

Resolution 2011-01
of the
Fox Canyon Groundwater Management Agency

**A RESOLUTION REPEALING AND REPLACING GRANDFATHERING
RESOLUTION NO. 1997-02**

WHEREAS, the Fox Canyon Groundwater Management Agency Board of Directors adopted Resolution No. 1997-02 during its December 17, 1997 regular meeting; and

WHEREAS, Resolution No. 1997-02, among other things, recognized eight named water purveyors which were established prior to the formation of the Agency who continue to supply groundwater from wells inside the Agency boundary to portions of their service areas located outside the boundary of the Agency; and

WHEREAS, the eight water purveyors explicitly named in Resolution No. 1997-02 included: the City of San Buenaventura, the Alta Mutual Water District, the Pleasant Valley County Water District, the Balcom-Bixby Mutual Water Association, Camrosa Water District, Calleguas Municipal Water District, Ventura County Waterworks District No.1-Moorpark, and the Del Norte Mutual Water Company. Each of those eight purveyors existed prior to the formation of the Agency and each has portions of its service area boundaries located outside of the Agency's boundary; and

WHEREAS, Resolution No. 1997-02 further stated that well owners located within the service area boundaries of the above referenced eight named water purveyors who exported groundwater outside of the Agency's boundary were limited by established annual allocations and subject to periodic allocation reductions and/or efficiency standards per ordinance or restriction established by the Agency; and

WHEREAS, subsequent to the adoption of Resolution No. 1997-2, the Agency determined that there were five additional water purveyors similarly situated, and therefore, in the interest of groundwater management policy equity should have been included in the body of Resolution No. 1997-02, but which were not; and

WHEREAS, those five additional water purveyors, (with the year of their formation in parenthesis) included: the Coastal Berry Farms (originally Hugo McGrath Associates, 1870), the Guadaluca Mutual Water Company (1967), the La Loma Ranch Mutual Water Company (1978), the Solano-Verde Mutual Water Company (1981), and Ventura County Water Works District No. 19 (1980); and

WHEREAS, the Agency has determined that there is a need to clarify and emphasize to the above named water purveyors that any groundwater extracted from wells located both within their service areas and the Agency's boundary that is exported to areas outside of the Agency's boundary is limited by established annual allocations and subject to periodic allocation reductions and/or efficiency standards per ordinance or restrictions established by the Agency; and

WHEREAS, the Agency desires to limit the exportation of groundwater by water purveyors or pumpers whose service areas did not extend beyond the Agency boundary prior to the formation of the Agency in order to manage groundwater resources subject to its jurisdiction effectively and efficiently for the common general benefit of agricultural, municipal and industrial users located within the Agency's boundary

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED THAT: The Board of Directors of the Fox Canyon Groundwater Management Agency recognizes that the above named thirteen water purveyors, each of which were established prior to the formation of the Agency, may continue to supply groundwater from wells located within their respective service area boundaries to parcels located outside of the Agency's boundary, subject to the terms and conditions of this resolution.

Further, the Board of Directors finds that the export of groundwater extracted by these named purveyors to areas within their service areas outside of the Agency's boundary shall be regulated by, and subject to, all ordinances and regulations governing groundwater extractions adopted by the Agency, specifically including regulations governing historical allocations, credits and requests for irrigation efficiency filings, as amended.

And finally, the Board of Directors reaffirms its express intent to not approve future requests for the exportation of groundwater from within the Agency boundary by groundwater pumpers or water service purveyors which have service areas outside of the Agency boundary but who were not in existence prior to the formation of the Agency in 1983.

On motion by Director Bennett, seconded by Director Craven, the foregoing resolution was passed and adopted on January 26, 2011 by the following vote.

AYES - Chair Maulhardt, Directors Craven and Bennett
NOES - Director Borchard and Alternate Director McIntyre
ABSTAINS - None
ABSENT - None

By: 

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 No. 2011-01

By: 

Miranda Nobriga, Clerk of the Board