

NOTICE OF PUBLIC HEARING

TO ALL PERSONS INTERESTED IN GROUNDWATER PRODUCTION WITHIN THE BOUNDARIES OF THE SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT

PLEASE TAKE NOTICE that on March 2, 2005, the San Bernardino Valley Water Conservation District conducted a public meeting and received an engineering report, which contains information regarding annual change in storage, accumulated change in storage, total groundwater production from District supplies for the preceding water year, estimates of annual change in storage for the current and ensuing water years, the amount of water the District is obligated to purchase for recharge, and recommendations on water needed to replenish groundwater supplies for the ensuing year. Preparation of this report is required in connection with the Board of Directors' consideration of a groundwater charge on groundwater production within the District's boundaries.

District staff is recommending to the District's Board of Directors to change the current amount of the groundwater charge of \$1.65 per acre-foot for groundwater production for agricultural purposes, and \$6.05 per acre-foot for groundwater production for non-agricultural purposes to \$1.85 per acre-foot for groundwater production for agricultural purposes, and \$6.65 per acre-foot for groundwater production for non-agricultural purposes. California Water Code § 75594 dictates that the rate for non-agricultural groundwater production must be between three and five times the rate for agricultural use.

The groundwater charge is not imposed on a property basis, but rather is a per acre-foot charge, which relates directly to the amount of groundwater produced from wells overlying the groundwater basin within the District's boundaries. Consequently, the ultimate amount of groundwater charge to be paid by each party subject to the charge will depend directly upon the amount of groundwater production such party engages in during the applicable water year, here July 1, 2005 to June 30, 2006. Based upon the estimated amount of agricultural water and other than agricultural water to be withdrawn from the groundwater supplies of the District for the ensuing water year, the revenue anticipated to be collected is \$589,925. The groundwater charge is to be collected on a semi-annual basis based upon production statements submitted by the individual groundwater producers. The purpose of the groundwater charge is to fund the District's continuing groundwater replenishment efforts, and portions of the proceeds of this charge will be applied to various of the District's groundwater recharge and protection activities, including the maintenance and reconstruction of recharge basins, defense and protection of water rights, data and information collection regarding the basin, establishment of monitoring wells, and regular water spreading activities.

The District proposes to make a finding that the action to consider an increase in the groundwater charge is exempt from CEQA, under 14 California Code of Regulations sections 15273 (Rates, Tolls, and Charges), 15301 (Existing Facilities), 15304 (Minor Alterations to Land), and 15306 (Information Collection.).

PLEASE BE ADVISED that a public meeting and a public hearing on the proposed groundwater charge will be held in the District's Board Room at 1630 West Redlands Boulevard, Suite A, Redlands, California. The date and time for the public meeting and public hearing will be April 6, 2005 and April 27, 2005 at 1:30 p.m., respectively.

All persons are invited to attend the public meeting and public hearing, and may submit evidence concerning groundwater conditions, water supplies of the District, or any matter relating to the proposed groundwater charge. In addition, any party wishing to protest the groundwater charge may send protest to the District's office, 1630 West Redlands Boulevard, Suite A, Redlands, CA, 92373 and also be heard at the public meeting or public hearing. Please be advised that if you challenge the groundwater charge in court, you may be limited to raising only those issues that you or someone else raised at the public meeting or hearing described in this notice, or in written correspondence delivered to the District's office prior to, or at, the public hearing.

All interested persons are invited to review the engineering report at the District's office. Further inquiries regarding the report or the groundwater charge, or requests for further information, may be directed to Thomas J. Crowley at 1630 West Redlands Boulevard, Suite A, Redlands, CA, 92373, or by phone (909) 793-2503.

Dated: March 8, 2005

SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT

By:

Thomas J. Crowley, P.E.

Assistant General Manager