

# Proposal: Replenishment Fee for Supplemental Water

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Updated: 11/13/20

***About this Proposal:** The Legal Ad Hoc Committee developed this proposal for the Core Stakeholder Group to consider advancing and recommending to FCGMA. The Legal Committee did not agree on every element of this proposal, some elements still need discussion and consideration.*

- 1) **Purpose.** Create a funding pool to purchase supplemental water for Oxnard and Pleasant Valley (OPV) when available. This would initiate a replenishment assessment fee to set aside funds to be ready for the purchase of supplemental water for use within OPV whenever it is available.

**Sources:** The supplemental water could come from the State Water Project, known as “Article 21” water. (Article 21 water is made available during years when water supply exceeds SWP contractors’ total entitlements.) In addition, United Water Conservation District might be able to purchase other State Water Project water for recharge.

- 2) **FCGMA as GSA would serve as the administrator.**

The GMA has SGMA authorities and would administer the replenishment fee and fund. The GMA would work with the United Water Conservation District to secure the supplemental water. Funds would be held in a special purpose account for this effort.

- 3) **Prop 218, 26 compliance required.** The GMA would need to conduct a Prop 218 and Prop 26 study to consider levying this fee. The GMA has been considering hiring a Prop 218 /26 consultant and is scheduled to consider this possibility at an upcoming board meeting.
- 4) **Uniform groundwater pump fee.** The same fee would be charged on all groundwater pumping (\$/acre-foot pumped). The Prop 218 / 26 analysis would help determine the amount. The assessment would be anchored to the potential quantity and purchase amount for the supplemental water. Suggestions have ranged from \$100-200/AF.
- 5) **Assessment on Santa Clara River surface water deliveries.** In an effort to move to a one water approach in the Oxnard-Pleasant Valley, a replenishment fee would also apply to surface water deliveries from the Santa Clara River. However, fixed costs associated with these delivery systems should be considered in establishing the uniform assessment fee.
- 6) **Term** – This would be an initial fee to take advantage of potential supplemental water. The fee would likely be revisited when projects are approved to come online, and funding for those projects is necessary.

- 7) **Geographic area.** This initiative would focus on the Oxnard and Pleasant Valley sub-basins. Outreach to West Las Posas stakeholders might also be considered should they wish to participate, depending on the quantity of water flowing from Oxnard to West Las Posas.
  
- 8) **Advisory committee.** Given the scope, would some type of advisory committee for this specific purpose be necessary or helpful? Concern has been expressed that timing might be problematic since the turn-around on these decisions are generally quick. Given the role of the Core Stakeholder Group, Legal Ad Hoc Committee, and Projects Committee, does OPV need another advisory committee at this time?