

San Antonio Basin Water District

1005 S. Broadway - Santa Maria, California 93454

Policy for Evaluating Requests for Assessment Changes

Adopted November 17, 2020
Amended and Adopted July 18, 2023

PURPOSE

This *Policy for Evaluating Requests for Assessment Changes* (this “Policy”) is intended to provide guidelines for the Board of Directors of the District when considering requests from District landowners for a change in the amount of the District’s Assessment levied on a landowner’s property. The District has developed this policy in the interest of maintaining fair, consistent and orderly administration of District finances.

BACKGROUND

Upon its formation the District adopted and levied a special benefit assessment (the “Assessment”). The District landowners approved the Assessment pursuant to the Assessment Ballot Proceeding that the District conducted consistent with the requirements of Proposition 218. The purpose of the Assessment is to fund the District’s operations and activities, which mostly pertain to the implementation and enforcement of the Sustainable Groundwater Management Act through the District’s participation in the San Antonio Basin Groundwater Sustainability Agency.

The District Board commissioned and approved an “Engineer’s Report” in connection with its adoption and levy of the Assessment. The Engineer’s Report explained the various categories of parcels within the District and how the parcels in each category would be assessed. Two of those categories are Irrigated Agriculture and Non-Irrigated Agriculture. Lands within each category are assessed at different rates. The Engineer’s Report provides that the Board will develop a process to adjust assessments from time to time based on variations in land use on particular parcels (i.e. land brought into agricultural production or taken out of agricultural production).

POLICY GUIDELINES

Landowners may request an Assessment adjustment, up or down, based on variations in land use on particular parcels no later than March 31st of each year. The Board will evaluate and render a decision on such requests prior to issuing any assessments for the upcoming assessment year. The Board shall give full consideration to requests and take into account the facts and circumstances related to the subject parcels. The Board intends to grant reductions in Assessments based on change in land use from Irrigated Agriculture to Non-Irrigated Agriculture where the requesting landowner can demonstrate that the subject parcel either (i) (a) has not been irrigated or maintained for potential crop production within the past assessment year or (b) has recently been fallowed during the past assessment year and will not be maintained for production or brought back into production within 5 years. The irrigated acreage is considered irrigated if the parcel or

portion of the parcel is irrigated or has been maintained for potential irrigation for crop production at any time within the assessment year. By way of example only, and without committing the Board to a determination regarding a particular request, the Board will consider granting requests for Assessment reductions in the following cases:

1. A landowner can demonstrate that parcels subject to Irrigated Agriculture Assessments are non-irrigated and were improperly designated by the District based on faulty data such as inaccurate satellite imagery, inaccurate Assessor Parcel Map boundaries, well location, and the like.
2. A landowner can demonstrate that the landowner recently purchased the subject parcels, and can further demonstrate actions taken to substantially alter the land use on a long-term basis from Irrigated to Non-Irrigated.
3. A landowner can demonstrate that the subject parcels that were previously Irrigated have been fallowed and are no longer being maintained for potential crop production, and that substantial changes to the water distribution systems serving the subject parcels have become altered in a manner that the subject parcels are not likely to return to Irrigated status within 5 years.
4. A landowner can demonstrate a change in zoning regulations that would preclude the use of the subject parcels in a manner that would qualify them for designation as Irrigation Agriculture for purposes of the Assessment.

Property owner shall provide visual documentation of any modifications or changes in land uses to qualify for any reduction in irrigated land assessments. In the absence of a demonstrable showing that the subject parcels have become and will remain Non-Irrigated for an extended period of time, the Board will not grant a request for a reduction in the Assessment. In no event will the Board authorize reductions in Assessments to account for roads, ditches, landscape, and similar uses of land that occur within and among parcels properly designated as Irrigated Agriculture.

The District will invoice the requesting landowner for the actual costs of work performed by the District's Assessment Engineer consultant to verify requests and make adjustments to the District's Assessment Roll. The requesting landowner must remit payment to the District for such costs before the District will grant a request for an Assessment reduction.

In the event that the District grants a request for a reduction in the Assessment and the subject parcels are later returned to Irrigated Agriculture, the District will reinstate the Irrigated Agriculture Assessment retroactive to the beginning of the Assessment year in which the land use conversion occurs and the landowner will be responsible for any costs incurred by the District to verify the assessment.