

RESOLUTION NO. 2021-18

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE SAN BENITO COUNTY WATER DISTRICT
ACTING AS THE GROUNDWATER SUSTAINABILITY AGENCY
FOR THE NORTH SAN BENITO GROUNDWATER BASIN
REVISING THE PROTEST AND APPEAL PROCESS
FOR THE GROUNDWATER MANAGEMENT FEE**

WHEREAS, on July 14, 2021, after a duly-noticed public hearing, the Board of Directors of the San Benito County Water District (the “Board of Directors”), acting as the San Benito County Water District GSA, by Resolution No. 2021-13 adopted and levied a groundwater management fee; and

WHEREAS, the Board of Directors desires to amend and restate Sections 5.2 and 5.4 of Attachment A to Resolution No. 2021-13, in order to provide the District with sufficient time to fully research and review any protest or appeal;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of the San Benito County Water District, acting as the San Benito County Water District GSA, that Sections 5.2 and 5.4 of Attachment A to Resolution 2021-13 are hereby amended and fully restated to read as follows:

5.2 Within thirty (30) days of the filing of a protest, the Administrator shall provide the Person with the opportunity to meet or otherwise confer to discuss the basis of the appeal. The Administrator is authorized to make the changes requested in the protest, in whole or in part, or deny the requested changes. The determination shall be made no later than forty-five (45) days following the meeting/conference with the protestor. The determination shall be made in writing and delivered to the Person by first class mail or electronic mail.

5.4 The appeal will be placed on the agenda for the a Board of Directors meeting occurring no less than fifteen (15) and no more than sixty (60) days of the filing of the appeal. The Board of Directors shall receive evidence and hear from the appellant and staff regarding the merits of the appeal. The Board of Directors is authorized to grant the appeal, in whole or in part, or deny the appeal. The determination of the Board of Directors shall be memorialized in a minute order of the Board of Directors and shall be final.

BE IT FURTHER RESOLVED that the President of the Board is authorized to sign this Resolution on behalf of the Board and the GSA.

PASSED AND ADOPTED by the Board of Directors of the San Benito County Water District, acting as the San Benito County Water District GSA, this 27th day of October, 2021 by the following vote:

AYES: DIRECTORS: Williams, Tonascia, Flores, Shelton & Tobias

NOES: DIRECTORS: None

ABSTAIN: DIRECTORS: None

ABSENT: DIRECTORS: None

/s/Doug Williams
Doug Williams
President

ATTEST: /s/Sara Singleton
Sara Singleton
Assistant Manager