

Ordinance No. 8.10

AN ORDINANCE TO AMEND THE FOX CANYON GROUNDWATER MANAGEMENT AGENCY ORDINANCE CODE RELATING TO REPORTING EXTRACTIONS

The Board of Directors of Fox Canyon Groundwater Management Agency hereby ordains as follows:

SECTION ONE: Findings: The Board of Directors hereby finds as follows:

- A. The Agency currently requires all operators to report groundwater extractions on a semi- annual basis.
- B. With the advent of Advanced Metering Infrastructure (AMI) and other technological advances, operators now have the capability to report groundwater extractions on an automated basis with greater frequency.
- C. The Agency currently requires monthly extraction reports for all agricultural extraction facilities equipped with AMI. Extending the monthly reporting requirement to all other extraction facilities equipped with AMI will further assist with and improve the Agency's ability to monitor and manage groundwater conditions.

SECTION TWO: Section 2.3 of Chapter 2.0 of the Ordinance Code, Reporting Extractions, is hereby amended to read as follows:

2.3. Reporting Extractions

2.3.1. All extractions shall be reported to the Agency. All extractions shall be flowmetered in accordance with the requirements and methods for flowmetering extractions as specified in Chapter 3. In cases where flowmetering is not required, the volume of water extracted shall be estimated and reported to the Agency. The Agency shall mail a "Semi-Annual Groundwater Extraction Statement" (SAES) form to each well operator twice each year. Each operator shall complete and submit the SAES form(s) on or before the due date for all wells they operate. Completed SAES forms are due forty-five (45) days after being sent by the Agency. The SAES shall contain the following information:

2.3.1.1. The information required under Section 2.1.2. above.

2.3.1.2. The method of measuring or computing groundwater extractions.

2.3.1.3. The parcel numbers and all the acreage served by the extraction facility if an agricultural operator.

2.3.1.4. Total extractions from each extraction facility in acre-feet for the preceding period.

2.3.2. In addition to the requirement to complete and timely submit SAES forms, each operator of an Active Extraction Facility not exempt from the Advanced Metering Infrastructure installation requirement shall submit, or cause to be submitted, an automated or computer-generated report of groundwater extractions on a monthly basis. Monthly extraction reports shall contain the State Well Number, the flowmeter serial number, meter reading and the total extractions from each extraction facility in acre-feet for the preceding month. The report shall be filed with the Agency no later than the 15th day of the following month.

2.3.2.1 [Alternate Monthly Reporting] In areas where it is demonstrated that compliance with the requirements of section 2.3.2 is impossible or highly impractical, the operator may request a variance in writing from the Executive Officer. In all events, the operator shall nonetheless report extractions on a monthly basis by providing the information specified under section 2.3.2 under penalty of perjury, along with a photograph of the flowmeter totalizer reading. The report shall be filed no later than the 15th day of each month following the month in which the extraction facility is operated. Failure to file the monthly report when due is a violation of this ordinance. An operator who violates this section more than three (3) times within any 12-month period shall be subject to monthly site visits from Agency staff to manually read the flowmeter. An operator who becomes subject to monthly flow meter readings under this section shall be responsible for all costs incurred by the Agency, including legal fees, in enforcing the provisions of this ordinance.

SECTION THREE: This Ordinance shall become effective on the thirty-first day after adoption.

PASSED AND ADOPTED this 25th day of May, 2022, by the following vote:

AYES: 5

NOES: 0

ABSENT: 0



Chair, Board of Directors
Fox Canyon Groundwater
Management Agency

ATTEST:

By: Kesly Royas
Clerk of the Board