

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY



BOARD OF DIRECTORS

Lynn E. Maulhardt, *Chair, Director, United Water Conservation District*
Charlotte Craven, *Vice Chair, Councilperson, City of Camarillo*
David Borchard, *Farmer, Agricultural Representative*
Steve Bennett, *Supervisor, County of Ventura*
Dr. Michael Kelley, *Director, Zone Mutual Water Company*

EXECUTIVE OFFICER
Jeff Pratt, P.E.

NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the Fox Canyon Groundwater Management Agency (FCGMA) will hold an **Executive Committee Meeting** from **2:00 p.m. to 4:00 p.m.** on **Monday, August 12, 2013** in the **Atlantic Conference Room**, Main Plaza Level of the Ventura County Government Center, Hall of Administration Building, at **800 South Victoria Avenue, Ventura, California.**

FCGMA EXECUTIVE COMMITTEE MEETING AGENDA August 12, 2013

Members: Chair Lynn Maulhardt
Co-Chair Charlotte Craven

- A. **Call to Order**
- B. **Introductions**
- C. **Public Comment** – Audience members may speak about FCGMA-related matters not on today's Agenda.
- D. **Minutes** – Approve the minutes from the May 30, 2013 Executive Committee meeting.
- E. **Solano Verde Mutual Water Company Application for Transfer of Historic Allocation** – Discuss and provide feedback regarding an Application for Transfer of Historic Allocation received from Solano Verde Mutual Water Company.
- F. **Adjourn the Executive Committee Meeting** – Adjourn until the next Executive Committee meeting, to be scheduled at a later date.

NOTICES

The FCGMA Board strives to conduct accessible, orderly, and fair meetings where everyone can be heard on the issues. The Board Chair will conduct the meeting and establish appropriate rules and time limitations for each item. The Board can only act on items designated as Action Items. Action items on the agenda are staff proposals and may be modified by the Board as a result of public comment or Board member input. Additional information about Board meeting procedures is included after the last agenda item.

Administrative Record: *Material presented as part of testimony will be made part of the Agency's record, and 10 copies should be left with the Board Clerk. This includes any photographs, slides, charts, diagrams, etc.*

ADA Accommodations: *Persons who require accommodation for any audio, visual, or other disability in order to review an agenda or to participate in the Board of Directors meeting per the Americans with Disabilities Act (ADA), may request such accommodation in writing addressed to the Clerk of the FCGMA Board, 800 So. Victoria Avenue, Location #1610, Ventura, CA 93009-1610, or via telephone by calling (805) 654-2014. Any such request should be made at least 48 hours prior to the meeting so staff can make the necessary arrangements.*

Availability of Complete Agenda Package: A copy of the complete agenda package is available for examination at the FCGMA office during regular working hours (8:00 a.m. to 5:00 p.m. Monday through Friday) beginning five days before the Board meeting. Agenda packet contents are also posted on the FCGMA website as soon as possible, and left there for archival retrieval in case reference is needed on previously considered matters. Questions about specific items on the agenda should be directed to the Agency's Executive Officer.

Continuance of Items: The Board will endeavor to consider all matters listed on this agenda. However, time may not allow the Board to hear all matters listed. Matters not heard at this meeting may be carried over to the next Board meeting or to a future Board meeting. Participating individuals or parties will be notified of the rescheduling of their item prior to the meeting. Please contact the FCGMA staff to find out about rescheduled items.

Electronic Information and Updates: Our web site addresses are www.foxcanyonqma.org (for weather station data) or <http://www.fcqma.org> (for home page information). Information available online includes the Board's meeting schedule, a list of the Board members and staff, weather station data, general information, and various Agency forms. If you would like to speak to a staff member, please contact the FCGMA Clerk of the Board at (805) 654-2014.

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MINUTES

Minutes of the Fox Canyon Groundwater Management Agency's (FCGMA) Executive Committee meeting held **Thursday, May 30, 2013** in the Atlantic Conference Room at the Ventura County Government Center, Hall of Administration, 800 South Victoria Avenue, Ventura, California.

- A. Call to Order** – The meeting commenced at 2:00 p.m.
- B. Introductions** – In attendance were: (1) Lynn Maulhardt, FCGMA Executive Committee Chair; (2) Charlotte Craven, FCGMA Executive Committee Co-Chair; (3) Jeff Pratt, FCGMA Executive Officer; (4) Gerhardt Hubner, WPD, Deputy Director; (5) Alberto Boada, FCGMA Counsel; (6) Miranda Nobriga, FCGMA Clerk of the Board; (7) Henry Graumlich, Calleguas Municipal Water District (CMWD); (8) Bryan Bondy, CMWD; (9) Robert Eranio, Crestview Mutual Water Company (CMWC) and Chair of Las Posas Users Group (LPUG); (10) Dave Souza, Pleasant Valley County Water District (PVCWD); (11) Bob Krimmer, PVCWD; (12) John Mathews, PVCWD; (13) Ian Prichard, Camrosa; (14) Bill Miller, grower; (15) Daryl L. Smith, grower; (16) Rob Saperstein, representing City of Oxnard; (17) Mike Solomon, United Water Conservation District (UWCD); (18) Daniel Rydberg, City of Oxnard; (19) Rob Roshanian, City of Oxnard; (20) Steve Nash, Oxnard Resident; (21) Gretchen Wenner, Ventura County Star; (22) Frank Brommenschenkel, grower; (23) Shana Epstein, Ventura Water; (24) Casey Houweling, Houweling Nurseries; and (25) James DuBois, Reiter Bros.
- C. Public Comments** – Mr. Steve Nash thanked FCGMA Board Members Mr. Lynn Maulhardt and Ms. Charlotte Craven for their due diligence at the May 22, 2013 Board meeting.
- D. Meeting Minutes**
- The Executive Committee approved the minutes from the May 7, 2013 meeting.
- E. City of Oxnard's Groundwater Recovery Enhancement and Treatment (GREAT) Project Review**
- Mr. Gerhardt Hubner, WPD, Deputy Director, gave a presentation update on the development of the draft Resolution for the City of Oxnard's GREAT Program. He provided a summary of the May 7th Executive Committee Meeting, the May 14th & 15th versions of the draft Resolution, and outlined the documents included in the May 22nd FCGMA agenda packet.
- Mr. Hubner continued by presenting an update on recent progress to the draft Resolution and noted the following changes: (1) added "Near Forebay to Recital; (2) Provision No. 8 – eliminated redundant language at the of sentence on conservation credits; (3) Provision No. 10 – added

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“City” with RW Users on reporting Semi-Annual water use; and (4) added “either” to distinguish individual analysis vs. just combined or cumulative.

Mr. Hubner then presented revisions to the Monitoring Plan: (1) Language added – water levels in the western portion of the West Las Posas Basin will be monitored to ensure no impact from this Project’s Forebay pumping; and (2) To the degree feasible and nearby monitoring wells exist, water levels and extractions from individual RW Agreement operators on the Oxnard Plain and Pleasant Valley Basins will be measured and evaluated for benefits and/or impacts.

Mr. Gerhardt Hubner also presented a new document, Annual Report - Outline, and stated it was an outcome of recent discussions to create a short, concise document with expectations for the Annual Report which was to include data submittals, figures, tables, analyses, evaluations and determinations regarding any impacts and/or benefits from the GREAT Program, Phase I.

Co-Chair Charlotte Craven referred to No. 14 on page 5 of 6 of draft Resolution No. 2013-01, and asked how the numbers 80,000 acre-feet and 19 feet above sea level were determined. Mr. Hubner, Mr. Mike Solomon, and Chair Lynn Maulhardt explained the numbers were established when the Freeman Diversion was contracted and controls placed on its operations, and from UWCD and County of Ventura monitoring results.

Co-Chair Charlotte Craven referred to the third sentence of No. 19 on page 5 of 6 of draft Resolution No. 2013-01 and requested the text, “and as defined” be inserted after “as provided.”

Mr. John Mathews referred to No. 8 on page 4 of 6 of draft Resolution No. 2013-01 and asked why the text, “associated with reduced groundwater pumping resulting from use of RW,” was stricken. He stated he did not believe it was redundant as staff presented. Chair Maulhardt responded the intent was to prevent double-dipping and stated people should not accrue credits if they receive surface water deliveries and added the language needed to be revised if it was confusing. The discussion continued with the suggestion to reinsert the language into the Resolution. Mr. Rob Saperstein offered three scenarios and explained why he felt the text should be re-inserted. After further discussion, Chair Lynn Maulhardt concluded he did not find the language redundant and noted staff would have to be able to track the issue to prevent double-dipping. The group agreed to re-insert the language.

Co-Chair Craven referred to the Monitoring Plan, last sentence, and asked who determined what was “feasible.” Discussion regarding the recently-added text to the Monitoring Plan ensued between Mr. Jeff Pratt, Mr. Bryan Bondy, Mr. Rob Saperstein, Mr. John Mathews, Mr. Robert Eranio, and Chair Lynn Maulhardt regarding suggested language revisions and its relation to LPUG. Ultimately, it was decided to revise the text to: “Water levels in the western portion of the West Las Posas Basin will be monitored. In addition, when nearby monitoring wells are available, water levels and extraction from individual RW Agreement operators on the Oxnard Plain and Pleasant Valley Basins will be measured.” It was also decided to insert “West Las Posas Basin” in section 2. a. on page 3 of 6 of draft Resolution No. 2013-02.

Mr. John Mathews asked who would be conducting and paying for the monitoring. Mr. Hubner responded the County of Ventura and UWCD already do water level monitoring.

Mr. Bryan Bondy stated Figure 1 of the Monitoring Plan should be updated to reflect monitoring locations in the western Las Posas Basin.

Discussion then turned to the Annual Report and questions arose regarding Section V, Certifications. Chair Lynn Maulhardt stated he never envisioned participants having to call and hire a Professional Geologist as part of the Agreement. Mr. John Mathews stated the involved parties were people working for the benefit of the aquifer and they needed to take a leap of faith. Chair Lynn Maulhardt responded the reality was that a participant in the proposed RW Agreement still did not meet all of the FCGMA requirements.

Mr. John Mathews stated he did not want the newly presented Annual Report to slow down the progress of Resolution No. 2013-02.

Mr. Rob Saperstein expressed his frustration with the subject item being pulled from the May 22, 2013 regular Board of Directors meeting and he wanted them to continue making progress. He continued by stating if a participant did not comply, they would not receive water until they were in compliance. Discussions continued regarding the control the FCGMA had should a party not comply and what the process would be to address the non-compliance.

Mr. Jeff Pratt referred to Provision No. 19 (d) and stated "no" should be inserted before net detrimental impact to be consistent with other FCGMA documents.

Chair Lynn Maulhardt stated he was comfortable with the revisions made to draft Resolution No. 2013-02 and the Monitoring Report and would recommend adoption of the documents to the FCGMA Board of Directors at their June 26, 2013 regular Board meeting if there were no further changes. He also stated he was comfortable adopting the Outline/Table of Contents concept of the Annual Report, however, he believed additional time was necessary for revisions and stated it should be formally adopted by the Board no later than the December 2013 Board meeting. He noted it was not his intent to burden growers with bureaucracy.


Chair Lynn Maulhardt confirmed with Co-Chair Charlotte Craven that she was prepared to recommend adoption to FCGMA Board of Directors to which she replied yes.

Chair Lynn Maulhardt concluded the meeting by stating he required feedback from all parties involved by Monday, June 10th, should there be any changes to the revisions made to the documents at today's meeting. Otherwise, another Executive Committee Meeting would have to be scheduled on Thursday, June 13th, allowing time for additional review of the documents prior to the June 26th Board meeting; the group agreed they had sufficient time.

F. Adjourn the Executive Committee Meeting

Chair Maulhardt adjourned the Executive Committee meeting at 5:15 p.m.

Submitted by:


FOR: Miranda Nobriga
FCGMA Clerk of the Board

Revised by MN 5/31/13

RESOLUTION NO. 2013-02
of the Fox Canyon Groundwater Management Agency

**A RESOLUTION CONCERNING THE IMPLEMENTATION OF FIRST
PHASE OF THE CITY OF OXNARD'S GREAT PROGRAM AND THE
ASSOCIATED RECYCLED WATER MANAGEMENT PLAN**

WHEREAS, the Fox Canyon Groundwater Management Agency ("Agency") was established to preserve the integrity of the quality and quantity of groundwater resources within its boundaries; and

WHEREAS, the Agency exercises its regulatory authority through ordinances, resolutions, and implementation of its adopted groundwater management plan; and

WHEREAS, the current Agency groundwater management plan ("GMA Management Plan") was updated and adopted in May 2007; and

WHEREAS, the GMA Management Plan provides an extensive evaluation of the varying conditions in aquifers within the Agency, and an assessment of the water management strategies that various entities propose for implementation within the Agency; and

WHEREAS, the City of Oxnard ("City") is in the final stages of constructing the first phase of its Groundwater Recovery Enhancement and Treatment Program ("GREAT Program"), through which the City will make available approximately 7,000 acre-feet per year ("AFY") of advanced treated recycled water ("RW") for use within the City, the Oxnard Plain and Pleasant Valley area; and

WHEREAS, the GMA Management Plan describes the use of RW generated from the GREAT Program as an important management strategy that will result in improvements to water supply reliability and water quality conditions within the Agency; and

WHEREAS, the primary benefits of the GREAT Program include: (a) generation of approximately 7,000 AFY of new water supplies for the region; (b) increased use of supplemental water supplies and the concomitant reduced groundwater pumping in the areas of the Oxnard Plain and Pleasant Valley subbasins; (c) introduction of RW into the Pumping Trough Pipeline ("PTP") and Pleasant Valley County Water District ("PVCWD") systems which will increase United Water Conservation District's ("UWCD")'s ability to recharge surface water to the Forebay under certain conditions; (d) shifting groundwater pumping from the coastal and Pleasant Valley areas that are most difficult to recharge, to the Forebay/Near Forebay, which is easily recharged; (e) overall increase in groundwater recharge; and (f) the removal of tons of salts from the Oxnard Plain and Forebay groundwater; and

WHEREAS, the Agency adopted Resolutions Nos. 2003-4, and 2003-5 in support of the implementation of the GREAT Program; and

WHEREAS, ~~United Water Conservation District's ("UWCD's")~~ mission is to manage, protect, conserve and enhance the water resources of the Santa Clara River, its tributaries, and associated aquifers; and

WHEREAS, UWCD has and continues to serve an integral role in evaluating groundwater conditions within the Agency jurisdiction and developing strategies to optimize the management and use of water resources within the region. United's efforts in this regard are documented in the GMA Management Plan and its ongoing responsibilities in monitoring aquifer conditions and regularly operating and updating Ventura Regional Groundwater Model; and

WHEREAS, UWCD, ~~Pleasant Valley County Water District ("PVCWD")~~ and the City have developed a plan to utilize RW within the UWCD ~~Pumping Trough Pipeline ("PTP")~~ and PVCWD ("PV") distribution systems, along with direct delivery of RW to agricultural users along the pipeline alignment (collectively, "RW users"). Certain RW users have documented this plan to use RW through an agreement titled, "Full Advanced Treatment Recycled Water Management and Use Agreement" entered into by and between the City, PVCWD, UWCD, Houweling Nurseries, Reiter Affiliated Companies and Southland Sod ("RW Agreement"). The RW Agreement is an attachment to the Agency staff report accompanying this Resolution; and

WHEREAS, the City, UWCD and PVCWD will oversee and coordinate the ongoing delivery of RW to agricultural users in the Pleasant Valley and Oxnard Plain subbasins; and

WHEREAS, as a component of the RW Agreement, the City, UWCD and PVCWD have developed a "Recycled Water Management Impact Analysis Plan" ("RWIA Plan") pursuant to which basin conditions will be monitored and analyzed, and criteria set under which the City will be able to pump groundwater from City owned wells and the UWCD Oxnard-Hueneme system ("OH System"). The RWIA Plan is set forth in this Resolution and its attachments; and

WHEREAS, the use of RW and the implementation of the RWIA Plan will contribute to the improvement of groundwater supply and quality issues within the Agency; and

WHEREAS, from 2006 to present the City, UWCD and PVCWD collaborated on the implementation of the Conejo Creek – Supplemental M&I Water Program. This program provided PVCWD approximately 6,000 AFY of additional surface water supplies. All or some portion of the groundwater pumping by PVCWD displaced by this additional surface water was then transferred to the Forebay through groundwater delivered to UWCD's Oxnard-Hueneme Pipeline customers, including the City. The intent of this program was to shift groundwater pumping from the Pleasant Valley subbasin to the Forebay; and

WHEREAS, the data obtained from the implementation of the Supplemental M&I Water Program is valuable in assessing the capabilities and impacts of shifting additional pumping to the Forebay as documented in the RWIA Plan (Attachment A); and

WHEREAS, the ~~Groundwater Recovery Enhancement and Treatment (GREAT)~~ Program Final Environmental Impact Report (SCH #2003011045) assessed the potential environmental impacts

associated with Phase 1 of the GREAT Program and this RWIA Plan, and was certified in September, 2004, concurrent with the City's approval of the construction of Phase 1 of the GREAT Program; and

WHEREAS, the Agency Ordinance Code provides for adjustments to extraction allocations; and

WHEREAS, the Agency has considered the environmental effects of the RWIA Plan as shown in the GREAT Program Final Environmental Impact Report and made the findings required by California Environmental Quality Act Guidelines section 15091.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND RESOLVED AS FOLLOWS: The Agency grants its approval of the RWIA Plan subject to the following conditions:

1. This Resolution supersedes and restates in its entirety Resolution No. 2003-5.
2. The UWCD has provided the RWIA Plan and Monitoring Plan for the proposed groundwater pumping allowed pursuant to this Resolution. This Resolution and the RWIA Plan contain the following (the RWIA and Monitoring Plan are included as Attachment A and B to this Resolution):
 - a. A description of groundwater monitoring program consisting of water level and water quality monitoring that is designed to detect ongoing conditions within the West Las Posas Basin, Pleasant Valley subbasin, the Oxnard Plain subbasin, and the Forebay. Water level and quality data shall be collected on an ongoing basis for use to assess basin conditions and provide for the ongoing use of the Ventura Regional Groundwater Model in evaluating basin conditions.
 - b. An assessment of historic and current conditions in the Forebay, Oxnard Plain and Pleasant Valley subbasins and anticipated impacts to those subbasins associated with the implementation of the RWIA Plan.
 - c. Limitations or restrictions on Forebay pumping based upon groundwater level triggers and hydrologic conditions.
 - d. Annual, or more frequent, coordination meetings and reporting between the City, UWCD, PVCWD and the Agency regarding the annual report and implementation of the RWIA.
 - e. All monitoring and reporting shall be overseen and approved by a State of California Licensed Professional Geologist or Engineer.
3. The City shall accrue a Recycled Water Pumping Allocation ("RWPA") (up to 5,200 AFY per year), which allows the City to obtain groundwater in a volume and subject to the conditions provided in this Resolution.
4. The City will receive 1 acre-foot of RWPA for each acre-foot of RW use that results in 1 acre-foot decrease in groundwater pumping by RW users. Further, the City will receive RWPA only in the instance that the reduced groundwater pumping by RW users was

groundwater that would have been pumped based upon a Historical Allocation or Irrigation Efficiency/Allowance Allocation.

5. To the extent practical, PVCWD shall prioritize its water use as follows, from highest to lowest priority: (a) Conejo Creek Project supplemental water; (b) RW; (c) surface water from UWCD; and (d) groundwater. However, the Agency acknowledges that Camrosa Water District and PVCWD are currently reevaluating the future availability of water from the Conejo Creek Project. This Resolution creates no obligation for PVCWD to continue purchasing water through the Conejo Creek Project; provided however, if PVCWD does continue to have access to that supply, it should rely on it as a first priority. Further, the Agency recognizes that Camrosa Water District has relied and may continue to rely on the Conejo Creek Project supplies for use within its district. The volume of water available to PVCWD has been and may continue to be reduced as Camrosa uses more and more of that supply within the Camrosa service area. This prioritization of use under this provision shall be documented through the Annual Report required under Section 13.
6. No RWPA will accrue to the City for RW use that displaces groundwater pumping that would have been subject to Agency surcharges.
7. No RWPA shall accrue to the City for RW use that displaces UWCD surface water deliveries to those same users, when and if UWCD is concurrently physically not capable of diverting that volume of surface water to UWCD recharge basins because the recharge basins and the Forebay are full.
8. RW users shall not earn conservation credits on unused Historical Allocation associated with reduced groundwater pumping resulting from use of RW.
9. The City will report annually to the Agency and UWCD the quantity of RW delivered to each RW user. Prior to receipt of any RW, each RW user shall develop a protocol and format acceptable to the RW user, the Agency and the City, to account for the RW user's annual water use, including RW.
10. The City and RW users will report their water use to the Agency on semi-annual extraction reports as required under Agency rules and procedures, and otherwise consistent with the requirements provided in Section 9 above~~8 above~~~~8 above~~~~9 above~~.
11. City shall pump the RWPA from City owned wells and UWCD's O-H system.
12. The Agency, the City, UWCD, and PVCWD shall meet during the first week of May of May of each year ("Coordination Meeting"), and more frequently as necessary, to discuss any needed refinements to the implementation of the RWIA Plan, the current accounting of RWPA, and any expected limitations on the City's use of RWPA because of Forebay water levels and then existing hydrologic conditions. As a result of these annual meetings, the Agency, the City and UWCD shall establish the locations and volume of

RWPA that shall be available to the City for pumping through the following year, subject to the following conditions:

- a. The volume of RWPA that the City is allowed to extract shall be set between 0 and 8,000 AFY (this volume limitation shall include the volume of M&I Supplemental Program water UWCD will pump during the same period as provided in Section 20, below); and
 - b. To the extent the City is not allowed to pump the cumulative RWPA it has earned, all accrued RWPA shall carry forward until the City is allowed to use the RWPA in its entirety, subject to the conditions of this Resolution; and
 - c. To the extent the Agency, the City and UWCD do not agree on restrictions on the use of RWPA for any given year, based on the then existing and anticipated hydrologic circumstances, the City shall use the RWPA consistently with UWCD Board of Directors' determination in consultation with the Agency.
 - d. This provision shall not prevent the parties from meeting more frequently to consider alterations to the implementation of the RWIA Plan given changing hydrologic conditions.
13. In preparation for the Coordination Meeting, the City, UWCD and PVCWD will provide the Agency with an Annual Report by April 1st. The report shall include an assessment of conditions, including water level/water quality data and analysis in the Forebay, Oxnard Plain and Pleasant Valley subbasins and an evaluation of any impacts directly associated with the pumping approved under this Resolution. GMA staff will annually review and report to the Agency Board on compliance and effectiveness of this Resolution.
14. Unless otherwise authorized pursuant to the Coordination Meetings, the City shall not pump its RWPA from the Forebay when evacuated groundwater from storage in the Forebay reaches 80,000 acre-feet (as regularly determined by UWCD), or groundwater levels in the Forebay reach 19 feet above mean sea level. Resumption of pumping of RWPA from the Forebay shall occur as authorized pursuant to the Coordination Meetings as provided in Section 12.
15. City shall be deemed to pump its RWPA before its Historical Allocation.
16. The City may not transfer or assign all or any portion of its RWPA, except to facilitate its use of the RWPA in coordination with UWCD so that RWPA may be pumped from either City owned wells or UWCD's O-H Pipeline facilities.
17. Except as expressly provided in this Resolution, the RWPA does not create a new Agency allocation or credit.
18. Only RW delivered to RW users who have filed all required extraction reports with and with and have paid all required fees, ~~and charges~~ and penalties due and payable to the Agency and UWCD shall be eligible to generate a RWPA for the benefit of the City.

19. The Agency Board may reconsider and modify any provision of this Resolution under the following circumstances: (a) concurrently with the expiration of the "Performance Test" (no later than 2 years after 1st RW Delivery) as provided and as defined in the RW Agreement; (b) a material modification in the terms and conditions set forth in the RW Agreement; (c) to make this Resolution consistent with provisions of any update to the GMA Management Plan that has been approved by the Agency Board; or (d) a finding by the Agency Board that the implementation of this Resolution is having a net detrimental impact on the water resources in either the Forebay, Oxnard Plain ~~and-or~~ Pleasant Valley subbasins. The Agency shall provide a minimum of six months advance notice to the RW users before implementing any material change to this Resolution.
20. Based upon the RWIA provided in Attachment A, 8,000 AFY of RW and M&I Supplemental Program groundwater extraction can be accommodated in the Forebay with little, if any effect on Forebay depletion. 5,200 AFY of RW pumping is proposed as a substitute to the M&I Supplemental Program as part of this Resolution. Therefore, to remain below this impact threshold, no more than 2,800 AFY of groundwater pumping in any one year can be utilized by UWCD from the M&I Supplemental Program account.
21. The City shall cease accruing RWPA on the date in which the first 10-year term of the RW Agreement terminates. Subsequent to the termination of the RW Agreement, the City shall pump its remaining RWPA pursuant to the terms and conditions of this Resolution.

On motion by Director _____, seconded by Director _____, the foregoing resolution was passed and adopted on this _____, 2013.

By: _____
Lynn 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 2013-02.

By: _____
-----, Clerk of the Board

Attachment A – Recycled Water Management Plan Impact Analysis (RWIA) Plan
Attachment B – Monitoring Plan for GREAT Program Forebay and Oxnard Plain Extractions,
dated May 2013

**Executive Committee Meeting
August 12, 2013**

SUBJECT: Application for Transfer of Historical Allocation – Solano Verde Mutual Water Company to Crestview Mutual Water Company

Applicable Ordinance:

Section 5.3.2 states Subject to the provisions in this Section 5.3, transfers of extraction allocation are authorized provided they result in no net detriment to the Basins within the Agency. In making this determination, consideration shall be given to the location of extraction facilities, the aquifer systems being used, potential groundwater quality impacts, and the overall assessment of the cumulative impacts of transfers of extraction allocation.

Section 5.3.4 states Allocation may be transferred between M & I extraction facilities provided there is no net detriment to the aquifer system. In making this determination, the Executive Officer shall, at a minimum, consider the location of extraction facilities, the aquifer system being used and groundwater quality impacts of the transfer.

Section 5.3.5 states Transfer of Allocation - Upon request, the Executive Officer may transfer allocation from one agricultural operator to another agricultural operator or from one M & I operator to another M & I operator provided there is no net detriment to the basins and the transfer is equitable. The transfer of allocation will be of indefinite duration, approved on a "case-by-case" basis, and the Executive Officer shall determine the rate of extraction and the point or points of extraction. Requests for the transfer of allocations shall be submitted jointly by the parties involved and shall include the specific details of their proposal. To ensure that there is no net detriment to the aquifer systems, transfers of allocation shall be subject to other conditions as approved by the Board. Transfers of allocation from Agricultural use to M & I use shall only be approved as provided by Section 5.3.3.

Section 5.3.4. of the Ordinance Code provides for allocation to be transferred between M&I extraction facilities provided there is no net detriment to the aquifer system. In making this determination at a minimum the following is to be considered: the location of extraction facilities; the aquifer system being used; and groundwater quality impacts of the transfer.

Policy Implications:

1. Should an Operator be allowed to transfer/sell all of their Historical Allocation, leaving the Operator with no future / or clearly inadequate groundwater allocation to meet the existing demand? (*Baseline*)
2. Should the allocation go to the Mutual upon annexation?
3. Should the receiving Operator be required to return that allocation if Operator de-annex from the Mutual?

Specific Request:

On May 30, 2013, Solano Verde Mutual Water Company submitted an application for transfer of 145.001 AF/yr historical allocation from two wells, identified as State Well Numbers (SWNs) 03N20W32F02S and 03N20W32G02S, to Crestview Mutual Water Company.

Discussion (including Background):

Solano Verde Mutual Water Company

Solano Verde Mutual Water Company (SVMWC) is a “grandfathered” water purveyor (Resolution No. 2011-1) established in 1981. It’s service area is located in the northeast corner of the West Las Posas Basin. The total area served is about 922 acres (County’s water purveyor book) of which about 533 acres is within the Fox Canyon Groundwater Management Agency boundary. SVMWC provides water for 15 domestic connections and 38 agricultural connections. Based on Irrigation Efficiency (IE) Allocation Applications filed (1997 and 1999), delivered water irrigated 99.50 acres of mature lemons. SVMWC provided groundwater from two wells within the West Las Posas Basin until 2005. Annual reported extractions were in the 200 to 300 AF/year range. The wells were destroyed in 2009. The SVMWC currently provides water supplied by Calleguas Municipal Water District. The SVMWC service area is within the Ventura County Water Works District No. 19 service area (VCWPD, 2006, Inventory of Public and Private Water Purveyors in Ventura County, March).

SVMWC originally had an historical allocation of 231.794 AF/yr. Three historical allocation transfers have been approved: two in 2006 totaling 35 AF/yr; and one in 2010 for 51.793333 AF/yr. The SVMWC currently has an historical allocation of 145.00067 AF/yr. In addition to the historical allocation, SVMWC has a baseline allocation of 80.10 AF/yr which was provided based on development since 1989 (approved on December 19, 2000 with an effective date of December 6, 1990). Data show that in 2006 and 2007, credits (totaling 111.4 AF) were transferred from Solano to Calleguas Municipal Water District for in lieu water deliveries in accordance with Board approval on June 28, 2006.

Crestview Mutual Water Company

Crestview Mutual Water Company (CMWC) was formed in 1950, and provides water for 603 domestic connections (VCWPD, 2006, Inventory of Public and Private Water Purveyors in Ventura County, March). It’s service area is located near the southwest corner of the West Las Posas Basin and the northwestern portion of the Pleasant Valley Basin, in the Camarillo Hills between the West Las Posas and Pleasant Valley basins. CMWC operates three wells, SWNs 02N21W22A01S, 02N21W22G01S, and 02N21W28A02S.

Crestview Mutual Water Company has an HA of 912.142 AF. Annual reported extractions are in the 700 to 800 AF/year range (with some big deviations). The County of Ventura’s water purveyor book shows CMWC encompasses 932 acres.

Concerns

The Las Posas Users Group (LPUG) has expressed a concern (April 2013 Board Meeting) regarding expansion of use, that new wells are being drilled on parcels that were provided water by a water purveyor during the period 1985 to 1989, yet the HA developed based on water provided to the parcel is not being transferred to the new well owner. Granting this allocation transfer would be inconsistent with LPUG desire to limit expansion of use and the potential for “double dipping”.

If the request is approved the remaining 145 AF of HA will be permanently removed from the northeastern part of the WLP and transferred to wells in the southwestern part of the WLP or northwestern Pleasant Valley Basin. The CMWC wells are not in a groundwater basin per say, they are in the Camarillo Hills. Because of the well's locations and lack of detailed geologic data, we cannot conclusively determine if CMWC wells draw only from the WLP, some of its wells plot within, or in close proximity to, the Pleasant Valley Basin. The Fall 2012 Lower Aquifer System Potentiometric Surface Map (VCWPD, 2013, 2012 Groundwater Section Annual Report) indicates that the CMWC wells are extracting water from an area that has a cone of depression within the WLP basin, or potentially in an area of the Pleasant Valley Basin that is currently not meeting the water level Basin Management Objectives.

If granted the transfer could result in increased extractions in closer proximity to the Oxnard Plain Forebay Basin, potentially increasing the hydraulic gradient from the Forebay towards the WLP basin, and thus diverting flow away from the Oxnard Plain Basin.

Options:

- a) Permanently grant the HA transfer as requested.
- b) Conditionally grant the HA transfer to CMWC, but require that at the time of transfer, the HA per acre be recorded for the Solano customers, and provided back to them from CMWC if they install a private well.
- c) Do not grant the HA transfer, but require the remaining HA to be assigned to the water purveyor which provides water to the Solano customers, where it could be prorated back if they install a private well and /or decrease the fees charged for the water that the customers are provided.
- d) Grant the HA transfer with the condition that an efficiency allocation is not available to parcels once served by Solano.

Recommendation:

As Solano has HA as a result of providing water to customers during the 1985 to 1989 period and there is no indication that Solano customer base water demand has declined, the HA should remain with the customer base. Documents should be provided by Solano linking HA to the customers served and quantity provided to that customer during the period of 1985 to 1989 for the purpose of transferring HA to future well owners within the Solano service area. The HA should be transferred to the water purveyor who serves the customer base that developed the HA, with the understanding that HA is to be transferred to a customer or customers as established in the document provided above.

It cannot be demonstrated that there would be no net detriment to the aquifer system, therefore the Solano to Crestview HA allocation transfer request should be denied. Furthermore, the transfer does not appear benefit the Agency in meeting the prime objectives and purposes of the Agency "to preserve groundwater resources for agricultural, municipal, and industrial uses in the best interest of the public and for the common benefit of all water users" (GMP, 2007).

Solano Verde Mutual Water Company Application for Transfer of Historical Allocation –



Kathleen Riedel, P.G., C.E.G.
Groundwater Specialist
Watershed Protection District

Applicable Ordinance Code Section

Sections 5.3.2., 5.3.4. and 5.3.5. provide for allocation to be transferred between M&I extraction facilities provided there is no net detriment to the aquifer system and it is equitable.

In making this determination at a minimum the following is to be considered:

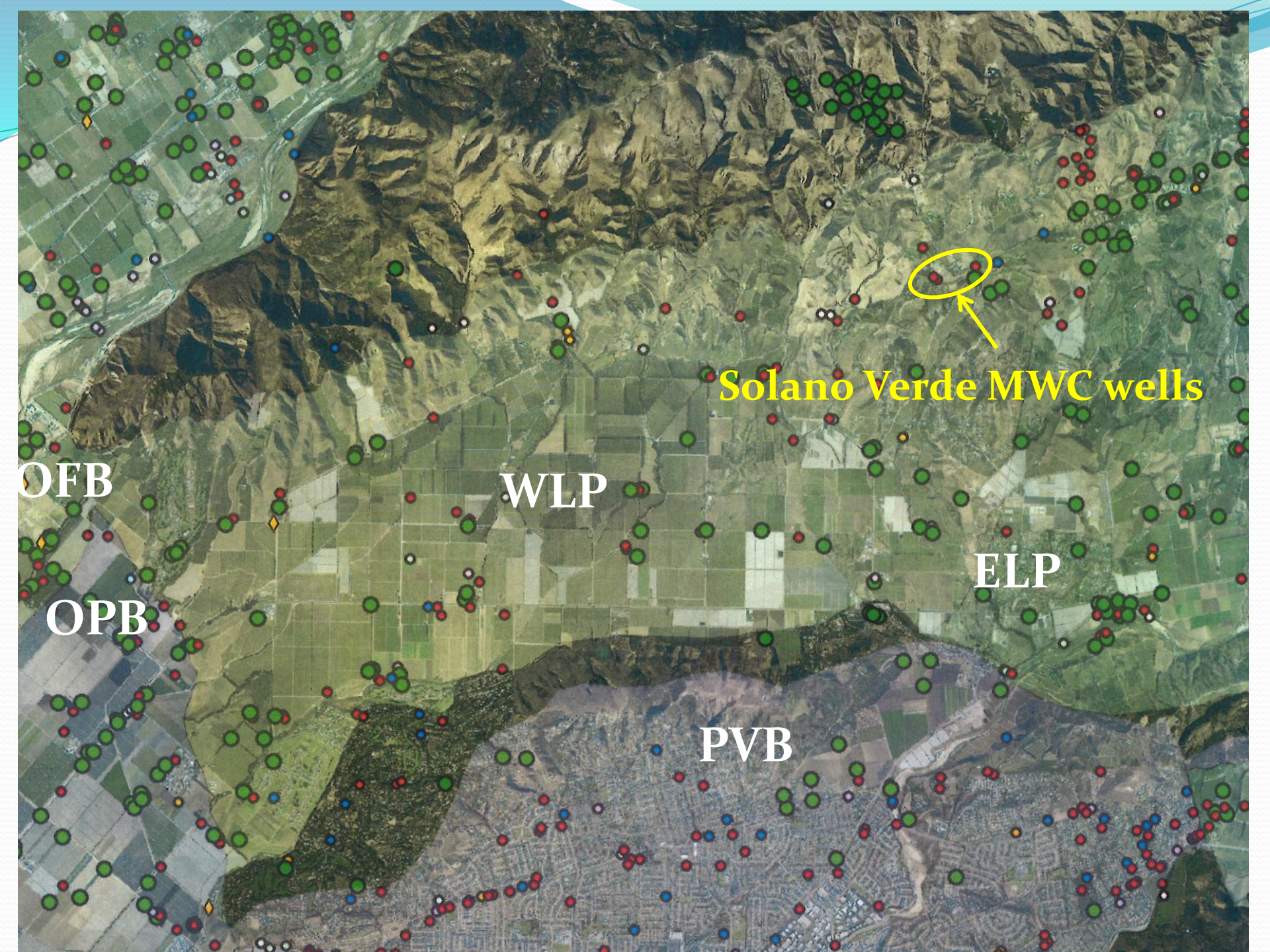
- the location of extraction facilities;
- the aquifer system being used;
- groundwater quality impacts of the transfer; and
- overall assessment of cumulative impacts.

Policy Implications

- Should an Operator be allowed to transfer all of their Historical Allocation, leaving the Operator with no future / or clearly inadequate groundwater allocation to meet potential future demand?
- Should the Allocation go to the water purveyor upon annexation?
- Should the receiving water purveyor receiving historical allocation be required to return that Allocation if a new well owner separates from the water purveyor?

Specific Request

- On May 30, 2013, Solano Verde Mutual Water Company submitted an application for transfer of 145.001 AF/yr historical allocation to Crestview Mutual Water Company.



Solano Verde MWC wells

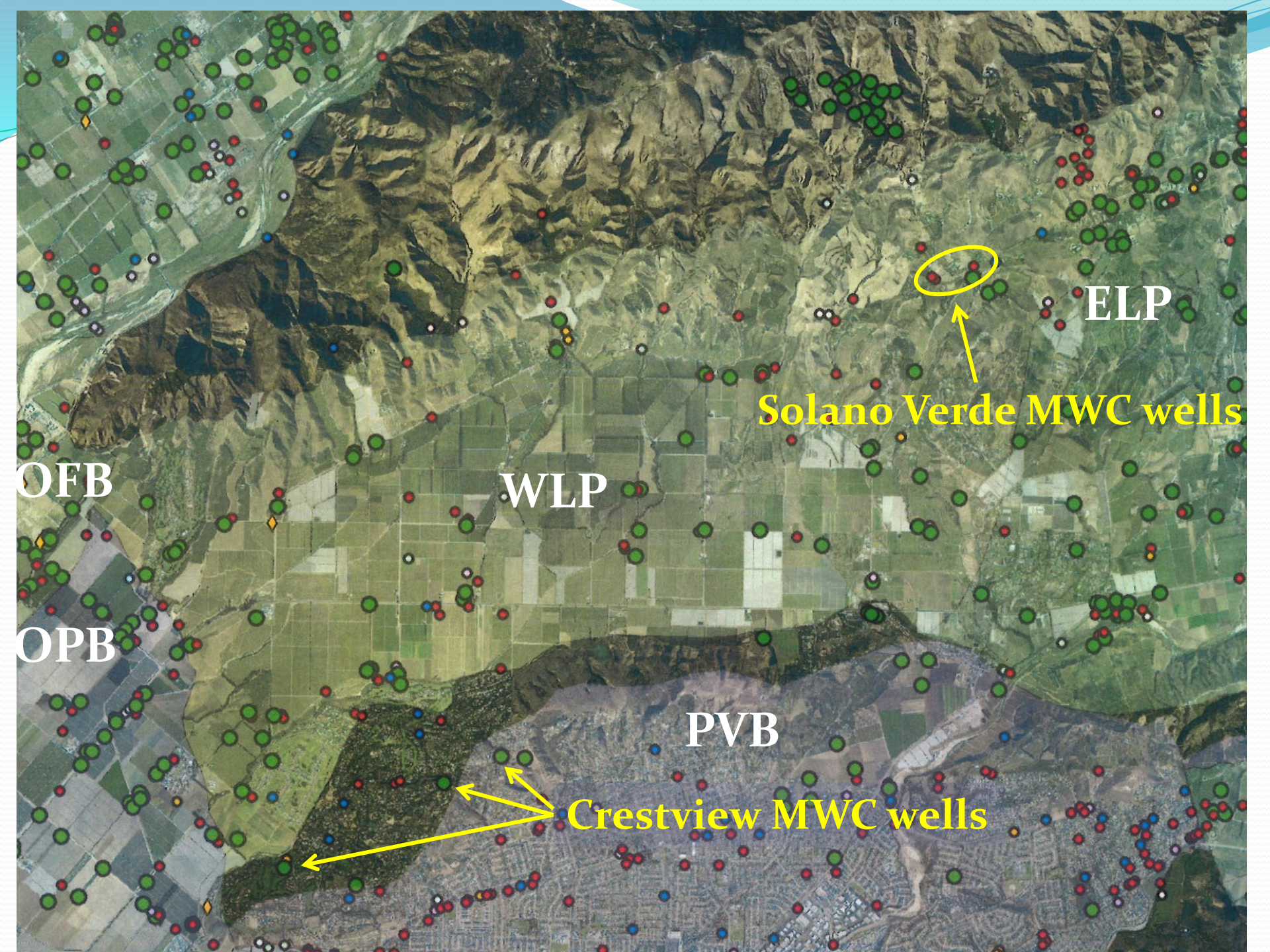
OFB

WLP

ELP

OPB

PVB



ELP

Solano Verde MWC wells

OFB

WLP

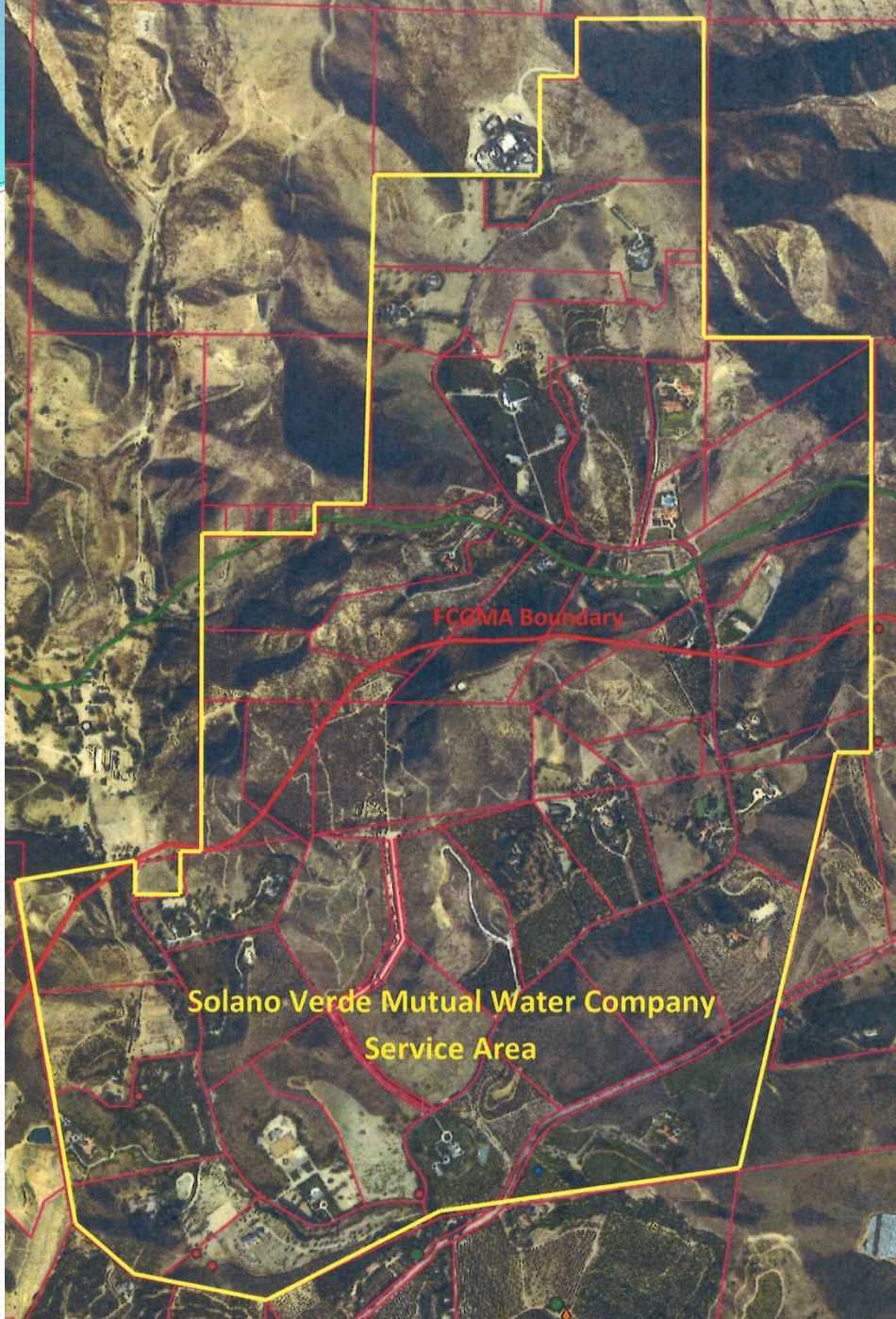
OPB

PVB

Crestview MWC wells

Solano Verde Mutual Water Company

- Service Area: about 922 acres (about 533 acres within FCGMA boundary).
- Provides water for:
 - 15 domestic connections and
 - 38 agricultural connections.
- In 1997 and 1999 delivered water for irrigation of 99.50 acres of mature lemons.



Solano Verde Mutual Water Company

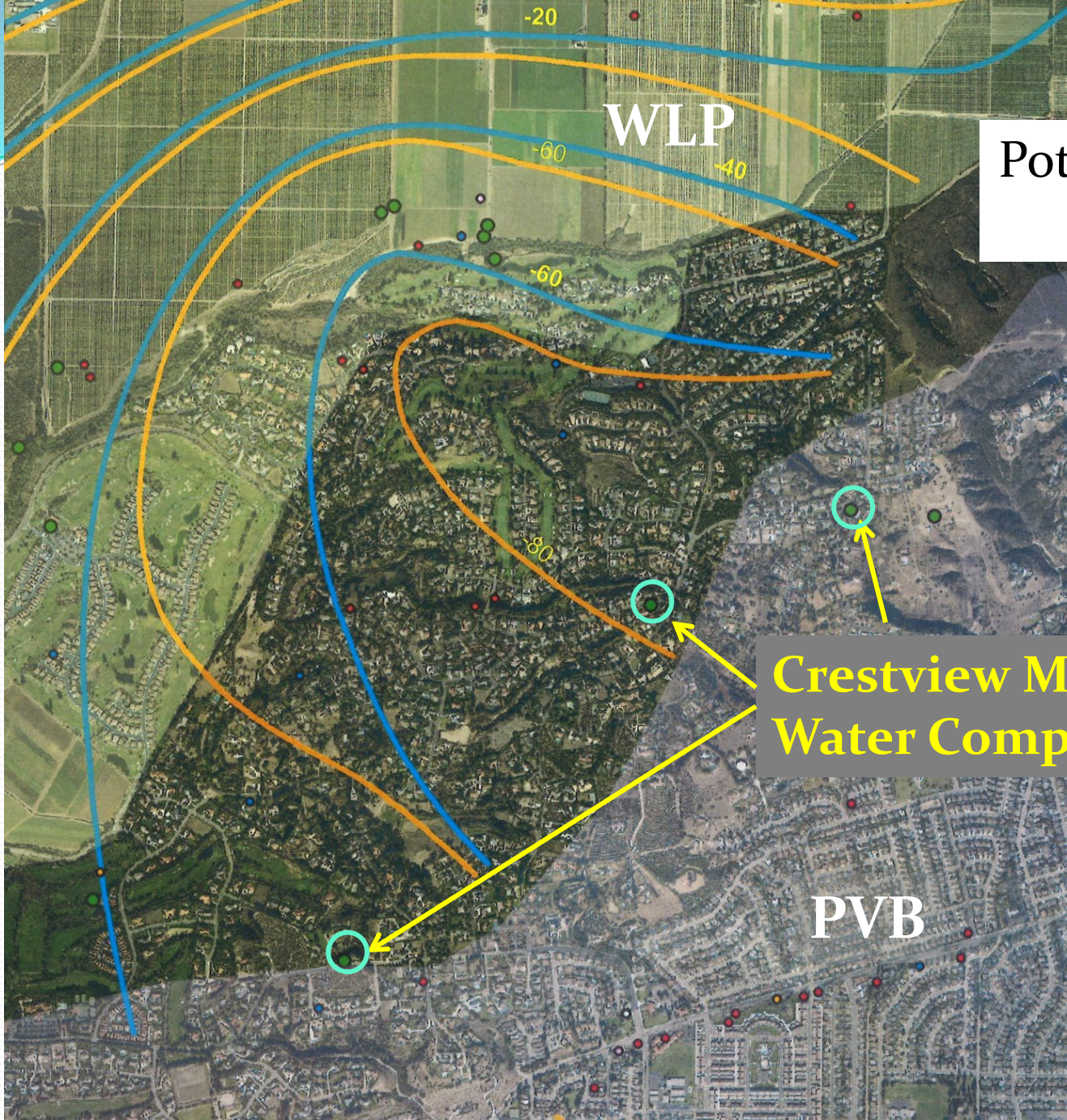
- Extracted groundwater from two wells until 2005. Wells were destroyed under permit in 2009.
- Annual extractions approximately 200 to 300 AF/year.
- Currently provides water supplied by Calleguas Municipal Water District.
- Service area is within the Ventura County Water Works District No. 19 service area.

Solano Verde Mutual Water Company

- Origin historical allocation: 231.794 AF/yr.
- Three HA transfers approved: two in 2006 totaling 35 AF/yr; and one in 2010 for 51.793333 AF/yr.
- Current HA of 145.00067 AF/yr.
- Baseline allocation of 80.10 AF/yr
- In 2006 and 2007, credits (totaling 111.4 AF) were transferred from Solano Verde to Calleguas Municipal Water District for in lieu water deliveries.

Crestview Mutual Water Company

- Formed in 1950.
- Provides water for 603 domestic connections.
- Service area is located in the Camarillo Hills, near the southwest corner of the West Las Posas Basin and the northwestern portion of the Pleasant Valley Basin.
- CMWC operates three wells.



Potentiometric Surface Contours

- Spring 2012
- Fall 2012

Crestview Mutual Water Company wells

PVB

WLP

-20

-60

-40

-60

-80

Crestview Mutual Water Company

- Has an HA of 912.142 AF.
- Annual reported extractions are in the 700 to 800 AF/year range (with some big variations).
- Service area encompasses 932 acres.

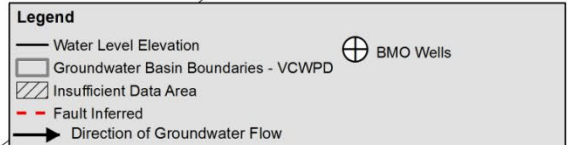
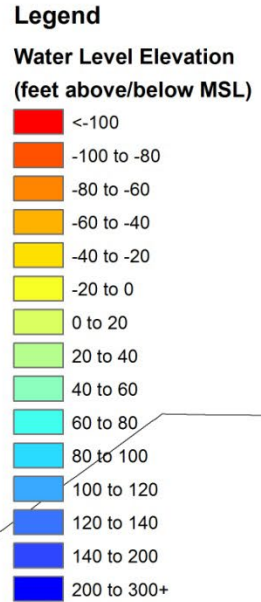
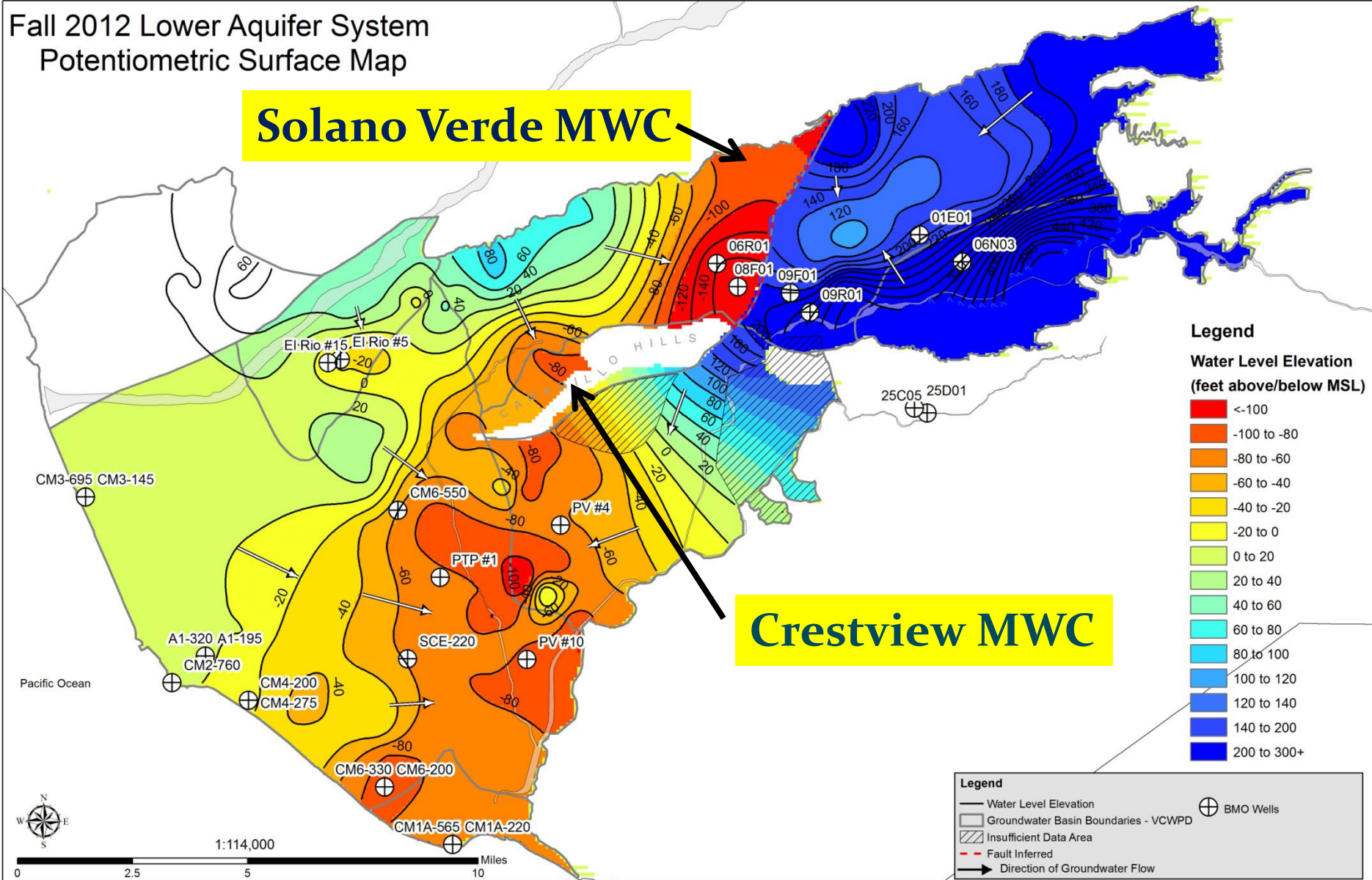
Discussion

- HA is a result of providing water to customers during the 1985 to 1989 period.
- No indication that customer base water demand has declined.

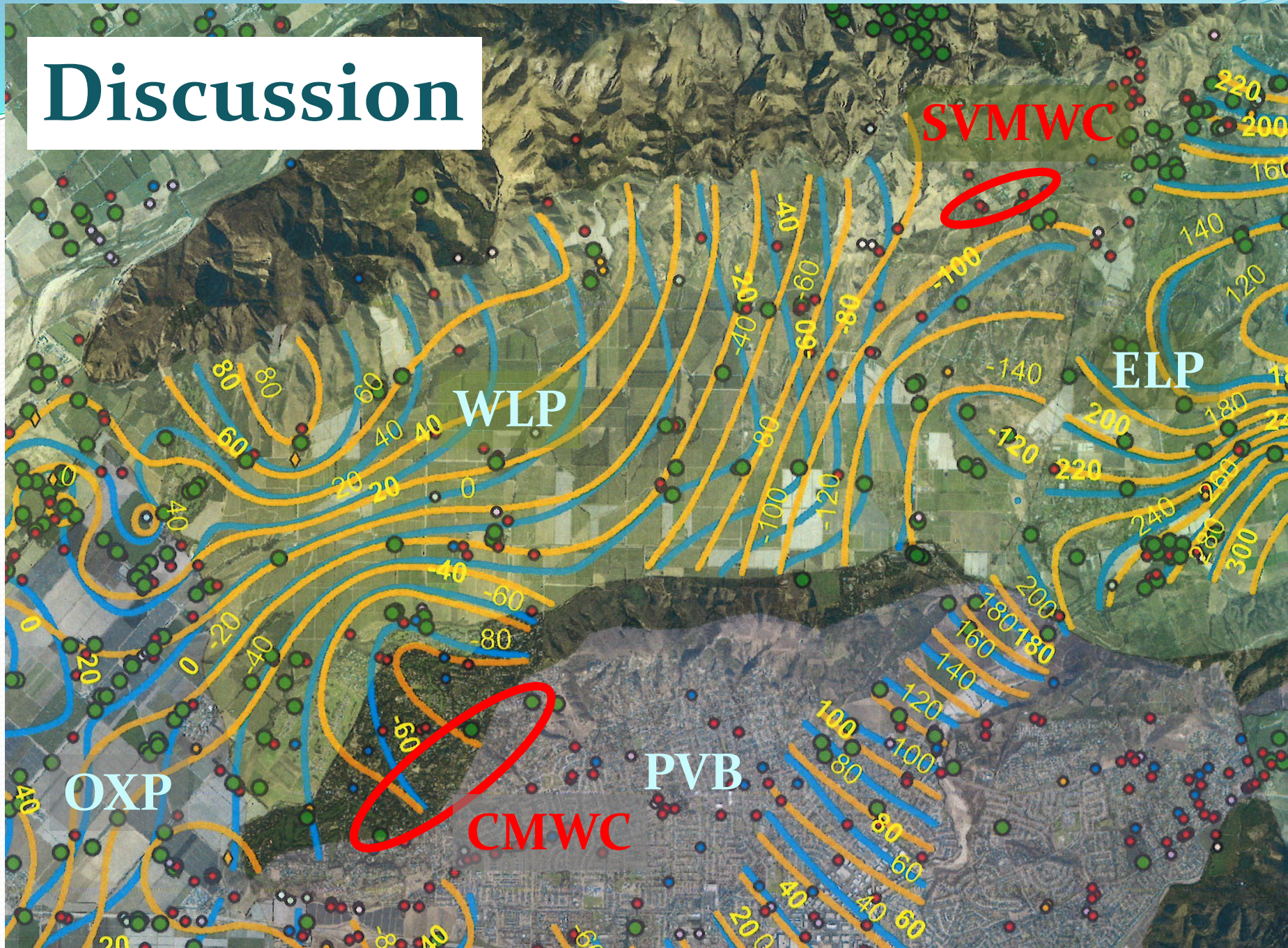
Fall 2012 Lower Aquifer System
Potentiometric Surface Map

Solano Verde MWC

Crestview MWC



Discussion



Discussion

- Concern expressed regarding expansion of use, that new wells are being drilled on parcels that were provided water during the period 1985 to 1989, yet the HA developed based on water provided to the parcel is not being transferred to the new well owner.
- Granting this allocation transfer would be inconsistent with LPUG desire to limit expansion of use and the potential for “double dipping”.

Discussion

- A similar situation may exist with UWCD and its PTP customers.
- The intent of with the completion of the PTP system, was the abandonment of private wells as operators become customers of UWCD and services.
- With that well abandonment there should have been a transfer of allocation to UWCD. That never occurred.

Options:

- Grant HA transfer as requested.
- Conditionally grant the HA transfer to CMWC. Require the HA per acre be recorded for the Solano Verde customers, and provided back to them from CMWC if they install a private well.
- Do not grant the HA transfer. Require the remaining HA to be assigned to the water purveyor which provides water to the Solano Verde customers, where it could be prorated back if they install a private well and /or decrease the fees charged for the water that the customers are provided.
- Grant the HA transfer with the condition that an efficiency allocation is not available to parcels once served by Solano Verde.

Policy Implications

- Should an Operator be allowed to transfer all of their Historical Allocation, leaving the Operator with no future / or clearly inadequate groundwater allocation to meet potential future demand?
- Should the Allocation go to the water purveyor upon annexation?
- Should the receiving water purveyor receiving historical allocation be required to return that Allocation if a new well owner separates from the water purveyor?