000	1.42	2.74
005-020-002-000	1.19	2.30
005-020-003-000	1.19	2.30
005-020-004-000	1.19	2.30
005-020-005-000	0.98	1.89
005-020-006-000	0.97	1.87
005-020-007-000	1.00	1.93
005-020-008-000	0.81	1.56
005-020-009-000	0.91	1.76
005-020-010-000	5.00	9.65
005-020-012-000	2.72	5.25
005-030-006-000	5.20	10.04
005-030-007-000	1.14	2.20
005-030-008-000	1.14	2.20
005-030-009-000	1.36	2.62
005-030-010-000	1.14	2.20
005-030-011-000	1.02	1.97

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Appendix C

GGA 2019 Draft Resolutions for Cities

APPENDIX C

RESOLUTION NO. 2019-XX

Resolution of the City Council of the City of Orland Memorializing the City's Intention to Directly Fund the Glenn Groundwater Authority

WHEREAS, on August 29, 2014, the California State Legislature passed comprehensive groundwater legislation contained in Senate Bill ("SB") 1168, SB 1319 and Assembly Bill 1739. Collectively, those bills, as subsequently amended, enacted the "Sustainable Groundwater Management Act" ("SGMA"). Governor Brown signed the legislation on September 16, 2014, and it became effective on January 1, 2015.

WHEREAS, SGMA anticipates that each affected groundwater basin or subbasin will be regulated separately by one or more Groundwater Sustainability Agencies ("GSAs"). A local agency or combination of local agencies may elect to be the GSA for a basin or sub-basin. SGMA generally provides that a combination of local agencies may form a GSA through a joint powers agreement.

WHEREAS, the City of Orland is a signatory to the Joint Exercise of Powers Agreement, dated June 20, 2017, which established the Glenn Groundwater Authority ("GGA"), a separate legal entity that serves as the GSA for portions of the Colusa Subbasin.

WHEREAS, GGA is working in collaboration with the Colusa Groundwater Authority ("CGA"), a separate Colusa Subbasin GSA, to draft and implement a single Groundwater Sustainability Plan ("GSP") to manage the Colusa Subbasin under SGMA.

WHEREAS, when the GGA was created, its members agreed to fund the GGA's operations for the first two years of its existence. Thereafter, the joint powers agreement provided that the GGA's members would establish a source of funding to finance the GGA's long-term SGMA compliance responsibilities.

WHEREAS, funding is needed for the GGA's long-term SGMA compliance responsibilities which include, but are not limited to: GSP development, technical studies, monitoring and data management, coordination and public outreach efforts, implementation of the GSP, yearly reporting to the Department of Water Resources, updating the GSP every five years, staff, insurance, legal services, bookkeeping, and office needs.

WHEREAS, the GGA has adopted a property related fee of \$1.93 per acre on parcels in its service area to finance its SGMA compliance responsibilities. The GGA's property related fee was adopted in compliance with the applicable procedural and substantive requirements of the California Constitution, Article XIII D, § 6, commonly known as Proposition 218.

WHEREAS, to reduce the administrative costs of levying the property related fee, the City of Orland will pay the GGA directly in the amount of property related fee as applied to the acreage within the City limits of Orland and to property owned outside the City limits by the City of Orland.

WHEREAS, submitting the property related fee for acreage within City limits and other property owned by the City will reduce the administrative costs of administering the property-

related fee by reducing the number of smaller parcels for which the GGA would need to include in the Proposition 218 process of adopting a property-related fee.

WHEREAS, the GGA's property-related fee will be levied for five (5) years. Accordingly, the City of Orland's commitment is to fund the GGA for at least the next five (5) years at the same rate applied in the GGA-adopted property-related fee.

NOW, **THEREFORE**, **BE IT RESOLVED**, that the City of Orland commits to fund the GGA each year for the next five years in the amount of the GGA property-related fee as applied to acreage in the City limits and/or owned by the City.

PASSED AND ADOPTED by the Orland City Council this 20^{th} day of May, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Bruce T. Roundy, Mayor

ATTEST:

Angela Crook, City Clerk

RESOLUTION NO.

Resolution of the City Council of the City of Willows Memorializing the City's Intention to Directly Fund the Glenn Groundwater Authority

WHEREAS, on August 29, 2014, the California State Legislature passed comprehensive groundwater legislation contained in Senate Bill ("SB") 1168, SB 1319 and Assembly Bill 1739. Collectively, those bills, as subsequently amended, enacted the "Sustainable Groundwater Management Act" ("SGMA"). Governor Brown signed the legislation on September 16, 2014, and it became effective on January 1, 2015.

WHEREAS, SGMA anticipates that each affected groundwater basin or subbasin will be regulated separately by one or more Groundwater Sustainability Agencies ("GSAs"). A local agency or combination of local agencies may elect to be the GSA for a basin or sub-basin. SGMA generally provides that a combination of local agencies may form a GSA through a joint powers agreement.

WHEREAS, the City of Willows is a signatory to the Joint Exercise of Powers Agreement, dated June 20, 2017, which established the Glenn Groundwater Authority ("GGA"), a separate legal entity that serves as the GSA for portions of the Colusa Subbasin.

WHEREAS, GGA is working in collaboration with the Colusa Groundwater Authority ("CGA"), a separate Colusa Subbasin GSA, to draft and implement a single Groundwater Sustainability Plan ("GSP") to manage the Colusa Subbasin under SGMA.

WHEREAS, when the GGA was created, its members agreed to fund the GGA's operations for the first two years of its existence. Thereafter, the joint powers agreement provided that the GGA's members would establish a source of funding to finance the GGA's long-term SGMA compliance responsibilities.

WHEREAS, funding is needed for the GGA's long-term SGMA compliance responsibilities which include, but are not limited to: GSP development, technical studies, monitoring and data management, coordination and public outreach efforts, implementation of the GSP, yearly reporting to the Department of Water Resources, updating the GSP every five years, staff, insurance, legal services, bookkeeping, and office needs.

WHEREAS, the GGA has adopted a property related fee of \$1.93 per acre on parcels in its service area to finance its SGMA compliance responsibilities. The GGA's property related fee was adopted in compliance with the applicable procedural and substantive requirements of the California Constitution, Article XIII D, § 6, commonly known as Proposition 218.

WHEREAS, to reduce the administrative costs of levying the property related fee, the City of Willows will pay the GGA directly in the amount of property related fee as applied to the acreage within the City limits of Willows and property owned by the City of Willows.

WHEREAS, submitting the property related fee for acreage within City limits and owned by the City will reduce the administrative costs of administering the property-related fee

by reducing the number of smaller parcels for which the GGA would need to include in the Proposition 218 process of adopting a property related fee.

WHEREAS, the GGA's property related fee will be levied for five (5) years. Accordingly, the City of Willow's commitment is to fund the GGA will be for at least the next five (5) years at the same rate applied in the GGA adopted property related fee.

NOW, **THEREFORE**, **BE IT RESOLVED**, that the City of Willows commits to fund the GGA each year for the next five years in the amount of the GGA property related fee as applied to acreage within the City limits and/or owned by the City.

PASSED AND ADOPTED by the Willows City Council this _____ day of _____ 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTACHMENT 3.

State Water Board Fee Summary

Sustainable Groundwater Management Act (SGMA)

SGMA and State Intervention

SGMA requires the formation of local groundwater sustainability agencies (GSAs) in California's high- or medium-priority groundwater basins. GSAs are required to develop groundwater sustainability plans (plan) that make basins sustainable within 20 years of implementation. If locals are unable or unwilling to sustainably manage their basin or subbasin, the State Water Resources Control Board (State Water Board or Board) can step in to protect groundwater using a process called state intervention. State intervention is triggered by one of the following events:

Date	Event
July 1, 2017	Entire basin is not covered by GSA(s).
Feb. 1, 2020	Basin is in critical overdraft and there is either 1) no plan or 2) the Department of Water
	Resources (DWR) fails the plan.
Feb. 1, 2022	There is either 1) no plan or 2) long-term overdraft and DWR fails the plan.
Feb. 1, 2025	DWR fails plan and basin has significant surface water depletions.

For general SGMA information, visit: www.waterboards.ca.gov/water_issues/programs/gmp/sgma.shtml.

Levels of Intervention

Unmanaged Area

An unmanaged area is a part of a basin <u>not</u> within the management area of a GSA before July 1, 2017. Anyone that extracts groundwater from an unmanaged area must submit an extraction report to the State Water Board each year. The first extraction reports were due by Dec. 15, 2017, and must include well location and capacity, where the water was used, purpose of use, and monthly extraction volumes.

Probationary Basin

If local agencies fail to form a GSA, fail to develop an adequate sustainability plan, or fail to implement the plan successfully, the State Water Board may designate the entire basin probationary. Anyone who extracts groundwater from a probationary basin, including extractors under the management of a GSA, must file extraction reports with the Board unless the Board decides to exclude certain types of extractions. The Board may require the use of a meter to measure extractions and reporting of additional information.

Interim Plan

The State Water Board will allow local agencies time to fix the issues in the basin that led to probation. If local agencies are unable to fix those issues, the Board will develop an interim plan to directly manage groundwater extractions. An interim plan will contain corrective actions, a timeline to make the basin sustainable, and a monitoring plan to ensure corrective actions are working.

Extraction Reports

Well owners must ensure extraction reports are submitted to the State Water Board by Dec. 15 of each year for extractions made during the previous water year (Oct. 1 -Sep. 30). An extraction report is required for each well and must include monthly pumping data. Extractions must be measured by a method satisfactory to the Board. Extraction reports must be submitted online through the Board's website. For more information about extraction reports, visit

www.waterboards.ca.gov/water_issues/programs/gmp/reporting.shtml.

Intervention Fees

Each extraction report must be accompanied by a fee to cover State Water Board intervention costs. The fees for state intervention are detailed below.

Fee Category*	Annual Fee	Applicable Parties
Base Filing Fee	\$300 per well	All extractors required to report.
Unmanaged Rate	\$25 per acre-foot	Extractors in unmanaged areas. If extractors use a meter to measure extractions the rate is \$10 per acre-foot.
Probationary Rate	\$40 per acre-foot	Extractors in probationary basins.
Interim Plan Rate	\$55 per acre-foot	Extractors in probationary basins where the Board determines an interim plan is required.
De minimis Fee	\$100 per well	A well owner that extracts two acre-feet or less per year for domestic purposes in a probationary basin, if the Board decides these extractions are significant.
Late Fee	25% of total fee per month	Extractors that do not file reports by the due date.

*Fees are subject to change. Additional information available at waterboards.ca.gov/gmp.

Meters and Groundwater Management

The State Water Board can require the installation of meters in a probationary basin. The need for meters will depend on local conditions and the level of intervention required in the basin. The State Water Board is likely to require meters in the development of an interim plan, in order to develop corrective actions and verify compliance with pumping restrictions. Extractors will be responsible for installing and maintaining meters and paying the related costs – although it is unlikely that the Board would require meters for de minimis users (see below).

De minimis Users

A well owner who extracts two acre-feet or less per year from a parcel for domestic purposes is a de minimis user. Domestic purposes do <u>not</u> include commercial activities. A well owner who extracts more than two acre-feet per year from a parcel is <u>not</u> a de minimis user. De minimis users in unmanaged areas are exempt from reporting. However, the State Water Board can require reporting by de minimis users in probationary basins if necessary to manage the basin.

Interim Plans and Groundwater Sustainability Plans

State intervention is intended to temporarily protect groundwater. An interim plan is not intended to permanently manage a basin and is not designed to replace a groundwater sustainability plan. To regain local control, local agencies will have to demonstrate their ability and willingness to manage groundwater sustainably and address the issues that caused state intervention.

For More Information

Additional information on SGMA and state intervention is available at the State Water Board website: www.waterboards.ca.gov/gmp or the DWR website: www.water.ca.gov/Programs/Groundwater-Management/SGMA-Groundwater-Management.

ATTACHMENT 4.

Prop 218 schedule adopted on 5/13/19

Proposition 218 Notice and Hearing Schedule

Adopted May 13, 2019

Mail Notices (45 days prior to hearing): May 24, 2019

Public Hearing: July 8, 2019 at 5:30 pm at the Willows, City Council Chambers

Consultant Schedule:



111 Mission Ranch Blvd., Suite 140 Chico, CA 95926-2267 Tel: (866) 776-6200

www.ppeng.com

GGA Prop 218 – Majority Protest May 14, 2019 Schedule

Completed By	Scope of Work
January 31, 2019 Complete	Execute contract Project kickoff meeting
February 28, 2019 Complete	 Gather initial data and review, develop mailing list Prepare for initial public information meeting Finalize information meeting mailer
By March 6, 2019 Complete	Mail notices for information meeting
March 15, 2019 Complete	 Draft GGA budget Develop assessment structure and preliminary rates, key findings and figures for Fee Study
By March 22, 2019 Complete	Conduct information meeting
April 1, 2019 Delayed to May 8 Complete	Review fee study findings with GSAMake findings public at a GSA Board meeting
April 15, 2019 Delayed to May 10 Complete	Finalize GGA budgetComplete Fee Study
May 1, 2019 Delayed to May 14	Finalize assessment roll Prepare protest packages
May 8, 2019 Complete	Special Board meeting – review draft protest letter, fee study
May 13, 2019 Complete	Regular Board meeting – adopt protest letter, fee study, resolution
By May 24, 2019 45 days to hearing	 Prop 218 noticing: Mail protest packages SGMA noticing: Post Fee Study, mailer on website and in office Prepare for official public hearing
By June 21, 2019	 SGMA noticing: Publish first newspaper notice 14 days prior to protest hearing. Second newspaper notice must be at least 5 days after first.
July 8, 2019	Conduct official public hearing, City of Willows Council Chambers
August 9, 2019	Certify protest results Provide final packet to County Finance Dept
Sept/Oct 2019	Tax bills sent out

GAGlenn Groundwater Authority-2871/287119001-Prop 218 Majority Protestf_DOCSWeetings/2019-0514 Current Schedule.docx

Engineering • Surveying • Planning • Environmental • GIS • Construction Services • Hydrogeology • Consulting Freeno • Bakerstleid • Visalia • Clovis • Modesto • Los Banos • Chico • Merced • Saoramento

ATTACHMENT 5.

Resolution by City of Willows

CITY OF WILLOWS RESOLUTION NO. 16-2019

Resolution of the City Council of the City of Willows Memorializing the City's Intention to Directly Fund the Glenn Groundwater Authority

WHEREAS, on August 29, 2014, the California State Legislature passed comprehensive groundwater legislation contained in Senate Bill ("SB") 1168, SB 1319 and Assembly Bill 1739. Collectively, those bills, as subsequently amended, enacted the "Sustainable Groundwater Management Act" ("SGMA"). Governor Brown signed the legislation on September 16, 2014, and it became effective on January 1, 2015.

WHEREAS, SGMA anticipates that each affected groundwater basin or subbasin will be regulated separately by one or more Groundwater Sustainability Agencies ("GSAs"). A local agency or combination of local agencies may elect to be the GSA for a basin or sub-basin. SGMA generally provides that a combination of local agencies may form a GSA through a joint powers agreement.

WHEREAS, the City of Willows is a signatory to the Joint Exercise of Powers Agreement, dated June 20, 2017, which established the Glenn Groundwater Authority ("GGA"), a separate legal entity that serves as the GSA for portions of the Colusa Subbasin.

WHEREAS, GGA is working in collaboration with the Colusa Groundwater Authority ("CGA"), a separate Colusa Subbasin GSA, to draft and implement a single Groundwater Sustainability Plan ("GSP") to manage the Colusa Subbasin under SGMA.

WHEREAS, when the GGA was created, its members agreed to fund the GGA's operations for the first two years of its existence. Thereafter, the joint powers agreement provided that the GGA's members would establish a source of funding to finance the GGA's long-term SGMA compliance responsibilities.

WHEREAS, funding is needed for the GGA's long-term SGMA compliance responsibilities which include, but are not limited to: GSP development, technical studies, monitoring and data management, coordination and public outreach efforts, implementation of the GSP, yearly reporting to the Department of Water Resources, updating the GSP every five years, staff, insurance, legal services, bookkeeping, and office needs.

WHEREAS, the GGA has adopted a property related fee of \$1.93 per acre on parcels in its service area to finance its SGMA compliance responsibilities. The GGA's property related fee was adopted in compliance with the applicable procedural and substantive requirements of the California Constitution, Article XIII D, § 6, commonly known as Proposition 218.

WHEREAS, to reduce the administrative costs of levying the property related fee, the City of Willows will pay the GGA directly in the amount of property related fee as applied to the acreage within the City limits of Willows and property owned by the City of Willows.

WHEREAS, submitting the property related fee for acreage within City limits and owned by the City will reduce the administrative costs of administering the property-related fee by reducing the number of smaller parcels for which the GGA would need to include in the Proposition 218 process of adopting a property related fee.

WHEREAS, the GGA's property related fee will be levied for five (5) years. Accordingly, the City of Willow's commitment is to fund the GGA will be for at least the next five (5) years at the same rate applied in the GGA adopted property related fee.

NOW, THEREFORE, BE IT RESOLVED, that the City of Willows commits to fund the GGA each year for the next five years in the amount of the GGA property related fee as applied to acreage within the City limits and/or owned by the City.

PASSED AND ADOPTED by the Willows City Council this 11th, day of June, 2019, by the following vote:

AYES: Flesher, Domenighini, Mello, Vice Mayor Warren, Mayor Hansen

NOES: None

ABSENT: None

ABSTAIN: None

APPROVED:

Gary Hansen, Mayor

ATTEST:

Tara Rustenhoven, City Clerk

ATTACHMENT 6.

Resolution by City of Orland

RESOLUTION NO. 2019-XX

Resolution of the City Council of the City of Orland Memorializing the City's Intention to Directly Fund the Glenn Groundwater Authority

WHEREAS, on August 29, 2014, the California State Legislature passed comprehensive groundwater legislation contained in Senate Bill ("SB") 1168, SB 1319 and Assembly Bill 1739. Collectively, those bills, as subsequently amended, enacted the "Sustainable Groundwater Management Act" ("SGMA"). Governor Brown signed the legislation on September 16, 2014, and it became effective on January 1, 2015.

WHEREAS, SGMA anticipates that each affected groundwater basin or subbasin will be regulated separately by one or more Groundwater Sustainability Agencies ("GSAs"). A local agency or combination of local agencies may elect to be the GSA for a basin or sub-basin. SGMA generally provides that a combination of local agencies may form a GSA through a joint powers agreement.

WHEREAS, the City of Orland is a signatory to the Joint Exercise of Powers Agreement, dated June 20, 2017, which established the Glenn Groundwater Authority ("GGA"), a separate legal entity that serves as the GSA for portions of the Colusa Subbasin.

WHEREAS, GGA is working in collaboration with the Colusa Groundwater Authority ("CGA"), a separate Colusa Subbasin GSA, to draft and implement a single Groundwater Sustainability Plan ("GSP") to manage the Colusa Subbasin under SGMA.

WHEREAS, when the GGA was created, its members agreed to fund the GGA's operations for the first two years of its existence. Thereafter, the joint powers agreement provided that the GGA's members would establish a source of funding to finance the GGA's long-term SGMA compliance responsibilities.

WHEREAS, funding is needed for the GGA's long-term SGMA compliance responsibilities which include, but are not limited to: GSP development, technical studies, monitoring and data management, coordination and public outreach efforts, implementation of the GSP, yearly reporting to the Department of Water Resources, updating the GSP every five years, staff, insurance, legal services, bookkeeping, and office needs.

WHEREAS, the GGA has adopted a property related fee of \$1.93 per acre on parcels in its service area to finance its SGMA compliance responsibilities. The GGA's property related fee was adopted in compliance with the applicable procedural and substantive requirements of the California Constitution, Article XIII D, § 6, commonly known as Proposition 218.

WHEREAS, to reduce the administrative costs of levying the property related fee, the City of Orland will pay the GGA directly in the amount of property related fee as applied to the acreage within the City limits of Orland and to property owned outside the City limits by the City of Orland.

WHEREAS, submitting the property related fee for acreage within City limits and other property owned by the City will reduce the administrative costs of administering the property-

related fee by reducing the number of smaller parcels for which the GGA would need to include in the Proposition 218 process of adopting a property-related fee.

WHEREAS, the GGA's property-related fee will be levied for five (5) years. Accordingly, the City of Orland's commitment is to fund the GGA for at least the next five (5) years at the same rate applied in the GGA-adopted property-related fee.

NOW, **THEREFORE**, **BE IT RESOLVED**, that the City of Orland commits to fund the GGA each year for the next five years in the amount of the GGA property-related fee as applied to acreage in the City limits and/or owned by the City.

PASSED AND ADOPTED by the Orland City Council this 20^{th} day of May, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Bruce T. Roundy, Mayor

ATTEST:

Angela Crook, City Clerk

ATTACHMENT 7.

Copy of Notice and Protest Circulated per Article XIIID, Section 6 of the California Constitution

GLENN GROUNDWATER AUTHORITY NOTICE OF HEARING ON PROPOSED FEE

In compliance with California State Law, notice is hereby given that the Glenn Groundwater Authority (GGA) will conduct a **public hearing on:**

July 8, 2019 at 5:30 p.m. at the City of Willows Council Chamber, 201 N. Lassen St., <u>Willows, CA</u> to consider the adoption of a **new property related fee in the amount of \$1.93 per acre annually** for the 2019 Fiscal Year and the subsequent four fiscal years, to fund operations of the GGA.

Notificación en Español:

Para leer este aviso en Español, visite el sitio web de GGA <u>https://www.countyofglenn.net/dept/agriculture/water-resources/glenn-groundwater-authority</u> o llame (916) 918-2020 para solicitar que se le envíe un aviso por correo o correo electrónico.

Background:

The GGA is a nine-member, multi-agency Joint Powers Authority that was formed on June 20, 2017. The GGA is the Groundwater Sustainability Agency (GSA) responsible for implementation and compliance of the Sustainable Groundwater Management Act (SGMA) in the Glenn County portion of the Colusa Subbasin (5-21.52). The Board of the GGA is composed of representatives of the following:

County of Glenn, City of Orland, City of Willows, Glenn-Colusa Irrigation District, Glide Water District, Princeton-Codora-Glenn/Provident Irrigation District (1 seat), Orland-Artois Water District, and Kanawha Water District.

As a groundwater regulating agency, the GGA (in partnership with other adjacent GSAs such as the Colusa Groundwater Authority [CGA]) is tasked with achieving and maintaining sustainable groundwater conditions in the Colusa Subbasin (Basin). Compliance with SGMA is achieved through the preparation and implementation of one or more Groundwater Sustainability Plans (GSP or Plan). Plan development is underway in the Basin and the Plan(s) must be adopted by January 31, 2022. If the local GSAs do not comply with SGMA including the development of the Plan(s) and the necessary activities required to implement the Plans, the State Water Resources Control Board may take over groundwater management responsibilities.

Long-Term Funding:

In order to ensure initial SGMA compliance and to provide a mechanism to begin this long-range effort, the GGA Member agencies agreed to fund the agency operations for the first two years. GGA operations include administration, legal services, consultant services, insurance, office and outreach materials, accounting, monitoring and reporting to DWR, and special studies, if needed. The GGA has received Proposition 1 grant funding to cover a majority of the work to develop a Plan; however, costs for Plan preparation and initial implementation that are in excess of grant funding will also need to be covered by the GGA Operations Fee.

To fund its activities and the development of an adequate Plan, the GGA developed a budget for annual operations expenses for a five-year period spanning fiscal years 2019/20 to 2023/24. This budget includes projected costs for Plan preparation and initial implementation, administration, legal services, insurance, printing/copying, accounting, facilitation, monitoring and reporting to the Department of Water Resources (DWR), and special studies, if needed.

SGMA provides authority for GGA to charge fees to support its operations. The GGA has retained Provost & Pritchard Consulting Group to prepare a fee study to review the best options to fund GGA operations over the next five years. An operations cost and fee analysis is included in the study. Each parcel of land within the GGA's

boundary is receiving SGMA management services from the GGA and the fee was developed by allocating the GGA budget in proportion to the cost of providing services to each acre of land in its service area. By law, the GGA may not collect more revenue from property related fees than is necessary to provide the cost of the water related service.

One of the GGA's foundational Guiding Principles is to protect its service area from **extremely expensive and intrusive State groundwater intervention actions**.

If the State Water Resources Control Board intervenes in the Basin, it may impose annual fees ranging from \$100 per de minimis well, to \$300 per well plus up to \$55 per acre-foot pumped per well, with no guarantee of assistance in bearing costs to address any groundwater issues that prompt its intervention. See https://www.waterboards.ca.gov/water_issues/programs/gmp/docs/intervention_intervention_fs.pdf. for more complete information. By collecting the Operations Fees, GGA will provide landowners with local groundwater management with a tailored, more affordable approach for managing the Basin.

Notice:

In addition to this notice, the GGA has also posted the notice on the GGA website at <u>https://www.countyofglenn.net/dept/agriculture/water-resources/glenn-groundwater-authority</u> and has been published in accordance with Government Code 6066 and Water Code section 10730.

Proposed Property Related Fee:

This notice is for the GGA's proposal to implement a per-acre charge to fund the GGA operations, supplement Plan preparation, and begin initial GSP implementation. The GGA is considering the adoption of a property related fee in the amount of:

- **\$1.93 per acre** (in 2019 dollars)
- The proposed charges, if approved, will become effective for the 2019/20 Glenn County fiscal year, with the first payment due by December 10, 2019.

For more information, including the fee study summarizing the findings, please visit the GGA website at <u>https://www.countyofglenn.net/dept/agriculture/water-resources/glenn-groundwater-authority</u> or call Provost & Pritchard (GGA's Consultant) at (916) 918-2002. The fee study is also available for review during normal business hours at 720 N Colusa St., Willows, CA 95988.

Public Hearing and Majority Protest:

The proposed GGA Operations Fee is a property related fee governed by Proposition 218. Under the California State Constitution, owners of land subject to the proposed GGA Operations Fee have the right to protest its adoption. If you have received this notice, parcel(s) under your ownership will be subject to the GGA Operations Fee if adopted. If written protests are submitted accounting for a majority of the total assessed parcels, GGA will not adopt the Operations Fee. Absent a majority protest, GGA is authorized to adopt the proposed Operations Fee at the public adoption hearing.

Landowners desiring to protest the proposed GGA Operations Fee should send their written protest to:

Glenn Groundwater Authority c/o Provost & Pritchard Consulting Group P.O. Box 8929 Chico, California 95927

Protests may also be submitted to the Board Secretary at the Public Hearing, located at the City of Willows Council Chamber, 201 N. Lassen St., Willows, California. <u>All protests must be received by the close of the Public Hearing on July 8, 2019 to be counted</u>.

Information Availability:

- Call Provost & Pritchard (GGA's Consultant) at (916) 918-2002
- View more information online at <u>https://www.countyofglenn.net/dept/agriculture/water-resources/glenn-groundwater-authority</u>
- Para leer este aviso en Español, visite el sitio web de GGA
 <u>https://www.countyofglenn.net/dept/agriculture/water-resources/glenn-groundwater-authority</u>

GGA Board of Hame (916) 918-2020 para solicitar que se le envíe un aviso por correo o correo electrónico. Meeting Date: July 8, 2019 Meeting Packet V2- condensed fee study

- The Fee Study is available for review during normal business hours at 720 N Colusa St., Willows, CA 95988
- For more information about SGMA, see the California Department of Water Resources website: <u>https://water.ca.gov/Programs/Groundwater-Management/SGMA-Groundwater-Management</u>

If you do not wish to protest the proposed GGA Operations Fee, you need not take any action.

To Protest:

All protests must include:

- Landowners printed name(s),
- Parcel number(s) or street address for each property affected by the GGA Operations Fee,
- Statement of opposition or protest, and
- Valid signature(s)

Each parcel is entitled to one protest. The protest may be mailed in or hand delivered at the hearing but must be received by the GGA by the close of the hearing to count toward the protest vote.

For your convenience, you may utilize the Protest Form below:

PROTEST FORM FOR THE ADOPTION OF PROPOSED GGA OPERATIONS FEE

Reason for Protest:

Landowner(s) signature: _____

ATTACHMENT 8.

Affidavit of Mailing

The Affidavit of Mailing will be available for review at the Public Hearing.

ATTACHMENT 9.

Government Code 6066 published Notice of Public Hearing and Proof of Publication

PROOF OF PUBLICATION

No. 3778

In the Matter of

Glenn Groundwater Authority- Notice of Public

Hearing on July 8, 2019 at 5:30 pm

Pursuant to Water Code section 10730(b)(2) and

Government Code section 6066...

State of California) County of Glenn) ss

The undersigned resident of the County of Glenn, State of California, says:

That I am, and at all time herein mentioned was a citizen of the United States and not a party to nor interested in the above entitled matter; that I am the principal clerk of the publisher of:

The Sacramento Valley Mirror

That said newspaper is one of general circulation as defined by Section 6000 Government Code of the State of California, Case No. 27,207 by the Superior Court of the State of California, in and for the County of Glenn,Case #02CV00614; that said newspaper at all times herein mentioned was published twice a week (on Wednesdays and Saturdays) in the town of Willows and County of Glenn; that the notice of which the annexed is a true printed copy, was published in said newspaper on the following days:

June 22, 29, 2019

I certify (or declare), under penalty of perjury, that the foregoing is true and correct, at the County of Glenn, Willows, California.

July 1, 2019 Date _ at Willows, California.

Tim Crews, Publisher

GGA Board of Directors Meeting Date: July 8, 2019 Meeting Packet V2- condensed fee study

NOTICE OF PUBLIC HEARING

Pursuant to Water Code section 10730(b)(2) and Government Code section 6066, notice is hereby given that the Glenn Groundwater Authority will hold a public hearing on **July 8**, **2019** at 5:30 pm, or as soon thereafter as may be heard, at the Willows City Council Chambers, 201 North Lassen Street, Willows, CA 95988, to consider the adoption of a new property related fee in the amount of \$1.93 per acre annually for the 2019 Fiscal Year and the subsequent four fiscal years to fund the operations of the Glenn Groundwater Authority to comply with the Sustainable Groundwater Management Act of 2014.

Information regarding the proposed fee is available online at https://www.countyofglenn.net/dept/agriculture/waterresources/glenn-groundwater-authority/gga-information, by calling the Glenn Groundwater Authority Consultant at (916) 918-2002, or by visiting the Glenn Groundwater Authority office at 720 North Colusa Street, Willows, CA 95988.

-

RECEIVED

JUL 0 3 2019

GLENN COUNTY DEPARTMENT OF ACAGE TURE

Glenn Groundwater Authority

Groundwater Sustainability Agency

PO Box 351, Willows, CA 95988 | 530.934.6501

AGENDA ITEM 6: *CONSIDER ADOPTION OF RESOLUTION CERTIFYING THE RESULTS OF A PROPOSITION 218 MAJORITY PROTEST PROCEEDING AND SETTING THE AUTHORITY'S OPERATIONS FEE

The draft Resolution is attached.

GLENN GROUNDWATER AUHTORITY RESOLUTION NO. ____

RESOLUTION CERTIFYING THE RESULTS OF A PROPOSITION 218 MAJORITY PROTEST PROCEEDING AND SETTING THE AUTHORITY'S OPERATIONS FEE

WHEREAS, this Board is authorized to establish an operations fee by Water Code Section 10730; and

WHEREAS, Article XIIID Section 6, the State of California's Constitution (Proposition 218) requires that public agencies place establishment of certain fees before voters in what is defined as a "majority protest" election and hearing; and,

WHEREAS, on July 8, 2019, the Authority, in accordance with the provisions of Proposition 218 and Authority Resolution No. 2019-_____, held a properly noticed "Majority Protest" hearing regarding the Authority's proposed "Operations Fee"; and,

WHEREAS, in accordance with the provisions of Proposition 218, the Authority solicited landowner comment on the proposed Operations Fee; and,

WHEREAS, in accordance with the provisions of Proposition 218, the Authority accepted written protests regarding the proposed Operations Fee until the conclusion of the hearing.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE GLENN GROUNDWATER AUTHORITY does hereby resolve, declare and order as follows:

- 1) The Board having reviewed the reported results of the written protests provided to it by its consultant, does hereby certify _____ written protests were submitted by affected landowners out of a possible number of _____.
- 2) Having reviewed the above results, the Board hereby certifies and affirms that there were not a sufficient number of written protests filed to reach the required "Majority Protest" threshold.
- 3) Therefore, in accordance with those certified results and Authority Resolution No. 2019-______, the Board does hereby affirm that the Operations Fee is adopted.
- 4) The Board hereby sets the rate for the Operations Fee at a maximum of \$1.93 per acre and \$1.61 for the 2019/2020 year.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the **GLENN GROUNDWATER AUTHORITY** this 8th day of July, 2019. AYES:

NOES:

ABSENT:

ABSTAIN:

CERTIFICATE OF RESOLUTION

We, the undersigned, hereby certify as follows:

1. That we are the Chair and Secretary of the GLENN GROUNDWATER AUTHORITY; and

2. That the foregoing resolution, consisting of 3 pages, including this page, is a true and correct copy of a resolution of the Board of Directors of the Glenn Groundwater Authority, passed at the meeting of the Board of Directors held on July 8, 2019, at the Willows City Council Chambers, 201 N. Lassen Street, Willows, CA 95988.

IN WITNESS WHEREOF, we have signed this certificate this 8th day of July, 2019, at Willows, California.

John Amaro Chair of the Board of Directors

Lisa Hunter Secretary

Glenn Groundwater Authority

Groundwater Sustainability Agency

PO Box 351, Willows, CA 95988 | 530.934.6501

AGENDA ITEM 7: MEMBER REPORTS AND COMMENTS

Members of the GGA Board are encouraged to share information, reports, comments, and suggest future agenda items. Action cannot be taken on items brought up under this item.

AGENDA ITEM 8: NEXT MEETING

The next regular meeting is scheduled for August 12, 2019 at 1:30 PM.

AGENDA ITEM 9: ADJOURN