

## **ORDINANCE NO. 2025-02**

### **ORDINANCE NO. 2025-02 OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ RIVER VALLEY GROUNDWATER BASIN EASTERN MANAGEMENT AREA GROUNDWATER SUSTAINABILITY AGENCY (“EMA GSA”) FOR IMPLEMENTING A GROUNDWATER EXTRACTION FEE**

#### **RECITALS**

**WHEREAS**, the Sustainable Groundwater Management Act of 2014, inter alia, Water Code sections 10720-10737.8 (“Sustainable Groundwater Management Act [SGMA]”) was signed into law on September 16, 2014; and

**WHEREAS**, the EMA GSA has been organized under a Joint Powers Authority Agreement between the City of Solvang, Santa Ynez River Water Conservation District, Improvement District No.1, Santa Ynez River Water Conservation District, and the Santa Barbara County Water Agency to sustainably manage groundwater in the Eastern Management Area of the Santa Ynez River Valley Groundwater Basin; and

**WHEREAS**, the EMA GSA is the exclusive groundwater sustainability agency for the Eastern Management Area of the Santa Ynez River Valley Groundwater Basin and has been approved by the California Department of Water Resources; and

**WHEREAS**, The Board of Directors of the EMA GSA seeks to adopt its Groundwater Extraction Fee ("Fee") as authorized by SGMA (Water Code section 10720 et seq); and

**WHEREAS**, pursuant to California Water Code section 10730.2(c), the proposed Fee is being adopted in accordance with the procedures set forth in subdivisions (a) and (b) of Section 6 of Article XIII D of the California Constitution; and

**WHEREAS**, pursuant to California Constitution, Article XIII D, section 6(a) and (b), the EMA GSA: identified the parcels in the EMA upon which the Fee may be imposed; calculated the amount of the proposed Fee; provided written notice to the record owner of each parcel potentially subject to the proposed Fee, the amount proposed, the basis of calculation, the reason for the Fee, along with the date, time, and location of a public hearing on the proposed Fee; and

**WHEREAS**, pursuant to Water Code section 10730, the EMA GSA posted notice of the time and place of the public meeting at which the proposed Fee was to be considered, in compliance with Government Code section 6066, as well as on the EMA GSA’s website; and

**WHEREAS**, on April 23, 2025 the EMA GSA mailed 6,222 notices of the proposed Fee to all record owners of the parcels within the jurisdiction of the EMA GSA; and

**WHEREAS**, pursuant to Government Code section 53759.1 the EMA GSA has taken the following actions concerning the proposed Fee:

The EMA GSA made the proposed Fee available at least 45 days prior to the deadline for a property owner to submit objections, and provided notice of the administrative remedy procedure in the public hearing notice; and

The EMA GSA posted evidence supporting the proposed Fee on its website; and

The EMA GSA provided property owners with a minimum of 45 days in which to submit a written objection alleging noncompliance with Proposition 218; and

The EMA GSA responded in writing to each written objection prior to the close of the public hearing at which the agency considered adopting the proposed extraction fee.

**WHEREAS**, pursuant to Water Code Section 10730, prior to imposing the proposed Fee, the EMA GSA reviewed and approved the Fee Study [*EMA GSA Rate Study Report*] supporting the Fee; and

**WHEREAS**, a public hearing was held on June 26, 2025, pursuant to California Constitution Article XIII D, Section 6(a), at which all interested persons had an opportunity to provide oral and written testimony and all protests and objections to the proposed Fee were heard; and

**WHEREAS**, all written legal objections have been responded to by the EMA GSA, and all written protests received by the EMA GSA have been tallied; and

**WHEREAS**, the Board accepted and caused the tabulation of all written protests against the proposed EMA GSA Fee received prior to the end of the public hearing, and based upon the results of this tabulation, a majority protest against the EMA GSA Fee as proposed in the Rate Study does not exist; and

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE EMA GSA DOES HEREBY ORDAIN, DETERMINE AND ORDER AS FOLLOWS:**

1. The EMA GSA hereby finds that the facts set forth in the Recitals to this Ordinance are true and correct and establish the factual basis for the EMA GSA's adoption of this Resolution; and
2. There is hereby established an EMA GSA Groundwater Extraction Fee ("Fee") on the terms and conditions set forth in Attachment A, attached hereto and incorporated herein by reference; and
3. Revenues derived from the Fee will not exceed the funds required to provide the services of complying with SGMA by sustainably managing groundwater in the EMA and implementing the EMA GSA's GSP; and
4. Revenues derived from the Fee shall not be used for any purpose other than those purposes identified in the Rate Study; and
5. The maximum amount of the Fee levied on groundwater production from a parcel does not exceed the proportional cost of the service attributable to such production; and
6. The Executive Director of the EMA GSA is hereby authorized and directed to file a certified copy of this Ordinance with the Auditor of the County of Santa Barbara. Upon such filing, the County Auditor shall enter on the County assessment roll opposite each lot or parcel of land that is subject to the Fee the amount of the Fee thereupon as shown in the levy roll. The Fee shall continue to be collected at the same time and in the same manner as County taxes are

collected and all the laws providing for collection and enforcement shall apply to the collection and enforcement of the Fee. After collection by the County, the net amount of the Fee, after deduction of any compensation due to the County for collection, shall be paid by the County to the EMA GSA; and

7. The Executive Director of the EMA GSA is hereby authorized and directed to cause the direct billing of the Fee for entities that do not receive a tax bill; and
8. The Executive Director of the EMA GSA and its General Counsel are hereby authorized and directed to take such other and further steps as may be necessary or appropriate to implement the intent and purpose of this Ordinance; and
9. Reference is hereby made to the direct charge levy roll on file with the EMA GSA, as it is too voluminous to be bound with this Ordinance. This roll file contains a list of parcels and the amount to be collected for each parcel.

**PASSED AND ADOPTED** by the Board of Directors of the EMA GSA on the day of  
June 26, 2025, by the following roll call vote:

AYES: 5

NOES: 0

ABSTAIN: 0

ABSENT: 0



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June 26, 2025

Executive Director of the EMA GSA

**SANTA YNEZ RIVER VALLEY GROUNDWATER BASIN EASTERN MANAGEMENT AREA  
GROUNDWATER SUSTAINABILITY AGENCY**

**GROUNDWATER EXTRACTION FEE**

**ATTACHMENT A**

**I. FIVE YEAR SCHEDULE OF ANNUAL PER ACRE-FOOT GROUNDWATER  
EXTRACTION FEE**

FISCAL YEAR 2025-2026: \$39.50

FISCAL YEAR 2026-2027: \$41.50

FISCAL YEAR 2027-2028: \$43.60

FISCAL YEAR 2028-2029: \$45.80

FISCAL YEAR 2029-2030: \$48.10

**II. DE MINIMIS PUMPERS**

De Minimis pumpers are those who extract 2 acre feet or less per year for domestic purposes from the Eastern Management Area of the Santa Ynez River Valley Groundwater Basin (Water Code section 10721(e)). The Extraction Fee for De Minimis pumpers will be based on an annual average production of 1.07 acre feet.