

Resolution 2008-03
of the
Fox Canyon Groundwater Management Agency

A RESOLUTION ESTABLISHING AN ADDITIONAL 5% REDUCTION IN HISTORICAL EXTRACTION ALLOCATIONS WITHIN THE BOUNDARIES OF THE AGENCY, EFFECTIVE JANUARY 1, 2009, AND AUTHORIZING THE ESTABLISHMENT OF AN ALTERNATIVE WATER SUPPLY PROJECT CERTIFICATION PROJECT IN LIEU THEREOF

WHEREAS, the Fox Canyon Groundwater Management Agency (Agency) was created by the State Legislature in 1982 to manage groundwater basins encompassing an approximate 183 square mile portion of southern Ventura County; and

WHEREAS, the statutory mission of the Fox Canyon Groundwater Management Agency (Agency) includes the protection and preservation of groundwater resources within the boundary of the Agency; and

WHEREAS, pursuant to AB 2995, (i.e. Annotated California Codes Water Appendix, Chapter 121-102 et seq) the Agency was charged by the State Legislature with developing, adopting, and implementing a plan to control groundwater extractions from the Upper Aquifer System (UAS) to achieve a balanced water supply and demand in the UAS by the year 2000. And, additionally, to adopt a Lower Aquifer System (LAS) Management Plan governing future extractions from the LAS designed to achieve safe-yield in the LAS by 2010; and

WHEREAS, the Agency's Board of Directors adopted the original Groundwater Management Plan (GMP) in December of 1985, which among other things, specified several major "*best management practices*" including the adoption of an ordinance designed to incrementally restrict groundwater extractions in both the UAS and the LAS; and

WHEREAS, Ordinance No. 5, referred to as the "Groundwater Extraction Reduction Ordinance" was initially adopted by the Agency's Board of Directors on August 24, 1990 pursuant to the applicable provisions of the GMP; and

WHEREAS, the Agency's Board has periodically reviewed the effectiveness of the *Groundwater Extraction Reduction Ordinance*, with the most recent review resulting in the adoption of a comprehensive Agency Ordinance Code, (Ordinance No. 8.1) during the July 28, 2005 regular meeting; and

WHEREAS, Section 5.4.1 of Ordinance No. 8.1 provides for the implementation of an additional 5% reduction in historical extraction allocations within the basins governed by the Agency within the 2005-09 time period, with the intent of achieving a cumulative total of 20% reduction in groundwater pumping within those basins as compared to the 1985-89 base period; and

WHEREAS, the Agency's Board elected to defer the additional 5% reduction for the 2005-09 time period pending completion of the update to the Groundwater Management Plan (GMP); and

WHEREAS, the update to the GMP has identified the need to continue the reductions mandated by Section 5.4.1 of Ordinance No. 8.1; and

WHEREAS, the Agency's Board finds that the adoption of this resolution will help the Agency achieve its statutory mission of protecting and preserving groundwater resources by reducing groundwater pumping in overdrafted basins within the boundaries of the Agency.

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED THAT pursuant to Section 5.4.1 of Ordinance No. 8.1, the Agency's Board of Directors establishes January 1, 2009 as the effective date for the reduction of historical extraction allocations from 85% to 80% of historical extraction.


In lieu of the further 5% pumping reduction to historical extraction allocation, an Operator(s) may propose an Alternative Water Supply Project subject to the Certification Process as outlined in Attachment No. 1 to this Resolution. Certification of a proposed Alternative Water Supply Project shall be determined by the Agency Board.

On motion of Director Craven, and seconded by Chair Maulhardt, the foregoing Resolution was passed and adopted on this 26th day of March 2008.



Lynn E. Maulhardt, Chair, Board of Directors
Fox Canyon Groundwater Management Agency

ATTEST: I hereby certify that the above is a true and correct copy of Resolution 2008-03.

By: 

Tammy Butterworth, Clerk of the Board

Attachment No. 1 – Resolution No. 2008-03
Alternative Water Supply Project Certification Process
In-Lieu of Implementation of
2005-2009 5% Historic Reduction

Who – Any operator(s) with sufficient institutional and financial ability to develop Alternative Water Supply project(s) and/or deliver water within Ventura County. An Alternative Water Supply project may be developed by individual operators or collectively by a group of operators. The option for Certification in lieu of this 5% reduction will only apply to operators with FCGMA historical allocations. Other entities without FCGMA historical allocations may provide assistance to other operators in developing Alternative Water Supply projects.

Where – Alternative Water Supply Project(s) must deliver the supplemental water supply within the boundaries of the Fox Canyon GMA.

What – Alternative Water Supply project(s) must deliver supplemental water supply not yet allocated or utilized (Examples – Recycled Water, Imported Water, In-lieu Surface Water, Conservation program). The volume of water must supplement/replace groundwater historically extracted.

How Much - An equivalent volume of supplemental water supply equal to an Operator's 5% 2005-2008 Historical Allocation Reduction.

When – Alternative Water Supply Project(s) must be capable of delivering equivalent water. Alternative Water Supply Projects must be capable of delivering this equivalent volume for no less than five years.

Certification - Operator(s) must initially submit a report (and annually thereafter) containing sufficient data, information, and project details proving their Alternative Water Supply project(s) deliver an equivalent volume of water equal to their 2005-2009 5% Historical Allocation Reduction. Agency staff may request additional information to confirm/verify project(s) will produce equivalent water. Agency staff may also conduct periodic inspections to confirm Certification. Water Certifications, when approved, are good for a five-year period and renewable in five-year increments.

Written Requests for Certification – All Certification requests must be submitted in writing, including data and information to support request, as determined by the Executive Officer.

Process – Initial requests for Certification will first be evaluated by the FCGMA's TAG regarding the technical merits of the projects. SAG and TAG will have 60 days to provide recommendations to the Executive Officer on any Water Certification request. The Executive Officer will then make a final recommendation to the Board. In absence of obtaining a Water Certification, all 2005-2009 5% Historical Reduction will take place on January 1, 2009. Written requests for Water Certification approved by the Board shall be implemented at the next scheduled Semi-Annual reporting period. Operators shall allow at least 90 days for the processing of a Water Certification request.