

Ventura Local Agency Formation Commission

# Fox Canyon Groundwater Management Agency

Municipal Service Review



Prepared By:  
Ventura Local Agency Formation Commission  
801 S. Victoria Avenue, Suite 301  
Ventura, CA 93003

**DRAFT** Accepted by the Commission on [insert date]

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## Introduction

### ***Purpose of the Municipal Service Review***

Local Agency Formation Commissions (LAFCOs) exist in each county in California and were formed for the purpose of administering state law and local policies relating to the establishment and revision of local government boundaries. According to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code § 56000 et seq.), LAFCo's purposes are to:

- discourage urban sprawl;
- preserve open space and prime agricultural land;
- ensure efficient provision of government services; and
- encourage the orderly formation and development of local agencies.

To achieve these purposes, LAFCOs are responsible for coordinating logical and timely changes in local government boundaries (such as annexations), conducting special studies that identify ways to reorganize and streamline governmental structure, and determining a sphere of influence for each city and special district over which they have authority.

A **sphere of influence** is a plan for the probable physical boundaries and service area of a local agency, as determined by LAFCo (Government Code § 56076). Beginning in 2001, each LAFCo was required to review, and as necessary, update the sphere of each city and special district on or before January 1, 2008, and every five years thereafter (Government Code § 56425(g)). Government Code § 56430(a) provides that in order to determine or update a sphere of influence, LAFCo shall prepare a **Municipal Service Review (MSR)** and make written determinations relating to the following seven factors:

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by Commission policy.

MSRs are not prepared for counties but are prepared for special districts including those governed by a county Board of Supervisors. Additionally, while LAFCOs are authorized to prepare studies relating to their role as boundary agencies, they have no investigative authority.

LAFCo staff prepared this MSR for the Fox Canyon Groundwater Management Agency (FCGMA, or the Agency) using information obtained from multiple sources, including, but not limited to:

- **MSR Questionnaire:** A questionnaire supplied by LAFCo elicited general information about FCGMA (e.g., contact information, governing body, financial information), as well as service-specific data;
- **Budget:** The adopted budget provided information regarding services and funding levels;
- **General Plans:** The Ventura County General Plan and general plans of the cities included within FCGMA's sphere of influence provided information regarding land use, populations, and service levels;
- **District Documents:** Various FCGMA documents provided supplementary information relating to service provision;
- **Historical MSR:** The 2004 MSR provided certain data that remain relevant and accurate for inclusion in the current MSR;
- **District Website:** FCGMA's website provided supplementary and clarifying information; and
- **County Staff:** County staff provided supplementary and clarifying information.

### ***Organization of the MSR***

This report is organized into several sections, as follows:

- **Maps:** A general location map and the official LAFCo map of FCGMA;
- **Profile:** Summary profile of information about FCGMA, including contact information, governing body, summary financial information, and staffing levels;
- **Growth and Population Projections:** Details of past, current, and projected population for FCGMA;
- **Review of Municipal Services:** Discussion of the municipal services that FCGMA provides;
- **Sphere of Influence:** Discussion of the existing sphere of influence of FCGMA and potential modifications to the sphere; and
- **Written Determinations:** Recommended determinations for each of the seven mandatory factors for FCGMA.

The Commission's acceptance of the MSR and adoption of written determinations will be memorialized through the adoption of a resolution that addresses each of the seven mandatory factors based on the Written Determinations section of the MSR.

## Maps

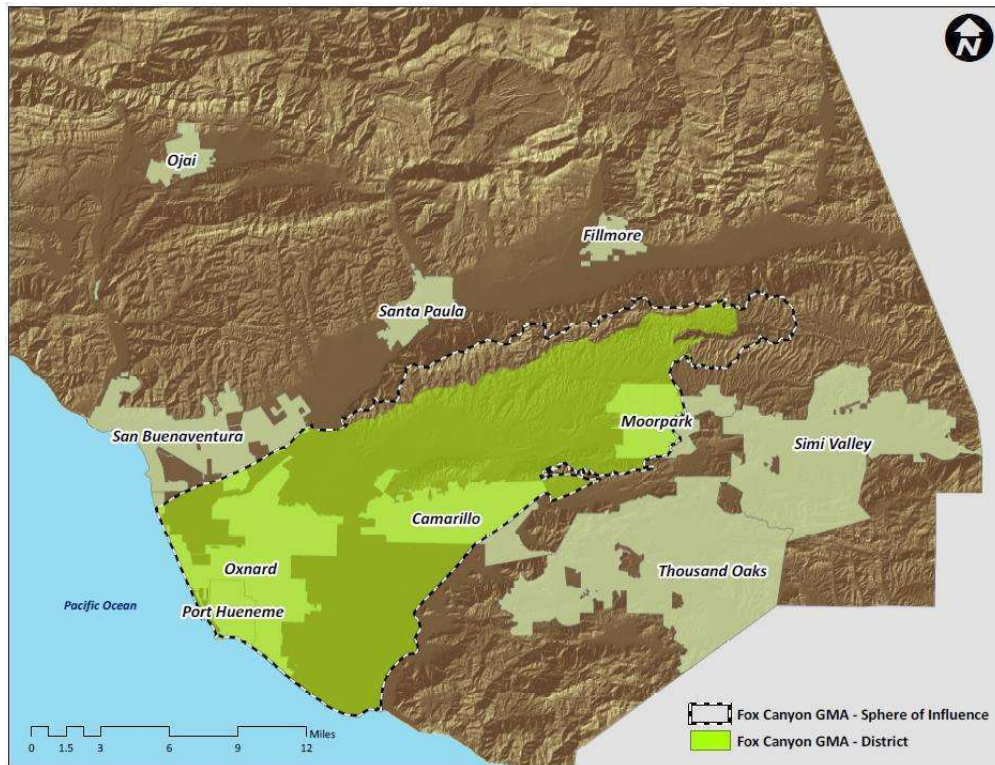


Figure 1 – Location Map (Source: LAFCo)

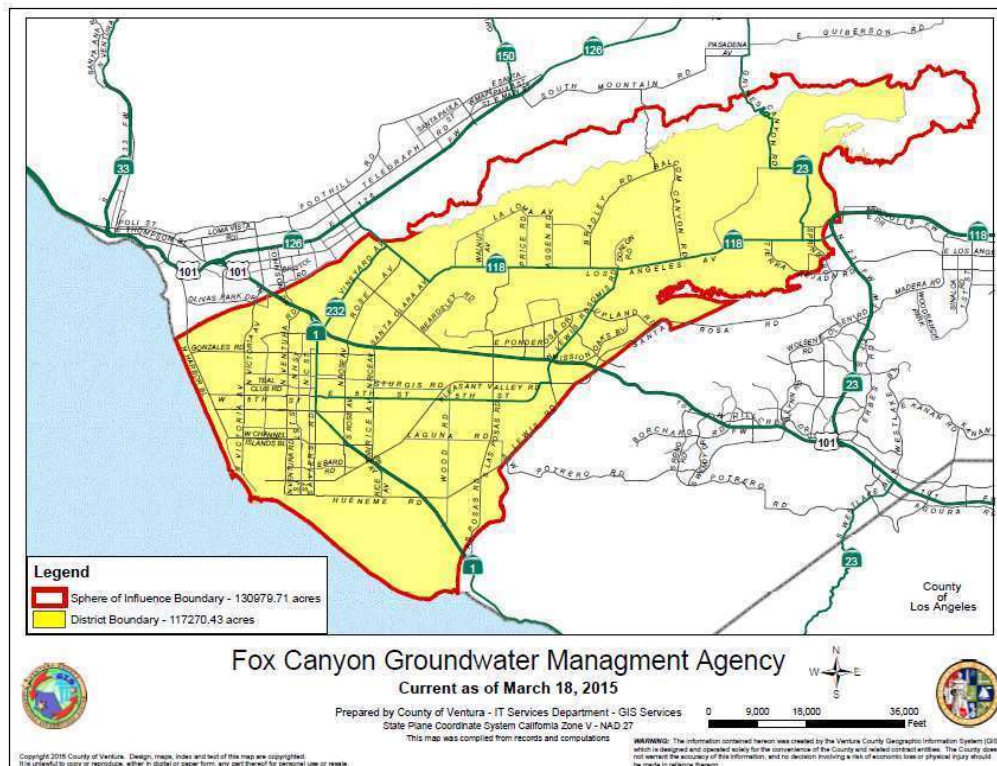


Figure 2 – Official LAFCo Map (Source: LAFCo)

## Profile

FCGMA was formed in 1982 to regulate, conserve, manage, and control the use and extraction of groundwater to help preserve groundwater resources, and to impede seawater intrusion beneath the Oxnard Plain. The jurisdictional area of the Agency includes the land overlying the following groundwater basins: Arroyo Santa Rosa Basin, Las Posas Valley Basin, Oxnard Subbasin, and Pleasant Valley Basin. This area accounts for over half of the water demand for populations of five cities (i.e., portions of the cities of Camarillo, Moorpark, and San Buenaventura, and all of the cities of Oxnard and Port Hueneme) as well as several unincorporated communities (i.e., El Rio, Nyeland Acres, Somis, and Point Mugu, and a portion of Saticoy) whose residents rely on these groundwater resources.

The District's mission is provided as follows:



*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, domestic, and municipal and industrial users.*

### Contact Information

Interim Executive Officer	Arne Anselm
District Office	800 S. Victoria Avenue, Ventura, CA 93009
Mailing Address	800 S. Victoria Avenue L#1610, Ventura, CA 93009
Phone Number	(805) 654-3350
Website	fcgma@ventura.org
E-mail Address	arne.anselm@ventura.org

### Governance Information

Formation Date	September 13, 1982
Legal Authority	<u>Fox Canyon Groundwater Management Act (Assembly Bill 2995), contained in the State Water Code Appendix, Chapter 121</u>
Type of District	Independent <sup>1</sup>
Board of Directors	Five members. One member appointed from the membership of each of the following groups: County of Ventura, United Water Conservation District, the five cities located within the district (San Buenaventura, Oxnard, Camarillo, Port Hueneme, and Moorpark), the seven water-serving agencies located within the district (Alta Mutual Water Company, Pleasant Valley County Water District, Berylwood Mutual Water Company, Calleguas Municipal Water District, Camrosa Water District, Zone Mutual Water Company, and Del Norte Mutual Water Company), and a farmers representative.
Board Meetings	4 <sup>th</sup> Wednesday of most months, beginning at 12:30 p.m. 800 S. Victoria Avenue, Ventura, CA 93009 Ventura County Government Center, Board of Supervisors Hearing Room Broadcast live on the FCGMA website and archived for viewing at any time.

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<sup>1</sup> Because members of the FCGMA Board of Directors are appointed to fixed terms, FCGMA is an independent special district.

## Services Provided

FCGMA is authorized to manage and protect aquifers and groundwater basins within southern Ventura County.

## Population and Area Information

	<i>Population<sup>2</sup></i>	<i>Area (square miles)</i>
Jurisdictional Area	349,727	183.24
Sphere of Influence Area	349,841	204.66

## Staffing – Full Time Equivalent Positions<sup>3</sup>

Executive/Management	Professional/Support	Operational	Total
0	0	0	0

## Primary Revenue Sources

Fees and Charges  
Grants  
Other

## Primary Expenses

Program Maintenance, Reporting and Compliance  
Salaries and Benefits<sup>4</sup>  
Professional Services

## FY 2024-25 Revenues (Budget)<sup>5</sup>

\$10,896,272

## FY 2024-25 Expenditures (Budget)<sup>6</sup>

\$12,120,348

<sup>2</sup> Source: FCGMA staff, using 2020 U.S. Census data

<sup>3</sup> Source: FCGMA has no staff and is limited by its enabling legislation to contract with the County of Ventura or United Water Conservation District for staffing services. Since its inception and presently, the District contracts with the County (i.e., the Ventura County Watershed Protection District, which is also a special district that is staffed by the County) for staffing services (i.e., 12.08 full-time equivalent positions at highest staffing levels).

<sup>4</sup> While the District has no staff and does not have direct costs related to salaries and benefits, it incurs expenses related to its contract with the County of Ventura for its staffing needs. For example, positions supporting FCGMA include the Executive Officer, Agency Counsel, Groundwater Manager and Assistant Groundwater Manager, Engineer/Hydrologist/Groundwater Specialist, Water Resource Specialists, Administrative Assistant, and Clerk of the Board. This line item reflects the District's financial obligations related to staffing by contract.

<sup>5</sup> The FCGMA budget is entirely separate from the Las Posas Valley Basin (LPVB) Watermaster budget. The LPVB Watermaster is discussed later in this report.

<sup>6</sup> Expenditures exceed revenues by \$1,224,076 and include expected increases over prior years to reflect efforts related to the five-year Groundwater Sustainability Plan (GSP) evaluations, drilling of monitoring wells, and groundwater adjudication. The FCGMA's reserves ensure that it will maintain sufficient fund balance to cover the exceedance (i.e., \$5,389,328 at the end of FY 2024-25). Pursuant to recommendation by the Fiscal Committee as part of the preparation of the FY 2024-25, FCGMA has increased its contingency line item from the traditional annual amount of \$100,000 to \$250,000 for FY 2024-25 and plans to pursue development of a contingency policy in future Fiscal Committee meetings. In addition, the Fiscal Committee anticipates fiscal policy discussions, as outlined in the Proposed Budget Report for FY 2024-25, to assist FCGMA in addressing the anticipated future depletion of fund balance. Furthermore, a time extension of the FCGMA's authorization to impose a groundwater extraction fee to directly support the litigation reserve fund related to the FCGMA's groundwater sustainability program (i.e., [Resolution 2024-05](#)) ensures the continuation of that revenue source for an additional year to assist with funding legal representation for FCGMA (a fee is anticipated to be evaluated annually for the foreseeable future).

## Public Agencies with Overlapping Jurisdiction

Bardsdale Cemetery District	Oxnard Drainage District No. 2
Calleguas Municipal Water District	Oxnard Harbor District
Camarillo Health Care District	Piru Public Cemetery District
Camarillo Sanitary District	Pleasant Valley County Water District
Camrosa Water District	Pleasant Valley Recreation and Park District
Channel Islands Beach Community Services District	United Water Conservation District
City of Camarillo	Ventura County Fire Protection District
City of Moorpark	Ventura County Resource Conservation District
City of Oxnard	Ventura County Service Area No. 14
City of Port Hueneme	Ventura County Service Area No. 30
City of San Buenaventura	Ventura County Service Area No. 32
Fillmore-Piru Memorial District	Ventura County Service Area No. 34
Fox Canyon Groundwater Management Agency	Ventura County Watershed Protection District
Gold Coast Transit District	Ventura County Waterworks District No. 1
Hidden Valley Municipal Water District	Ventura County Waterworks District No. 19
Metropolitan Water District of Southern California	Ventura Regional Sanitation District
Oxnard Drainage District No. 1	

## **Growth and Population Projections**

*LAFCo is required to project the growth and population for the affected area (Government Code § 56430(a)(1)).*

According to the FCGMA, using U.S. Census Bureau figures, the estimated 2020 population within the District's jurisdictional boundary was 349,727 and within its sphere of influence was 349,841. Generally consistent with this estimate, the District estimates a population of 350,000 within both its jurisdictional boundaries and its sphere of influence.

## Review of Municipal Services

The review of the District's services is based on provisions of state law which require LAFCo to make determinations regarding the present and planned capacity of public facilities, the adequacy of public services, infrastructure needs and deficiencies, and the District's financial ability to provide these services (Government Code § 56430(a)(3)).

### Groundwater Management Services

FCGMA was formed to regulate, control, conserve, and manage the use and extraction of groundwater within southern Ventura County to help preserve groundwater resources, and to impede seawater intrusion<sup>7</sup> and contamination<sup>8</sup> of groundwater beneath the Oxnard Plain.

#### Background & History

Seawater intrusion and declining groundwater levels in wells were first identified in the Oxnard Plain Basin in the 1930s. The United Water Conservation District (UWCD) was formed in 1950 to address insufficient groundwater recharge within the Oxnard Forebay.<sup>9</sup> The UWCD owns, operates, and manages several facilities and infrastructure systems, including the Lake Piru reservoir and Santa Felicia Dam, the Saticoy Groundwater Recharge Facility and the El Rio Groundwater Recharge Facility, the Oxnard-Hueneme Pipeline (which provides drinking water to the City of Oxnard, the Port Hueneme Water Agency (PHWA),<sup>10</sup> and several mutual water companies), the Pleasant Valley Pipeline and Pumping Trough Pipeline (which deliver surface water directly from the Santa Clara River to agricultural properties on the Oxnard Plain and in the Pleasant Valley area to reduce groundwater pumping), and the Freeman Diversion (which diverts water from the Santa Clara River to recharge local groundwater supplies and combat seawater intrusion). As described below, the responsibilities of the FCGMA and UWCD are related, and the two agencies have a symbiotic relationship.

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<sup>7</sup> The UWCD's 2020 Urban Water Management Plan (UWMP) states: "Due to groundwater extractions, groundwater resources are vulnerable to the effects of rising sea levels. When groundwater extraction exceeds recharge in coastal areas, water levels in the aquifers decline and an onshore hydraulic gradient can develop that promotes intrusion of seawater into the underlying aquifers. Seawater intrusion has already been documented in the Lower Aquifer System of the South Oxnard Plain" (page 3-5 of the 2020 UWMP).

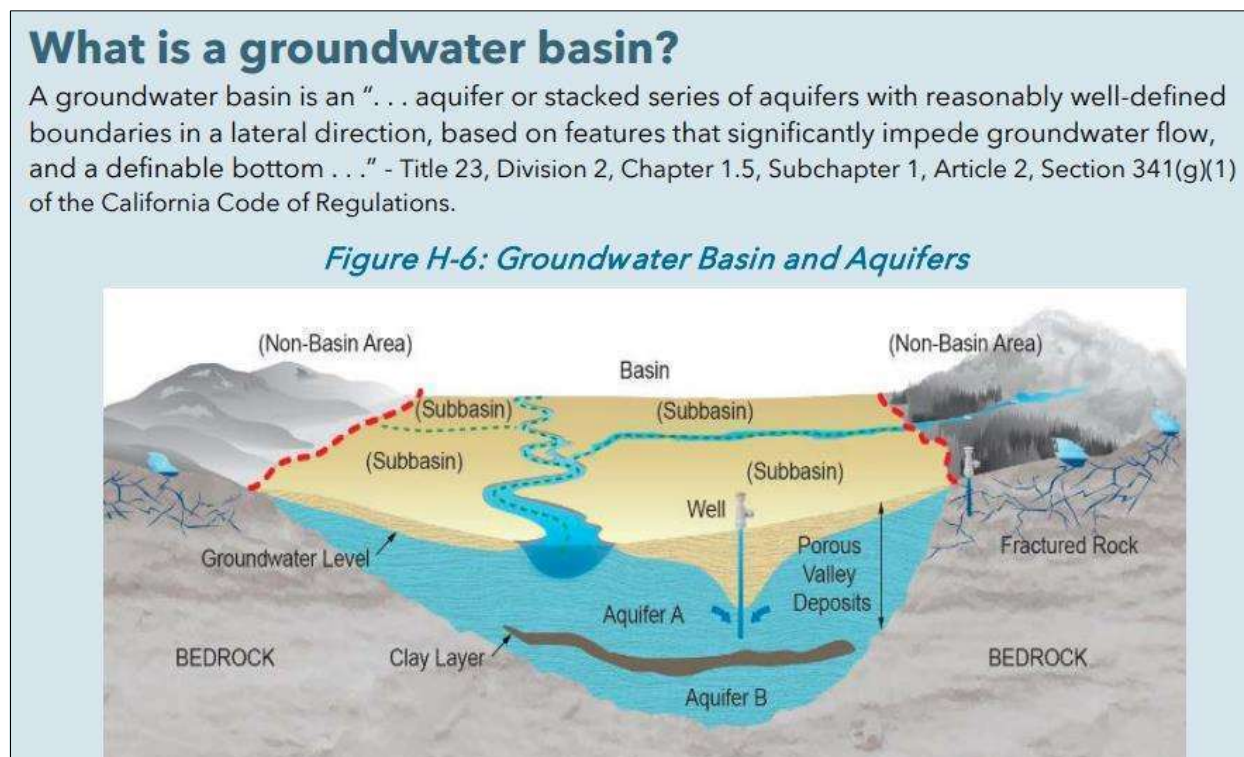
<sup>8</sup> Types of contamination include total dissolved solids (TDS), chloride, nitrate, sulfate, and/or boron entering the groundwater. According to the FCGMA, its role in protection against these contaminants is limited to supporting efforts to properly destroy abandoned wells where pollutants can migrate from the surface into the groundwater.

<sup>9</sup> According to the UWCD's 2020 UWMP, and as discussed in more detail later in this report, the "Oxnard Forebay is the unconfined portion of the Oxnard Plain Basin and is generally located along the Santa Clara River northeast of the intersection of Pacific Coast Highway and U.S. Highway 101 in the City of Oxnard."

<sup>10</sup> The Port Hueneme Water Agency (PHWA) operates under a Joint Powers Agreement and is governed by a board of directors consisting of three members of the City of Port Hueneme City Council and two directors from the Channel Islands Beach Community Services District. Water users of the PHWA include the City of Port Hueneme, the Channel Islands Beach Community Services District, and Naval Base Ventura County (i.e., Naval Construction Battalion Center Port Hueneme and Naval Air Weapons Station Point Mugu). According to the PHWA's 2020 UWMP, the PHWA provides a means to reduce historical seawater intrusion along the coast, enhance fire protection, improve water quality, encourage wastewater reclamation, and comply with the county-wide extraction reduction schedule. The PHWA operates a groundwater softening treatment plant, a storage tank, and a booster station and serves about 44,000 people.

FCGMA was formed by the California Legislature in 1982 through what is known as the Fox Canyon Groundwater Management Agency Act (FCGMA Act) (Assembly Bill 2995), for the purpose of overseeing groundwater resources through the management and protection of aquifers within several groundwater basins located in southern Ventura County. In furtherance of its purpose, the FCGMA Act authorizes FCGMA to “levy groundwater extraction charges on the extraction of groundwater from all water extraction facilities within the territory of the agency for the purposes of paying the costs of initiating, carrying on, and completing any of the powers, purposes and groundwater management activities described in this act.” FCGMA requires that all wells within its jurisdiction are registered and that groundwater extraction volumes generated from these wells be reported to FCGMA. FCGMA reports that a population of approximately 350,000 people in the area overlying the Fox Canyon aquifer rely on these groundwater resources for more than half of their water needs. The FCGMA boundary was adjusted in 1991 to reflect more precise understanding of location of the aquifers than what was available when the original jurisdictional boundaries were established.

According to the California Department of Water Resources (DWR), aquifers are defined as “the collective saturated spaces between many layers of sands, soils, and gravels (called alluvial aquifers), or the interconnected cracks in bedrock or volcanic deposits (called fractured rock aquifers). Layers of alluvial aquifers make up a groundwater basin,” as illustrated in Figure 3, below.



**Figure 3 – Groundwater Basin and Aquifers (Source: California Department of Water Resources ("California's Groundwater Update 2020 - Highlights"))**

Despite efforts to balance extractions and recharge groundwater resources first by 2000, and then by 2010, study of long-term overdraft and seawater intrusion has demonstrated that conditions were not sustainable, in that groundwater use exceeded recharge and that water quality continued to deteriorate. As a result, FCGMA (in partnership with the UWCD and the Calleguas Municipal Water District (CMWD)), prepared the 2007 Update to the FCGMA Groundwater Management Plan (GMP), which set forth “a series of short-term and long-term groundwater management projects and strategies designed to address the current imbalance between demand and availability of the groundwater resource.”<sup>11</sup> The Groundwater Management Plan acknowledged that pumping reductions, shifting of pumping from the Upper Aquifer System to the Lower Aquifer System within the Oxnard Subbasin, the UWCD’s construction of the Freeman Diversion and operation of the Pumping Trough Pipeline and Pleasant Valley Pipeline systems have all had desirable results related to the combating of seawater intrusion. The development of groundwater sustainability plans (GSPs), required to be prepared pursuant to the Sustainable Groundwater Management Act (SGMA), effectively replaces the function of the Groundwater Management Plan; therefore, FCGMA does not intend to prepare any updates to the 2007 Groundwater Management Plan. The Groundwater Management Plan for each groundwater basin documents geological and hydrologic conditions for that basin, historical extractions and recharge, and best management practices for achieving sustainable yield (if yield is not already sustainable). According to SGMA, sustainable yield is defined as “the maximum quantity of water, calculated over a base period representative of long-term conditions in the basin and including any temporary surplus, that can be withdrawn annually from a groundwater supply without causing an undesirable result.” A detailed discussion of SGMA and Groundwater Sustainability Plans is provided below under *Sustainable Groundwater Management Act (SGMA) & Groundwater Sustainability Plans (GSPs)*, and sustainable yield is discussed more thoroughly below under *Sustainable Yield of Groundwater Basins within FCGMA*.

### Service Area

The FCGMA’s jurisdictional area contains seven groundwater basins and includes five cities (i.e., the entirety of the cities of Oxnard and Port Hueneme, and portions of the cities of Camarillo, Moorpark, and San Buenaventura), as well as unincorporated communities (i.e., El Rio, Nyeland Acres, Somis, Point Mugu, and a portion of Saticoy) that rely on these groundwater resources to support agricultural, municipal, and industrial uses. In addition to the cities listed, water purveyors within FCGMA include two wholesale water districts (i.e., Calleguas Municipal Water District and United Water Conservation District) as well as several retail water districts and companies.

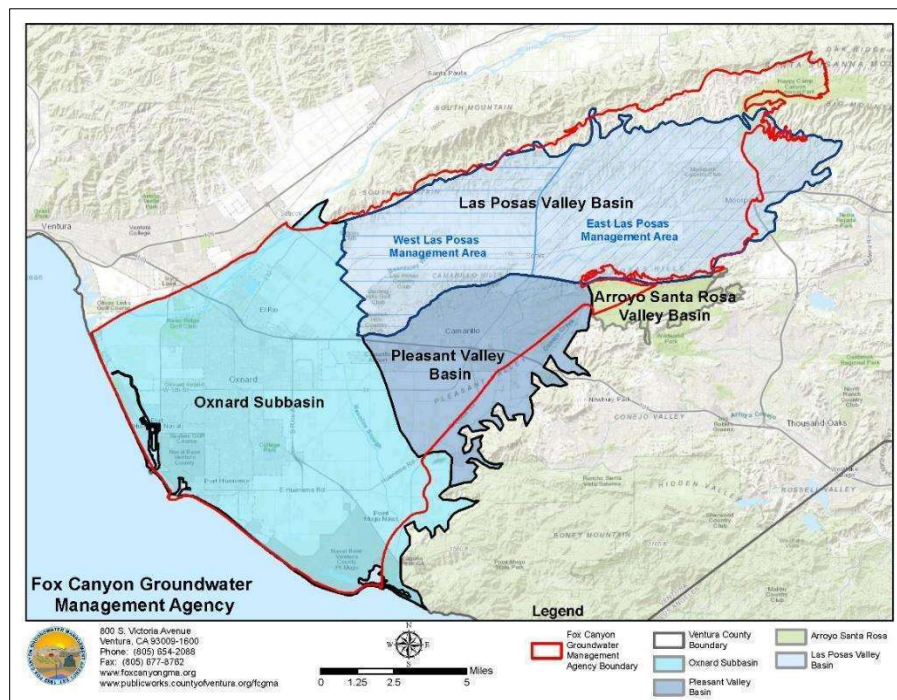
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<sup>11</sup> Examples of strategies for managing groundwater basins to meet best management objectives included: (1) implementation of the City of Oxnard’s Groundwater Recovery Enhancement and Treatment (GREAT) program (components of the GREAT program include use of treated wastewater as recycled water (processed at the City’s Advanced Water Purification Facility), groundwater injection, storage and recovery, and groundwater desalination)) and (2) development of brackish groundwater in the Pleasant Valley Basin (i.e., the City of Camarillo’s North Pleasant Valley Groundwater Treatment Facility).

The jurisdictional area of FCGMA contains all or portions of the following seven groundwater basins: (1) Arroyo Santa Rosa Basin, (2) East Las Posas Basin, (3) South Las Posas Basin, (4) West Las Posas Basin, (5) Oxnard Forebay Basin, (6) Oxnard Plain Basin, and (7) Pleasant Valley Basin. Six primary aquifers exist within FCGMA’s boundaries: (1) Perched or Semi-Perched Zone, (2) Oxnard Aquifer, (3) Mugu Aquifer, (4) Hueneme Aquifer, (5) Fox Canyon Aquifer, and (6) Grimes Canyon Aquifer. Stratigraphic (i.e., rock layer) equivalents of these aquifers and other local systems are identified in each of the three groundwater subbasins within FCGMA’s boundaries, summarized in Figure 4, below:

<b>Figure 4 – Aquifer Stratigraphic Equivalents within FCGMA (Source: FCGMA staff)</b>	
<b>Las Posas Valley Basin</b>	<b>Oxnard Forebay Basin</b>
<ul style="list-style-type: none"> <li>• Shallow Alluvial Aquifer</li> <li>• Epworth Gravels Aquifer</li> <li>• Upper San Pedro Formation</li> <li>• Fox Canyon Aquifer</li> <li>• Grimes Canyon Aquifer</li> </ul>	<ul style="list-style-type: none"> <li>• Semi-Perched Zone</li> <li>• Oxnard Aquifer</li> <li>• Mugu Aquifer</li> <li>• Hueneme Aquifer</li> <li>• Fox Canyon Aquifer</li> <li>• Grimes Canyon Aquifer</li> </ul>
<b>Pleasant Valley Basin</b>	<b>Arroyo Santa Rosa Valley Basin</b>
<ul style="list-style-type: none"> <li>• Semi-Perched Zone</li> <li>• Shallow Alluvial Aquifer</li> <li>• Older Alluvium (Oxnard and Mugu equivalent)</li> <li>• Upper San Pedro Formation (Hueneme equivalent)</li> <li>• Fox Canyon Aquifer</li> <li>• Grimes Canyon Aquifer</li> </ul>	<ul style="list-style-type: none"> <li>• Shallow Alluvium</li> <li>• Upper Groundwater Producing Zone</li> <li>• Low Permeability Unit</li> <li>• Lower Groundwater Producing Zone</li> <li>• Conejo Volcanics (base layer)</li> </ul>

An overall depiction of local groundwater basins as they relate to the FCGMA’s jurisdictional boundaries is provided in Figure 5, below:



**Figure 5 – Groundwater Basins within FCGMA (Source: FCGMA)**

The Santa Clara River is the primary source of groundwater recharge within the FCGMA's jurisdictional area. The Santa Clara River's headwaters are located in the Angeles National Forest in Los Angeles County, and the river flows southwest into Ventura County through the Santa Clara River valley area (i.e., generally south of the community of Piru and the cities of Fillmore and Santa Paula) and between the cities of San Buenaventura and Oxnard, ultimately reaching the Pacific Ocean at McGrath State Beach and the Ventura Harbor. The river provides recharge to aquifers by direct (natural) infiltration through the streambed, and indirectly through the facilities that are owned and operated by the United Water Conservation District (e.g., the Freeman Diversion in Saticoy (which redirects a portion of the water from the river to spreading basins in order to support groundwater recharge and replenishment, and to buffer against seawater intrusion), and the Saticoy and El Rio groundwater recharge facilities which support infiltration into the Oxnard Subbasin). This water then becomes available for extraction through the approximately 1,350 groundwater wells within the FCGMA's service area. Of those wells, currently 875 are registered as active. The remaining wells are registered backup wells, or abandoned wells that are designated for monitoring of water levels or water quality.

### *Sustainable Groundwater Management Act (SGMA) & Groundwater Sustainability Plans (GSPs)*

The Sustainable Groundwater Management Act (SGMA) of 2014 (i.e., Water Code Section 10720 et seq.) requires the formation of local groundwater sustainability agencies (GSAs) for high-priority or medium-priority water basins, as determined by the California Department of Water Resources (DWR). Groundwater Sustainability Agencies are required to evaluate local water basin conditions and develop Groundwater Sustainability Plans. The purpose of a Groundwater Sustainability Plan is to define sustainability for an individual basin and establish a path toward sustainability by 2040 for high-priority basins, and 2042 for medium-priority basins.

FCGMA is a Groundwater Sustainability Agency that is responsible for the oversight of all or portions of the Arroyo Santa Rosa Groundwater Basin, Las Posas Basin, Oxnard Subbasin, and Pleasant Valley Basin, pursuant to the SGMA which took effect in January 2015. FCGMA is the agency that prepared GSPs for critically-overdrafted<sup>12</sup> basins within its jurisdiction<sup>13</sup> (i.e., Las Posas Valley Basin (LPVB), Oxnard Subbasin, and Pleasant Valley Basin (PVB)) and jointly prepared a GSP for a very-low-priority basin within its jurisdiction (i.e., Arroyo Santa Rosa Basin).

According to the Department of Water Resources, which oversees the Groundwater Sustainability Agencies' compliance with SGMA, a "basin is subject to critical overdraft when

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<sup>12</sup> California's Groundwater Update 2020 describes groundwater overdraft as: "The condition of a groundwater basin or subbasin in which the amount of water withdrawn by pumping exceeds the amount of water that recharges the basin over a period of years, during which the water supply conditions approximate average conditions."

<sup>13</sup> According to FCGMA staff, the majority of these basins are within the FCGMA's jurisdictional boundaries, and the remaining portions of these basins are located within the jurisdiction of GSAs other than FCGMA. While FCGMA is also the GSA responsible for preparing a GSP for the Arroyo Santa Rosa Basin, DWR does not require submittal of a GSP for it.

continuation of present water management practices would probably result in significant adverse overdraft-related environmental, social, or economic impacts.” FCGMA’s responsibilities include the preparation of Groundwater Sustainability Plans, Groundwater Sustainability Plan annual reports, and five-year evaluation of the Groundwater Sustainability Plans. The Agency states that of the original 46 GSPs submitted to the Department of Water Resources in compliance with SGMA, GSPs prepared by FCGMA comprised three of the first eight approved by the DWR.

Information regarding the preparation of the Groundwater Sustainability Plans for these basins is summarized in Figure 6, below, and a discussion of each of the groundwater basins for which FCGMA prepared a Groundwater Sustainability Plan is provided later in this report, in the *Groundwater Basins within FCGMA* section.

<b>Figure 6 – GSPs within FCGMA (Sources: GSPs for the Las Posas Valley Groundwater Basin, Oxnard Subbasin, Pleasant Valley Groundwater Basin, Arroyo Santa Rosa Valley Groundwater Basin, and 2024 GSP annual reports for those basins)</b>					
<b>Basin Name</b>	<b>Basin Priority</b>	<b>Critically Overdrafted</b>	<b>GSA</b> s	<b>GSP Prepared</b>	<b>DWR Approval of GSP</b>
Las Posas Valley	High	No	FCGMA, Camrosa Water District-Las Posas GSA, and Las Posas Valley Outlying Areas GSA	December 2019	January 2022
Oxnard Subbasin	High	Yes	FCGMA, Camrosa Water District-Oxnard Subbasin GSA and Oxnard Outlying Areas GSA	December 2019	November 2021
Pleasant Valley	High	Yes	FCGMA, Camrosa Water District-Pleasant Valley GSA, and Pleasant Valley Outlying Areas GSA	December 2019	November 2021
Arroyo Santa Rosa Valley	Very low	No	FCGMA and Arroyo Santa Rosa GSA	May 2023	Currently under review

### *Groundwater Basins within FCGMA*

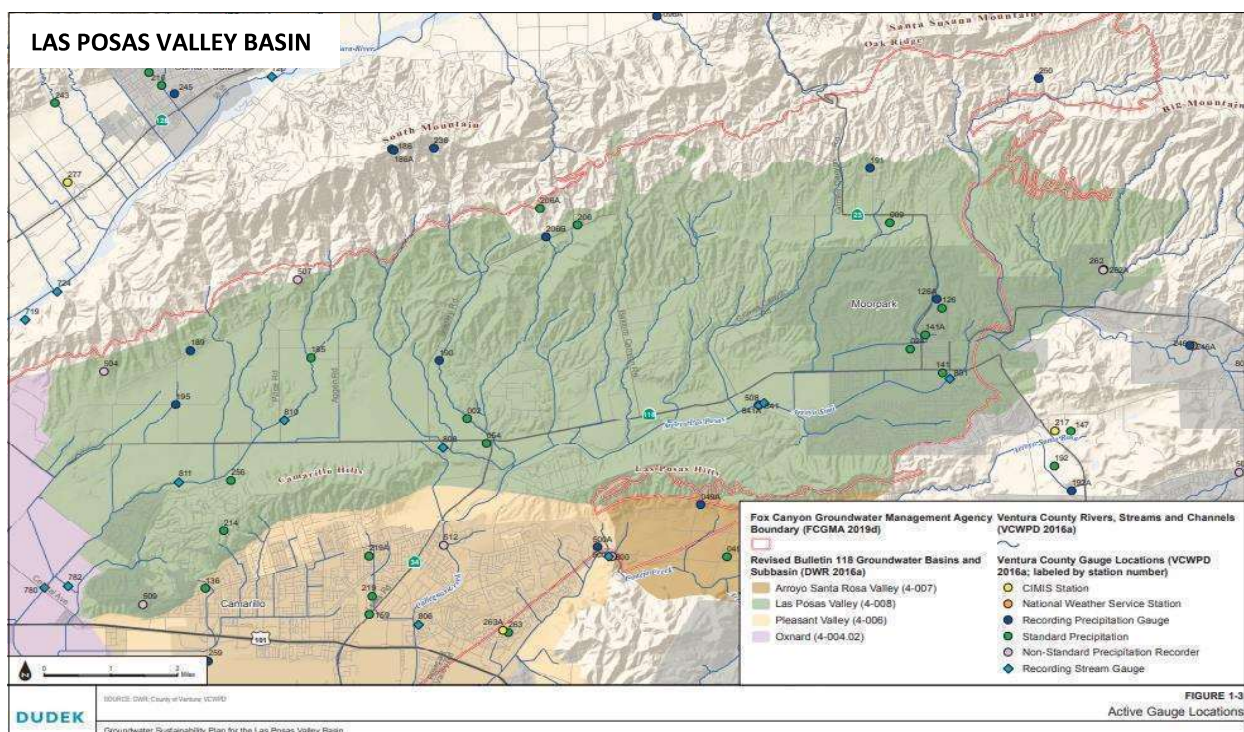
As summarized above, the FCGMA’s jurisdictional area contains several groundwater basins. FCGMA was responsible for the preparation of Groundwater Sustainability Plans for the Las Posas Valley Groundwater Basin, Oxnard Subbasin, and Pleasant Valley Groundwater Basin, and worked in partnership with the Arroyo Santa Rosa Groundwater Sustainability Agency to prepare the Groundwater Sustainability Plan for the Arroyo Santa Rosa Groundwater Basin. The GSPs provide detailed information about these groundwater basins, including the location, conditions, sustainability, and monitoring and management activities within each.

- *Las Posas Valley Groundwater Basin*

According to the GSP for the Las Posas Valley Basin, the Las Posas Valley Groundwater Basin is a single groundwater basin containing a western part (within the Fox Canyon Aquifer and Grimes Canyon Aquifer) and an eastern part (which includes Epworth Gravels Aquifer) that are hydraulically separated by the Somis Fault (Figure 7, on the next page). As a result of hydrologic

differences and the resulting variances in approach regarding groundwater production and recharge, this groundwater basin has been organized into three separate management areas: the West Las Posas Management Area, the East Las Posas Management Area, and the Epworth Gravels Management Area.

The Las Posas Valley Groundwater Basin is listed as a high-priority basin, pursuant to the Department of Water Resources. FCGMA, together with the Camrosa Water District GSA-Las Posas Valley and the Las Posas Valley Outlying Areas GSA, are the three Groundwater Sustainability Agencies that oversee groundwater management activities within their respective portions of the Las Posas Valley Groundwater Basin; however, FCGMA prepared the sole Groundwater Sustainability Plan that covers the entire Las Posas Valley Groundwater Basin (including areas that are outside the FCGMA’s jurisdiction). FCGMA adopted a Groundwater Sustainability Plan for the entire Las Posas Valley Groundwater Basin in December 2019, which was approved by the Department of Water Resources in January 2022.



**Figure 7 – Las Posas Valley Basin (Source: GSP for the Las Posas Valley Basin)**

The Groundwater Sustainability Plan concludes that historical groundwater production has “resulted in chronic declines in groundwater levels and loss of groundwater in storage in parts of each of the three management areas.” Specifically, the average groundwater production rate between 2015 and 2017 was 14,000 acre-feet<sup>14</sup> per year (AFY) in the West Las Posas Management Area, 20,500 AFY in the East Las Posas Management Area, and 1,500 AFY in the Epworth Gravels Management Area, which, if maintained, would result in unrecoverable conditions during multi-year cycles of drought and recovery, given that sustainable yield is

<sup>14</sup> An acre-foot (AF) is the volume of water that would cover a one-acre area in one foot of water, or approximately 326,000 gallons.

estimated to be 12,500 AFY within the West Las Posas Management Area, and 16,500 AFY within the East Las Posas Management Area, and 1,300 AFY within the Epworth Gravels Management Area.

The Las Posas Valley Basin Groundwater Sustainability Plan 2024 Annual Report Covering Water Year 2023 (October 1, 2022, through September 30, 2023) summarizes that water year 2023 was the third wettest year measured in the Las Posas Valley Groundwater Basin since 1956, with corresponding increases in groundwater elevations. According to the 2024 Annual Report for the Las Posas Valley Groundwater Basin, the “FCGMA continues to engage with stakeholders as part of the GSP implementation efforts,” and is making progress on project implementation (including the installation of new monitoring wells) as well as management activities (e.g., adoption of a fixed-extraction allocation ordinance for the Las Posas Valley Groundwater Basin, effective October 1, 2021).

The 2024 GSP Annual report addresses the Las Posas Valley Adjudication Judgement (July 10, 2023),<sup>15</sup> and establishes specific groundwater management activities to be implemented during water year 2024, which include: (1) development of a basin optimization plan to identify and prioritize a suite of technically feasible and economically viable projects that could be implemented prior to 2040 to maintain the Las Posas Valley Groundwater Basin’s yield at 40,000 AFY; (2) development of a basin optimization yield study that quantifies the benefits of the projects described in the basin optimization plan and ranks the projects by their ability to achieve and maintain Las Posas Valley Groundwater Basin sustainability; and (3) requires FCGMA (as the Las Posas Valley Groundwater Basin watermaster), to establish a policy advisory committee (PAC)<sup>16</sup> (which held its first meeting in December 2023) and a technical advisory committee (TAC)<sup>17</sup> (which held its first meeting in July 2024) to advise on basin management issues.

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<sup>15</sup> According to the LPVB GSP 2024 Annual Report, on July 10, 2023, the Santa Barbara Superior Court issued a decision adopting a judgement in Las Posas Valley Water Rights Coalition, et al., v. Fox Canyon Groundwater Management Agency, Santa Barbara Sup. Ct. No. VENC100509700 (Judgement). The result of the judgement is the adjudication of all groundwater rights in the LPVB in furtherance of sustainable management of the LPVB pursuant to SGMA, and the establishment of FCGMA as the LPVB watermaster to oversee implementation and administration of the judgement. According to FCGMA, these tasks include specific reporting requirements, and the levy and collection of basin assessments and fees from water rights holders in the LPVB to fund management actions and projects. The aforementioned tasks are separate and distinct from the FCGMA’s responsibilities under SGMA. Basin assessments imposed by FCGMA as the watermaster are in addition to the FCGMA’s fees under its separate, other authorities.

<sup>16</sup> The PAC is comprised of representatives from mutual water companies, small agriculture groups, and small agriculture groups for the East Las Posas Management Area (ELPMA) and the West Las Posas Management Area (WLPMA), as well as representatives from the following Basin-wide sectors: Zone Mutual Water Company, Ventura County Waterworks Districts Nos. 1 and 19, Calleguas, Commercial, and a non-voting Watermaster Representative.

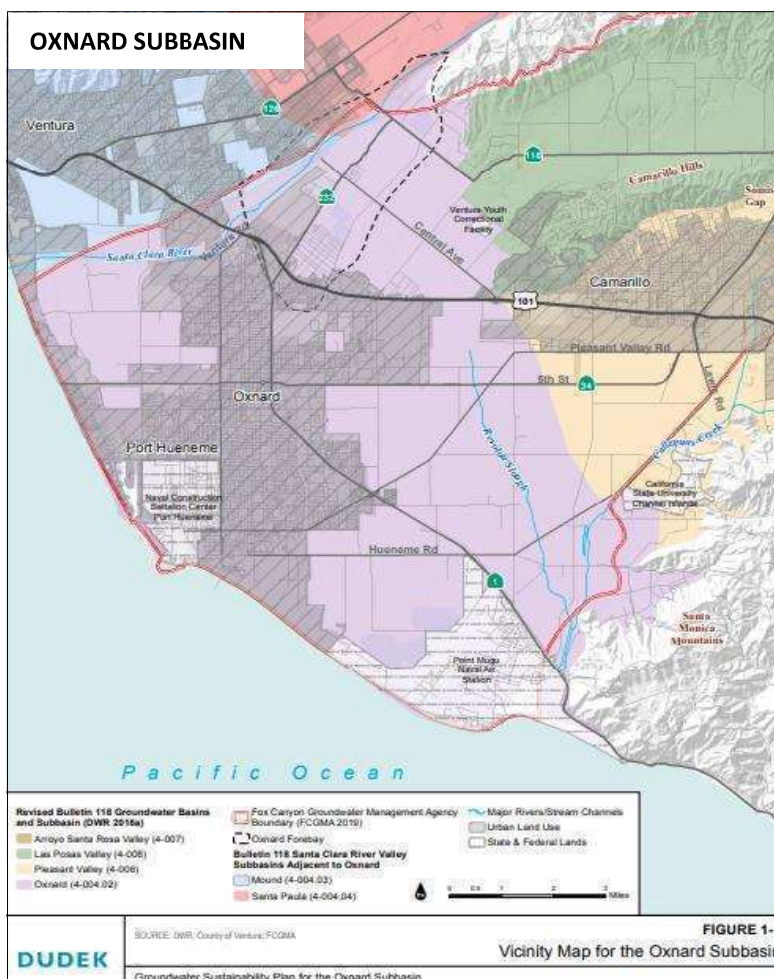
<sup>17</sup> The TAC, per section 6.11.2 of the Judgement, shall have 3 permanent voting members which will be the TAC Administrator, and technical representatives appointed by the constituency groups in the East Las Posas Management Area and the West Las Posas Management Area. The TAC will also have one non-voting Las Posas Valley Groundwater Basin Watermaster representative. Each constituent group can appoint a non-voting member to the TAC. Calleguas Municipal Water District has opted to appoint a non-voting TAC member.

- *Oxnard Subbasin*

According to the GSP for the Oxnard Subbasin, the Subbasin has five primary aquifers (i.e., Upper Aquifer System (Oxnard and Mugu Aquifers) and Lower Aquifer System (Hueneme, Fox Canyon, and Grimes Canyon Aquifers)) (Figure 8, below).

The Oxnard Subbasin is listed as a high-priority basin, pursuant to the Department of Water Resources. FCGMA is the Groundwater Sustainability Agency for all areas of the Oxnard Subbasin except for: (1) the portion located within the jurisdictional area of the Camrosa Water District which is controlled by the Camrosa Water District – Oxnard Subbasin GSA (i.e., that area that is south and east of the Bailey Fault), and (2) the portion located outside the jurisdictional areas of FCGMA and Camrosa Water District which is controlled by the Oxnard Outlying Areas GSA. FCGMA adopted a Groundwater Sustainability Plan for the entire Oxnard Subbasin in December 2019, which was approved by the Department of Water Resources in November 2021.

The Groundwater Sustainability Plan concludes that historical groundwater production has “resulted in seawater intrusion in the five primary aquifers of the Subbasin.” Specifically, the average groundwater production rate in the Upper Aquifer System between 2015 and 2017 was 40,000 AFY, and the average groundwater production during the same period in the Lower Aquifer System was approximately 29,000 AFY (for a total of 69,000 AFY). Continued pumping at this rate would exacerbate seawater intrusion, as sustainable yield of the Upper Aquifer System is estimated to be approximately 32,000 AFY, and sustainable yield of the Lower Aquifer System is estimated to be approximately 7,000 AFY. The Groundwater Sustainability Plan concluded that pumping reductions are necessary in order to achieve sustainable management of the Oxnard Plain Basin.



**Figure 8 – Oxnard Subbasin (Source: GSP for the Oxnard Subbasin)**

The Oxnard Subbasin Groundwater Sustainability Plan 2024 Annual Report Covering Water Year 2023 (October 1, 2022, through September 30, 2023) summarizes that water year 2022 experienced 160 percent of historical average precipitation within the Subbasin and corresponding high levels of groundwater elevations. According to the 2024 Annual Report for the Oxnard Subbasin, FCGMA is making progress on project implementation (including the installation of new monitoring wells and continued pursuit of aquifer recharge infrastructure, construction of a recycled water pipeline interconnection, and construction of monitoring well clusters in support of the United Water Conservation District's Extraction Barrier and Brackish Water Treatment project). Additionally, FCGMA is continuing to evaluate the implementation of a replenishment fee for use to purchase water for recharge or fund voluntary temporary fallowing of agricultural land. Finally, in an effort to combat seawater intrusion, the Board of Directors adopted Resolution 2023-02 Regarding the Accrual, Extraction, and Transfer of Recycled Water Pumping Allocation on October 25, 2023.<sup>18</sup> Resolution 2023-02 introduced new recycled water pumping allocation extraction criteria for the City of Oxnard. The new criteria supports ongoing delivery of recycled water to impacted areas of the Subbasin by providing the City of Oxnard increased operational flexibility to extract accrued recycled water pumping allocation during dry years when imported water supplies are limited.

- *Pleasant Valley Groundwater Basin*

According to the GSP for the Pleasant Valley Basin (PVB), the PVB shares a boundary and is "in hydraulic communication" with the Oxnard Subbasin, but due to finer-grained alluvial deposits is less suitable for groundwater production than the Oxnard Subbasin (Figure 9, on the next page).

The Pleasant Valley Groundwater Basin is listed as a high-priority basin, pursuant to the DWR. FCGMA is one of three GSAs for the Pleasant Valley Groundwater Basin, along with the Camrosa Water District-Pleasant Valley GSA and the Pleasant Valley Outlying Areas Groundwater Sustainability Agency. FCGMA adopted a GSP for the entire Pleasant Valley Groundwater Basin (including areas that are outside FCGMA's jurisdiction) in December 2019, which was approved by the Department of Water Resources in November 2021.

The Groundwater Sustainability Plan concludes that seawater intrusion into the Oxnard Subbasin has occurred as a result of historical groundwater production within the Pleasant Valley Groundwater Basin and Oxnard Subbasin. Specifically, the average groundwater production rate between 2015 and 2017 was approximately 13,200 AFY, which, if maintained, would result in unrecoverable groundwater levels and exacerbated seawater intrusion conditions during multi-year cycles of drought and recovery, given that sustainable yield is estimated to be 11,600 AFY.

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<sup>18</sup> This resolution updated FCGMA Resolution 2013-02, which provided the City of Oxnard pumping allocation credits for the delivery of recycled water to users within the Saline Intrusion Management Area and the Oxnard Pumping Depression Management Area.

The Pleasant Valley Basin Groundwater Sustainability Plan 2024 Annual Report Covering Water Year 2023 (October 1, 2022, through September 30, 2023) summarizes that water year 2023 experienced 130 percent of historical average precipitation within the PVB and corresponding increased levels of groundwater elevations. According to the 2024 Annual Report for the Pleasant Valley Groundwater Basin, FCGMA is making progress on project implementation (including the installation of new monitoring wells and continued pursuit of aquifer recharge infrastructure, construction of a recycled water pipeline interconnection, development and implementation of a private reservoir storage program, and development and implementation of studies to enhance stormwater diversions from Conejo Creek. Additionally, FCGMA is continuing to evaluate the implementation of a replenishment fee for use to purchase water for recharge or fund voluntary temporary fallowing of agricultural land.

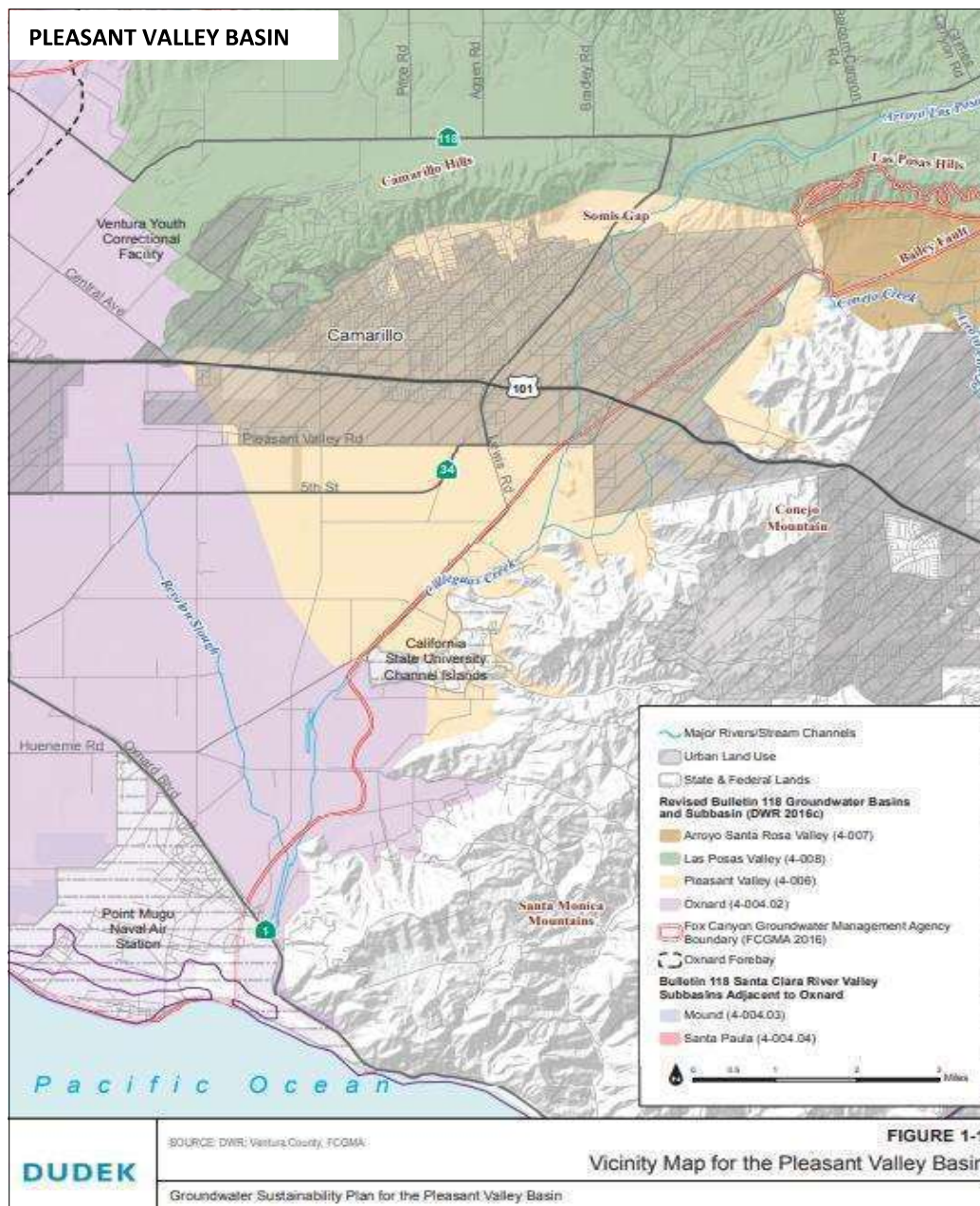
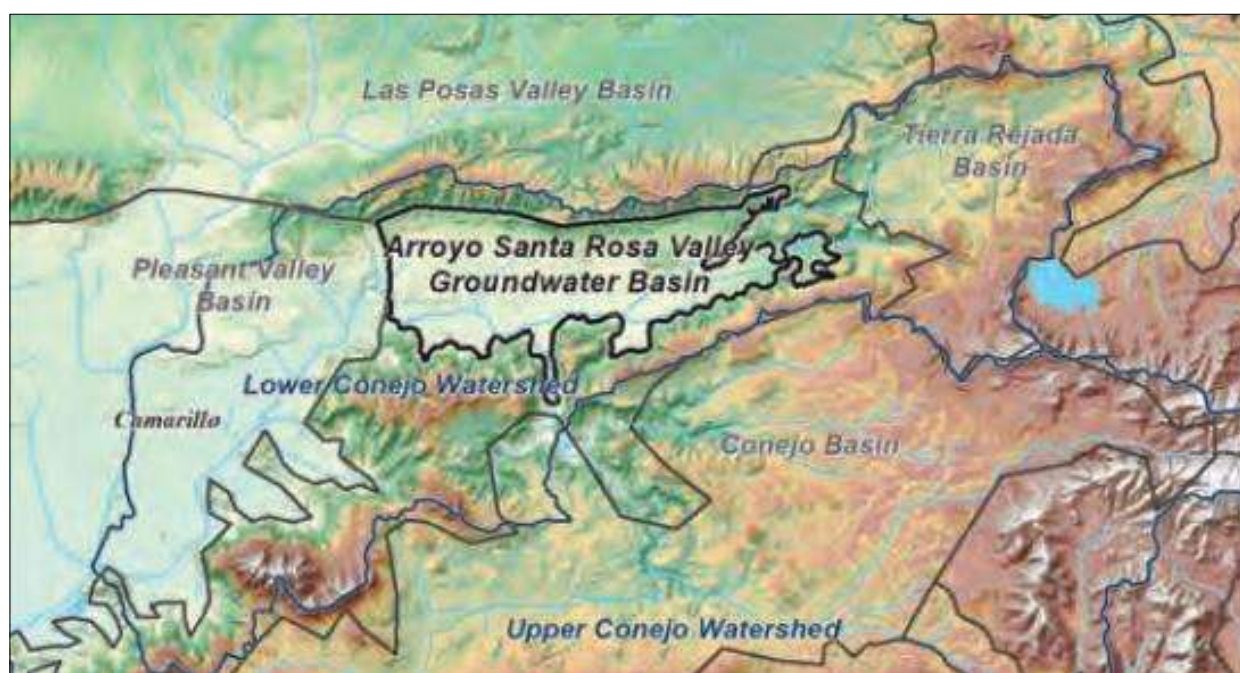


Figure 9 – Pleasant Valley Basin (Source: GSP for the Pleasant Valley Basin)

- *Arroyo Santa Rosa Valley Groundwater Basin*

According to the GSP for the Arroyo Santa Rosa Valley Groundwater Basin (ASRVGB), the ASRVGB contains areas generally described as west of the Bailey Fault and east of the Bailey Fault (Figure 10, below). The Groundwater Sustainability Plan explains that the “aquifer system is semi-confined and is characterized by distinct upper and lower groundwater-producing zones in the west with the stratification absent or not apparent to the east; the upper and lower groundwater-producing zones are treated as a single principal aquifer for purposes of sustainable groundwater management in this initial GSP. To facilitate discussion within the Groundwater Sustainability Plan, the Basin has been subdivided into two areas, the western half and eastern half. In addition, a key hydraulic feature within the Basin is the Bailey Fault, which acts as a relative barrier to flow, separating the northwestern third of the Basin from the rest of the Basin.”



**Figure 10 – Arroyo Santa Rosa Valley Basin (Source: GSP for the Arroyo Santa Rosa Valley Basin)**

The Department of Water Resources lists the ASRVGB as a very-low-priority basin (replacing the previous designation of medium-priority). FCGMA is one of two Groundwater Sustainability Agencies for the ASRVGB, along with the Arroyo Santa Rosa GSA (ASRGSA) (which was formed pursuant to a joint powers agreement between the Camrosa Water District and the County of Ventura, and consists of the five-member Camrosa Water District Board of Directors and one representative of the County of Ventura). Upon the redesignation of the ASRGSA from medium-priority to very-low-priority, preparation of a GSP became optional; nonetheless, FCGMA and the ASRGSA jointly developed a Groundwater Sustainability Plan for the ASRVGB as a whole, which was adopted by both the ASRGSA and FCGMA in May 2023, and is currently under review by the Department of Water Resources for approval.

The Groundwater Sustainability Plan states that groundwater levels in the ASRVGB tend to “fluctuate seasonally with the highest water levels occurring in the winter to early spring and the lowest levels occurring in fall or winter.” It goes on to explain that in general, groundwater levels have been in slow decline since the 1990s northwest of the Bailey Fault and are steady southeast of the Bailey Fault.<sup>19</sup> Groundwater pumping is the primary factor in the change in groundwater storage volume; however, prolonged dry conditions naturally contribute to lower storage volume, and conversely wet conditions allow for relatively rapid recovery of storage volume. The Groundwater Sustainability Plan concludes that groundwater volume within the ASRVGB is expected to remain generally balanced during the 50-year SGMA implementation period, with sustainable yield of approximately 5,300 AFY over the long term.

### Historical Groundwater Extractions

As discussed throughout this report, groundwater extractions within FCGMA have historically resulted in unsustainable conditions within local groundwater basins. While groundwater within all of the groundwater basins within the FCGMA’s jurisdictional area is used to support a range of use types, of these basins, the Oxnard Subbasin is relied upon most heavily (mostly for agricultural purposes). Historical groundwater extraction levels from 2014 going forward have experienced a general downward trend since 2014, and are provided in Figure 11 as follows:

<b>Figure 11 – Extraction Volume (in AF) within each Groundwater Basin<sup>20</sup> (Source: FCGMA staff)</b>				
<b>Year</b>	<b>LPVB</b>	<b>Oxnard Subbasin</b>	<b>PVB</b>	<b>ASRVGB</b>
2014	44,009.160	84,549.768	20,811.783	1,594.146
2015	40,518.322	81,412.494	19,072.259	1,253.539
2016	38,803.763	78,440.386	15,964.151	1,202.187
2017	40,595.253	77,184.069	16,072.901	1,041.277
2018	38,479.663	73,562.434	13,510.707	1,172.671
2019	34,552.758	67,631.113	11,317.643	1,217.817
2020	39,764.229	48,313.132	8,438.415	1,538.953
2021	33,370.758	73,395.021	14,898.943	1,013.265
2022	40,642.636	68,829.364	14,616.581	2,884.000
2023	26,329.333	53,011.704	10,555.041	2,766.000

<sup>19</sup> The GSP attributes increasing groundwater levels southeast of the Bailey Fault (since 2018) to a reduction in pumping by the Camrosa Water District.

<sup>20</sup> The groundwater basins listed are not entirely within the FCGMA boundaries; the summary data provided includes the total extraction information for areas within the basin. The data reflects extractions entered to date and excludes data unavailable due to unresolved meter issues.

### Sustainable Yield of Groundwater Basins within FCGMA

As provided above, according to SGMA, sustainable yield is defined as “the maximum quantity of water, calculated over a base period representative of long-term conditions in the basin and including any temporary surplus, that can be withdrawn annually from a groundwater supply without causing an undesirable result.”<sup>21</sup>

Sustainable yield volumes for the Las Posas Valley Basin, Oxnard Subbasin, Pleasant Valley Groundwater Basin, and Arroyo Santa Rosa Groundwater Basin, as documented in the Groundwater Sustainability Plans discussed above, are provided in Figure 12 below. Based on available information over the past 10 years, while extraction volumes are generally trending downward, extractions within the Pleasant Valley Groundwater Basin, Oxnard Subbasin, and Las Posas Valley Basin continue to exceed sustainable yield volumes established by each basin’s respective Groundwater Sustainability Plan.

<b>Figure 12 – Sustainable Yield of Groundwater Basins (Sources: GSPs of the Las Posas Valley Groundwater Basin, Oxnard Subbasin, Pleasant Valley Groundwater Basin, and Arroyo Santa Rosa Groundwater Basin)</b>				
<b>Basin</b>	<b>Location</b>	<b>Sustainable Yield of Groundwater Production (AFY)</b>	<b>Uncertainty Range</b>	
			<b>Low (AFY)</b>	<b>High (AFY)</b>
Las Posas Valley Basin	West Las Posas Management Area	12,500 AFY	11,300 AFY	13,700 AFY
	East Las Posas Management Area (includes East and South Las Posas Basin)	17,800 AFY	15,500 AFY	20,100 AFY
Oxnard Subbasin	Upper Aquifer System	32,000 AFY	26,000 AFY	38,000 AFY
	Lower Aquifer System	7,000 AFY	3,400 AFY	10,600 AFY
Pleasant Valley Basin	Entire basin	11,600 AFY	10,400 AFY	12,800 AFY
Arroyo Santa Rosa Valley Basin	Entire basin	5,300 AFY	N/A	N/A

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<sup>21</sup> According to SGMA, sustainable yield is defined as “the maximum quantity of water, calculated over a base period representative of long-term conditions in the basin and including any temporary surplus, that can be withdrawn annually from a groundwater supply without causing an undesirable result.” In turn, undesirable result is defined as “one or more of the following effects caused by groundwater conditions occurring throughout the basin: (1) Chronic lowering of groundwater levels indicating a significant and unreasonable depletion of supply if continued over the planning and implementation horizon. Overdraft during a period of drought is not sufficient to establish a chronic lowering of groundwater levels if extractions and groundwater recharge are managed as necessary to ensure that reductions in groundwater levels or storage during a period of drought are offset by increases in groundwater levels or storage during other periods; (2) Significant and unreasonable reduction of groundwater storage; (3) Significant and unreasonable seawater intrusion; (4) Significant and unreasonable degraded water quality, including the migration of contaminant plumes that impair water supplies; (5) Significant and unreasonable land subsidence that substantially interferes with surface land uses; (6) Depletions of interconnected surface water that have significant and unreasonable adverse impacts on beneficial uses of the surface water.”

## FCGMA Extraction Ordinances & Requirements

Driven by the same drought conditions that led to the passage of SGMA at the state level, FCGMA independently pursued the imposition of groundwater pumping limitations within its jurisdictional area. It accomplished this through a series of ordinances and requirements designed to, first temporarily and then permanently, reduce groundwater extractions throughout FCGMA. Some of the significant FCGMA actions that have been implemented to this end are summarized below.

- *Emergency Ordinances*

FCGMA has a history of adopting emergency ordinances (among other ordinances) in an effort to support groundwater preservation. In January 1990, the Board of Directors adopted Emergency Ordinance A to prohibit, for a six-month period, the drilling of new water wells for use on undeveloped property. The Board adopted Emergency Ordinance B in July 1990 to extend the original term Emergency Ordinance A for an additional six-month period. In March 1999, the Board adopted Emergency Ordinance C to establish a six-month moratorium on the construction of new wells within the East Las Posas Groundwater Basin. The Board adopted Emergency Ordinance D in February 2009 to establish a temporary moratorium on the construction of new wells and to provide extraction allocations within the West, East, and South Las Posas Groundwater Basins; the ordinance was amended several times and ultimately expired on December 31, 2011.

In 2014, FCGMA responded to severe drought conditions, declining water levels, and seawater intrusion with the adoption of Emergency Ordinance E, which resulted in the imposition of a 20-percent reduction on allowed groundwater extractions (known as temporary extraction allocations (i.e., TEAs) and annual efficiency allocations).<sup>22</sup> FCGMA maintained the 20-percent pumping restrictions through 2020 by means of adoption of an Amendment to Emergency Ordinance E. Through Emergency Ordinance E and the amendment to the ordinance, FCGMA suspended the accrual and use of conservation credits and prohibited the issuance of permits for new wells that would increase groundwater extraction. During implementation of Emergency Ordinance E, persistent drought conditions, below-average rainfall, record lows for average Santa Clara River diversions, and low average groundwater levels moved FCGMA to consider permanent reductions in groundwater allocations. While Emergency Ordinance E was effective in achieving 20 percent reductions in groundwater extractions for municipal and industrial users through implementation of the TEAs, it did not have a corresponding effect in reducing groundwater extractions for agricultural users through application of annual efficiency allocations.

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<sup>22</sup> Groundwater extraction limitations under Emergency Ordinance E took the form of: (1) temporary extraction allocations (i.e., TEAs) for municipal and industrial users, consisting of fixed allocation representing 20 percent less than average annual extractions occurring between 2003 and 2012, implemented over a two-year period (i.e., a 5-percent reduction during each 6-month interval); and (2) annual efficiency allocations agricultural users, using an irrigation allowance index (IAI) (i.e., total water applied divided by irrigation allowance per acre-foot (based on number of acres, crop type, year type, and growing duration)), to establish variable allocations.

- *Oxnard and Pleasant Valley Basins (OPV) Extraction Allocation Ordinance*

On October 23, 2019, FCGMA adopted an Ordinance to Establish an Allocation System for the Oxnard and Pleasant Valley Groundwater Basins (colloquially known as the OPV Allocation Ordinance), which became effective on October 1, 2020, effectively replacing the implementation of Emergency Ordinance E. The ordinance establishes permanent limits on groundwater extraction to align with the sustainability goals of the GSPs for the Oxnard Subbasin and Pleasant Valley Groundwater Basin and sets initial allocations for each well or group of wells based on average annual extraction between 2005 and 2014. Features of the ordinance include: (1) a maximum of 50 percent of unused allocations annually to be carried over into subsequent years, to a maximum of 100 percent of current-year allocation, and a five-year expiration; (2) Board authority to determine an allocation reduction method if sustainable yield proves to be less than the total extraction allocations established by the ordinance; and (3) allocation adjustments to support the Pleasant Valley County Water District's and United Water Conservation District's continued practice of prioritizing surface water use over groundwater extraction.<sup>23</sup> To supplement the ordinance, on April 22, 2020, the Board of Directors established policies and procedures for the granting of variances related to the OPV Allocation Ordinance.

- *Las Posas Valley Basin (LPVB) Extraction Allocation Ordinance*

On December 14, 2020, FCGMA adopted an ordinance, which has since been amended on February 24, 2021, known as an Ordinance to Establish an Extraction Allocation System for the Las Posas Valley Groundwater Basin (commonly known as the LPV Allocation Ordinance), became effective on October 1, 2021, effectively replacing the implementation of Emergency Ordinance E. According to the LPV Ordinance, its purpose is to “facilitate the transition from the Agency's current groundwater management programs to sustainable groundwater management under SGMA.” According to FCGMA, the ordinance was based on the Las Posas Valley Basin Groundwater Pumping Allocation System White Paper (June 16, 2017) developed by the Las Posas Users Group.<sup>24</sup> The LPV Ordinance provides for quantified allocations assigned to extraction facilities (i.e., wells), with minimum allocations established by use category and provisions for allocation carryover to the subsequent water year and allocation transfer opportunities. The judgement resulting from the Las Posas Valley adjudication controls how allocations are set and how any transfers or carryover will be implemented.

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<sup>23</sup> The OPV Allocation Ordinance includes adjusted allocations to support the prioritization of surface water use over groundwater extraction. Specifically, it is designed to avoid penalization of the Pleasant Valley County Water District's (PVCWD's) practice to accept surface water delivery by means of the Conejo Creek Project (which allows for non-potable surface water to be drawn from Conejo Creek for irrigation and agricultural use) in lieu of groundwater extraction during the period used for establishing allocations. Furthermore, it establishes a Santa Clara River water “flex allocation” which generally allows the UWCD and PVCWD to increase groundwater pumping when Santa Clara River deliveries to the UWCD's Pumping Trough Pipeline (PTP) and Pleasant Valley Pipeline (PVP) systems are below the 2005-2014 average and requires them to decrease groundwater extractions when Santa Clara River deliveries are greater than that average.

<sup>24</sup> The Las Posas Users Group (i.e., LPUG) is a group of local groundwater pumpers who make recommendations to the FCGMA on topics related to groundwater management within the LPVB.

- *Reporting Requirements and Extraction Charges*

FCGMA requires that all wells within its jurisdictional area be permitted through the County of Ventura (or the City of Oxnard, for wells located within the City’s boundaries) and registered with FCGMA. Well owners/operators are required to submit to FCGMA a comprehensive set of forms to document well number(s), irrigated acreage information, alternative water sources, and volume of water used, as well as flowmeter updates and calibrations. Well owners calculate their pumping, and FCGMA calculates charges after reviewing the pumping data. Additionally, FCGMA requires the installation and use of Advanced Metering Infrastructure (AMI) for all metered wells.<sup>25</sup>

Groundwater extractions are measured for the purpose of demonstrating compliance with established groundwater allocations set by the Agency, and extraction charges are imposed in accordance with Figure 13, below, for the purpose of administering and managing groundwater resources within the FCGMA’s jurisdictional area:

<b>Figure 13 – Groundwater Extraction Fees within FCGMA (Source: FCGMA website)</b>		
<b>Fee Category</b>	<b>Fee Rate</b>	<b>Fee Basis</b>
Extraction fee	\$6 per AF	<a href="#"><u>Resolution 2014-02</u></a> <sup>26</sup>
Reserve fee	\$20 per AF	<a href="#"><u>Resolution 2020-05</u></a> <sup>27</sup>
Sustainability fee	\$29 per AF	<a href="#"><u>Resolution 2022-05</u></a> <sup>28</sup>
Non-metered water use fee	\$12 per AF	<a href="#"><u>FCGMA Ordinance Code</u></a> <sup>29</sup>
Surcharge rates	\$1,929/AF for 25 AF or less (Tier 1) \$2,179/AF for 25.001 to 99.999 AF (Tier 2) \$2,429/AF for 100 AF or more (Tier 3)	<a href="#"><u>Resolution 2024-03</u></a> <sup>30</sup>

<sup>25</sup> According to FCGMA, AMI consists of “equipment that connects to (or is built into) a flowmeter and allows extraction information to be wirelessly sent to a central data storage center,” and is designed to improve data accuracy reported to FCGMA, which is to be used to refine sustainable yield estimates for updates to GSPs. AMI is required to be installed on all wells (agricultural wells as of 2018, municipal and industrial wells as of 2019, and all other wells as of 2020). Well owners/operators must file semi-annual reporting statements, independently of the presence of AMI.

<sup>26</sup> FCGMA adopted Resolution 2014-02 on June 25, 2014. The \$6/AF charge represents an increase from \$4/AF set on June 22, 2005, and is used to administer and enforce its groundwater extraction management plans, policies, programs, resolutions, and ordinances.

<sup>27</sup> FCGMA adopted Resolution 2020-05 on October 28, 2020. The reserve fee was established to cover the cost and expenses of actions and proceedings (e.g., legal expenses) related to FCGMA’s groundwater sustainability program, to comply with the requirements of SGMA. Domestic operators extracting less than 2 AFY are exempt from the reserve fee.

<sup>28</sup> FCGMA adopted Resolution 2022-05 on September 28, 2022. The \$29/AF sustainability fee represents an increase from \$14/AF set on September 25, 2019, and is used to support the FCGMA’s ability to operate its groundwater sustainability program in compliance with the requirements of SGMA. Domestic operators extracting less than 2 AFY are exempt from the sustainability fee.

<sup>29</sup> Section 3.5 of the FCGMA Ordinance Code (last amended January 9, 2015) considers any water extraction facility without an operational flowmeter to be non-metered and subject to the non-metered water use fee (i.e., double the current groundwater extraction fee imposed by the FCGMA), and are based on estimated extraction volume.

<sup>30</sup> FCGMA adopted Resolution 2024-03 on April 24, 2024. The surcharge rates, previously raised on October 26, 2022, were again increased (pursuant to FCGMA Ordinance Code requiring the Board to “fix the surcharge... at a cost sufficiently high to discourage extraction of groundwater in excess of the approved allocation when that extraction will adversely affect achieving” the management goals of the basins) to address recent increases in imported water costs imposed by the Metropolitan Water District of Southern California (MWDSC) (and therefore,

## Staffing of FCGMA

FCGMA has, since its formation, contracted with the County of Ventura for staffing services in support of the agency. In addition to staffing of FCGMA by contract with the County of Ventura, FCGMA routinely enters into agreements with other contractors in order to execute required tasks and fulfill its mission. Some of these contracts are used as an extension of County staff for tasks to assist with meeting deadlines (e.g., data entry). Most often, contracts establish a means for contractors with special expertise (e.g., legal counsel or professional technical services) to assist FCGMA. Contractors have supported: (1) preparation of Groundwater Sustainability Plans and five-year updates to the Groundwater Sustainability Plans, (2) the development and education of use of an electronic reporting tool and compilation of extraction and use data for FCGMA (as the LPVB watermaster), (3) assistance with AMI data management, and (4) evaluation of staffing needs of FCGMA to meet its goals through FY 2024-25 and general support services.

In December 2023, the FCGMA Board of Directors requested the preparation of an analysis of staffing alternatives for FCGMA, in the context of its existing staff support and scope of duties, and for the purpose of potentially exploring alternative staffing models. In February 2024, an independent evaluation of staffing options was submitted to the Board of Directors, which concluded that “the legislature likely intended Section 408 of the [FCGMA] Act to contract for staff with other contractors beyond just the County or United [Water Conservation District].” According to the Agency, the question of staffing options has also been asked of the State Attorney General who has yet to provide a response. In March 2024, the Board of Directors requested a report that includes analysis of needed staffing levels to accomplish tasks consistent with the Board’s priorities. This work is ongoing and a comprehensive analysis of the staffing needs of the Agency is anticipated to be considered by the FCGMA Board in early 2025.

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too, the Calleguas Municipal Water District (i.e., a member agency of MWDSC)) to ensure that the FCGMA surcharge rate is not less than the cost of imported water. Surcharge rates were increased from \$1,841/AF to \$1,929/AF for Tier 1, from \$2,091/AF to \$2,179/AF for Tier 2, and from \$2,341/AF to \$2,429/AF for Tier 3. Surcharges collected are used, subject to Board approval, for supplemental water purchases or other expenses to increase water resources within FCGMA and are not used to support FCGMA operations. For example, in 2019, FCGMA approved a contribution to the UWCD of a maximum of \$3 million to enable 15,000 AF of water to replenish groundwater within the FCGMA boundaries, and after receiving the water, the UWCD initiated a water release from Lake Piru into the Santa Clara River, for diversion and recharge of the Oxnard Forebay with some delivered to its Pumping Trough and Pleasant Valley pipeline systems.

## Sphere of Influence

FCGMA's sphere of influence extends beyond its jurisdictional boundaries to the north and east of FCGMA.

In 2001, FCGMA adopted Ordinance No. 4.3, known as the Las Posas Basin Groundwater Protection Ordinance, for the purposes of elimination of overdraft of aquifers within the East and West Las Posas sub-basins, protection of the Las Posas Basin outcrop as a source of groundwater recharge, and prevention of groundwater quality degradation through the establishment of an expansion area. The Ordinance provides:

*"Expansion area" means the lower aquifer system (LAS) outcrop in the North and Northeasterly portion of the Agency plus the area "outside the outcrop." "Outside the outcrop" shall be defined as that area outside the Agency Boundary where the natural surface drainage allows surface water to flow into the Agency or where the groundwater gradient would allow groundwater to flow into the Agency. The width of this area, "outside the outcrop," shall not exceed a distance of 1.5 miles perpendicular to the Agency boundary.*

In response to the adoption of Ordinance 4.3, in February 2004, LAFCo updated the sphere of influence for FCGMA (which had until that time been coterminous with FCGMA's jurisdictional boundary) to align with the "expansion area" defined in the ordinance, to reflect FCGMA's stated extraterritorial regulatory review authority within this area.

There have been no changes to the District's service area that would require alterations to its sphere of influence boundary, and no changes are anticipated in the foreseeable future.

## Written Determinations

The Commission is required to prepare a written statement of its determinations with respect to each of the subject areas provided below (Government Code § 56430(a)).

### 1. Growth and population projections for the affected area

- According to the Fox Canyon Groundwater Management Agency (FCGMA), using U.S. Census Bureau figures, the estimated 2020 population within the District's jurisdictional boundary was 349,727 and within its sphere of influence was 349,841. Generally consistent with this estimate, the District estimates a population of 350,000 within both its jurisdictional boundaries and its sphere of influence.

### 2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- A disadvantaged unincorporated community is defined as a community with an annual median household income that is less than 80 percent of the statewide annual median household income (Government Code § 56033.5). According to Ventura LAFCo Commissioner's Handbook Section 3.2.5, Ventura LAFCo has identified Nyeland Acres (within the City of Oxnard's sphere of influence to the north of the city), the Piru community, and Saticoy (within the City of San Buenaventura's sphere of influence to the east of the city) as disadvantaged unincorporated communities. FCGMA's sphere of influence includes all of the community of Nyeland Acres and a portion of the community of Saticoy.
- The community of Nyeland Acres is located northeast of and contiguous to the City of Oxnard. Based on 2010 U.S. Census Bureau demographic data, the Nyeland Acres community consists of 3,003 residents and has a median household income of \$42,043. The Nyeland Acres community receives fire protection services from both the Ventura County Fire Protection District and the City of Oxnard under a mutual aid agreement, police protection services from the Ventura County Sheriff's Office, wastewater collection services from Ventura County Service Area No. 30 (CSA 30), wastewater collection and treatment from the City of Oxnard (through an agreement between CSA 30 and the City whereby CSA 30 discharges to the City's collection system), and water services from the Garden Acres Mutual Water Company and Nyeland Acres Mutual Water Company.
- The community of Saticoy is located southeast of and contiguous to the City of San Buenaventura and located within the City's current sphere of influence. Based on a 2018 income survey provided by the Proposition 1 program, the median household income for Saticoy is \$30,000. The Saticoy community receives fire protection services primarily from the City of San Buenaventura (through a mutual aid agreement between the City and Ventura County Fire Protection District), police protection services from the Ventura County Sheriff's Office, wastewater collection and treatment services from the Saticoy Sanitary District, and water services from the City of San Buenaventura).

### **3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies**

- FCGMA regulates groundwater extraction within its jurisdiction. Except for several monitoring wells in the Oxnard Subbasin and Pleasant Valley Basin installed in conjunction with other agencies pursuant to a Department of Water Resources (DWR) Sustainable Groundwater Management Act (SGMA) implementation grant it does not own, operate, or maintain infrastructure. Furthermore, it does not provide water service or grant or regulate water rights. As a result, it does not have or need infrastructure or facilities for which capacity can, or need be measured.

### **4. Financial ability of agencies to provide services**

- The District's operating expenditures are anticipated to exceed its operating revenues for FY 2024-25 and will therefore rely on prior fund balance to balance its budget. Significant new anticipated expenditures in FY 2024-25 include a full-time executive officer, Groundwater Sustainability Plan implementation updates, and installation of a new monitoring well within the Oxnard Pleasant Valley Basin (with the cost projected to be reimbursed by DWR). Simultaneously, FCGMA anticipates substantial increases in revenue resulting from DWR grants to support sustainable groundwater management. FCGMA maintains sufficient fund balance to cover the difference, enabling it to balance its budget and finance the services it currently provides.
- FCGMA's fund balance at the end of FY 2023-24 was \$6,996,395 and is projected to be \$5,779,328 at the end of FY 2024-25.
- The District has a steady stream of revenue through fees collected through pump charges, groundwater sustainability fees, and surcharges. It has predictable expenses related to salaries/benefits for its contract staff, program maintenance, compliance, and technical services.
- FCGMA generates approximately \$800,000 annually in surcharges from overpumping (i.e., extraction in excess of allocation). Surcharge revenues are not used to pay for operating expenses, but instead fund special projects, which vary from year to year.
- FCGMA maintains a reserve balance of \$1 million, pursuant to direction by its Board of Directors.
- The most recent biannual audit for years ending June 30, 2021, and June 30, 2022 (prepared on August 14, 2024) was unqualified. An unqualified opinion is an independent auditor's judgement that a company's financial statements are fairly and appropriately presented, without any identified exceptions, and in compliance with generally accepted accounting principles. According to the audit, FCGMA's primary source of revenue is extraction charges. FCGMA's assets exceeded liabilities by \$3,266,475 as of June 30, 2021, and \$3,548,355 as of June 30, 2022, reflecting a positive net position in both years. FCGMA anticipates that the next biannual audit (for FY 2022-23 and FY 2023-24) commenced in fall 2024.

## **5. Status of, and opportunities for, shared facilities**

- FCGMA regulates and manages groundwater; it does not provide water utility service or operate and maintain infrastructure for service provision purposes. Therefore, there are no opportunities for (or a need for) shared facilities.

## **6. Accountability for community service needs, including governmental structure and operational efficiencies**

- FCGMA is accountable to its constituents through its Board of Directors, adherence to applicable government code sections, open and accessible meetings, and dissemination of information.
- FCGMA provides live internet access and public participation opportunities for its meetings.
- FCGMA achieves operational and management efficiencies by contracting with the County of Ventura for staffing services. FCGMA receives the following services from the County of Ventura: office space, management, accounting/auditing, legal counsel, real estate, insurance, and fleet services. Contracted staff of FCGMA (i.e., County staff) was responsive in providing information for this report during the requested timeframe.
- FCGMA has, since its formation, contracted with the County of Ventura for staffing services in support of the agency. In December 2023, the FCGMA Board of Directors requested the preparation of an analysis of staffing alternatives for FCGMA, in the context of its existing staff support and scope of duties. In February 2024, an independent evaluation of staffing options was submitted to the Board of Directors, which concluded that “the legislature likely intended Section 408 of the [FCGMA] Act to contract for staff with other contractors beyond just the County or United [Water Conservation District].” In March 2024, the Board of Directors requested a report that includes analysis of needed staffing levels to accomplish tasks consistent with the Board’s priorities. As a result, in April 2024, the Board of Directors received a presentation from contracted County staff and an independent consultant regarding an analysis of necessary staffing to accomplish tasks prioritized by the Board. It is anticipated that a final report will be presented to the FCGMA Board of Directors in early 2025.
- The Ventura County Grand Jury released a document entitled Final Report – Independent Special Districts (April 26, 2018), which was the result of an investigation by the Grand Jury into the transparency and public accountability of independent special districts within the County. The Grand Jury identified opportunities for improvement in these subject areas and required a response from FCGMA. FCGMA’s response stated that expanded information was made available on its website, consistent with the recommendations of the Grand Jury report.
- FCGMA maintains a comprehensive website that includes its mission, its history, a summary of its services, a Board of Directors meeting calendar, current and recent Board of Directors meeting agendas, staff reports, adopted minutes, Board meeting recordings, a current budget, current and historical financial audits, links to all adopted resolutions and ordinances, plans (including groundwater sustainability plans (GSPs)), an

aerial map and maps depicting groundwater basin locations and water levels, frequently asked questions, and a Spanish translation option for its website content. FCGMA could improve its website with the addition of contact information for its Board members on its Board of Directors page, and links to the State Controller’s “By the Numbers” (agency financial reporting information) and “Public Pay” (employee salary) webpages, the official map of FCGMA as determined by LAFCo, and a link to the Ventura LAFCo webpage containing municipal service reviews prepared by LAFCo for FCGMA. Furthermore, FCGMA could improve its website by organizing the data more intuitively to allow for improved usability for the general public. As time and resources permit, the Agency implements website improvements.

- Beginning in FY 2024-25, FCGMA accompanied its draft proposed budget materials with a draft proposed budget report. The FY 2024-25 report provides a detailed discussion of the agency’s history, mission, operations, and projects, and offers a valuable public resource regarding FCGMA.

## **7. Any other matter related to effective or efficient service delivery, as required by Commission policy**

- Adjudication of the Las Posas Valley Basin (LPVB) has been ongoing since at least 2020. On July 10, 2023, the Santa Barbara Superior Court issued a decision adopting a judgement in Las Posas Valley Water Rights Coalition, et al., v. Fox Canyon Groundwater Management Agency (VENC100509700; Judgement). The judgement adjudicates all groundwater rights in the LPVB and provides for the LPVB’s sustainable management pursuant to the SGMA. The judgement established FCGMA as the LPVB watermaster responsible for overseeing implementation of the Judgement. The Judgement requires that FCGMA prepare and submit annual reports for the LPVB that include information on groundwater allocations, progress towards implementing the Basin Optimization Plan and Projects, accounting of Calleguas Municipal Water District’s (CMWD) Aquifer Storage and Recover (ASR) Project operations, annual fiscal reporting, and a review of LPVB watermaster activities, in addition to the information required to be included under SGMA. In its role as watermaster and GSA for the LPVB, FCGMA is required to submit the annual reports to both DWR and the Court no later than April 1 of each year. The judgement was finalized in July, 10 months into the 2023 water year. Consequently, the additional information required by the judgement will first be included in the 2025 annual report.
- In June 2021, a group of agricultural landowners initiated a comprehensive groundwater adjudication of the Pleasant Valley Basin and Oxnard Subbasin (collectively, the Basins) to, among other things, determine all groundwater rights in the Basins and provide for the Basins’ sustainable management; the adjudication also includes claims challenging FCGMA’s adoption of GSPs and an ordinance setting groundwater extraction allocations for Basin pumpers (collectively, the OPV Adjudication). (*See OPV Coalition v Fox Canyon Groundwater Management Agency*, Santa Barbara Sup. Ct. Case No. 56-2021-00555357-CU-PT-VTA.) In early 2024, the court decided that the adjudication would be tried in three phases with Phase 1 determining the safe yield of the Basins, Phase 2 determining the water rights of the parties, and Phase 3 dedicated to management of the Basins. The

parties are currently attempting to negotiate a discovery plan and trial schedule for Phase 1. At this time, Phase 1 discovery remains stayed and no Phase 1 trial date has been set by the court. Unless a settlement is reached, the OPV Adjudication (which may involve discovery and a trial for each phase) may not conclude until late 2026 or early 2027. Any appeals to the judgement entered in the OPV Adjudication may result in revision to the judgement and/or delay to the judgement's implementation.