

Resolution No. 03-2026

A RESOLUTION OF THE TEHAMA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS, ACTING AS THE GROUNDWATER SUSTAINABILITY AGENCY, SETTING AN ANNUAL GROUNDWATER SUSTAINABILITY PLAN OPERATIONS AND ADMINISTRATIVE FEE

Whereas, the Tehama County Flood Control and Water Conservation District ("District") is a local public agency governed by a Board of Directors and serves as the Groundwater Sustainability Agency ("GSA") for Tehama County;

Whereas, the California Legislature has enacted the Sustainable Groundwater Management Act ("SGMA") (Water Code §10720 et seq.), which imposes extensive planning, implementation, monitoring, reporting, and enforcement obligations on local agencies with limited accompanying state financial assistance;

Whereas, the District recognizes the legitimate need to address groundwater sustainability challenges in order to protect long-term water supplies, domestic wells, agricultural economies, and environmental resources for the benefit of owners of property which receive extracted groundwater;

Whereas, although the District acknowledges that meeting its primary obligation of providing this benefit will also provide a benefit to the residents and businesses of Tehama County generally, it finds this benefit to be a secondary, incidental effect and the aforementioned property owners are the primary beneficiary;

Whereas, the regulatory framework imposed by SGMA includes onerous, prescriptive, and continuously expanding reporting and compliance obligations mandated by state agencies, which significantly increase administrative and operational costs borne solely by local agencies;

Whereas, the District previously relied on temporary grant funding to offset a portion of these state-imposed costs; however, such funding is no longer reliably available, requiring the District to establish a stable local funding mechanism;

Whereas, Water Code §10730 authorizes a groundwater sustainability agency to impose regulatory fees to recover the reasonable costs of administering and implementing SGMA, and such fees constitute regulatory fees within the meaning of Article XIII C, section 1(e) of the California Constitution (Proposition 26); and

Whereas, the Board of Directors has reviewed a Five-Year Groundwater Sustainability Plan Implementation Budget identifying estimated annual operations and administrative costs of

approximately \$1,178,000 for Fiscal Year 2026–2027 with an estimated 1.5% increase each year over the next five years;

Now, Therefore, Be It Resolved that the Board of Directors of the Tehama County Flood Control and Water Conservation District hereby establishes and imposes an annual Groundwater Sustainability Plan Operations and Administrative Fee in the managed groundwater basins - Corning, Los Molinos, Red Bluff, Antelope, and Bowman - as a regulatory fee under Proposition 26 in order to recover the reasonable costs imposed on the District by SGMA compliance activities.

Be It Further Resolved that the Board of Directors expressly finds, in the alternative and to the extent applicable, that the fee also satisfies the requirements of Article XIII D of the California Constitution (Proposition 218), including that the revenues derived from the fee do not exceed the funds required to provide the regulated services, and that the fee bears a fair and reasonable relationship to the burdens and benefits attributable to affected parcels or groundwater users.

Be It Further Resolved that specific fee rates, billing methodologies, exemptions, and implementation details are set forth in Attachment A to this Resolution, which are incorporated herein by reference and may be amended from time to time by subsequent Board action.

The foregoing Resolution was offered by Director _____, and seconded by Director _____ on _____ and adopted by the following vote:

AYES:

NOES:

ABSENT OR NOT VOTING:

I, SEAN HOUGHTBY, Ex-Officio Clerk of the Board of Directors of the Tehama County Flood Control and Water Conservation District, State of California, hereby certify the above and foregoing to be a full, true and correct copy of a resolution adopted by said Board of Directors on the 20 day of July 2026.

Dated:

SEAN HOUGHTBY
Ex-Officio Clerk of the Board of Directors
Tehama County Flood Control
and Water Conservation District,
State of California

By: _____
Deputy Clerk Cole Houghtby