

# Rosedale-Rio Bravo Water Storage District

## Notice of Proposed Water Charge

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In compliance with California state law, a **public hearing will be held on November 14, 2023 at 8:30a.m., at the District's office located at 849 Allen Road, Bakersfield, CA 93314** to consider a proposed volumetric **Water Charge** to be charged for water use on agricultural parcels within the District that is in excess of the amount of available water supplies. The Water Charge would be a new charge in addition to the District's assessment. The need for the Water Charge is driven by Sustainable Groundwater Management Act (SGMA) requirements to manage the underlying groundwater reservoir in a sustainable manner. The Water Charge is being proposed in order to equitably distribute the financial burden of "sustainability" (i.e., balance) to those landowners who require more water than the District's Project provides, in proportion to their respective overages. For information regarding the requirements of SGMA, please see the Department of Water Resources' SGMA webpage:

<https://water.ca.gov/programs/groundwater-management/sgma-groundwater-management>

### Proposed Charges:

The public hearing will concern the District's proposal to implement a volumetric Water Charge. Revenue from the proposed Water Charge will be used on projects to augment water supplies and/or manage demands within the District in order to minimize groundwater overdraft and maintain sustainable groundwater supplies for all of the District's landowners.

**The Water Charge will be imposed on agricultural parcels\* within the District that use water in excess of the amount the District's Project provides, plus Native Yield and Precipitation (collectively "available supply").\*\* The initial maximum water charge rate will be \$256.00 per acre-foot used in excess of available supply.**

The water charge rate will be regularly set by the District's Board of Directors at open and public meetings. The Board's decision will be based on consideration of various financial factors, including the District's projected revenues and expenses as well as land, water, and project construction costs. **The actual amount of the Water Charge rate may vary from time to time. However, absent a subsequent noticed public hearing, the Water Charge rate will not exceed the maximum rate set forth above. In addition, Landowners will be permitted to offset the water charge on a parcel if they own or control other parcels that use less water than the available supply.**

\*The Water Charge would apply to agricultural parcels 9.5 acres or greater in size and those parcels less than 9.5 acres but larger than 4.7 acres that are located adjacent to other parcels owned/controlled by the same landowner and/or collectively developed in irrigated agricultural use.

\*\*The supply available to a landowner before the Water Charge will be imposed is comprised of three components; Project Water, Native Yield and Precipitation. Project Water is determined annually based upon the District's average net water supply available (currently calculated at 1.55 acre-feet per acre based upon a 20 year average; this amount will fluctuate annually based upon the District's prior year's supply). Native Yield refers to the natural, unallocated portion of groundwater recharge to the Kern Subbasin from the July 2022 Kern Groundwater Authority Amended Groundwater Sustainability Plan (currently calculated at .15 acre-feet per acre). Precipitation is based upon the prior year's precipitation (currently calculated at .42 acre-feet based upon average of 2005-2015 precipitation; this amount will fluctuate annually based upon actual precipitation).

**Please see the *Water Charge Study* on the District's website for a more detailed explanation of the information that was used as the basis for determining the maximum amount of the water charge.**

The time for paying the Water Charge will be fixed by the Board under Water Code section 47181, and delinquencies in payment will be subject to the penalties and interest provided for in section 47182. It is expected that the Water Charge will be due annually in May. The District may collect delinquent charges using the procedures set forth in sections 47183 through 47185, or any other procedure lawfully available to the District.

Enclosed with this notice is an example calculation of the Water Charge that would have been imposed on the listed parcels within the District based on the calculated 2022 consumptive use if the proposed Water Charge had been effective in 2022 and set at the maximum rate. The example calculation assumes an available supply of 2.12 acre-feet per year; this number will fluctuate annually based upon the amount of Project Water and Precipitation in the previous year. The Water Charge imposed on those parcels for use in 2023 and subsequent years will be based on updated supply calculations and the estimated consumptive use on the parcels.

**For more information, including the *Water Charge Study* supporting the charge, please visit the District website at [www.rrbwsd.com](http://www.rrbwsd.com). A copy of the *Water Charge Study* may also be obtained directly from the District at the address listed below.**

**Public Hearing:**

Owners of land subject to the proposed Water Charge have the right to protest its adoption. If you have received this notice, parcel(s) under your ownership will be subject to the Water Charge if it is adopted. In the event of a majority protest, the fee will not be adopted. Landowners desiring to protest the proposed Water Charge should send their written protest to:

Secretary of the Board of Directors  
Rosedale-Rio Bravo Water Storage District  
849 Allen Road  
Bakersfield, CA 93314

Protests may also be submitted to the Secretary of the Board of Directors at the Public Hearing. **All protests must be received no later than the close of the public hearing or they will not be counted.**

**If you do not wish to protest the proposed Water Charge, you need not take any action.**

**To Protest:**

All protests must include:

- The identity of each parcel represented by the protest;
- The name of the protester; and,
- A signed statement, containing an original signature, indicating that the writing is a written protest on behalf of the parcel and that the person signing the protest is an owner of the parcel.

Each parcel is entitled to one protest.

For your convenience, you may utilize the enclosed Protest Form.

**NOTICE: Under Government Code section 53759, there is a 120-day statute of limitations for challenging any new, increased, or extended fee or charge subject to that section, including the Water Charge.**

# Rosedale-Rio Bravo Water Storage District

## EXAMPLE Water Charge Calculation

The following is an example water charge calculation for the landowner listed below assuming the maximum water charge rate of \$256.00.

**LANDOWNER :**

**JOHN AND JANE DOE  
849 ALLEN ROAD  
BAKERSFIELD CA 93314**

**PARCELS / WATER USE:**

APN	Assessed Acres (1)	2022 Total Water Use in Acre Feet (2)	Water Use on Parcel in Comparison to Supply in Acre Feet (3)
555-555-01	18.83	21.20	21.79
555-555-02	157.36	332.49	49.32
555-555-03	80.00	299.79	(86.72)
555-555-04	40.41	197.94	(83.57)
555-555-05	40.10	176.85	(66.19)
<b>TOTAL WATER USE IN COMPARISON TO SUPPLY (4) =</b>			<b>(165.37)</b>

<b>EXAMPLE WATER CHARGE FOR 2022 (5) =</b>	<b>\$</b>	<b>42,334.15</b>
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(1) Assessed Acres per Kern County Assessor.
(2) Estimated Water Usage for 2022 from RRBWSD Water Accounting Platform (based on OpenET) or estimated based on similar usage for parcels not currently on Water Accounting Platform. Consistent with the Water Charge Study, reductions of 10% for conversion to LandIQ ET and 5% for implementation of Water Charge were applied to 2022 Total Water Use.
(3) Parcel water use in comparison of supply calculated as Available Supplies multiplied by Assessed Acres less 2022 Total Water Use.
(4) If Total Landowner Water Use in Comparison to Supply is positive, no water charge will be imposed for the associated landowner / farming unit.
(5) Example water charge is based on maximum water charge rate of \$256 multiplied by water use on parcel in compasion to supply in acre-feet.

**Rosedale-Rio Bravo Water Storage District  
Protest Form to the Adoption of Proposed Water Charge**

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**Landowner Printed Name:**

**Number of Parcels:**

**Assessor's Parcel Number(s):**


(Add Additional Parcels on Separate Sheet if Necessary)

**Reason for Protest (optional):**

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**As owner of the parcels listed above, I protest the imposition of the proposed Water Charge.**

**Landowner Signature:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_