

EMERGENCY ORDINANCE - A

AN EMERGENCY ORDINANCE PROHIBITING THE CONSTRUCTION OF ANY GROUNDWATER EXTRACTION FACILITY FOR USE ON AN UNDEVELOPED PARCEL, OR PORTION THEREOF AND/OR THE ISSUANCE OF ANY PERMIT THEREFOR

The Board of Directors of the Fox Canyon Groundwater Management Agency, State of California, ordains as follows:

ARTICLE 1. Findings

The Board of Directors hereby finds that:

Seawater intrusion has caused irreparable damage to the Oxnard aquifer zone and now affects an on land area of more than 22 square miles and constitutes one of the most serious water resource problems in the State;

Groundwater levels in portions of the coastal area have declined more than 60 feet in the past five years because of increased groundwater extraction;

Rainfall has been below normal for more than three years, causing reduced groundwater replenishment and increased groundwater extraction;

The Fox Canyon Groundwater Management Agency and the United Water Conservation District have recently constructed coastal seawater intrusion monitoring wells which have indicated the presence of highly saline groundwater, which was not previously known, in the Fox Canyon aquifer zone and Mugu aquifer zone; and

The highly saline groundwater may be the result of lateral intrusion of seawater which would constitute a serious threat to future groundwater supplies in the entire area.

The Board further finds that the prohibition hereinafter provided: is necessary to protect the public health, safety or welfare; is necessary to prevent a worsening of the existing condition; and is necessary to allow time to seek solutions to the problem.

ARTICLE 2. Prohibition

Pursuant to the provisions of Deering's Water Uncodified Acts, Act 2750, section 403, the Board hereby prohibits the construction of any groundwater extraction facility, other than a replacement or backup facility, which does not increase the

historical extraction, located within the jurisdictional boundaries of the Fox Canyon Groundwater Management Agency, for use on a parcel, or portion thereof, which is undeveloped (that is, never had any source of water applied by the acts of man, since January 1, 1985, through the effective date of this ordinance). "Historical extraction" means the average annual groundwater extraction based on five (5) calendar years of reported extractions from 1985 through 1989. The Board further prohibits the issuance of any permit therefor.

ARTICLE 3. Duration

The duration of this emergency ordinance shall be for a period of six months from the date of adoption unless the period is extended.

ARTICLE 4. Effective Date

This emergency ordinance shall become effective immediately upon adoption by the vote of at least four members of the Board.

PASSED AND ADOPTED this 26th day of January, 1990, by the following vote:

AYES:	Directors	<u>Lynn E. Maulhardt, Chair</u>
		<u>John K. Flynn</u>
		<u>Bob Grether</u>
		<u>John McWherter</u>
		<u>Roy Nishimori</u>
NOES:		<u>None</u>
ABSENT:		<u>None</u>

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

By Lynn E. Maulhardt
CHAIR, BOARD OF DIRECTORS

By Karen Schoonover
Clerk