

RESOLUTION NO. 2019-02

**A RESOLUTION OF
THE BOARD OF DIRECTORS OF
CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY
DETERMINING AND ESTABLISHING A GROUNDWATER EXTRACTION
FEE AGAINST ALL PERSONS OPERATING GROUNDWATER
EXTRACTION FACILITIES WITHIN THE CUYAMA BASIN**

WHEREAS, pursuant to the Sustainable Groundwater Management Act (SGMA), Groundwater Sustainability Agencies (GSA) are authorized to collect regulatory fees (Wat. Code, § 10730) and extraction fees (Wat. Code, § 10730.2); and

WHEREAS, SGMA gives a GSA the authority to impose fees to fund the cost of preparing and implementing its Groundwater Sustainability Plan (GSP), including the preparation and amendment of a sustainability plan, investigation of groundwater conditions, compliance assistance, enforcement, program administration, implementation, and other activities necessary or convenient to implement the GSP; and

WHEREAS, the type of fees that can be imposed to fund the cost of GSP implementation include fees on groundwater extraction; and

WHEREAS, the GSA gave notice concerning these fees as follows:

1. By posting on the website of the GSA at www.cuyamabasin.org on October 17, 2019.
2. By mailing to all landowners within the boundaries of the GSA notice of the public fee hearing.
3. The notice included:
 - The time and place of the hearing;
 - A general explanation of the fee under consideration; and
 - A statement that the data on which the fee is based is publicly available.
4. At least 20 days prior to the public meeting, the GSA made the data upon which the fee is based available to the public on the GSA's website.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Cuyama Basin Groundwater Sustainability Agency that a groundwater extraction fee should be levied as follows:

1. A groundwater extraction fee of \$19 per acre foot shall be levied on all groundwater extracted from within the GSA boundary. Commercial water users using 1.5 acre feet or less in a year per well and domestic water users using 2.0 acre feet or less in a year per well are deemed to be de minimis users and exempt from this fee.

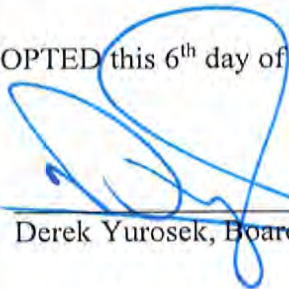
2. The 2019 Groundwater Extraction Fee Report (Report) on which the extraction fee is based is attached as **Exhibit A**, and incorporated herein by reference. The Report is approved and adopted, and GSA staff is directed to comply with its provisions.

3. The Board of Directors of Cuyama Basin Groundwater Sustainability Agency, makes the following findings, based upon the testimony and evidence (including exhibits) presented at said public hearing:

(a) Revenues derived from the groundwater extraction fee will not exceed the funds required to provide for implementation of GSP and related administrative services.


(b) Revenues derived from the groundwater extraction fee shall not be used for any purpose other than that for which the groundwater fee is imposed.

PASSED, APPROVED, AND ADOPTED this 6th day of November, 2019.



Derek Yurosek, Board Chair

ATTEST:



James M. Beck
Executive Director



2019 GROUNDWATER EXTRACTION FEE REPORT

CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY



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Section 1 – ACRONYMS

af	Acre-feet
CBGSA	Cuyama Basin Groundwater Sustainability Agency
GSA	Groundwater Sustainability Agency
GSP	Groundwater Sustainability Plan
SGMA	Sustainable Groundwater Management Act

Section 2 – DEFINITIONS

De Minimis User – Commercial

Uses 1.5 acre-feet or less in a year per well. De minimis users do not have to pay a fee, but must still provide well information on Form E as found in Exhibit B.

De Minimis User – Domestic (Non-Commercial)

Uses 2 acre-feet or less in a year per well. De minimis users do not have to pay a fee, but must still provide well information on Form E as found in Exhibit B.

Section 3 – CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY BACKGROUND

The Cuyama Basin Groundwater Sustainability Agency (CBGSA) was formed in 2017 under the Sustainable Groundwater Management Act (SGMA) to develop and implement a Groundwater Sustainability Plan (GSP). The purpose of the GSP is to achieve groundwater sustainability for the Cuyama Basin by 2040. The CBGSA is governed by an 11-member board with representatives from the four counties that intersect the Basin (Kern, Santa Barbara, San Luis Obispo, and Ventura), the Cuyama Community Services District, and the Cuyama Basin Water District.

The CBGSA intends to establish a groundwater extraction fee to fund the successful implementation of the GSP.

Section 4 – ESTABLISHING A FEE

Water Code section 10730.2 authorizes Groundwater Sustainability Agencies (GSAs) to establish a groundwater extraction fee to fund implementation of a GSP. The CBGSA has set the fee over the calendar year for 2020 and is based on pumping in 2019.

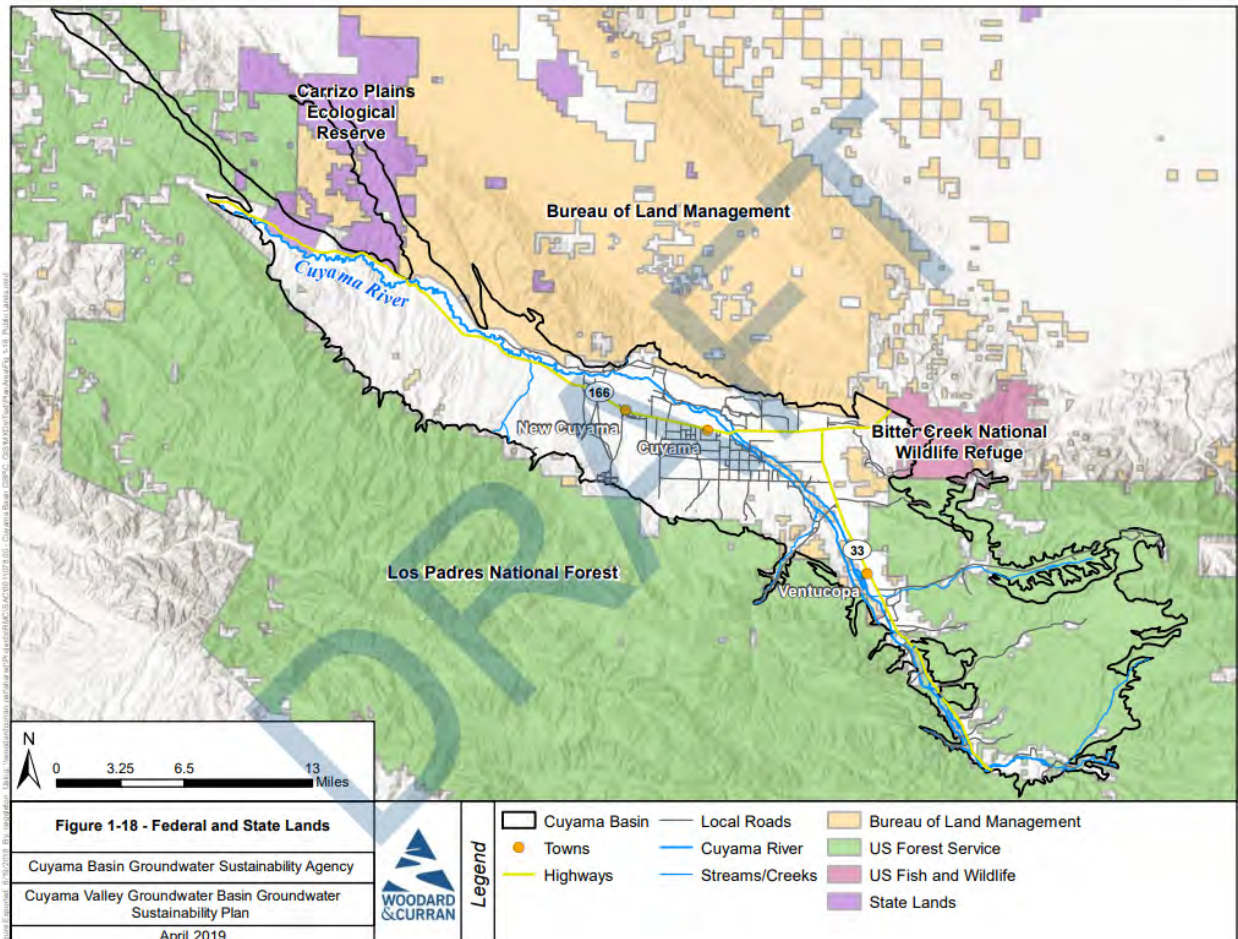
Section 4.1 – Definition of an “Extractor”

An extractor is defined as a pumper of groundwater within the Cuyama Basin groundwater basin boundary as defined by California Department of Water Resources’ Bulletin 118 (see Figure 1 below). The below groups are not considered extractors:

Exclusions:

- De minimis user – wells that use 1.5 acre-feet or less per year for commercial purposes, or wells that use less than 2 acre-feet per year for residential purposes. De minimis users do not have to pay a fee, but must still provide well information on Form E as found in Exhibit B.
- State and federal lands – non-commercial water use on State and federal lands. Well use on State and federal lands do not have to pay a fee, but must still provide well information on Form E as found in Exhibit B.

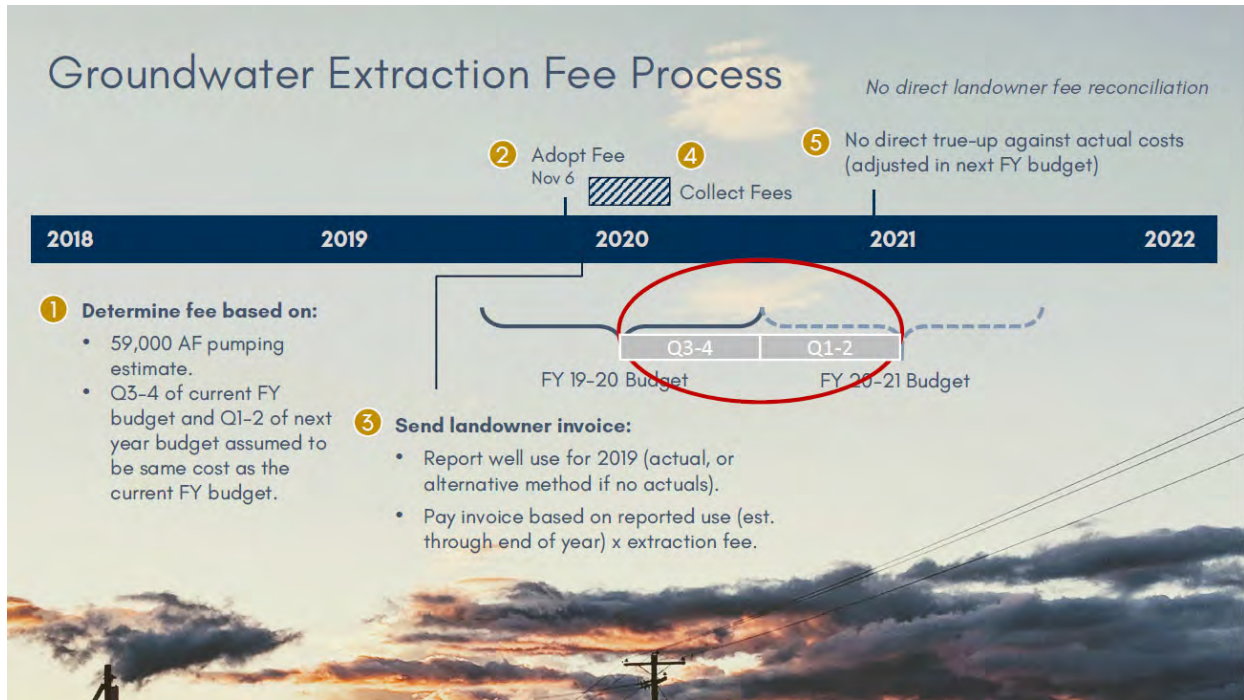
FIGURE 1 – GROUNDWATER BASIN IN CUYAMA



Section 4.2 – Fee Basis

The proposed groundwater extraction fee is based on the CBGSA’s fiscal year budget and includes an estimated delinquency rate of 10 percent. Since the fee is based on a calendar year and the fiscal year budget is for the period June-July, the July through December period is assumed to be similar to the previous calendar year from the current fiscal year budget (see Figure 2 below). The fiscal year budget for 2019-2020 was adopted on August 7, 2019 and totaled \$1,021,936 and is attached as Exhibit A. Extractions for 2019 are estimated to be 60,000 acre-feet which is based on the current conditions from the CBGSA GSP Water Budget Chapter, Section 2.3.5 Water Budget Estimates, Table 2.3-3. Based on the fiscal year 2019-20 budget amount and estimated pumping, we recommend a groundwater extraction fee of \$19 per acre-feet.

FIGURE 2 – GROUNDWATER EXTRACTION FEE PROCESS AND BASIS



Section 5 – ADMINISTRATION OF FEE

Section 5.1 – Extraction Statements

Extraction statements and corresponding instructions for payment of the extraction fee will be sent to all parcel owners in November of each year. If payments are not received by the due date of January 31, a past due notice will be mailed out in February.

Section 5.1.1 – Metered

For metered use, Form A (included in Exhibit B of this report) calculates the amount owed to the CBGSA. If well is metered, landowner ***must*** use the metered form (may not use non-metered forms).

Metered Use Form:

A – Metered Use

Section 5.1.2 – Non-metered

For well owners without meters, estimated water use will be determined using one of the below form(s). These forms are included in Exhibit B of this report and instructions on filling out the forms are provided on the forms.

Non-Metered Use Forms:

B – Pump Efficiency Test

C – Agricultural Use

D – Municipal & Industrial Use

Section 5.1.3 – De Minimis

De minimis users (see Section 2 for definitions) do not have to pay a fee, but must still provide well information on Form E as found in Exhibit B.

De Minimis Use Form:

E – De Minimis User

Section 5.2 – Water Use Audit

The CBGSA may elect to perform random water audits to verify reported pumping.

Section 5.3 – Schedule/Reporting period

The below schedule outlines the groundwater extraction fee process:

Nov	Extraction statements sent to all parcel owners
Nov-Jan	Payment collected for water use in the calendar year
Feb->	Late penalties assessed
Mar-Jun	Fiscal year budget development (budget will be adjusted depending on fee payments received)
Nov	Rate hearing

Section 6 - PENALTIES

Well owners will be charged a 10 percent penalty after the January 31, 2020 due date with an escalation rate of 1 percent for each month late after the initial due date.

Exhibit A
FISCAL YEAR 2019-20 BUDGET

CBGSA FY 2019-20 BUDGET

	Budget		
	July-Jan	Feb-Jun	Total
HALLMARK GROUP			
HG - CBGSA Board of Directors Meetings	\$ 66,014	\$ 13,300	\$ 79,314
HG - Consultant Management and GSP Development	\$ 16,901	\$ 28,900	\$ 45,801
HG - Financial Information Coordination	\$ 19,240	\$ 13,550	\$ 32,790
HG - Cuyama Basin GSA Outreach	\$ 11,588	\$ 7,150	\$ 18,738
HG - Management Area Admin		\$ 15,000	\$ 15,000
HG - Travel (Mileage)	\$ 848	\$ 270	\$ 1,118
<i>FY 19-20 Total</i>	\$ 114,590	\$ 78,170	\$ 192,760
<i>Monthly Total</i>	\$ 16,370	\$ 15,634	\$ 16,063
LEGAL & ADMIN			
Legal Counsel	\$ 35,000	\$ 25,000	\$ 60,000
Grant Proposals	\$ 40,000		\$ 40,000
Prop 218 - Basin-wide	\$ 60,000		\$ 60,000
Audit	\$ 16,000		\$ 16,000
Insurance		\$ 11,000	\$ 11,000
California Association of Mutual Water Co. Membership	\$ 200		\$ 200
Travel/ Conferences/ Training			\$ -
Other / Miscellaneous			\$ -
Contingency	\$ 20,000		\$ 20,000
<i>FY 19-20 Total</i>	\$ 171,200	\$ 36,000	\$ 207,200
<i>Monthly Total</i>			\$ 17,267
WOODARD & CURRAN & TECHNICAL			
BASIN-WIDE COSTS			
Economic Analysis of Projects and Actions		\$ -	\$ -
Stakeholder/Board Engagement			
SAC meetings (6/year)	\$ 24,411	\$ 24,411	\$ 48,822
Board meetings (6/year)	\$ 25,221	\$ 25,221	\$ 50,442
Board Ad-hoc calls (6/year)	\$ 4,923	\$ 4,923	\$ 9,846
Public Workshops (2/year)	\$ 14,712		\$ 14,712
Outreach			
General, Newsletter development, etc.	\$ 9,904	\$ 9,904	\$ 19,808
<i>Meeting and Outreach Subtotal</i>	\$ 79,171	\$ 64,459	\$ 143,630
Website Updates - Maintenance / Hosting	\$ 2,997	\$ 2,997	\$ 5,994
Finalization of GSP (year 1 only)			
Category 1 (funded) - <i>field work</i>	\$ 180,000		\$ 180,000
Category 2 (funded) - <i>grant admin / document revisions</i>	\$ 14,990		\$ 14,990
Category 2 (unfunded) - <i>additional GSP development costs</i>	\$ 30,030		\$ 30,030
GSP Implementation program management		\$ 20,480	\$ 20,480
Manage satellite Imagery to track water usage		\$ 20,252	\$ 20,252

	July-Jan	Feb-Jun	Total
GW level/quality monitoring network			
Levels		\$ 30,376	\$ 30,376
Quality (TDS only)		\$ 30,376	\$ 30,376
DWR TSS Support	\$ 18,848	\$ 18,848	\$ 37,696
Data management		\$ 18,032	\$ 18,032
Complete Annual Reports		\$ 40,512	\$ 40,512
GSP 5-year Evaluation/Update			\$ -
MANAGEMENT AREA COSTS			\$ -
Development of MA Policies and Guidelines		\$ 49,608	\$ 49,608
Prop 218 - MA			\$ -
Pumping allocation tracking and management			\$ -
Initiate program			\$ -
Annual management			\$ -
Project implementation			\$ -
Water Supply Projects			\$ -
Project Feasibility Studies			\$ -
Design, permitting and construction			\$ -
Annual O&M - Cloud Seeding			\$ -
Annual O&M - Storm Water Capture			\$ -
	<i>FY 19-20 Total</i>	\$ 326,036	\$ 295,940
	<i>Monthly Total</i>	\$ 46,577	\$ 59,188
	TOTAL	\$ 611,826	\$ 410,110
			\$ 1,021,936

Exhibit B

EXTRACTION STATEMENTS (WATER USE FORMS)



Form A METERED USE

WATER USE WORKSHEET – 2019
Cuyama Basin Groundwater Sustainability Agency

LATE FEE
Extraction Statement and Fees are due by January 31, 2020. A 10% late penalty will be assessed for payments received after this date with a 1% escalation rate for each additional month late.

Name _____
Address _____
Phone Number _____

Instructions:

1. Input well ID and location in columns A and B
2. Input metered water use in column C for 2019*.
3. Multiply values in column C by the groundwater extraction fee in column D and input result in column E.
4. Total the amounts in column E.
5. Pay the amount from column E to the Cuyama Basin Groundwater Sustainability Agency at the following address:

Attn: Cuyama Basin Groundwater Sustainability Agency
500 Capitol Mall, Suite 2350
Sacramento, CA 95814

**If the year 2019 is not complete at the time of filling out this form, please estimate water use for the remaining months by prorating water use from the actual months in 2019.*

Payment Calculation

A	B	C		D		E
Well ID	Well Location (APN or Address)	Metered Water Use in 2019 (acre-feet)		Groundwater Extraction Fee (\$/af)		Amount due to the CBGSA
			X	\$19	=	\$
			X	\$19	=	\$
			X	\$19	=	\$
			X	\$19	=	\$
			X	\$19	=	\$
			X	\$19	=	\$
			X	\$19	=	\$
Total:						\$



Form B PUMP EFFICIENCY TEST

WATER USE ESTIMATE WORKSHEET – 2019
Cuyama Basin Groundwater Sustainability Agency

Please use one form per well

LATE FEE
Extraction Statement and Fees are due by January 31, 2020. A 10% late penalty will be assessed for payments received after this date with a 1% escalation rate for each additional month late.

Name _____
Address _____
Phone Number _____
Well ID _____
Well Location (APN or address) _____

Instructions:

1. Select one the below methods (efficiency test, power meter, total elapsed time) to estimate pumping (detailed instructions for each method are provided in Exhibit B-1).
2. Input total estimated acre-fee used in the below table entitled "Total Water Use and Amount Owed" and multiply by the groundwater extraction fee to determine the amount owed to the Cuyama Basin Groundwater Sustainability Agency (CBGSA).
3. Make payment to the following address:

Attn: Cuyama Basin Groundwater Sustainability Agency
500 Capitol Mall, Suite 2350
Sacramento, CA 95814

1. Power Meter Serial Number: _____

Column A Column B _____
(Enter Multiplier Here)

2. Power Meter Reading – End of Reporting Period _____
3. Power Meter Reading – Beginning of Reporting Period _____
4. Subtract Line 3 from Line 2 _____ X _____ = _____ KWH

Efficiency Test Method

If you have an efficiency test report on your water producing facility, you may determine your water production below by using the efficiency test report and filling in the following information:

5. From your efficiency test report enter kilowatt hours per acre-foot of water pumped KWH _____ AF
6. Divide Line 4 by Line 5 _____ AF

Power Meter Method

If your water producing facility is equipped with a separate power meter and you have a record of the beginning and ending meter readings, you may determine your water production below by filling in the following information:

- 7. Enter the total "Head in Feet." (See definition on reverse) _____
- 8. Divide Line 4 (Total Kilowatt Hours Used) by Line 7 _____
- 9. Multiply the result of Line 8 by 0.391 and enter acre-feet of water pumped _____ AF

Total Elapsed Time Method

If you have an elapsed time meter recording the time the pump operated and a flow rating giving the gallons per minute produced, you may determine your production below.

- 10. Meter's unit of measurement: _____ Flow test made by: _____
- 11. Meter reading – end of reporting period: _____
- 12. Meter reading – beginning of reporting period: _____
- 13. Subtract Line 12 from Line 11: _____
- 14. If meter registers in hours – convert to minutes TOTAL _____ MIN
- 15. Pumping Rate (gallons per minute) method _____ GPM
- 16. Multiply Line 13 (or Line 14 if meter registers in hours) by Line 15 _____ GALS
- 17. Divide the number of gallons shown in Line 16 by 325,850 _____ AF

Total Water Use and Amount Owed

Total Water Use (acre-feet from rows 6, 9, or 17)		Groundwater Extraction Fee		Amount Owed
	X	\$19	=	\$

Exhibit B-1

INSTRUCTIONS

Efficiency Test Method

The Efficiency Test Method may be used if you have had an efficiency test completed on your well and the same well has a separate power meter. If a double-throw switch, drier or other electrical unit(s) is using the same power meter as your water producing facility, the efficiency test method CANNOT be used. If the only other use is a booster pump motor, it can be included in the pump test. You must have a record of the power meter reading at the beginning and ending of the reporting period. The efficiency test provides a procedure whereby the kilowatt hours (KWH) per acre-feet for water pumped can be used to measure the time element of the formula. Complete Lines 1, 2, 3, 4, 5 and 6.

Power Meter Method

This method may be used by persons who have a separate electrical power meter and who have submitted or attached to the Water Production Statement the beginning and ending electrical power readings for the reporting period. If you have a double-throw switch, drier or other electrical equipment using the same electric power meter as your water producing facility, Worksheet "A" MUST NOT be used. If the only other power used is a booster pump motor for irrigation and domestic use, this usage may be calculated and excluded. In addition to the above, the pumping depth to water must be known. If you do not know the pumping depth to water, call the Agency office for determination of the depth in your area during the period of use.

Subtract Line 3 from Line 2 and enter the result in Column A, Line 4. If there is a multiplier, enter the multiplier number on Line 4 in the space provided in Column B. Multiply the amount show in Column A by the multiplier and enter the result in Column B. If there is NO multiplier, enter the amount shown in Column A in Column B.

Enter the total "Head in Feet" on Line 7. The height in feet from the pumping level to the highest outlet point plus pressure head* = "Head in Feet." Unless your well is equipped with a depth recorder, contact the Agency for depth to water for your immediate area during periods of irrigation. The Agency makes regular well measurements and maintains record files of this data. Complete Lines 8 and 9.

Total Elapsed Time Method

This method may be used by persons having an elapsed time meter on their water producing facility to record the amount of time the pump was in operation. The rate of gallons pumped must be known, either from an efficiency test report or an approved method of determining the rate or your water production; for example, actual measurement of the water flow in gallons per minute. Complete Lines 10, 11, 12, 13, 14, 15, 16 and 17.

*To change pressure head in psi into head in feet, multiply psi X 2.31

EXAMPLE: 40psi x 2.31 = 92.4 feet



Form C AGRICULTURE

WATER USE ESTIMATE WORKSHEET – 2019
Cuyama Basin Groundwater Sustainability Agency

Please use one form per well

LATE FEE
Extraction Statement and Fees are due by January 31, 2020. A 10% late penalty will be assessed for payments received after this date with a 1% escalation rate for each additional month late.

Name _____

Address _____

Phone Number _____

Well ID _____

Well Location (APN or address) _____

Instructions:

1. For 2019, input crop name(s) in column A, the associated acres in column B, and the corresponding crop factors from the attached Exhibit C-1 in column C.
2. Multiply acres (column B) by the crop factor (column C) and input result in column D.
3. Total the acre-feet from column D in row 2 and multiply by the groundwater extraction fee in row 3 and enter in row 4 to determine the amount owed to the Cuyama Basin Groundwater Sustainability Agency (CBGSA).
4. Make payment to the following address:

Attn: Cuyama Basin Groundwater Sustainability Agency
500 Capitol Mall, Suite 2350
Sacramento, CA 95814

	A	B	C	D	
	Crop Name	Acres	Crop Factor	=	Water Use (acre-feet)
1			X	=	
			X	=	
			X	=	
			X	=	
			X	=	
			X	=	
			X	=	
			X	=	
2	Total Acre-feet (sum column D)				
3	Groundwater Extraction Fee (\$/af)				\$19
4	Total Cost				\$

Exhibit C-1 – Crop Factors

Source Information

Crop Factors are evapotranspiration (ET) values from California Polytechnic State University’s Irrigation Training and Research Center (ITRC) California Crop and Soil Evapotranspiration Report (Crop Report), ITRC Report No. R 03-001 accessible at www.itrc.org/reports/pdf/californiacrop.pdf.

The below values were calculated using ET reference averages for zone 10 from the Crop Report (see below figure).



Avg Annual Reference ET by Zone (inches/yr)

Zone	Total
1	33.0"
2	39.0"
3	46.3"
4	45.5"
5	43.9"
6	49.7"
7	43.4"
8	49.4"
9	55.1"
10	49.1"
11	53.0"
12	53.3"
13	54.3"
14	57.0"
15	57.0"
16	62.5"
17	66.5"
18	71.3"

Crop Factors

Crop	ET	Crop	ET
Alfalfa Hay	4.02	Grapes	1.5-2.1 (zone 3)
Alfalfa Seed	3.60	Lettuce	2.20
Almonds	3.32	Permanent Pasture	3.93
Apples, Pear, Cherry, Plum and Prune	3.33	Pistachios	2.99
Barley Wheat	1.97	Potatoes	3.00
Blackeyed Peas	1.97	Sorghum Grain	2.43
Carrots	2.20	Sugar Beets	2.70
Corn	2.43	Tomatoes	2.20
Cotton	2.70	Walnuts	3.53
Citrus	3.45		
Deciduous Fruit	3.33-4.58	Apples (drip) ¹	2.50
		Cannabis ²	TBD
		Hemp ³	TBD

¹Value determined by local expertise in the Cuyama Valley.

²Value based on [redacted].

³Value based on [redacted].



Form D
MUNICIPAL & INDUSTRIAL
 WATER USE ESTIMATE WORKSHEET – 2019
 Cuyama Basin Groundwater Sustainability Agency

Please use one form per well

LATE FEE
Extraction Statement and Fees are due by January 31, 2020. A 10% late penalty will be assessed for payments received after this date with a 1% escalation rate for each additional month late.

Name _____

Address _____

Phone Number _____

Well ID _____

Well Location (APN or address) _____

Instructions:

1. For 2019, input units used for municipal & industrial water use in column B (see Exhibit D-1 to calculate units).
2. Multiply units used (column B) by the water consumption factor in column C and input result in column D.
3. Total the gallons from column D and convert to acre-feet on row 13.
4. Multiply acre-feet used from row 13 by the groundwater extraction fee on row 14 to determine the amount owed to the Cuyama Basin Groundwater Sustainability Agency (CBGSA).
5. Make payment from row 15 to the following address:

Attn: Cuyama Basin Groundwater Sustainability Agency
 500 Capitol Mall, Suite 2350
 Sacramento, CA 95814

	A	B		C		D
	Type of Use	Units Used		Water Consumption Factor (Gal)		Water Use (Gal)
1	Chicken Ranches		X	3,532	=	
2	Livestock Drinking Water No. of cows, bulls and horses No. of stockers No. of sheep and goats		X	5,520 2,760 1,100	=	
3	Hotels No. of Rooms		X	46,000	=	
4	Office Buildings; including Churches No. of Offices		X	38,600	=	
5	Restaurants Seating capacity		X	11,400	=	
6	Service Stations No. of stations		X	350,000	=	
7	Stores Sq ft of building		X	50	=	

8	Trailer Court Avg no. of people		X	36,800	=		
9	Elementary Schools No. of students x No. of school days		X	80	=		
10	Junior & Senior High Schools, Colleges and Churches No. of students x No. of school days		X	160	=		
11	Watered Land; non-ag No. of acres		X	5	=		
12	Total Gallons (sum column D)						
13	Convert to Acre-feet (Row 12 / 325,850)						
14	Groundwater Extraction Fee						\$19
15	Total Cost						\$

Exhibit D-1 – Unit(s) Calculations

Unit Calculation

	Type of Use	Units Used
1	Chicken Ranches	Avg number of units of 100 chickens on hand for the reporting period.
2	Livestock Drinking Water	Average number of livestock on hand for the reporting period (drinking water only). Amounts derived from NDSU Extension Service report from July 2015 entitled "Livestock Water Requirements."
3	Hotels	Total number of rooms.
4	Office Buildings; including Churches	Total number of offices in building, or offices served.
5	Restaurants	Total number of seats including seats at the counter, chairs, stools, benches and patio seating.
6	Service Stations	Number of stations served.
7	Stores	Square feet of any store, supermarket or shop. Calculation includes employee, customer and maintenance water use.
8	Trailer Court	Average number of people in the trailer court.
9	Elementary Schools	Total number of students, faculty, custodians, and maintenance staff multiplied by the number of school days. If there was non-ag watered land input amount in row 11.
10	Junior & Senior High Schools and Churches	Total number of students, faculty, custodians, and maintenance staff multiplied by the number of school days. If there was non-ag watered land input amount in row 11. For churches, figure total hours and divide by 8 to determine number of "school days."
11	Watered Land; non-ag	All lands, ornamental plants, shrubs, etc., watered but not qualifying for agricultural rate.

