

# WYANDOTTE CREEK SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY

## NOTICE OF HEARING TO ADOPT PROPOSED FEE

In compliance with California State Law, notice is hereby given that the Wyandotte Creek Subbasin Groundwater Sustainability Agency (Wyandotte Creek GSA) will hold a **public hearing on: July 27, 2023 at the Oroville City Council Chambers, 1735 Montgomery Street, Oroville, CA 95965 at 2:00 p.m.** to consider the adoption of a new annual per acre fee starting in Fiscal Year 2023-24 for implementation of the Wyandotte Creek GSA Groundwater Sustainability Plan (GSP) required by the State of California pursuant to the 2014 Sustainable Groundwater Management Act (SGMA).

### **Background:**

The Wyandotte Creek GSA is a joint powers agency formed to comply with the requirements of SGMA for that portion of the Wyandotte Creek Groundwater Subbasin underlying the BUTTE COUNTY, CITY OF OROVILLE, and THERMALITO WATER and SEWER DISTRICT. The Wyandotte Creek Subbasin area is described in California Department of Water Resources Bulletin 118 (2020), Sacramento Valley Groundwater Basin, Wyandotte Creek Subbasin, Number 5-021.69 which is classified as a Medium Priority Subbasin comprised of approximately 59,382 total acres. As required by SGMA, the Wyandotte Creek GSA adopted a GSP in 2022, and must now implement that GSP as required by law to prevent the State of California from stepping in to manage the local groundwater basin and corresponding groundwater resources.

### **Basis of Proposed Fee:**

To provide local groundwater management, sustainability, and SGMA compliance, the Wyandotte Creek GSA must annually monitor and report groundwater conditions to the State, prepare required updates to the GSP, conduct required coordination among GSAs in the Sacramento Valley Groundwater Basin, and maintain GSA operations. GSA operations include but are not limited to legal, technical and administration costs (including consultant services, insurance, office and outreach materials, and accounting).

The proposed fee is a property-related fee governed by Proposition 218 and the California Constitution. California Water Code Section 10730 provides authority for the Wyandotte Creek GSA to impose Fees to support GSA administration, GSP implementation, and SGMA compliance. The Wyandotte Creek GSA Board has reviewed the best options to fund the GSA and associated activities over the next five years as explained and documented in the May 2023 Proposition 218 Fee Report.

The service of local groundwater management requires each landowner to cover the cost of groundwater management, GSA administration, GSP implementation, and SGMA compliance including groundwater monitoring, preparation of annual reports, and regulatory compliance activities to ensure that the Wyandotte Creek Subbasin is sustainable over the long term, as required by SGMA. Each acre in the Wyandotte Creek Subbasin is required to be managed by a GSP and will receive the local management services of the Wyandotte Creek GSA. Ensuring sustainability will allow the Wyandotte Creek GSA to maintain local control and **avoid expensive State intervention and operation of the Subbasin, which would result in much higher Fees.** If the State Water Resources Control Board intervenes in the Wyandotte Creek Subbasin, it may impose annual fees ranging from \$100 per domestic well, to \$300 per agricultural well, plus up to \$55 per acre-foot of pumped water per well and require annual reporting of extractions to the State. For more information:

[https://www.waterboards.ca.gov/water\\_issues/programs/gmp/docs/intervention/intervention\\_fs.pdf](https://www.waterboards.ca.gov/water_issues/programs/gmp/docs/intervention/intervention_fs.pdf)

Implementing the proposed fee allows the GSA to provide groundwater management services and ensures a more affordable and locally managed option for managing the Wyandotte Creek Subbasin while maintaining SGMA compliance for all landowners.

### **Proposed Property Fee:**

The proposed per-acre fee funds the service of groundwater management including implementation of the GSP and compliance with SGMA. This fee is a per-acre fee that imposes a maximum fee of **\$1.38 per non-irrigated water acre** (in 2023 dollars, including inflation, for the subsequent four years). The proposed fee, if approved, will become

effective for the 2023-24 fiscal year (beginning July 1, 2023), with the first payment due by December 15, 2023. **The actual amount of the fee will be set by Resolution of the Wyandotte Creek GSA but cannot exceed the maximum per acre fee specified above, including the inflation factor, absent a subsequent Proposition 218 proceeding.**

The proposed annual per acre fee is prorated based on parcel size; examples are provided in the table below:

0.10-acre parcel	0.25-acre parcel	0.50-acre parcel	1.0-acre parcel	10.0-acre parcel	100.0-acre parcel	500.0-acre parcel
\$0.14	\$0.35	\$0.69	\$1.38	\$13.80	\$138.00	\$690.00

There are three proposed maximum rates; \$8.98 per irrigated-surface water acre, \$13.86 per irrigated-groundwater acre, and \$1.38 per non-irrigated acre. Each acre of land subject to a fee would only be charged one of these rates. The rate applicable to your parcel has been indicated above.

For more information, including the Fee Report summarizing the findings, please visit the Wyandotte Creek GSA website at: <https://www.wyandottecreekgsa.com>.

### Public Hearing and Majority Protest:

Under the California State Constitution, owners of land subject to the proposed fee have the right to protest its adoption. If you have received this notice, one or more parcels under your ownership will be subject to the proposed fee. If the identified parcel has more than one record owner or renter, only one written protest will be counted. In the event of a majority protest, the fee will not be instituted. There is a 120-day statute of limitations for challenging any new, increased, or extended fee or charge.

Landowners desiring to protest the proposed Wyandotte Creek GSA fee should send their written protest prior to the public hearing to: Wyandotte Creek Subbasin Groundwater Sustainability Agency, c/o Wyandotte Creek GSA, PO BOX 745, Oroville, CA 95965, or in person at the public hearing on July 27, 2023 at 2:00 p.m., so long as the protest is received prior to the close of the public hearing. **Protests submitted by e-mail, fax, or other electronic means are not valid and will not be counted as a protest.**

There are multiple ways to obtain additional information about this topic:

- View more information online at <https://www.wyandottecreekgsa.com>.
- Call the Wyandotte Creek GSA at **(530) 552-3591**.
- For more information about SGMA, see the California Department of Water Resources website: <https://water.ca.gov/Programs/Groundwater-Management/SGMA-Groundwater-Management>

***If you do not wish to protest the proposed Wyandotte Creek GSA Fee, you do not need to take any action.***



### WYANDOTTE CREEK GSA PROPOSITION 218 PROTEST FORM

To protest, complete and detach this portion of the Notice and mail to Wyandotte Creek GSA, P.O. Box 745, Oroville, CA 95965, OR submit in-person at the Public Hearing on July 27, 2023, 2:00 p.m., Oroville City Council Chambers, 1735 Montgomery Street, Oroville, CA. All protests must include:

- Landowner Printed Name(s): \_\_\_\_\_
- Assessor's Parcel Number: \_\_\_\_\_
- Statement of Protest: \_\_\_\_\_

Under penalty of law, I affirm that I am the owner(s) or authorized representative of the owner of the above parcel.

- Valid Landowner Signature(s): \_\_\_\_\_

Each parcel is entitled to one protest. If a parcel has more than one owner, all must sign one protest form.

***If you do not wish to protest the proposed Wyandotte Creek GSA Fee, you do not need to take any action.***