



**CALENDAR YEAR 2012**

**ANNUAL REPORT**

## **FOX CANYON GROUNDWATER MANAGEMENT AGENCY ANNUAL REPORT FOR CALENDAR YEAR 2012**

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## EXECUTIVE SUMMARY

The Fox Canyon Groundwater Management Agency (FCGMA) is a State Legislature-chartered public agency created to manage groundwater resources in the southwestern portion of Ventura County, California. The FCGMA boundary covers land overlying the Fox Canyon aquifer, primarily from the coast at the City of Port Hueneme to inland areas northeast of the City of Moorpark.

During calendar year 2012, progress was made towards implementing groundwater management strategies established in the 2007 Update to the Fox Canyon Groundwater Management Agency, Groundwater Management Plan (GMP). The progress included advances in: the City of Oxnard GREAT Project; the County of Ventura Waterworks District South Las Posas Pump/Treat; Development of Brackish Groundwater in the Pleasant Valley; Continuation of 25% Pump Reduction; Modification of the Irrigation Efficiency.

Rainfall, evapotranspiration and net conservation credits earned were below average (41%, 94% and 62% of average respectively). Groundwater extraction, and the number of Irrigation Efficiency filings were above average (103% and 131% respectively).

1. Rainfall data is collected from five weather stations within the FCGMA boundary. The overall average annual rainfall for 2012 was 8.66 inches, which is 41% below the 14.59-inch average observed from 1985 through 2012.
2. The average five-station evapotranspiration (ET<sub>o</sub>) value of 48.22 inches was 3.21 inches lower than the average ET<sub>o</sub> value of 51.43 inches (from 1997 through 2012).
3. The net conservation credits earned were 9,194 AF.
4. Total reported<sup>1</sup> volume of groundwater extractions in calendar year 2012 was 125,404 acre-feet (AF), which is above (3% of) the groundwater extraction volume long-term average (1991-2012), of 122,000 AF.
5. Irrigation Efficiencies applications filed totaled 148, of which two applications were denied. The total groundwater volume extracted in 2012 under the Irrigation Efficiency program was 38,797 AF, about a third (31%) of the total groundwater volume extracted in 2012. Agricultural user groundwater extractions accounted for over two-thirds (70%) of the total groundwater extractions in 2012.

For 2012, agricultural operators collectively reported 87,531 AF of extractions (up from 73,863 AF in 2011 and 69,694 AF in 2010). M & I operators reported 37,669 AF of extractions (down 3,503 AF from 41,172 AF in 2011, and 12,862 AF less than the 50,531 AF of M & I extractions reported in 2010).

Many significant actions took place during 2012. Specific accomplishments are listed in summary form on the next page. The body of this Annual Report along with the attached tables and figures provide a more detailed description of such activities.

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<sup>1</sup> Table provides data on reported groundwater extractions. In 2012, extractions from approximately 15% of active wells were not reported.

## **Summary of Accomplishments and Significant Actions during 2012**

- The Agency adopted four Resolutions:
  - Resolution No. 2012-01: Approved re-direction of groundwater extraction surcharges to preserve natural resources and to resolve an appeal from Nyeland Acres Mutual Water Company.
  - Resolution No. 2012-02: Authorized the imposition of civil penalties against those operators who are in violation of the flowmeter calibration requirements of the Ordinance Code.
  - Resolution No. 2012-03: Authorized the imposition of civil penalties against those operators who are in violation of the extraction reporting and payment requirements of the Ordinance Code.
  - Resolution No. 2012-04: Certified Jim Estomo to fill an unexpired term of 1/1/2013 – 1/1/2015 for the Ventura Local Agency Formation Commission (LAFCo) Alternate Commissioner Special District member.
- Agency staff reviewed the Final Draft Version 1 of the Las Posas Basin-Specific Groundwater Management Plan that was prepared by the Las Posas Users Group.
- Completed and submitted a joint Proposition 84 Focused Planning Grant application to the DWR for two projects including the joint FCGMA / Calleguas Municipal Water District's (CMWD) project for an engineering study related to wells, desalter, and transmission infrastructure.
- Provided grant funding for five Groundwater Supply Enhancement Assistance Program (GSEAP) projects.
- Provided Irrigation Allowance Index Roll Out Schedule and Updates, and Workshops.
- Sent Notifications of Intent to Extinguish Certain Credits per requirement of Ordinance No. 8.5.
- FCGMA Online Software development completed, and software was utilized for processing and storing Agency data.
- The accounts for 62 Non-Reporting Operators were resolved.
- Meter Calibration Program, Initial Notices for testing of flowmeters associated with 621 wells and Notices of Violation associated with 101 wells, were mailed to well owners and/ or operators.
- Significant effort continued on multiple Ordinance Code compliance issues where the Agency needed to enforce provisions of its Ordinance Code related to such items as well registration, meter calibration program compliance, reporting of groundwater extractions.
- Board approved use of Good Deed Credit Trust to settle outstanding surcharge for Nyeland Acres Mutual Water Company.
- To improve stakeholder outreach and communication, staff attended stakeholder and Las Posas User Group meetings, and continued mailing of Semi-Annual Newsletter.
- Annual Financial Audit completed.
- The 2011 Annual Report completed.



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## **1.0 AGENCY BACKGROUND**

### **1.1 Introduction**

The Fox Canyon Groundwater Management Agency (FCGMA) is a public agency tasked with managing groundwater resources in the southwestern portion of Ventura County, California (see Figure 1 – *Fox Canyon Groundwater Management Agency Boundary*). The FCGMA is an independent State “Special District”, separate from the County of Ventura or any city government, with jurisdiction over all lands lying above the Fox Canyon aquifer. The Agency was created in 1982 by the California Legislature via the Fox Canyon Groundwater Management Agency Act [AB-2995] for the express purposes of regulating, conserving, managing, and controlling the use and extraction of groundwater to help preserve resources, and to counter seawater intrusion beneath the Oxnard Plain. Groundwater resources within the boundary of the FCGMA are used by the cities of Ventura, Oxnard, Port Hueneme, Camarillo, and Moorpark, along with the unincorporated communities of Saticoy, El Rio, Somis, Moorpark Home Acres, Nyeland Acres, and Montalvo. The FCGMA is funded solely by fees paid by those who extract groundwater within the Agency boundaries. These extraction fees are used by the Agency to administer and manage local groundwater resources within several aquifers beneath the Agency’s boundary.

### **1.2 Purpose of this Report**

The purpose of this report is to summarize the background and natural setting of lands within the FCGMA, and to present a synopsis of the technical and administrative groundwater resource management activities for calendar year 2012. Since the Agency’s fiscal year is not concurrent with the calendar year or technical reporting year, this report includes only a brief summary of financial activities. Fiscal data for the first reporting period(s) covering 2012 can be found in the Agency’s Annual Audit and/or the quarterly fiscal reports to the Board of Directors.

### **1.3 Origin and History of the Fox Canyon Groundwater Management Agency (FCGMA)**

The unique geographic and geologic characteristics of Southern California have created a significant and valuable groundwater resource in the near-coastal and inland valley portions of Ventura County. Winter storms associated with the warm Mediterranean climate move inland from the Pacific Ocean and drop precipitation over the region, with greater amounts generally falling in the first quarter of the year (January-February-March) than the last quarter (October-November-December). The topography and geology of the area allow surface run-off and percolating groundwater to flow south and westward towards the coastal Oxnard Plain where such water can percolate into permeable sandy alluvial aquifers that are bounded by impermeable clays or compacted silts. Groundwater beneath the Oxnard Plain is contained in several named aquifers that are primarily rimmed by: upland and recharge areas to the north and east; the relatively impermeable rocks of the Santa Monica Mountains to the south and southeast; and the Pacific Ocean to the west and southwest.

Although the early indigenous people primarily relied on natural springs and available surface water, European settlers beginning in the early to mid- 1800’s recognized groundwater as a reliable resource. Beginning with shallow hand-dug (mostly windmill-driven) wells, the groundwater supply was developed to create one of the most prolific agricultural regions in California. In 2012, groundwater resources supported agricultural products in Ventura County valued at more than \$1.8 billion (2011 Annual Crop Report, Ventura County Agricultural Commissioner’s Office). The Ventura County Agricultural Commissioner’s Office, 2012 Crop Report should be available in July 2013.

The FCGMA was created by the State of California (legislative branch) in response to local and persistent overuse of groundwater resources resulting in declining water quality (especially in the southern part of the Oxnard Plain) first recognized in the early 1940's (DWR, 1954). Prior to the creation of the FCGMA, the California State Water Resources Control Board (SWRCB), as a condition to a State grant for the Seawater Intrusion Abatement Project, directed the United Water Conservation District (UWCD) and Ventura County as grantees to develop a Groundwater Management Plan for the purpose of controlling extractions, and balancing water supply and demand in both the Upper Aquifer System (UAS) and Lower Aquifer System (LAS). Because of continuing overdraft by groundwater users and resulting seawater intrusion into aquifers beneath the Oxnard Plain, the Fox Canyon Groundwater Management Agency Act (AB-2995, Imbrecht) was passed on September 13, 1982, and became effective January 1, 1983. The Act (enabling legislation) is now contained in the State Water Code Appendix, Chapter 121 et seq. As directed by Article 2, Section 202 of that enabling legislation, the boundary of the FCGMA was established by Resolution of the Ventura County Board of Supervisors (VCBOS, 1982) on December 21, 1982 and became effective by recordation in the Ventura County Office of the Recorder (VCOR) on January 1, 1983. The boundary has been revised and legally re-recorded in 1996 and again in 2002 to reflect updated knowledge of the aquifer both geographically and to reflect subsequent hydrologic findings (VCOR, 1996; VCOR, 2002).

#### 1.4 Mission Statement of the Agency

The original State legislation created the FCGMA to manage groundwater in both overdrafted and potentially seawater-intruded areas within Ventura County. The prime objectives and purposes of the FCGMA are to preserve groundwater resources for agricultural, municipal, and industrial uses in the best interests of the public and for the common benefit of all water users (FCGMA, 2007). Protection of water quality and quantity along with maintenance of long-term water supply are included in those goals and objectives. Prior to 2006, the FCGMA had not adopted a formal mission statement. In 2006, the FCGMA formally adopted the following mission statement:

*"The Fox Canyon Groundwater Management Agency (Agency), established by the State Legislature in 1982, is charged with the preservation and management of groundwater resources within the areas or lands overlying the Fox Canyon aquifer for the common benefit of the public and all agricultural, municipal and industrial users."*

#### 1.5 Agency Operations and Personnel

The FCGMA is directed by an elected five (5) member Board of Directors, and staffed by technical and administrative personnel provided by the Ventura County Watershed Protection District (Table 1 – *Summary of FCGMA Personnel for Calendar Year 2012*).

As required by its enabling legislation (the Fox Canyon Groundwater Management Agency Act of 1982 [AB-2995]), the Board of Directors for the FCGMA is composed of one member from each of the following four stakeholder groups:

- The Ventura County Board of Supervisors.
- The United Water Conservation District (UWCD) Board of Directors.
- The City Councils of the five incorporated cities that partially or totally overlie the FCGMA. These cities include Ventura, Oxnard, Camarillo, Port Hueneme, and Moorpark.

- The seven<sup>2</sup> existing mutual water companies and special districts within the FCGMA, as identified in AB-2995. They include the governing boards of the following mutual water companies and special districts not governed by the County of Board of Supervisors, which are engaged in water activities, and whose territory at least in part overlies the territory of the Agency: (1) Alta Mutual Water Company, (2) Pleasant Valley County Water District, (3) Berylwood Mutual Water Company, (4) Calleguas Municipal Water District (CMWD), (5) Camrosa County Water District, (6) Zone Mutual Water Company, and (7) Del Norte Mutual Water Company.

These four stakeholder groups select the fifth Board Member from a list of at least five candidates nominated by the Ventura County Farm Bureau and Ventura County Agricultural Association acting jointly. This fifth member must reside in, and be “actively and primarily engaged in agriculture” within the territory of the Agency. The requirement “actively and primarily engaged in agriculture” means that farm members must derive at least seventy-five percent (75%) of their income from agriculture.

Five Alternate Board members are selected according to the same criteria and serve in the absence of the primary Board members. All Board members serve for a two-year term, unless reappointed. In 2007, the Board offset the terms of the City Council and the Agricultural representatives from the remaining three representatives by one year to ensure continuity of Agency operations and to prevent a complete turnover of all FCGMA Directors at the same time.

The Board normally conducts monthly public meetings, with additional public input received through various stakeholder-based committees.

The personnel, technical, financial, and legal needs of the FCGMA are provided under contract with the Ventura County Watershed Protection District and the Office of the County Counsel. The United Water Conservation District (UWCD) provides additional technical resources to the Agency as needed. UWCD is a public wholesale and retail water agency that also provides groundwater basin management activities in the Santa Clara River Valley, and northern and central Oxnard Plain. In accordance with the enabling legislation, the FCGMA is not authorized to involve itself in activities normally undertaken by member agencies. Such activities include the construction, operation, and maintenance of capital facilities. Many facilities such as dams, spreading grounds, pipelines, flood control structures, and surface water diversions are operated by UWCD, CMWD, Camrosa, and other member agencies both inside and outside the FCGMA boundary.

## **2.0 GROUNDWATER RESOURCE MANAGEMENT**

### **2.1 Location and Geographic Description of the FCGMA**

The FCGMA is located in the southern portion of Ventura County in the southwest-coastal part of Southern California. At the time of its definition, the boundary of the Agency was defined as “all land overlying the Fox Canyon aquifer” (California Water Code, CWC, Appendix 121, Section 102), however to account for overlying or adjacent jurisdictions and/or political reasons, not all areas above the aquifer were included within the original boundary adopted by the Ventura County Board of Supervisors. The boundary was revised in 1996 and 2002. The Agency encompasses a northeast-southwest oriented, wedge-shaped area of 183.2 square miles that widens to the west and is bounded to the north by the

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<sup>2</sup> An eighth mutual water company or special district, Anacapa Mutual Water Company, active at the passage of the enabling legislation (AB-2995), is no longer in existence.

Santa Clara River and South Mountain. To the east, the Agency boundary is defined by uplifted Tertiary and Quaternary-age consolidated rocks north and east of the City of Moorpark. The southern edge of the Agency is bounded by the Bailey Fault and the uplifted Santa Monica Mountains (Dibblee 1990). The western and southwestern limits are geographically limited by the Pacific Ocean coastline.

The eastern portion of the FCGMA bifurcates into two separate lobes east of the City of Camarillo. The longer northern lobe, which includes the Las Posas Valley, terminates east of the City of Moorpark near the central portion of the Happy Camp Syncline (Dibblee 1992b and 1992c). The furthest eastern extent of the Agency terminates in the County's Happy Camp Canyon Regional Park northeast of the City of Moorpark. The shorter southern lobe, which includes the western portion of Pleasant Valley, terminates approximately one-third of the distance into the Santa Rosa Valley (on the west end) (Dibblee 1990). These two valleys widen to the west and merge near the City of Camarillo to encompass the broader Oxnard Plain where the majority of groundwater extractions occur within the Agency. The Santa Clara River Valley intersects with the northeastern portion of the Oxnard Plain near the unincorporated area of Saticoy. The northern boundary of the Agency turns west-southwest across from South Mountain just north of the Santa Clara River at Saticoy, then parallels the river's course westward all the way to the Pacific Ocean. This latter stage of Santa Clara River flow is determined by the Oak Ridge Fault System, which also constitutes much of the northern Agency boundary line. Southwest of the City of San Buenaventura, the boundary crosses back to the south bank of the river just east of the Pacific Ocean.

## 2.2 Geology and Hydrogeology of the FCGMA

The FCGMA is located near the western margin of the Transverse Ranges Geologic Province in Southern California. This geologic province is characterized by east-west oriented mountain ranges separated by valleys, faults, and basins. The east-west trending folds and faults are common throughout the province and their surface expression is evident at many locations within the FCGMA boundary (see Figure 2 – Major Hydrologic Features and Groundwater Basins Within the FCGMA). The water-bearing sediments that comprise the valley fill and alluvial plains within the FCGMA consist of significantly deep unconsolidated and semi-consolidated sediments that range from Pliocene to Recent (Holocene) time in geologic age. The geologic formations from oldest to youngest include the Plio-Pleistocene-age Santa Barbara Formation (includes the Grimes Canyon aquifer), the Pleistocene-age San Pedro Formation (contains the Fox Canyon aquifer), and semi-consolidated and unconsolidated sediments of Upper-Pleistocene and Recent (Holocene) ages (Port Hueneme, Point Mugu, Oxnard, and perched aquifers). Local and regional unconformities (i.e. gaps in the geologic sedimentation record caused by uplift and subsequent erosion) occur between each of these formations (DWR, 1976).

The topography in the eastern portion of the FCGMA consists of narrow steep sided canyons that open into the broader east-west trending Las Posas Valley and Pleasant Valley areas. Moderate relief (typically 300 to 1,500 feet difference) between the bordering mountain highlands and the westward-sloping valley floors is typical of the area. The canyons and valley floors are partially filled by colluvium, unconsolidated fluvial sediments, and coalesced alluvial fans (also called a bajada or compound alluvial fan) comprised of material eroded from the surrounding uplifted Tertiary and Quaternary-aged sedimentary rocks. The alluvial deposits in the eastern portion of the Agency are typically less than 600 feet in thickness, and most such layers thin out in close proximity to surface exposures of bedrock. In the western portion of the FCGMA, the topography primarily consists of the broad, alluvial Oxnard Plain. The Oxnard Plain gently slopes to the southwest and continues beneath the Pacific Ocean. All of the semi-consolidated rocks comprising the various freshwater aquifers outcrop beneath the ocean, and during periods of positive offshore pressure gradients, groundwater discharge has been documented in this offshore area (Izbicki, 1992, 1996a, 1996b). The thickness of the collective usable aquifer zone alluvial layers beneath the Oxnard Plain is typically greater than 1,200 feet.



Two main drainages lie within or form boundaries to the FCGMA. The Santa Clara River originates in the San Gabriel Mountains several miles east of Ventura County (in central Los Angeles County) and flows westward through the still largely natural Santa Clara River Valley, which lies north and northeast of the FCGMA. The Santa Clara River intersects the northwestern boundary of the FCGMA near the unincorporated area of Saticoy. The Santa Clara River supplies recharge to aquifers in the western third of the FCGMA by direct infiltration through the streambed, and infiltration of diverted river water in percolation ponds. A large man-made drop structure, operated by UWCD called the Vern Freeman Diversion, extends across the river and diverts river water via channels to off-stream percolation ponds (also owned and operated by UWCD) in the porous Oxnard Forebay Groundwater Basin. Because of near constant flows from wastewater treatment plants, urban runoff, and periodic releases from UWCD's Lake Piru, the Santa Clara River is now a perennial stream. The majority of river flows however, occur during runoff periods associated with winter storms, and this muddy, turbid water is difficult to capture and too silt-laden to be of any practical use. Calleguas Creek lies near the southern and southeastern boundaries of the FCGMA, and carries water during high-runoff periods, as well as nearly continuous discharge from upstream wastewater treatment plants in Simi Valley, Moorpark, Thousand Oaks, and Camarillo. Additional water is contributed to these streams by irrigation return flows and urban runoff. The Conejo Creek Diversion facility exists on a tributary to Calleguas Creek and surface water diverted from this location primarily supplements agricultural groundwater extractions in the Pleasant Valley area south of the City of Camarillo. Some Conejo Creek water also helps to add irrigation supply to the western end of the Santa Rosa Valley portion of eastern Camarillo. Although there are a number of small private reservoirs and County Watershed Protection District (WPD) stormwater retention basins, there are no major surface water bodies within the FCGMA boundary of any importance and none used for water supply needs.

Seven groundwater basins lie wholly or partially within the FCGMA:

1. Arroyo Santa Rosa Basin,
2. East Las Posas Basin,
3. West Las Posas Basin,
4. South Las Posas Basin,
5. Pleasant Valley Basin,
6. Oxnard Forebay Basin, and the
7. Oxnard Plain Basin<sup>3</sup>.

Each basin has significant groundwater resources with unique physical and water quality characteristics (Izbicki et al., 2005). The majority of groundwater extractions occur within the Oxnard Plain Basin. We have assembled the data in figures and tables. Figure 3 – *2011 Ratio of Reported Groundwater Extractions by Basin* provides additional detail. Descriptions of the physical, hydrogeologic, and water quality characteristics of each of these groundwater basins are more extensively described in the 2007 FCGMA Groundwater Management Plan.

There are six named aquifers in the FCGMA Boundary. From deepest to shallowest these are: a) the Grimes Canyon aquifer, b) the Fox Canyon aquifer, c) the Hueneme aquifer, d) the Mugu aquifer, e) the Oxnard aquifer, and d) the perched or semi-perched zone (DWR, 1976). These aquifers are grouped into a Lower Aquifer System (LAS), [Grimes Canyon, Fox Canyon, and Hueneme aquifers]; and the Upper Aquifer System (UAS), [Mugu and Oxnard aquifers]. The semi-perched zone is considered by

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<sup>3</sup> Historic references have segregated the southeastern portion of the Oxnard Plain into a separate basin identified as the Mugu Forebay Basin. This Basin is not shown in Figure 2 because like the Agency's Groundwater Management Plan, this document considers these areas as a single groundwater basin, the Oxnard Plain Basin. Data and discussions included in this annual report treat all rainfall, extraction, and credit information from both the Oxnard Plain Pressure Basin and the Mugu Forebay Basin as one single basin.

some to be separate from the UAS because it is only locally extensive and of poorer quality than the deeper, more geographically extensive aquifers (Turner, 1975).

Faulting has significantly affected the local Tertiary and Quaternary-aged geologic formations, and the hydrogeology within the FCGMA reflects that. Significant faults that occur within or near the margins of the Agency include the Oak Ridge fault, the Berylwood fault, the Somis fault, the Springville fault, the Simi-Santa Rosa fault zone (includes Santa Rosa fault, Northern Simi fault, Southern Simi fault), the Camarillo fault, the Wright Road fault, the Epworth fault, and the Bailey fault. Although the general groundwater flow direction in FCGMA aquifers is to the southwest, faults and other structural features may form partial or complete barriers to groundwater flow or cause local variability in flow direction.

Some authors have suggested that the Hueneme Canyon Fault as the western extension of the more prominent Simi-Santa Rosa Fault system that enters the Oxnard Plain near the northeast corner of the Pleasant Valley Groundwater Basin. The low-permeability feature separating the East and West Las Posas Groundwater Basins from north to south is, in all likelihood, a fault. Ultimately, the effects that these subsurface geologic structures have on groundwater flow can only be quantified through detailed hydrostratigraphic analysis, aquifer testing, and other methods such as geophysical reflection or refraction studies, etc. The Agency continues to work with its regional partners UWCD and CMWD to evaluate the impact of these features.

### **2.3 Groundwater Resource Management**

The FCGMA's enabling legislation (CWC, Appendix 121), established the ability of the FCGMA to perform groundwater management activities including, but not limited to, registration of extraction facilities (wells), control of groundwater extractions, regulation of extraction facility construction, prosecution of legal actions against unreasonable use of water resources, imposition of reasonable operating regulations, and collection of fees. Through this legislation and a series of ordinances the FCGMA has developed a groundwater record management system to record well facility owner/operator information; to collect and record extraction data; to regulate groundwater extraction through the application of an annual allocation system; to assign credits as an incentive for non-use of allocations and/or for direct replenishment actions; to collect civil penalties and surcharges for overuse of groundwater, and to collect groundwater extraction fees to fund the Agency.

Data compiled by the Association of Water Agencies (AWA) based on 2007 information, revealed that Ventura County water needs were met by groundwater (approximately 60%) as the primary source, with local surface water (10%), reclaimed water from treatment plants or other recycled water sources (1%), and water imported to the County by the California State Water Project (29%) (AWA, 2007). When looking at the FCGMA specifically, data suggest 60% of groundwater was used for agriculture, and roughly 40% for municipal uses. In 2012, reported extractions within the FCGMA boundary indicate that approximately 70% of groundwater was used for agriculture, and roughly 30% for municipal uses.

There are three specific groundwater allocation methods used by the FCGMA (see the FCGMA Ordinance Code for additional information). Allocation types include Historical Allocation (HA), Baseline Allocation (BA), and Irrigation Efficiency Allocation (IE). The type of allocation available depends upon the use of the groundwater, and the history of land and water use.

Wells operated by well Operators are grouped into three categories: agricultural (AG), municipal/industrial (M & I), and domestic (DOM). The definition of each type is specified in the Ordinance Code.

- **Agricultural Facility:** *"a facility whose groundwater is used on lands in the production of plant crops or livestock for market, and uses incidental thereto."* Well operators of Agricultural facilities may be entitled to HA, BA, or IE. They may also be entitled to credits on any unused HA<sup>4</sup>. Based on self-reported extraction data, in 2012, agricultural extraction facilities were responsible for approximately 70% of the reported groundwater extracted within the Agency (Table 2).
- **Municipal and Industrial User (M & I):** *"a person or other entity that used or uses water for any purpose other than agricultural irrigation".* An M & I operator is defined as *"an owner or operator that supplied groundwater for M & I use during the historical allocation period (1985-1989 inclusive), and did not supply a significant amount for agricultural irrigation during the historic period."* An M & I provider is defined as *"an entity or person which provides water for domestic, industrial, commercial, or fire protection purposes within the boundaries of the Agency."* M & I operators may be entitled to HA and/or BA, and can accumulate extraction credits for any unused HA in a particular year. M & I users are not eligible for IE. Based on self-reported extraction data, in 2011, M & I facilities were responsible for approximately 30% of the reported groundwater extracted within the Agency.
- **Domestic User or Domestic Extraction Facility:** *"a domestic extraction facility supplies a single family dwelling on one acre or less, with no income producing operations".* Typically, domestic users are responsible for a nominal pumping amount (less than 1%) of the total groundwater extracted within the Agency during any given calendar year.

Prior to 2012, the Agency used a Microsoft Access database to record groundwater extractions and payment as well as many other types of information. During early 2012, the FCGMA replaced the Microsoft Access database. The new "FCGMA Online" software application is a web-based groundwater extraction reporting and billing system that can be used by well operators and FCGMA staff. Utilization of the new software program to process data began in early 2012.

As of year-end 2012, the FCGMA had a total of 1281 wells identified by State Well Numbers listed within its boundary: 721 wells were reported as active; 160 wells were listed as inactive; with 395 wells destroyed, and 5 additional well numbers assigned to permanent monitoring or cathodic protection wells. On an ongoing basis, FCGMA staff registers new wells permitted by the County of Ventura<sup>5</sup> and/or by the City of Oxnard. Regular updates to the status of existing wells are completed according to information self-reported by the well owners or operators.

All extraction facility (well) operators are required to report their groundwater extraction on a semi-annual basis using an Agency provided Semi-Annual Groundwater Extraction Statement (SAES). The two six-month SAES reporting periods cover January 1 through June 30 (-01 Period), and July 1 through December 31 of each year (-02 Period). Each SAES lists all wells under a particular operator code, any available allocations, the reported groundwater extraction (acre-feet) for each well, the application of any available credits, and the specific allocation method being used to calculate the permitted groundwater extraction. Based on the groundwater extraction reported, each operator is required by Ordinance to

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<sup>4</sup> Unused Historical Allocation (HA) refers to the difference between the total HA held by a registered extraction facility including any adjustments made by the Agency, minus the actual reported groundwater extraction reported by that facility in a particular year.

<sup>5</sup> Refers to wells permitted in accordance with the County of Ventura Ordinance No. 4184. All permitting in accordance with this ordinance is performed by the Ventura County Watershed Protection District. The City of Oxnard is the only other entity in Ventura County that issues water well permits.

calculate the extraction charge due, plus any surcharges, interest, or late penalties associated with their user account, and then remit payment to the FCGMA along with the completed SAES form.

### **2.3.1 Current and Historic Groundwater Extraction in the FCGMA<sup>6</sup>**

For the calendar year 2012:

1. A total of 125,404 acre-feet<sup>7</sup> (AF) of groundwater extraction was reported to the FCGMA.
2. For the period January 1 through June 30, 2012 (2012-01 period), the reported groundwater extraction was 58,433 AF.
3. During the last half of calendar year (2012-2, July 1 through December 31), the reported extraction was 66,971 AF.

In general, groundwater extractions in the second half of the year are usually higher than in the first half (see Table 3— *Summary of Reported Extractions Within The FCGMA Since 1983*). When compared to the past year's reported groundwater extractions, the total annual reported groundwater extraction for 2012 was 3% above the long-term average, 122,000 AF (1991 to 2011). Reported extractions for the 2012-1 period were 13% above the long-term average extraction, 51,680 AF (1991-1 through 2011-1). Reported extractions for the 2012-2 period were 5% below the long-term average, 70,320 AF (1991-2 through 2012-2). Annual extraction data is presented in Table 3, and in Figure 4 - *2012 Annual Rainfall and Reported Groundwater Extractions in the FCGMA*. Table 4 – *Comparison of Year 2012 Groundwater Extractions to Historic Groundwater Extractions in the FCGMA* provides more detail.

Rainfall and other factors affect groundwater extraction within the Agency. In general, groundwater extractions in any given calendar year are inversely proportional to rainfall (i.e., lower precipitation results in higher groundwater extractions and vice-versa). Other factors that affect groundwater extraction include: evapotranspiration, imported water costs cost and availability of energy and State imported water; and supplies of recycled water or surface water (stream) diversions.

### **2.3.2 Rainfall and Evapotranspiration**

In support of the FCGMA's Irrigation Efficiency program, the Agency funds the operation and data collection from five (5) weather stations. Each station captures meteorological data such as air temperature, rainfall, humidity, wind velocity, wind direction, dew point, and solar radiation, and calculates daily<sup>8</sup> evapotranspiration (ETo)<sup>9</sup> values according to a Modified Penman formula (Pruitt and Doorenbos, 1977) and a standardized ET equation equivalent to the State CIMIS stations. Measured annual precipitation is detailed in Figure 4. Semi-annual rainfall and reported extraction details can be

<sup>6</sup> Table provides data on reported groundwater extractions. In 2011, extractions from approximately 15% of active wells were not reported.

<sup>7</sup> 1 acre-foot (AF) equals 325,851 U.S. gallons at Standard Temperature and Pressure (STP).

<sup>8</sup> Currently data are collected at 30-minute intervals and daily ETo summary values are calculated based on some measurements being averaged over the midnight to midnight 24-hour period (e.g. wind speed), and others (rainfall, ETo) aggregated over the same time period.

<sup>9</sup> Evapotranspiration (ET) is a term used to describe the sum of evaporation and plant transpiration from the earth's land surface to the surrounding atmosphere. Evaporation accounts for the movement of water to the air from sources such as the soil, the plant coverage, leaf canopy interception, and exposed (uncovered) water bodies. Transpiration accounts for the movement of water within a plant and the subsequent loss of water as vapor through stomata (tiny holes or pores) in its leaves.

found in Figure 5-Rainfall and Reported Groundwater Extraction in the FCGMA for the -01 Reporting Periods 1985-2012, and Figure 6-Rainfall and Reported Groundwater Extraction in the FCGMA for the -02 Reporting Periods 1985-2012.

Data collected at FCGMA weather stations for calendar year 2012, showed rainfall was 41% below the 14.59 inch average observed from 1985 through 2012 (Figure 4). The annual rainfall observed at the weather stations in 2012 ranged from a high of 9.52 inches at the Somis station to a low of 7.23 inches at the Somis station, with an overall average of 8.66 inches.

Data collected at the FCGMA weather stations also indicates that the average five-station evapotranspiration (ETo) value of 48.224 inches for calendar year 2012 was 3.21 inches lower than the average ETo value of 51.43 inches from 1997 through 2012. Annual ETo at each of the stations during 2012 ranged from a high of 56.69 inches at the Moorpark station to a low of 40.78 inches at the Camarillo Airport station. This all adds up to a total average annual ETo value for 2012 that was about 6% below the 51.43 inch long-term average (1997 through 2012).

Reported groundwater extractions for 2012 were 3% above the above the long-term average extraction. The lower than average ETo probably contributed to the near average reported extractions (103% of the long-term average extraction) (Table 4) when rainfall was 49% less than the 28-year (1985-2012) average in the first half of the year (Figure 5), and 20% less in the second half of the year (Figure 6).

### **2.3.3 Irrigation Efficiency**

The meteorological data collected from the weather stations is used in required calculations for the Agency's Irrigation Efficiency Extraction Allocation (IE) to calculate the annual Irrigation Efficiency Allocations for agricultural well operators. Each year, agricultural well operators can apply for this water allocation. The amount of water allowed under the IE Program varies by crop-type and evapotranspiration for that year.

The number of Irrigation Efficiency (I.E.) filings varies each year. In 2012, 148 well operators applied for irrigation efficiency allocations, of those two were denied. Figure 7 – *FCGMA Annual Irrigation Efficiency Filings* provides data on the number of applications for IE each year. The total groundwater volume extracted in 2012 under the Irrigation Efficiency program was 38,797 AF, about a third (31%) of the total groundwater volume extracted in 2012.

### **2.3.4 Credits for Non-Use of Groundwater Resources**

There are a number of different credits earned for non-use of groundwater resources:

- **Conservation Credits:** Well owners or operators with Historical Allocation take advantage of this credit system by not using the full Adjusted Historical Allocation (AHA). The credits granted under this system are called conservation credits to designate that they were earned by not pumping the full allocation.

The Conservation credit system started in 1991, and since 1998,<sup>10</sup> the Agency computer system calculated conservation credits automatically. The new FCGMA Online system does this also, however, it does not calculate credits for not reporting extractions. The old database did, which

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<sup>10</sup> Prior to 1998, operators were required to request credits from the FCGMA Board. The policy change resulted from the passage of FCGMA Ordinance 5.7 in 1998.



may explain the change in the amount of credits accumulated this year in comparison to credits accumulated in the past. For year 2012 and future credit values will not include non-reporters. In summary, credits are meant as an incentive to not pump the full AHA allocation, but may be used in future years to offset imposition of surcharges for pumping groundwater in excess of the allocation. Adjusted Historical Allocation by basin and well use type is presented in Table 5 - *2012 FCGMA Allocations vs. Extractions by Basin and Well Type*.

For 2012, a net total of 9,194 AF of Conservation Credits were earned by operators within the Agency (see Table 6-*Summary of Groundwater Conservation Credits Accumulated in the FCGMA since 1991*). This figure is 11,157 AF less than what was earned in 2011 and 11,182 AF less than what was earned in 2010. At the end of 2012, an aggregate total of 725,927 AF of credits were earned through the Conservation credit program. Table 6 details the historical growth of accumulated Conservation Credits since the initiation of the FCGMA credit system in 1991, and Figure 8- *Accumulation of FCGMA Conservation Credits Earned* graphically shows the growth.

- **Injection credits:** Operators that recharge aquifers within the FCGMA Boundary through direct injection of "foreign water" as defined in the Agency's Ordinance Code, earn injection credits (in acre-feet) (also known as storage credits). During 2012, the FCGMA received and approved Injection Credit requests (approximately 1,651 AF).
- **In-Lieu Credits:** The In-Lieu Credit Program provides for the transfer of credit (Conservation and Injection Credits) from the user of foreign water to the supplier in the amount of one acre-foot for each acre-foot of delivered water for direct use by the user. The water represented by the credits transferred is not available for use during the year being accounted for. During 2012, the FCGMA processed and approved four In Lieu credit transfer (approximately 437 AF).
- **Supplemental Municipal and Industrial (M&I) Water Program Credits:** The Supplemental M&I Water Program allows for the transfer of Credits (Conejo Credits) when PVCWD has diverted water from Conejo Creek. The surface water is diverted via the Calleguas Municipal Water District (CMWD) Conejo Creek Diversion constructed to enhance groundwater storage by allowing surface water, normally lost to the Ocean, to be used prior to and instead of extracting groundwater. The Conejo Credits are transferred from Pleasant Valley County Water District (PVCWD) to Calleguas Municipal Water District (CMWD), which in turn transfers the credits to United Water Conservation District (UWCD). UWCD is then responsible to insure that water levels in key wells remain above the designated minimum level before the Conejo Credits are used to supply Supplemental M&I Water. The credits are used in order to offset surcharges for excess groundwater extractions and are called Supplemental M&I Credits. During 2012, the FCGMA approved two Supplemental M&I credit transfer requests (approximately 4,785 AF).

The accumulation of credits represents a long-term resource management challenge for the Agency and its stakeholders. Should there be an extended period with limited groundwater recharge and high groundwater demands, a significant number of credits could be used under the current management approach, that have the potential to over stress aquifer resources. Some institutional controls exist for credit transfers however. Thus, although the credit system represents additional groundwater allocation to assist individual operators in avoiding surcharges during extended dry periods, it also represents a potential cumulative threat to the groundwater resource depending on certain factors.

The effect of any large-scale credit use would be significant. For example, even a modest 5% use of the total credits available in year 2012 could result in a 36,296 AF increase in extraction. Given the average annual groundwater extraction observed from 1991 through 2012 (approximately 122,000 AF), this



additional 36,296 AF extraction based on credit usage would represent a net 29% increase in annual extractions.

One documented consequence of groundwater over-extraction, is groundwater basin overdraft in both the UAS and LAS groundwater elevations (UWCD, 2004), land subsidence (Hanson, 1992), and seawater intrusion (Izbicki, 1996 a, b; 1992; UWCD, 2004; and others). One of the Agency's 2007 Groundwater Management Plan goals is to assist FCGMA stakeholders in developing new groundwater management strategies, groundwater replenishment/replacement programs, conservation incentive programs, and stakeholder education that will increase their water-use efficiency and decrease overuse of the resource.

### **2.3.5 Extractions and Credits by Groundwater Basins within the Agency**

In 2012, the Oxnard Plain Basin had the greatest single basin share of reported extractions (39%) within the Agency, and the most Conservation credits earned (76.5%) (see Table 7 for basin comparisons). The East Las Posas Basin, Oxnard Forebay Basin, Pleasant Valley Basin, and West Las Posas Basin as a group account for nearly all of the remaining extraction within the Agency. The collective extraction in these four basins accounted for 60% of the total Agency extraction and 22% of the Conservation credits earned in 2012. Individually, the East Las Posas Basin reported 19% of the 2012 total extraction, the Oxnard Forebay Basin reported 18%, the Pleasant Valley Basin 12%, and the West Las Posas Basin 11%. The South Las Posas Basin and Arroyo Santa Rosa Basin each accounted for approximately 0 and 1 % (respectively) of the total 2012 extractions, and yet 1.3% of the Conservation credits earned in 2012 were associated with these two basins.

### **2.3.6 Groundwater Use in the FCGMA**

Self reported extraction data in 2012 (see Table 2) indicates there were 487 active wells registered as agricultural, 135 active wells registered as M & I, and 99 active wells listed as domestic. For 2012, agricultural operators collectively reported 87,531 AF of extractions (up from 73,863 AF in 2011 and 69,694 AF in 2010). M & I operators reported 37,669 AF of extractions (down 3,503 AF from 41,172 AF in 2011, and 12,862 AF less than the 50,531 AF of M & I extractions reported in 2010). The reported annual extraction by domestic well operators was approximately 204 AF compared to the 1,065 AF in 2011, and the 675 AF of domestic extraction reported in 2010. The dramatic drop in reported groundwater extractions for domestic use during 2012 is likely due to reclassification of the primary use of the well from which the groundwater was extracted, and primary use of water by the well operator. Domestic<sup>11</sup> well operators are not required to use flowmeters to report groundwater extraction, providing the Ordinance Code criteria is met. Total domestic annual extractions are not considered to be a significant percentage (0.16%) in the annual groundwater total use within the Agency.

The FCGMA extraction data can also be used to reflect the ratio of groundwater use to use type in each basin (Table 2 and Figure 3). The basins have been divided into three classifications based on primary groundwater use during 2012. These primary classifications are described as follows:

- **Agricultural-Use Basins:** The primarily agricultural-use basins include the Arroyo Santa Rosa, East Las Posas, South Las Posas, and West Las Posas Basins.

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<sup>11</sup> Wells for domestic use, serving an single family residence, on a parcel of 1 acre or less, with no money making operation on the site, are not required to use a flowmeter.

- **Mixed-Use Basins:** The larger mixed-use basins include the Oxnard Plain Basin and the Pleasant Valley Basin. These two basins have significant groundwater extraction by both agricultural and M & I operators and relatively little domestic extraction.
- **M & I - Use Basin:** The Oxnard Forebay Basin yields the majority of its groundwater to M & I operators, a lesser amount to agricultural extraction, and only nominal volumes to domestic demands.

### **3.0 AGENCY ACTIONS FOR CALENDAR YEAR 2012**

#### **3.1 Significant Agency Actions**

##### **3.1.1 Adopted Changes to the Ordinance Code**

The FCGMA Board of Directors did not adopted any changes to the Ordinance Code during calendar year 2012.

##### **3.1.2 Adopted Resolutions**

The FCGMA Board of Directors formally adopted four Resolutions during calendar year 2012, all of which are attached in the Appendix A and summarized as follows:

- Resolution No. 2012-01: A Resolution Approving Re-Direction of Groundwater Extraction Surcharges to Preserve Natural Resources and to Resolve an Appeal from Nyeland Acres Mutual Water Company. Nyeland Acres is to: make payments for surcharges incurred; install water meters and infrastructure improvements; perform water main leak detection evaluation; and submit progress reports with their Semi-Annual Extraction Statements. Adopted on January 25, 2012.
- Resolution No. 2012-02: A Resolution Authorizing the Imposition of Civil Penalties Against Those Operators Who Are in Violation of the Flowmeter Calibration Requirements of the Ordinance Code. Adopted on April 25, 2012.
- Resolution No. 2012-03: A Resolution Authorizing the Imposition of Civil Penalties Against Those Operators Who Are in Violation of the Extraction Reporting and Payment Requirements of the Ordinance Code. Failure to submit a Semi-Annual Groundwater Extraction Statement or payment of the extraction charge by the due date shall result in the imposition of a civil penalty of \$500.00 against the operator. The effective date of the civil penalty was January 1, 2012. Adopted on May 23, 2012.
- Resolution No. 2012-04: Certified Jim Estomo to Fill an Unexpired Term of 1/1/2013 – 1/1/2015 for the Ventura Local Agency Formation Commission (LAFCo) Alternate Commissioner Special District Member. Adopted on July 25, 2011.

#### **3.2 FCGMA Board Members, Staff, and Operations**

There was no change in the Members of the Board during 2012. Notable staff changes included: Jessica Rivera serving as Clerk of the Board while Miranda Nobriga was on leave. Bryan Bondy, Joint Position

Hydrogeologist, and Sheila Lopez, Agency Engineering Technician, left their positions. Table 1 presents a summary of FCGMA personnel for calendar year 2012, as of the end of the year.

Ten regular monthly FCGMA Board meetings were conducted during 2012, with a special FCGMA Board Meeting added to the schedule. During 2012, the FCGMA Board established three Board committees (Executive, Fiscal, and Operational) with two Board members attending each of the committee meetings. During 2012, there were three Executive Committee meetings; 2 Fiscal Committee meetings; and 2 Operational Committee meetings.

### **3.3 Project Reviews Performed in 2012**

At times, Agency staff provides formal comments on proposed projects, within the Agency jurisdiction, to the County of Ventura Planning Department. In 2012, Agency staff provided, approximately 15 project reviews to the County of Ventura Planning Department. Typically, proposed development projects are reviewed to identify the following groundwater-related issues: changes to the well ownership/operator, property-use changes that may affect or impact FCGMA extraction allocations, changes to land or crops, potential short or long-term impacts to water quality and/or water quantity, alterations or modifications in well status, changes to water distribution systems, and construction of structures that might impair infiltration of water to FCGMA aquifers. Projects may be approved with no further action needed, approved with conditions and/or modifications based in part on potential impacts to the FCGMA groundwater resources.

### **3.4 Permitting and Registration of Wells**

Agency staff reviewed and processed fourteen FCGMA groundwater extraction well applications for new extraction facilities, checking for compliance with the Ordinance Code. Agency staff also processed well registration documents. The FCGMA Ordinance Code requires registration of all groundwater extraction facilities in addition to semi-annual reporting of extraction volumes and payment of extraction fees.

### **3.5 Flowmeter Calibration Program**

The FCGMA Ordinance Code requires the use of flowmeters for all extraction facilities except inactive wells and facilities supplying a single-family dwelling on a parcel one acre or less in size providing that property has no income producing operations (domestic wells). The use of accurate flowmeters for reporting groundwater extractions is critical to the FCGMA for a number of reasons. First, it provides a relatively uniform method of reporting for all stakeholders. Second, it increases the efficiency of data management. Third, it allows FCGMA staff to analyze the extraction and use of the groundwater resources to help make meaningful recommendations to the Board regarding its use.

Flowmeters have been required on non-exempt extraction facilities since July 1, 1994 following the adoption of Ordinance No. 3.1 on July 28, 1993. The current Groundwater Metering Program was officially launched via a revision of Chapter 3.0 in Ordinance 8.1 (July 2005), and the initial passage of Resolution No. 2006-01 (adopted in March 2006). The initial groundwater flowmeter calibration program began in earnest in 2007 and continued into 2009. Resolution No. 2008-04 (adopted May 2008) replaced the original Resolution No. 2006-01 to clarify the methods and rules governing the meter calibration program. Resolution No. 2008-04 was again revised at the September 24, 2008 Board meeting. A second round of Agency-wide flowmeter calibration testing was initiated in 2011. Staff continued to enforce flowmeter calibration requirements throughout 2012.

Data indicates approximately 721 (about 56%) of the 1,281 State Well Numbers listed in the FCGMA database were actively being used in 2012. In the past, well extractions were reported using water flowmeters, electrical power meters, or a consumptive-use method that estimated annual water use volume for domestic or farm use based on number of people in a home, or to help gauge water use by comparing the acres irrigated times average water use for a specific crop. Because of a concerted effort by the FCGMA, the only known wells within the Agency that still use consumptive use methods to report extractions are domestic wells. Per Agency records, about 661 wells have flowmeters, of which, 178 flowmeters were due for calibration by the end of 2012; and, calibration test data was current for about 437 flowmeters. In order to increase the effectiveness of the flowmeter program, the FCGMA took the following actions in 2012, which helped increase the compliance rate for calibrated Agricultural, and M & I, and Domestic well flowmeters:

- Initiated Phases II (2012-1) and III (2012-2) of the second round of Agency-wide flowmeter accuracy testing. Initial Notices for testing of flowmeters associated with 621 wells and Notices of Violation associated with 101 wells, were mailed to well owners and/ or operators. Initial Notices sent included mailings to operators who in the past reported inactive and domestic well exemptions, so as to confirm that the exemption criteria still applied.
- Staff performed field visits to verify if eleven wells had flowmeters, or whether those flowmeters were being reported properly. These field visits resulted in resolution of account irregularities in reported extractions for seven operator accounts.

### **3.6 FCGMA Groundwater Management Plan**

The enabling legislation for the FCGMA (AB-2995, Imbrecht, 1982) required the Agency develop a Groundwater Management Plan (GMP). The current FCGMA Groundwater Management Plan (GMP) was adopted by the Board on May 23, 2007, and can be viewed on the Agency Web Site (<http://www.fcgma.org/publicdocuments/plans.shtml>).

The GMP contains a background of the FCGMA, a brief overview of the regional hydrogeology, and summarizes the groundwater quality and quantity issues currently facing the Agency. The GMP identifies a series of short-term and long-term groundwater management projects and strategies designed to address the current imbalance between water supply and demand. The GMP includes presentation of Basin Management Objectives (quantitative groundwater quality and quantity targets used to measure and evaluate the "health" of the basins and the potential effectiveness of various groundwater management strategies). Monitoring of groundwater levels and groundwater quality continued in 2012. The annual BMO progress report is to be presented to the FCGMA Board later in 2013.

During 2012, progress was made towards implementing the following strategies, with the goal of managing the basins and meeting the Basin Management Objectives (BMO):

- GREAT Project (recycled water for in-lieu delivery and direct injection) – The City of Oxnard completed construction phase.
- South Las Posas Pump/Treat (pump poor quality water and blend/ treat it) was further investigated, including field work and commencement of a technical study by the County of Ventura Water Works District.
- Development of Brackish Groundwater in the Pleasant Valley- The City of Camarillo continued studies towards development of the brackish groundwater in the Pleasant Valley Basin.

- Verification of Extraction Reporting (verify accuracy of reporting) – Utilizing the FCGMA Online Software, the Agency sent approximately 850 Semi-Annual Groundwater Extraction Statements, keyed in data received, and followed-up with non-reporters.
- Made final preparation to transition from the Irrigation Efficiency allocation program to the Irrigation Allowance program in 2013.

BMP strategies implemented:

- No change in the 25% Pump Reduction (continued original Plan strategy of 25% reductions by 2010) – In 2012 continued 25% reduction of Historical Allocation.

### **3.7 Other Activities Performed in 2012**

The Agency performed and completed a number of other activities during 2012. These included the following:

- Agency staff reviewed the Final Draft Version 1 of the Las Posas Basin-Specific Groundwater Management Plan that was prepared by the Las Posas Users Group.
- Completed and submitted a joint proposition 84 focused planning grant application to the DWR for two projects including the joint FCGMA / Calleguas Municipal Water District's (CMWD) project for an engineering study related to wells, desalter, and transmission infrastructure.
- Provided grant funding for five Groundwater Supply Enhancement Assistance Program (GSEAP) projects.
- FCGMA Allocation Transfer Requests – Approved two allocation transfers (approximately 1,338 AF).
- FCGMA In Lieu Credit Transfer Requests – Four credit transfers reviewed and approved (approximately 437 AF).
- FCGMA Supplemental M&I Credit Transfer Requests – Approved two credit transfers (approximately 4,785 AF).
- FCGMA Injection Credit Requests – Approved injection credit requests (approximately 1,651 AF).
- FCGMA Other Credit Transfer Requests – Approved five credit transfers (approximately 38 AF).
- Provided Irrigation Allowance Index Roll Out Schedule and Updates, and Workshops.
- Made progress towards purchasing a weather station.
- Sent Notifications of Intent to Extinguish Certain Credits per requirement of Ordinance No. 8.5.
- FCGMA Online Software development completed and software was utilized for processing and storing Agency data.
- The accounts for 62 Non-reporting Operators were resolved.
- Significant effort continued on multiple Ordinance Code compliance issues where the Agency needed to enforce provisions of its Ordinance Code related to such items as well registration, meter calibration program compliance, reporting of groundwater extractions.
- Board approved use of Good Deed Credit Trust to settle outstanding surcharge for Nyeland Acres Mutual Water Company
- To improve stakeholder outreach and communication, staff attended stakeholder and Las Posas User Group meetings, and continued mailing of Semi-Annual Newsletter.

### **3.8 Financial Status of the Agency for 2012**

The FCGMA's fiscal year begins July 1<sup>st</sup> and ends on June 30<sup>th</sup> of the next calendar year. Accordingly, the financial status information contained in this 2012 Annual Report covers the Fiscal Year period

beginning July 2011 and ending on June 30, 2012. Fiscal administration and oversight of the Agency's financial transactions is performed by Agency management in consultation with the Fiscal Services Section Central Services Department within the Ventura County Public Works Agency pursuant to an existing and ongoing contractual arrangement between the Agency and the County of Ventura.

Quarterly and year-end budget to actual performance reports are presented to the FCGMA Board of Directors for their information, review, and where necessary, adjustments. The information below highlights key fiscal performance metrics reported by Agency management during the 2010-11 Fiscal Year period.

### **Fiscal Year End Report June 30, 2012**

- FCGMA revenues received in 2011-12 totaled \$1,478,143. An amount that reflected a \$466,994 or 46% increase versus 2010-11 actual revenues received.
- FCGMA expenditures incurred in 2011-12 totaled \$919,298. An amount that reflected a \$148,937, or 14% decrease below 2010-11 actual expenditures incurred by the Agency.

### **3.9 Financial Audits**

Pursuant to the Section 26909, the audit requirements applicable to FCGMA are found in the Minimum Audit Requirements and Reporting Guidelines for California Special Districts, as published by the Division of Accounting and Reporting, Office of the State Controller. Essentially, the minimum requirements reflect Generally Accepted Auditing Standards (GAAS), as described in the American Institute of Certified Public Accountants publication, Audits of State and Local Governmental Units.

Under GAAS, the FCGMA, which is a special purpose government engaged in the preservation and management groundwater resources for the common benefit within its boundary, is required to prepare its financial statements in an enterprise format. The FCGMA is funded primarily through user extraction charges (set at \$4.00 per acre-foot throughout the duration of the audit), and is operated on a cash-accounting basis. The only other income to the Agency is from surcharge fees, civil penalties, and accumulated interest earnings on Agency funds on deposit with the County Treasurer's Pooled Investment Fund.

Collins Accountancy Company, Certified Public Accountants, was selected by the County Auditor-Controller's Office to complete the Agency's current annual audit report. The independent auditors found that Agency's financial statements presented fairly, *in all material respects*, the financial position of the FCGMA as of June 30, 2012. Further, the auditors found that the respective changes in *financial position and cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America*. Copies of the Agency's annual and biennial audit reports are available upon request.

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Seq. Relating to Groundwater Conservation), Division 4 - Public Health, Chapter 8 – Water, Article 1 - Groundwater Conservation

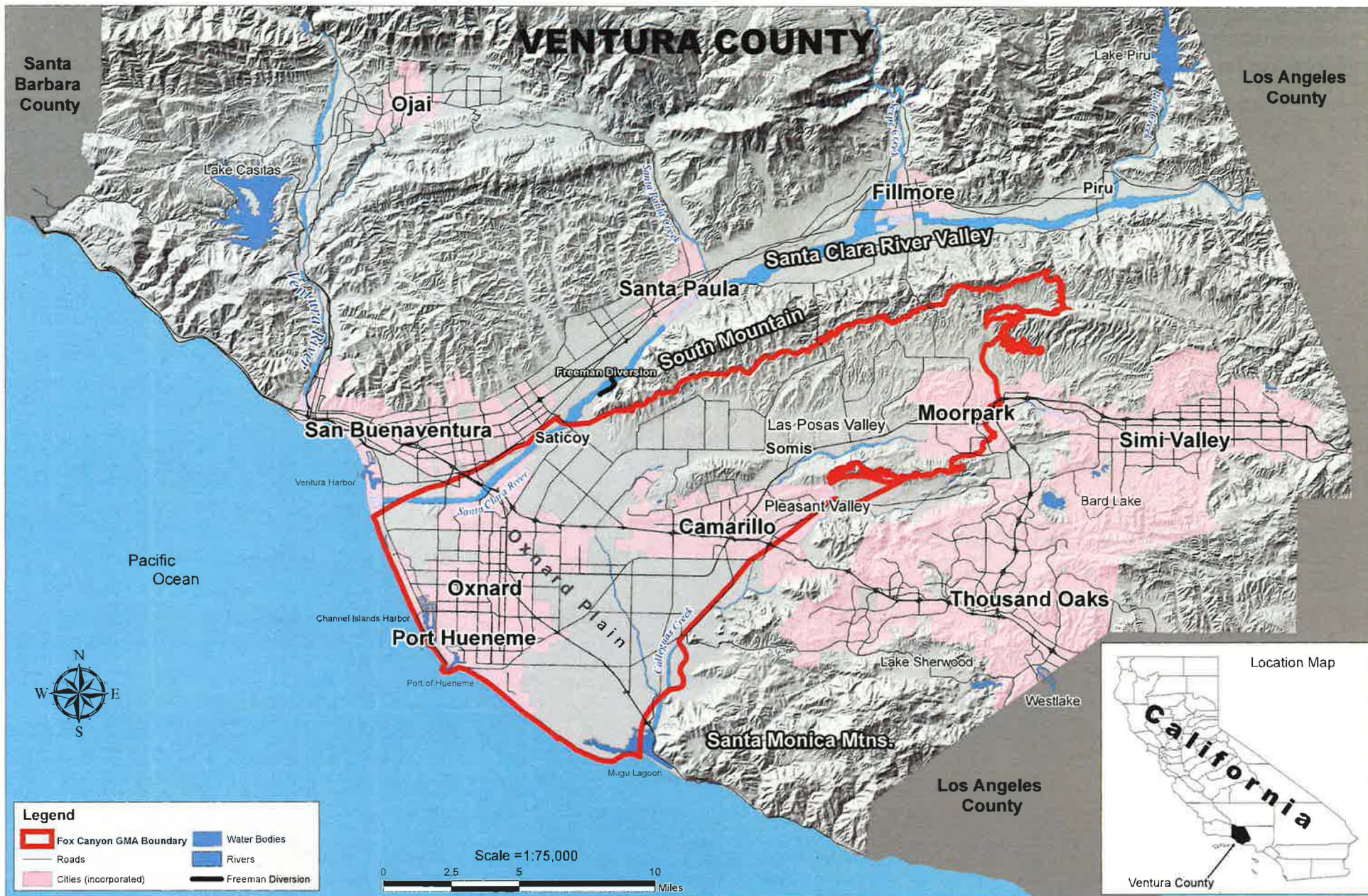
Ventura County Board of Supervisor's (VCBOS), 1982. Item 32, Document # 431, *Minutes of December 21, 1982 Meeting*.

Ventura County Office of County Recorder (VCOR), 1996. *Document 96-106221*.

Ventura County Office of County Recorder (VCOR), 2002. *Document 200201140010960*.

United Water Conservation District, 2004. *2003 Coastal Saline Intrusion Report, Oxnard Plain, Ventura County, California*. Santa Paula, CA. August.





# **FOX CANYON GROUNDWATER MANAGEMENT AGENCY** (A State Of California Water Agency)

800 S. Victoria Avenue  
Ventura, CA 93009-1600  
Phone: (805) 654-2088  
Fax: (805) 677-8762  
www.foxcanyongma.org  
www.publicworks.countyofventura.org/fgma

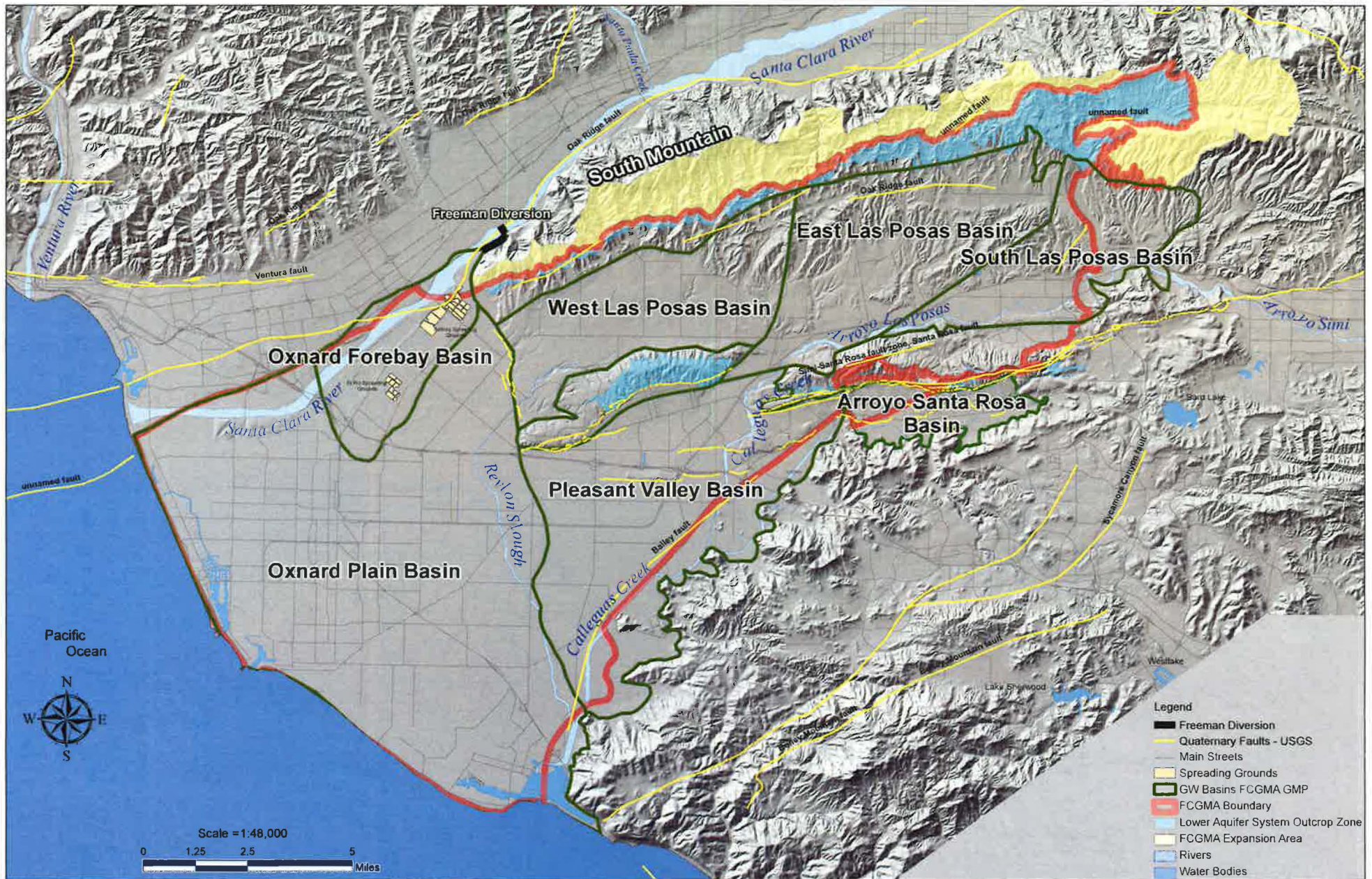
Prepared By: JPD  
Reviewed By: KR  
Date Prepared: April, 2012  
Date Reviewed: April, 2012

**DISCLAIMER:** The information contained herein was created by the Fox Canyon Groundwater Management Agency solely for its own use. The FCGMA assumes no liability for damages incurred directly or indirectly as a result of errors, omissions or discrepancies.

1. City limits: Ventura County Geographic Information Systems, 2007
2. FCGMA Boundary VCBOS, 1992; Revised 1996.

**Figure 1: Fox Canyon Groundwater Management Agency Boundary**





# **FOX CANYON GROUNDWATER MANAGEMENT AGENCY (A State Of California Water Agency)**

800 S. Victoria Avenue  
Ventura, CA 93006-1600  
Phone: (805) 654-2088  
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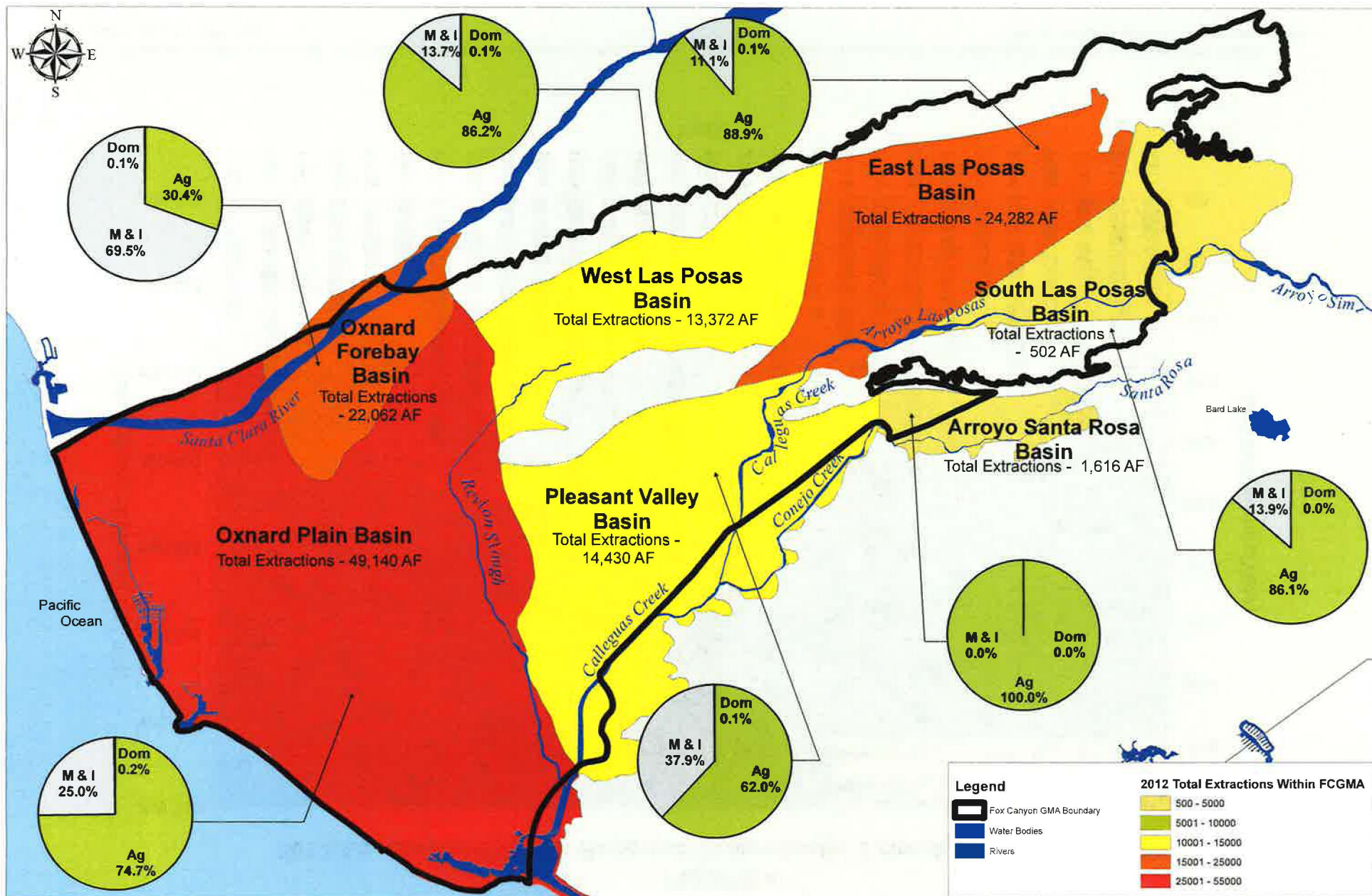
Prepared By JPD  
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Date Reviewed: April, 2012

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1. City limits: Ventura County Geographic Information Systems, 2007
2. FCGMA Boundary VCBOS, 1992; Revised 1996.
3. Faults & Folds compiled from multiple sources including Dibblee, 1990; 1992a; 1992b; 1992c; USGS - various sources

**Figure 2: Major Hydrogeologic Features and Groundwater Basins Within the FCGMA**





# **FOX CANYON GROUNDWATER MANAGEMENT AGENCY** (A State Of California Water Agency)

800 S. Victoria Avenue  
Ventura, CA 93009-1600  
Phone: (805) 654-2014  
Fax: (805) 677-6762  
www.foxcanyongma.org  
www.publicworks.countyofventura.org/fgma

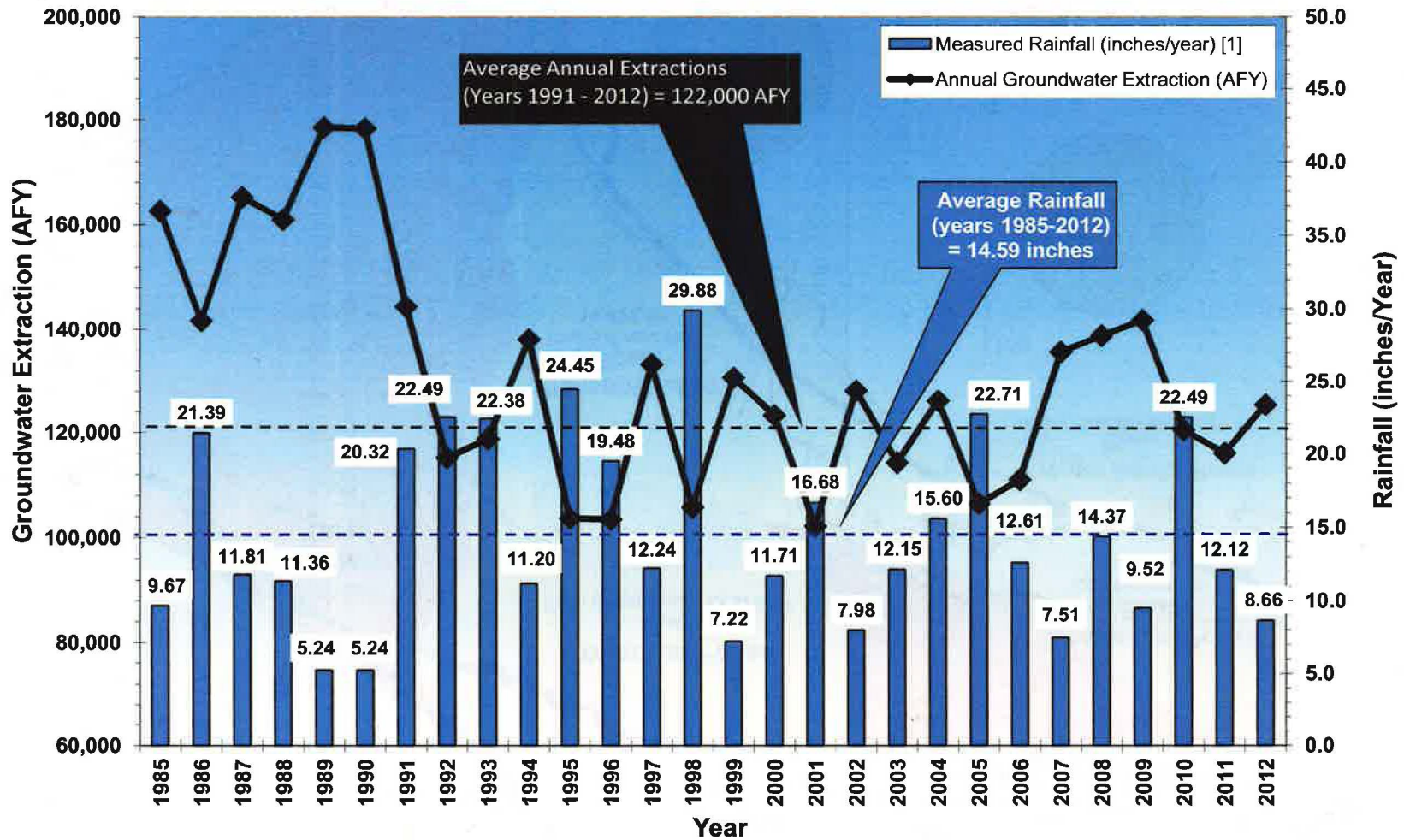
Prepared By: JPD  
Reviewed By: KR  
Date Prepared: April, 2013  
Date Reviewed: April, 2013

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Scale = 1:42,000  
0 1.25 2.5 5 Miles

**Figure 3: 2012 Ratio of Reported Groundwater Extractions By Basin**

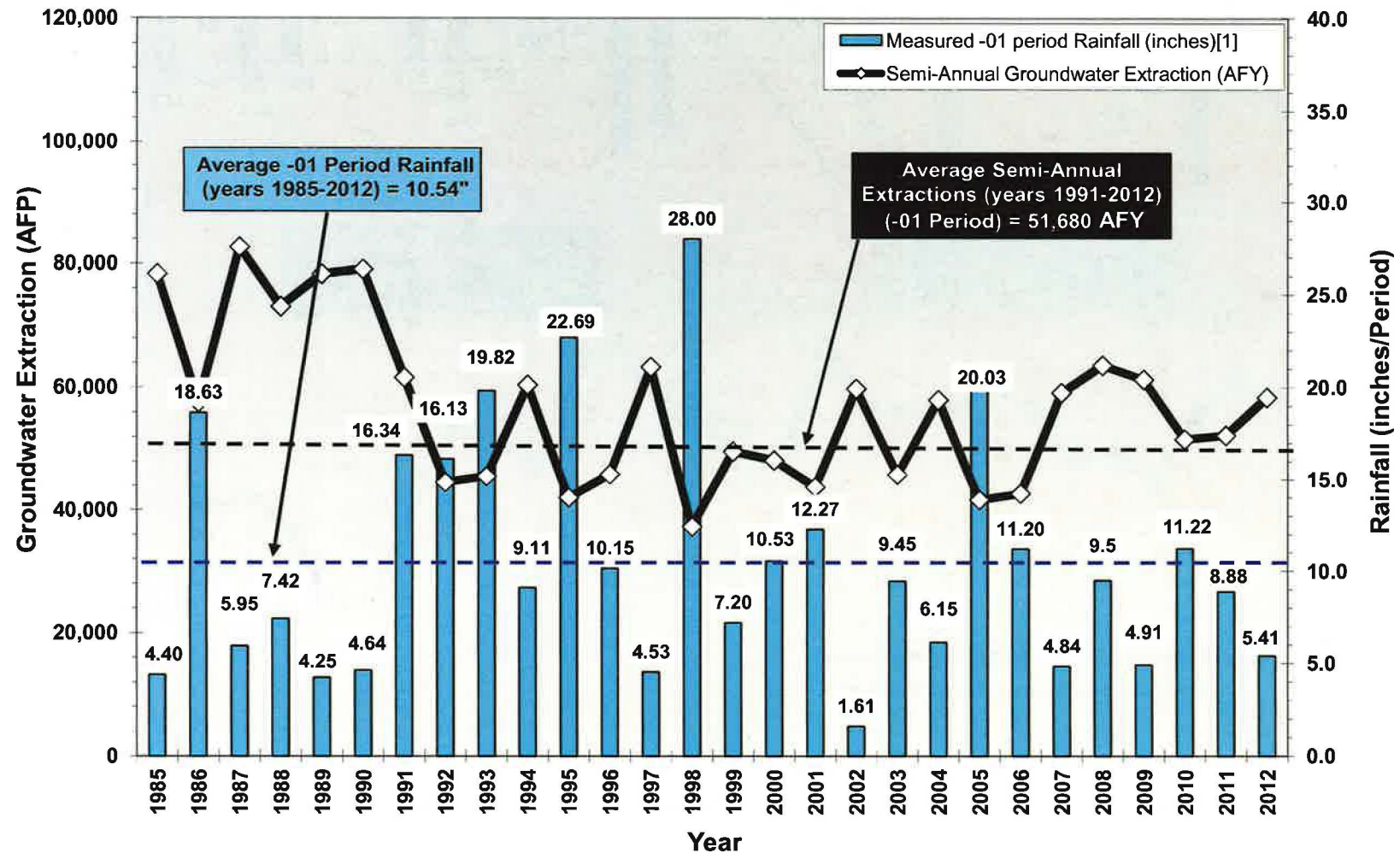
**FIGURE 4**  
**2012 Annual Rainfall and Reported Groundwater Extractions in the FCGMA**



[ 1 ] - Measured rainfall is the average of FCGMA weather station annual recorded precipitation. There were 6 stations between 1991 and 2006, and 5 between years 2007-2012. County Fox Canyon Groundwater Management Agency gauges used for 1985-1990.

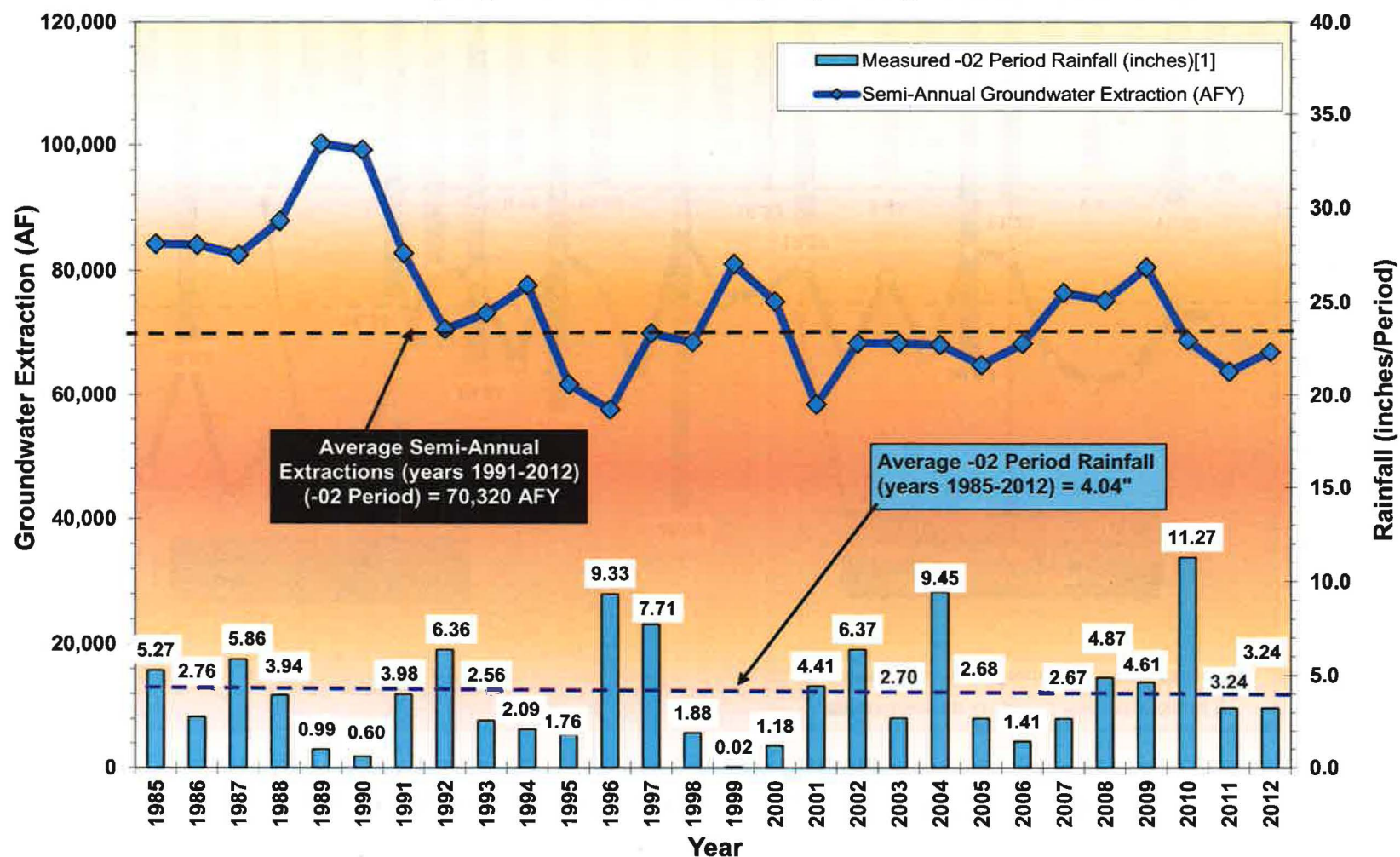


**FIGURE 5**  
**Rainfall and Reported Groundwater Extraction in the FCGMA**  
**for the -01 (January 1 to June 30) Reporting Periods 1985-2012**

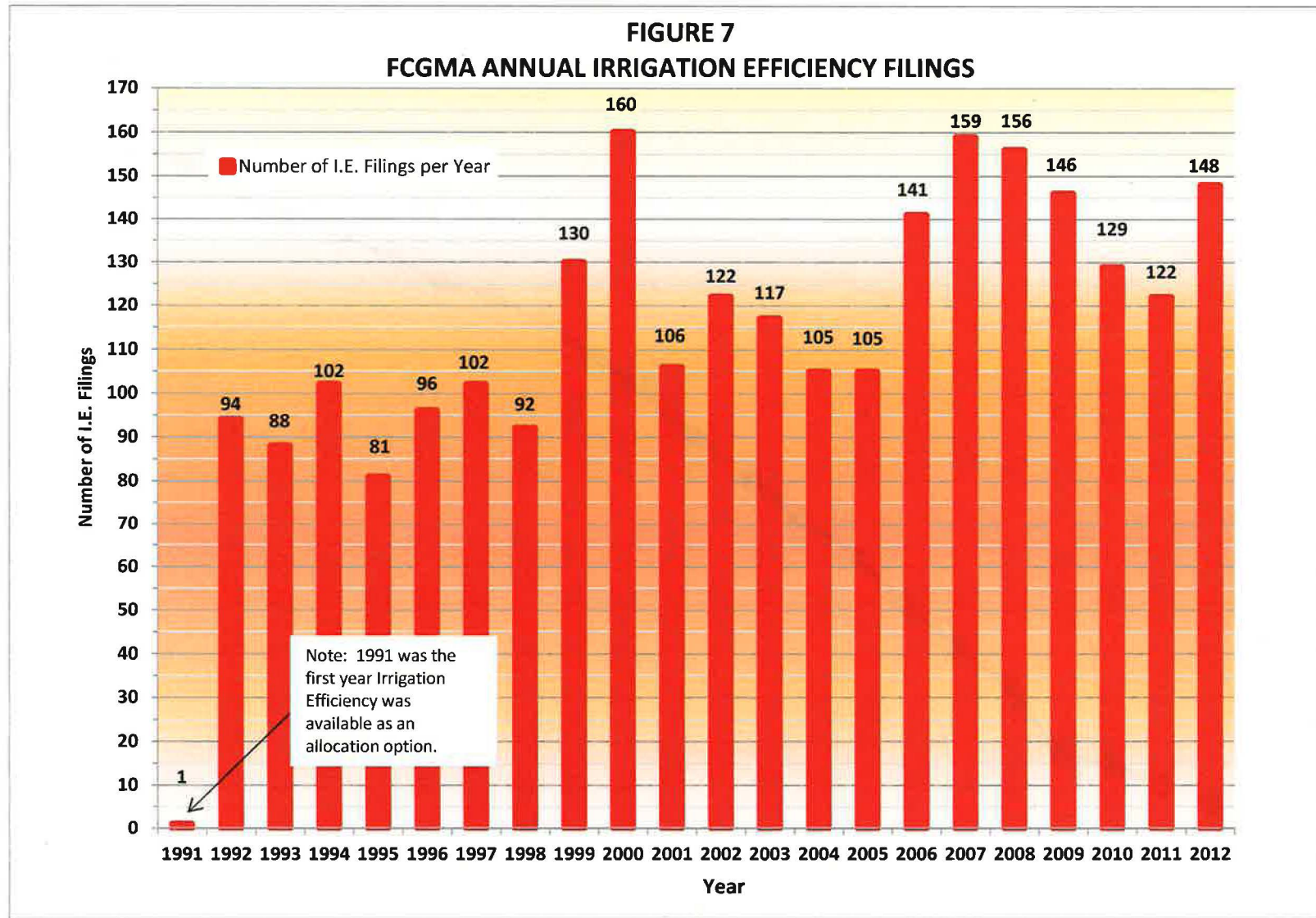


[ 1 ] - Measured rainfall is the average of FCGMA weather station -01 period recorded precipitation. There were 6 stations between 1991-2006, 5 between 2007-2012. County rain gauges used for 1985-1990.

**FIGURE 6**  
**Rainfall and Reported Groundwater Extraction in the FCGMA**  
**for the -02 (July 1 to December 31) Reporting Periods 1985-2012**

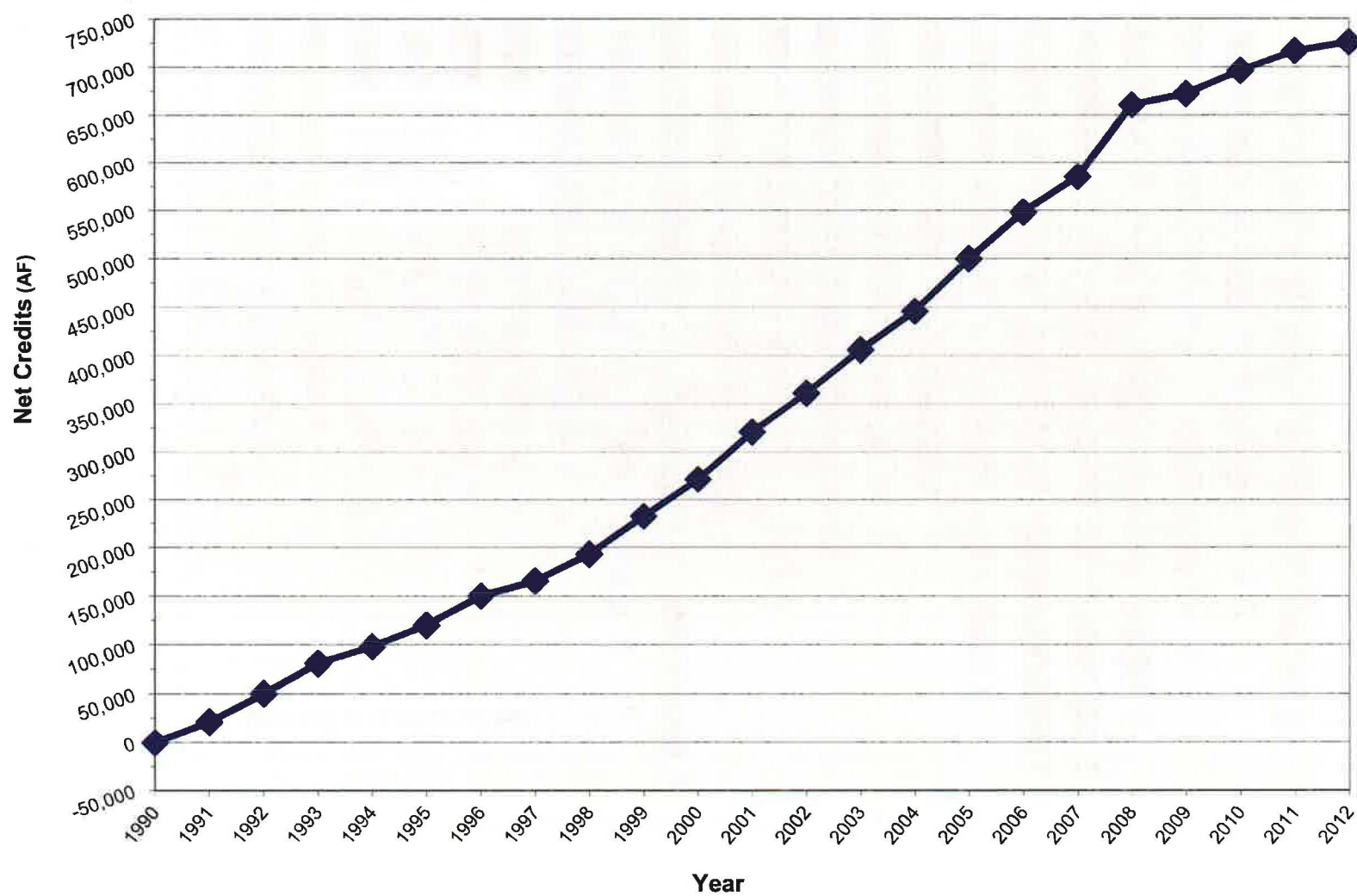


[ 1 ] - Measured rainfall is the average of FCGMA weather station -02 period recorded precipitation. There were 6 stations between 1991-2006, and 5 between years 2007-2012. County gauges used for 1985-1990.  
 Fox Canyon Groundwater Management Agency





**FIGURE 8**  
**Accumulation of FCGMA Conservation Credits Earned** (values in acre-feet) <sup>[1]</sup>



[1] FCGMA database statistics for year end credit totals in each category.

**TABLE 1**  
**SUMMARY OF FCGMA PERSONNEL**  
**FOR CALENDAR YEAR 2012**

NAMES	AFFILIATION	CONTACT NUMBER
<b>DIRECTORS</b>		
David Borchard	Representing the Farming Interests	(805) 485-3525
Charlotte Craven (Vice Chair)	Representing the Five Cities within the Agency	(805) 482-4730
Dr. Michael Kelley	Representing the Small Water Districts within the Agency	(805) 890-6095
Lynn Maulhardt (Chair)	Representing the United Water Conservation District	(805) 485-5728
John Zaragosa	Representing the Ventura County Board of Supervisors	(805) 654-2703
<b>ALTERNATE DIRECTORS</b>		
Neil Andrews	Cities	(805) 654-7827
Steve Bennett	Ventura County Board of Supervisors	(805) 654-2613
Sam McIntyre	Small Water Districts	(805) 484-1779
Daniel Naumann	United Water Conservation District	(805) 488-1424
David Schwabauer	Farmers	(805) 432-9375
<b>STAFF</b>		
Alberto Boada	Agency Legal Counsel	(805) 654-2578
Tammy Butterworth	Agency Deputy Clerk of the Board	(805) 654-2002
Gerhardt Hubner, P.G.	Deputy Director, WPD, Water & Environmental Resources	(805) 654-5051
Miranda Nobriga	Agency Clerk of the Board	(805) 654-2014
Jeff Pratt, P.E.	Agency Executive Officer	(805) 654-2073
Kathleen Riedel, P.G., C.E.G.	Groundwater Specialist	(805) 654-2954
Jessica Rivera	Temporary Clerk of the Board	(805) 654-2024
Rick Viergutz, P.G., C.E.G.	County Groundwater Manager	(805) 650-4083

**Notes:**

1. Table lists active Board Members, Alternates and Staff at the end of 2012.
2. The notable staff changes for 2012 included: Jessica Rivera served as Clerk of the Board April through December while Miranda Nobriga was on leave. Bryan Bondy and Sheila Lopez left the part-time positions as Agency Senior Hydrogeologist and Agency Engineering Technician respectively.



**TABLE 2**  
**SUMMARY OF REPORTED GROUNDWATER EXTRACTIONS AND**  
**WELL USE-TYPE WITHIN THE FCGMA FOR CALENDAR YEAR 2012<sup>1</sup>**

Groundwater Basin	Groundwater Use-Type	Total Reported Groundwater Extractions for 2012 (AF/Year) <sup>2</sup>	Percent of Individual Groundwater Basin Extractions	Portion of 2012 Groundwater Extractions (%)	Total Number of Wells <sup>4</sup>	Active Wells in Basin <sup>5</sup> (by use type)	Active Wells in Basin by Use (%)
Arroyo Santa Rosa	Basin Total	1,616	100%	1.3%	20	10	50.0%
	Agricultural	1,616	100.0%	1.3%	19	10	50.0%
	Domestic	0	0.0%	0.0%	1	0	0.0%
	M & I	0	0.0%	0.0%	0	0	0.0%
East Las Posas	Basin Total	24,282	100%	19.4%	203	144	70.9%
	Agricultural	21,581	88.9%	17.2%	144	101	49.8%
	Domestic	17	0.1%	0.0%	21	14	6.9%
	M & I	2,684	11.1%	2.1%	38	29	14.3%
South Las Posas	Basin Total	502	100%	0.4%	41	17	41.5%
	Agricultural	432	86.1%	0.3%	34	16	39.0%
	Domestic	0	0.0%	0.0%	3	0	0.0%
	M & I	70	13.9%	0.1%	4	1	2.4%
West Las Posas	Basin Total	13,372	100%	10.7%	89	53	59.6%
	Agricultural	11,527	86.2%	9.2%	67	39	43.8%
	Domestic	15	0.1%	0.0%	5	4	4.5%
	M & I	1,831	13.7%	1.5%	17	10	11.2%
Oxnard Plain <sup>3</sup>	Basin Total	49,140	100%	39.2%	613	340	55.5%
	Agricultural	36,731	74.7%	29.3%	405	228	37.2%
	Domestic	122	0.2%	0.1%	90	60	9.8%
	M & I	12,286	25.0%	9.8%	118	52	8.5%
Pleasant Valley	Basin Total	14,430	100%	11.5%	165	72	43.6%
	Agricultural	8,946	62.0%	7.1%	123	49	29.7%
	Domestic	20	0.1%	0.0%	29	16	9.7%
	M & I	5,464	37.9%	4.4%	13	7	4.2%
Oxnard Plain Forebay	Basin Total	22,062	100%	17.6%	150	85	56.7%
	Agricultural	6,698	30.4%	5.3%	77	44	29.3%
	Domestic	30	0.1%	0.0%	9	5	3.3%
	M & I	15,334	69.5%	12.2%	64	36	24.0%
<b>2012 Totals</b>		<b>125,404</b>	<b>100%</b>	<b>100%</b>	<b>1,281</b>	<b>721</b>	<b>56%</b>

**Notes:**

AF = Acre-feet; 1 acre-foot equals 325,851 gallons

M &amp; I - Municipal and Industrial

1. Table provides data on reported groundwater extractions. In 2012, extractions from approximately 15% of active wells were not reported.

2. Groundwater extraction reporting periods are: Jan. 1 - June 30 and July 1 - Dec. 31.

3. Oxnard Plain Basin includes area formerly identified as Mugu Forebay Groundwater Basin.

4. Total number of wells ever registered with the FCGMA in each basin (includes inactive and destroyed wells).

5. Wells reported as being used in each basin during 2012.

**TABLE 3**

**SUMMARY OF REPORTED GROUNDWATER EXTRACTIONS  
WITHIN THE FCGMA SINCE 1983**

<b>Calendar Year</b>	<b>-01 Period Extractions [in AFY]<sup>1,2,3</sup></b>	<b>-02 Period Extractions [in AFY]<sup>1,2,3</sup></b>	<b>Total Annual Extractions [in AFY]<sup>1,2,3</sup></b>	<b>Historical Allocation Reduction Percent<sup>4</sup></b>
2012	58,433	66,971	125,404	25%
2011	52,299	63,802	116,101	25%
2010	51,664	68,873	120,537	25%
2009	61,741	80,551	142,292	20%
2008	63,695	75,360	139,055	15%
2007	59,604	77,337	136,941	15%
2006	43,655	69,457	113,113	15%
2005	41,692	64,906	106,597	15%
2004	59,357	70,805	130,161	15%
2003	46,122	69,540	115,662	15%
2002	61,642	70,515	132,158	15%
2001	43,703	58,497	102,200	15%
2000	48,203	75,022	123,225	15%
1999	49,659	81,130	130,788	10%
1998	37,316	68,530	105,846	10%
1997	63,322	70,014	133,335	10%
1996	45,907	57,636	103,543	10%
1995	42,028	61,738	103,766	10%
1994	60,484	77,720	138,205	5%
1993	45,574	73,274	118,849	5%
1992	44,589	70,636	115,225	5%
1991	61,638	82,843	144,481	0%
1990	79,074	99,262	178,336	0%
1989	78,301	100,251	178,553	NA
1988	73,102	87,909	161,010	NA
1987	82,682	82,586	165,268	NA
1986	57,585	84,137	141,722	NA
1985	78,339	84,281	162,620	NA
1984	36,377	35,506	71,883	NA
1983	285	28,984	29,269	NA
<b>Totals =</b>	<b>1,628,071</b>	<b>2,158,074</b>	<b>3,786,145</b>	

**Notes:**

AF = Acre-feet; 1 acre-foot equals 325,851 gallons

AFY = Acre-feet per year

1. Table provides data on reported groundwater extractions. In 2012, extractions from approximately 15% of active wells were not reported.

2. Reporting Periods are: Jan. 1 - June 30 to July 1 - Dec. 31

3. Data for reporting periods 1983-1, 1983-2, 1984-1, and 1984-2 provided by UWCD. Data determined to be incomplete due to low extraction values and low number of registered operators compared to proceeding years.

4. Historical Allocation (HA) is one of three methods employed by the FCGMA to allocate groundwater extraction (1990-present) (See text Section 2.3). Reductions stipulated by FCGMA Ordinance and Resolutions. 1985-1989: Historical Allocation Determination Period.

**TABLE 4**

**COMPARISON OF YEAR 2012 REPORTED GROUNDWATER EXTRACTIONS<sup>1</sup>  
TO HISTORIC REPORTED GROUNDWATER EXTRACTIONS IN THE FCGMA**

	<b>Annual Extraction (AF/Year)<sup>2</sup></b>	<b>Extraction for -01 Periods (AF/Period)<sup>2</sup></b>	<b>Extraction for -02 Periods (AF/Period)<sup>2</sup></b>
<b>2012 Reported Extractions</b>	<b>125,404</b>	<b>58,433</b>	<b>66,971</b>
<b>Average Reported Extractions<sup>3</sup> (1991 - 2012)</b>	122,000	51,680	70,320
<b>Comparison of Current Year (2012) Reported Extractions to Average Reported Extractions (1991 - 2012)<sup>3</sup> (reported as %)</b>	103%	113%	95%
<b>Rank Comparing Current Year Extraction to Annual Extraction<sup>4</sup> (1991 - 2012)</b>	10	9	17

**Notes:**

AF = acre-feet; (1 acre-foot equals 325,851 gallons)

1. Table provides data on reported groundwater extractions. In 2012, extractions from approximately 15% of active wells were not reported.

2. Reporting Periods are: (-01) January 1 - June 30; and (-02) July 1 - December 31.

3. Average reported Agency-wide groundwater extractions per period and year from 1991 through 2012.

4. Priority Ranking from largest to smallest

**TABLE 5**  
**2012 FCGMA ALLOCATIONS vs. EXTRACTIONS by BASIN and WELL TYPE**

Groundwater Basin	Historical Allocations (AF) (for all wells in each basin) <sup>1</sup>	Well Use Type <sup>2</sup>	Historical Allocation by Well Type (AF)	Adjusted Historical Allocation <sup>3</sup> (AF)	Baseline Allocations (AF)	2012 Total Available Allocation <sup>4</sup> (AF)	2012 Reported Extractions by Type per Groundwater Basin (AF) <sup>5</sup>
<b>Arroyo Santa Rosa (ASR)</b>	846	AG	846	635	0	635	1,616
		DOM	0	0	0	0	0
		M&I	0	0	0	0	0
<b>Oxnard Plain Forebay (FOR)</b>	27,857	AG	9,428	6,778	0	6,778	6,698
		DOM	545	197	15	212	30
		M&I	17,884	12,774	203	12,977	15,334
<b>Oxnard Plain Basin (OXP)</b>	73,247	AG	57,800	33,653	44	33,696	36,731
		DOM	2,309	1,178	1,178	2,357	122
		M&I	13,139	17,863	2,161	20,024	12,286
<b>Pleasant Valley (PV)</b>	21,580	AG	15,800	13,721	6	13,727	8,946
		DOM	540	168	18	187	20
		M&I	5,240	4,712	1,383	6,095	5,464
<b>East Las Posas (ELP)</b>	17,460	AG	14,332	7,476	328	7,804	21,581
		DOM	124	23	29	52	17
		M&I	3,004	2,421	55	2,477	2,684
<b>West Las Posas (WLP)</b>	12,556	AG	10,906	9,058	25	9,084	11,527
		DOM	12	0	4	4	15
		M&I	1,638	3,450	385	3,835	1,831
<b>South Las Posas (SLP)</b>	2,105	AG	1,563	1,124	42	1,166	432
		DOM	0	0	0	0	0
		M&I	541	193	0	193	70
<b>Totals</b>	<b>155,652</b>		<b>155,652</b>	<b>115,426</b>	<b>5,877</b>	<b>121,304</b>	<b>125,404</b>

**NOTES:** (totals or subtotals may not be exact due to rounding)

1) Total includes Historical Allocation (HA) as averaged after the 1985-1989 Base Period along with any adjustments and before any scheduled reductions.

2) Although some wells serve more than one use type, the main use type is listed.

3) Total includes Historical Allocation (HA) as averaged after the 1985-1989 Base Period along with any adjustments and after any scheduled reductions. The current scheduled reduction reduces Historic Allocations by 25%. The Adjusted Historic Allocation (AHA) presented is here is per operator account primary use and primary basin.

4) The Historical Allocation plus any adjustments minus scheduled reductions, plus any Baseline Allocation, equals Total Available Allocation for year 2012.

5) Reported groundwater extractions may be higher or lower than total available allocations due to use of Credits or an Irrigation Efficiency (I.E.) allowance.

**TABLE 6**  
**SUMMARY OF GROUNDWATER CONSERVATION CREDITS**  
**ACCUMULATED IN THE FCGMA SINCE 1991<sup>1</sup>**

<b>Year</b>	<b>Net Credits Earned<sup>2</sup> (AF)</b>	<b>Net Credit Balance (+ AF)</b>
2012	9,194	725,927
2011	20,351	716,733
2010	24,058	696,382
2009	11,612	672,324
2008	75,423	660,712
2007	37,252	585,288
2006	48,166	548,037
2005	53,829	499,871
2004	39,893	446,042
2003	44,763	406,149
2002	40,396	361,386
2001	49,355	320,990
2000	39,132	271,635
1999	39,178	232,502
1998	27,632	193,324
1997	15,464	165,693
1996	29,903	150,228
1995	22,036	120,326
1994	17,283	98,290
1993	30,593	81,007
1992	50,414	50,414
1991	21,345	21,345
1990	0	0

**Notes:**

AF = acre feet of water; 1 Acre-foot = 325,851 US gallons of water @ STP

1. Credit Program initiated in 1991. Credits are granted for extracting less water than allocation (credits not authorized with irrigation efficiency allocation).
2. Prior to 1998, operators were required to apply for credits. For 1999-2011 (present), credits are automatically granted for groundwater use of less than Adjusted Historical Allocation or for groundwater injected even if an operator did not file. Starting in 2012, credits are only earned when extraction statements are filed. Credits did not exist prior to 1990.



**TABLE 7**  
**SUMMARY OF REPORTED GROUNDWATER EXTRACTION AND**  
**CREDITS BY GROUNDWATER BASIN FOR CALENDAR YEAR 2012**

Groundwater Basin	2012 Total Reported Groundwater Extraction (AF/Year) <sup>1</sup>	2012 Percent Extraction by Basin (%)	2012 Conservation Credits Earned (AF) <sup>2</sup>	Percent Conservation Credits Earned by Basin (%)	Credits Redeemed in 2012 per Basin (AF) <sup>3</sup>	2012 Net Credit by Basin (AF) <sup>4</sup>
Arroyo Santa Rosa Basin	1,616	1%	130	0.6%	57	73
East Las Posas Basin	24,282	19%	414	1.9%	4,694	-4,280
South Las Posas Basin	502	0%	140	0.7%	0	140
West Las Posas Basin	13,372	11%	108	0.5%	1,364	-1,256
Oxnard Plain Basin	49,140	39%	16,321	76.5%	1,230	15,090
Pleasant Valley Basin	14,430	12%	2,891	13.6%	105	2,786
Oxnard Plain Forebay Basin	22,062	18%	1,325	6.2%	4,684	-3,359
<b>Totals</b>	<b>125,404</b>	<b>100%</b>	<b>21,329</b>	<b>100%</b>	<b>12,135</b>	<b>9,194</b>

**Notes:**

AF = Acre-feet; 1 acre-foot equals 325,851 gallons

1. Table provides data on reported groundwater extractions. In 2012, extraction from approximately 15% of active wells was not reported.
2. Operator total available Adjusted Historical Allocation plus Baseline Allocation minus reported extraction equals Conservation Credits Earned.
3. FCGMA credits are redeemed to avoid payment of a surcharge for extraction exceeding allocation. Basin is the primary basin for the Operator's account and not by not necessarily the basin in which the well is located.
4. Sums current credits by groundwater basin for all FCGMA Operator Accounts to get a cumulative net credit balance at the end of Calendar Year 2012.

**Resolution 2012-01**  
**of the**  
**Fox Canyon Groundwater Management Agency**

**A RESOLUTION APPROVING RE-DIRECTION OF GROUNDWATER EXTRACTION  
SURCHARGES TO PRESERVE NATURAL RESOURCES AND TO RESOLVE AN APPEAL  
FROM NYELAND ACRES MUTUAL WATER COMPANY**

**WHEREAS**, the Fox Canyon Groundwater Management Agency, established by the State Legislature in 1982, is charged with the preservation and management of groundwater resources within the areas or lands overlying the Fox Canyon aquifer for the common benefit of the public and all agricultural, municipal, and industrial users; and

**WHEREAS**, on July 31, 2009, Agency staff prepared and sent Nyeland Acres Mutual Water Company a request for payment of \$96,696.88 for outstanding surcharges owed the Agency for excess groundwater extracted during calendar years 2006, 2007, and 2008; and

**WHEREAS**, Nyeland Acres Mutual Water Company submitted a formal appeal of the Agency Executive Officer's surcharge assessment on February 24, 2010, after holding two meetings with Agency staff to discuss possible solutions wherein Nyeland requested full relief from the imposed surcharges as detailed in the Agency's billing letter dated July 31, 2009; and

**WHEREAS**, the Agency Board held a hearing at its March 24, 2010 Board meeting on a proposed Resolution for Nyeland Acres Mutual Water Company, and expressed interest in a settlement for Nyeland Acres Mutual Water Company if certain conditions were met including meter installation and a tiered water rate structure; and

**WHEREAS**, the Nyeland Acres Mutual Water Company serves a low-income community of slightly more than 300 mostly retail domestic water service connections; and

**WHEREAS**, the Nyeland Acres Mutual Water Company has proposed major system upgrades to: 1) install water flowmeters on all their present service connections, 2) provide semi-annual progress reports to the FCGMA, 3) conduct a final leak detection evaluation to prove system integrity and full project completion designed to serve both Nyeland's and the Agency's long-term interests by providing water conservation and water savings for their local community resulting in a net benefit to the groundwater resource; and 4) adopted a tiered water rate structure; and

**WHEREAS**, timely and consistent application of the Agency's Ordinance and associated Groundwater Management Plan are critical to the success of the Agency; and

**WHEREAS**, enforcement is a critical ingredient in creating the deterrence needed to encourage the regulated community to anticipate, identify, and correct violations. Appropriate penalties and other consequences for violations offer some assurance of equity between those who choose to comply with requirements and those who violate them; and

**WHEREAS**, at the June 24, 2009 FCGMA Board meeting, the Board adopted Guiding Principles for Enforcement which have been applied to a proposed formal resolution that would serve to document and memorialize an alternative to extended debt payments; and

**WHEREAS**, adoption of this Resolution is in line with those Principles, including the provisions for Fair, Firm, and Consistent Regulation and Enforcement, Public Participation, and Environmental Justice.

**NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED**, that the Fox Canyon Groundwater Management Agency Board of Directors adopts the following:

Nyeland Acres Mutual Water Company shall be assessed the full amount owed to the Agency of \$226,335.93 for surcharges incurred during calendar years 2006 through 2010 resulting from excess groundwater extractions. However, \$206,000 is waived and suspended if, and only if, Nyeland Acres Mutual Water Company completes all of the following conditions:

1. Submit payment of \$20,124.37 or equivalent number of credits within 60 days of adoption of this Resolution.
2. Submit proof of payment for installation of remaining 10% of water meters and infrastructure improvements no later than December 31, 2012.
3. Submit progress reports with their Semi-Annual Groundwater Extraction Statements, with a final completion report no later than December 31, 2012, including results from a water main leak detection evaluation.

On motion of Director Craven, and seconded by Director Zaragoza, the foregoing Resolution was passed and adopted on this 25th day of January 2012.

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. 2012-01.

By:

  
Miranda Nobriga, Clerk of the Board

**Resolution 2012-02**  
**of the**  
**Fox Canyon Groundwater Management Agency**

**A RESOLUTION AUTHORIZING THE IMPOSITION OF CIVIL PENALTIES AGAINST THOSE  
OPERATORS WHO ARE IN VIOLATION OF THE FLOWMETER CALIBRATION  
REQUIREMENTS OF THE ORDINANCE CODE**

**WHEREAS**, the Fox Canyon Groundwater Management Agency Ordinance Code requires all water flow meters to be tested for accuracy; and

**WHEREAS**, the Fox Canyon Groundwater Management Agency (Agency) requires certification of flowmeter accuracy to be submitted to the Agency within 120 days of written notification to the well operator; and

**WHEREAS**, the Board made a previous finding that operators with a pump motor greater than 10 horsepower, and that extract more than 10 acre-feet of groundwater each year, have the ability to pay the cost of compliance with the flowmeter calibration requirement; and

**WHEREAS**, the accurate measurement of groundwater extractions is critical to achieving the Agency's statutory mandate to bring the groundwater basins underlying the Agency boundaries to safe yield; and

**WHEREAS**, the Fox Canyon Groundwater Management Agency Act and Ordinance Code Section 8.3 authorizes the imposition of a civil penalty up to one thousand dollars (\$1,000) per day for negligent or intentional violation of any provision of the Ordinance Code; and

**WHEREAS**, Section 3.4 of Ordinance Code provides that non-compliance with any provision of the meter calibration requirements will subject the owner to financial penalties and/or liens; and

**WHEREAS**, a civil penalty equal to the average avoided cost of compliance with the flowmeter calibration requirement is reasonable, taking into consideration appropriate factors, including the seriousness of the violation and the length of time the operator has had to demonstrate compliance but failed to do so;

**NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED**, that pursuant to the statutory authority granted by the Fox Canyon Groundwater Management Agency Act Section 405 and Section 807, and Chapter 3.0 of the Ordinance Code, a Notice of Violation shall be sent via United States Postal Service certified return-receipt requested to any operator who has not submitted confirmation of flowmeter accuracy within 120 days of written notification; thereafter:

1. If proof of flowmeter accuracy is not sent within 120 days after Notice of Violation is sent, the operator shall be liable to the Agency for a civil penalty in the amount of \$1,100.00;

2. If proof of flowmeter accuracy is not sent within 150 days after Notice of Violation is sent, the operator shall be liable to the Agency for a civil penalty in the amount of an additional \$600.00 (a total of \$1,700.00).
3. If proof of flowmeter accuracy is not sent within 210 days after Notice of Violation is sent, the operator shall be liable to the Agency for a civil penalty in the amount of an additional \$600.00 (a total of \$2,300.00).

On motion of Director Naumann, and seconded by Director Kelley, the foregoing Resolution was passed and adopted on this 25th day of April 2012.

  
Charlotte Craven, Vice 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. 2012-02.

By:

  
Jessica Rivera, Clerk of the Board



**Resolution 2012-03**  
**of the**  
**Fox Canyon Groundwater Management Agency**

**A RESOLUTION AUTHORIZING THE IMPOSITION OF CIVIL PENALTIES AGAINST THOSE  
OPERATORS WHO ARE IN VIOLATION OF THE EXTRACTION REPORTING AND PAYMENT  
REQUIREMENTS OF THE ORDINANCE CODE**

**WHEREAS**, the Fox Canyon Groundwater Management Agency Ordinance Code requires groundwater extraction to be reported twice per year, generally August 1, and February 1, or 30 days after the date of the letter requesting submittal of the Semi-Annual Groundwater Extraction Statement for the given period; and

**WHEREAS**, the Fox Canyon Groundwater Management Agency (Agency) requires payment of the groundwater extraction charge at the time the Semi-Annual Groundwater Extraction Statement is due; and

**WHEREAS**, failure to submit the Semi-Annual Groundwater Extraction Statements as required for in the Ordinance Code, makes it nearly impossible for the Agency to fully quantify groundwater extractions, as it is charged to; and

**WHEREAS**, failure to submit the Semi-Annual Groundwater Extraction Statement and groundwater extraction charge as required for in the Ordinance Code, is a violation of the Ordinance Code; and

**WHEREAS**, the Fox Canyon Groundwater Management Agency Act and Ordinance Code Section 8.3 authorizes the imposition of a civil penalty up to one thousand dollars (\$1,000) per day for negligent or intentional violation of any provision of the Ordinance Code; and

**WHEREAS**, a civil penalty of \$500.00 is considered a useful tool to help ensure an operator's compliance with the requirement to submit Semi-Annual Groundwater Extraction Statements and pay extraction charges when due, taking into consideration appropriate factors, including the seriousness of the violation and the length of time the operator has had to demonstrate compliance but failed to do so;

**NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED**, that failure to submit a Semi-Annual Groundwater Extraction Statement or payment of the extraction charge by the due date, shall result in the imposition of a civil penalty of \$500.00 against the operator. The effective date of this civil penalty structure is January 1, 2012.

On motion of Chair Maulhardt, and seconded by Director Kelley, the foregoing Resolution was passed and adopted on this 23rd day of May 2012.

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. 2012-03.

By:

  
Jessica Rivera, Clerk of the Board

**Resolution 2012-04**  
**of the**  
**Fox Canyon Groundwater Management Agency**

**A RESOLUTION CERTIFYING JIM ESTOMO TO FILL AN UNEXPIRED TERM OF 1/1/2013 -  
1/1/2015 FOR THE VENTURA LOCAL AGENCY FORMATION COMMISSION (LAFCo)  
ALTERNATE COMMISSIONER SPECIAL DISTRICT MEMBER**

**WHEREAS**, the Executive Officer of the Ventura Local Agency Formation Commission (LAFCo) has requested the Agency hold a vote to fill a vacancy on LAFCo's Board for an Alternate Commissioner member representing the Independent Special Districts in Ventura County to fill an unexpired term from 1/1/2013 to 1/1/2015, from a list of nominated candidates pursuant to California Government Code Section 56332(c); and

**WHEREAS**, the Ventura County Independent Special District Selection Committee has adopted Rules and Regulations concerning vacancies on LAFCo and the time for consideration of candidates for appointment; and

**WHEREAS**, the Rules and Regulations of the Ventura County Independent Special District Selection Committee allow for acceptance of mail-in ballots that have been certified by a resolution from each voting Special District; and

**WHEREAS**, at the time and in the manner required by law, the Fox Canyon Groundwater Management Agency having one vote for each LAFCo position as a member of the Special Districts in Ventura County met on July 25, 2012 at a regular monthly Board meeting to cast a ballot as received from the LAFCo Executive Officer; so

**NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED**, that the Fox Canyon Groundwater Management Agency Board of Directors adopts the following:

1) *Jim Estomo* was hereby chosen to fill an unexpired term beginning 1/1/2013 and expiring 1/1/2015 as the Alternate Commissioner Member of the Ventura LAFCo representing Independent Special Districts in Ventura County.

2) The Agency Executive Officer shall certify by signature below that all balloting procedures specified by LAFCo were handled properly and according to adopted protocols, and the Agency Clerk of the Board shall transmit a signed copy of this Resolution with an attached copy of the FCGMA Board-sanctioned LAFCo Ballot to the Ventura LAFCo Executive Officer.

On motion of Director Michael Kelley, and seconded by Director Charlotte Craven, the foregoing Resolution was passed and adopted on this 25th day of July 2012 by the following vote:

AYES – 5  
NOES - 0  
ABSTAINS – 0  
ABSENT – 0

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

ATTEST: I hereby certify that all required protocols and chain-of-custody procedures involving handling and processing of the LAFCo Ballot were proper and unbroken.

By:   
Jeff Pratt, FCGMA Executive Officer

ATTEST: I hereby certify that the above is a true and correct copy of Resolution No. 2012-04.

By:   
Jessica Rivera, FCGMA Temporary Clerk of the Board

(REVISED July 6, 2012)

## OFFICIAL BALLOT

INDEPENDENT SPECIAL DISTRICT SELECTION COMMITTEE  
Alternate Member to the Ventura LAFCO

### Fox Canyon Groundwater Management Agency

This is the official ballot for the Independent Special District Selection Committee for the purpose of electing **one** Special District Alternate Member to the Ventura LAFCo. The election consists of five candidates (listed below in alphabetical order) for Special District Alternate Member of the Ventura LAFCo to complete an unexpired term ending January 1, 2015 (effective January 1, 2013).

#### VOTE FOR ONLY ONE CANDIDATE

A minimum of 15 qualified votes must be returned by the deadline to establish a quorum of the Independent Special Districts. Should no candidate receive a majority of the qualified votes received, a subsequent election among the two candidates receiving the highest number of votes will be conducted.

**PLEASE RETURN THIS SIGNED BALLOT, VIA CERTIFIED MAIL to the Ventura LAFCo, 800 S. Victoria Avenue, Ventura, CA 93009-1850. All Ballots MUST be signed by the presiding officer of the board and received by 5 P.M. Friday, September 28, 2012 to be considered.**

As the President, Chair, or Presiding Officer, I duly certify that the Fox Canyon Groundwater Management Agency does hereby cast its ballot as follows:

*(Please mark the box next to the name of **one** candidate to cast the District's vote)*

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> "Jim" R.V. Estomo | Channel Islands Beach Community Services District |
| <input type="checkbox"/> Elaine Freeman               | Rancho Simi Recreation and Park District          |
| <input type="checkbox"/> George Lange                 | Conejo Recreation and Park District               |
| <input type="checkbox"/> Michael Paule                | Triunfo Sanitation District                       |
| <input type="checkbox"/> Mary Anne Rooney             | Oxnard Harbor District                            |

Cyrus E. Moulton  
Board President/Chair (print name)

[Signature]  
Board President/Chair (Signature)

7/25/2012  
Date