



Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S. Victoria Avenue  
Ventura, CA 93009

Subject: Support for the Transition to and Formation of an Independent Staff for Fox Canyon Groundwater Management Agency ("FCGMA").

Dear Honorable FCGMA Directors:

Rancho Resplandor LLC has been farming in the Eastern Las Posas Valley since 2012. We are committed to the long-term agricultural health and success of this beautiful valley. And because of the collaboration of a diverse group of landowners to settle the Las Posas Basin Adjudication, we are hopeful that we can productively farm our land for the generations to come.

We, therefore, strongly support FCGMA Director David Borchard's initiative to develop a comprehensive, autonomous staffing plan which would transition FCGMA staff from contracted Ventura County employees to truly independent water, science, public administration, and finance professionals. This initiative will fulfill FCGMA's vision of being "an independent special district, *separate from the County of Ventura or a city government.*" And because FCGMA is the Las Posas Basin Watermaster, it makes good business and government sense to have full time, resourced, professional and independent staff that can and will meet the increased responsibilities and requirements of the Las Posas Basin Judgement.

Through the creation of an independent FCGMA staff, we envision a FCGMA staff comprised of experienced, knowledgeable, and problem-solving professionals who encourage stakeholder engagement and involvement towards mutually beneficial solutions of our water sustainability goals. Although this should have been done long ago, this would be a major step in marking FCGMA a real benefit for all.

Thank you for your time and consideration.

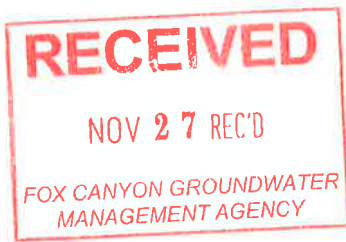
Sincerely,

A handwritten signature in black ink, reading "Bryce R. Bannatyne".

Bryce Bannatyne, Rancho Resplandor LLC

A handwritten signature in black ink, reading "Elaine Bannatyne".

Elaine Bannatyne, Rancho Resplandor LLC



**Richard Sundberg**  
**8250 Stockton Road**  
**Somis, California 93066**

**November 17, 2023**

**Board of Directors**

**Fox Canyon Groundwater Management Agency**

**Ventura County Government Center**

**800 S Victoria Avenue**

**Ventura, CA 93099**

**Dear Board of Directors**

**My name is Richard Sundberg, and I am a retired former accountant for the city of Thousand Oaks and a former Chief of Business and Finance for the Los Angeles County Department of Public Works. I purchased my lovely 23-acre lemon farm here in Somis in 1989 because Ventura County and Lemon and Orange trees were very much like where I grew up long ago and also because I wanted to produce something healthy for our society and also to keep Ventura County Green and uncongested. Last year my small lemon farm produced approximately 900,000 lbs. of lemons and I would love to continue to live here and grow lemons with your help.**

**I am trying my best to do this within the parameters of the new SGMA law even though it will mean reducing my water usage and will certainly increase my production costs.**

**As you are well aware the aquifer in my Los Posas Valley has been under adjudication and I am a member of a group of about 80% of the landowners in my valley who agreed to a settlement agreement which will substantially reduce the amount of water I may use to produce my crop in the future. The court found that the proposed structure of the settlement agreement was the fair and correct way to go.**

However, it is my understanding that your staff continues to resist the court approved settlement and has continued to file lawsuits against the very expensive settlement that the court as already agreed too.

I must say members of your staff like Kim Loeb have helped get us this far, however I would recommend to your board that in the future, you please put in place staff that can work with we farmers in the spirit of the settlement agreement and the goals of SGMA.

For our Valley to continue to be green farmland and be financially sustainable in the future we need you to put staffing in place that are unbiased, bright, innovative, professionals adequate to promptly meet the needs to accomplish the goals of SGMA and continue to keep Ventura County green with farmland far into the future.

Thank you for your consideration of my letter,

Sincerely,

A handwritten signature in cursive script that reads "Richard Sundberg". The ink is dark and the signature is fluid, with the first and last names being more prominent than the middle name.

Richard Sundberg 805-444-6256

# Placco LLC

Esper A. Petersen  
Managing Member

Petersen Ranch Address  
3400 Los Angeles Avenue  
Somis, California 93066

Phone: 1-805-386-0900  
Fax: 1-847-223-0009

E-mail [esper@nordicltd.com](mailto:esper@nordicltd.com)

RECEIVED

NOV 15 REC'D  
1 East Belvidere Road  
Grayslake, Illinois 60030  
FOX CANYON GROUNDWATER  
MANAGEMENT AGENCY  
Phone: 1-805-386-0900  
Fax: 1-847-223-0009



The Petersen Ranch

## FOX CANYON

Groundwater Management Agency

### Sustainable Groundwater Management

The Fox Canyon Groundwater Management Agency (FCGMA) manages and protects both confined and unconfined aquifers within all or portions of four groundwater basins underlying the southern portion of Ventura County. The FCGMA is an independent special district, separate from the County of Ventura or any city government. It was created by the

The above statement highlighted in pink is not truthful.

*Falsus in uno, falsus in omnibus!*

FCGMA November 1, 2023 meeting 1:30 PM County Building.

What was the rush to judgment to be the first in the State of California to file a Groundwater Sustainability Plan under the new CEQA law?

Supervisors Steve Bennett & Linda Parks, both notorious no growth advocates, wiggle their way to get FCGMA's engineers to put a ridiculously low proposed basin yield on the Las Posas Valley Basin of 24,000 acre-feet. Yet five years after the two aforementioned Supervisors were no longer involved in the GMA, the GMA agreed to 40,000 acre-feet of sustainable yield! Why would GMA do that, because like the old saying goes there are, lies, damn lies and statistics and engineers who write reports as they're told to do.

In 2016 LaLoma Ranch Mutual Water Company requested of the GMA a standby well. LaLoma Ranch's well at that point was about 35 years old and not very reliable. Since LaLoma



Ranch's well is both domestic and AG they are required to have two sources of water supply, mandated by the State. We went to the GMA and requested a well permit, authorized under their Ordinance for a new standby well and were promptly "officially" denied. Of course, we had to lawyer up and walk through the myriad of opprobrious objections that GMA staff offered up. Only as an example, one of the permit requirements was for Jeanie O'Donnell, one of the orchard farmers to remove a portion of her orchard since part of it she planted in the early 1980s in the outcrop/expansion areas. GMA has never heard of anything like, grandfathering something that had been there for 40 years, no give-and-take, no negotiation, no nothing. Until Jeanie O'Donnell walked in with a GMA document from 1984, granting her a waiver on various GMA requirements and to plant on the outcrop/expansion area. The bureaucrats at the GMA were absolutely stunned at that letter and inspected it very carefully! I'm sure not believing in its authenticity. Of course, GMA had absolutely no knowledge of or record of the letter or the variance that they had granted in 1984.


I questioned several people, in the know, from the GMA as to how that could be. I was told the GMA always shot from the hip in the past, had no consistency, and had copious numbers of their records boxed up that sat scattered out in the storage room in the Public Works building on Los Angeles Ave. by the Santa Clara River. At that time, I was told that nobody from GMA knows what's in those boxes since they are totally disorganized.

In another example, GMA passed Resolution 1993-2 to SUPPORT AND PROTECT INJECTED AND PERCOLATED WATER. This was a resolution to support retention ponds to percolate rainwater back into the aquifer. My Ranch on Los Angeles Ave. has six such retention ponds built from what I understand under the WPA in the 1930s thus named, for the lack of a better name the "Roosevelt Dams". In September 2019 I had an engineering analysis done by Jensen Engineering which showed that based on the GMA Resolution that I should receive a 180.7-acre feet credit per year for the water that is reinjected into the West Las Posas Basin from my Roosevelt Dams.

I applied to the GMA in early 2020 have had copious numbers of follow-up letters to the GMA for this credit and have heard absolutely nothing back ever in writing from the GMA.

Really is that how a government agency is supposed to work? Create ordinances where a standby well is allowed, then hassle the applicant so much that they almost give up, but in LaLoma Ranch case, we had no choice and could not give up? So, we lawyered up and spent \$27,000 in legal fees to get our well permit issued. No court action, no filings, nothing! My guess is the FCGMA staff decided they had hassled us enough?

Or create Resolutions that sound good and in fact would greatly help the replenishment of the basin by building these Roosevelt Dams all over the basin and then stonewalling the applicant?



It is the mentality of Ventura County Government that permeates through the entire FCGMA making it the one of the ineptest agencies of any government agency around. A separation from Ventura County Government by the GMA run by their own employees, in their own separate offices, away from the self-serving political inept practices of the Ventura County Government would be a very positive step into making FCGMA an effective agency and living up to its advertised purpose:

"The Fox Canyon Groundwater Management Agency manages and protects both confined and unconfined aquifers within several groundwater basins underlying the southern portion of Ventura County. **The FCGMA is an independent special district, separate from the County of Ventura or any city government.**"

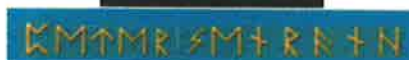
Sincerely yours,



Esper A. Petersen  
Managing Member  
C.C. Stephens



Petersen Land  
and  
Cattle Company



PETERSEN LAND  
AND  
CATTLE COMPANY

# PACHOWICZ | GOLDENRING

## A Professional Law Corporation

**Mailing Address:**

6050 Seahawk Street, Ventura, CA 93003-6622  
March 7, 2023

T: 805.642.6702

F: 805.642.3145

**Via Email** [jeff.pratt@ventura.org](mailto:jeff.pratt@ventura.org)

Mr. Jeff Pratt

Fox Canyon Groundwater Management Agency

800 South Victoria Avenue

Ventura, California 93009-1610

Re: Placco, L.L.C. Roosevelt Dams


Dear Jeff:

As a matter of courtesy I am providing to you the correspondence issued on February 24, 2023 concerning the above referenced. That letter was one of many. It also followed a meeting that involved you, I and Esper, along with others, on other topics, where this was specifically addressed and my understanding was you were going to look into it and get back to us. That was many months ago. I appreciate that you have been busy, but this has been dragging on for quite awhile. Esper's request for recognition have been ignored. He is one of the very few that has dedicated a significant portion of his property for the benefit of the entire basin. It is time for that to be acknowledged consistent with the promises of FCGMA.

Please advise promptly.

Very truly yours,

PACHOWICZ | GOLDENRING  
A Professional Law Corporation

By:   
PETER A. GOLDENRING

PAG/sah  
Enclosure

**Camarillo Location:**

4055 Mission Oaks Blvd., Suite A  
Camarillo, CA 93012

T: 805.987.4975  
F: 805.987.4980



# PACHOWICZ | GOLDENRING

## A Professional Law Corporation

**Mailing Address:**

6050 Seahawk Street, Ventura, CA 93003-6622

February 24, 2023

T: 805.642.6702

F: 805.642.3145

Via Email [jeff.pratt@ventura.org](mailto:jeff.pratt@ventura.org)

Mr. Jeff Pratt

Fox Canyon Groundwater Management Agency

800 South Victoria Avenue

Ventura, California 93009-1610

COPY

Re: Placco, L.L.C. Roosevelt Dams

Dear Jeff:

This is now one of a number of letters that I have issued following up on the conference that you, I and Esper had many months ago, that included a conversation with respect to Esper's Roosevelt Dams.

For your information, in the most rains they worked exactly as anticipated and constructed, holding huge amounts of water and allowing that water to percolate into the aquifer rather than wash down the creek into the ocean.

FCGMA by historic ordinance promised credits/allocation for the deduction of property for this public benefit. Our client could have easily removed this infrastructure and planted out the property thereby making for a larger orchard and greater economic benefit. Instead, consistent with the public policy that FCGMA encouraged and upon which our client relied, these infrastructures have been preserved and maintained at our client's expense and cost without any reimbursement or assistance from anyone, FCGMA included.

As a matter of law, pursuant to FCMGA Ordinance as well as, and perhaps even importantly, FCGMA establishing believability in the community which as you know is not existing at the present time, we would hope that FCGMA would follow both the letter and spirit of its longstanding Ordinance and credit our client appropriately, consistent with the documentation previously provided.

Please understand that from our client's point of view, a conference with you and a series of letters from me, all of which followed an earlier submission by several years to which there was no response, is time enough for FCGMA to act.

**Camarillo Location:**

4055 Mission Oaks Blvd., Suite A  
Camarillo, CA 93012

T: 805.987.4975  
F: 805.987.4980






Mr. Jeff Pratt  
Re: Placco, L.L.C. Roosevelt Dams  
February 24, 2023  
Page 2

We look forward to both a credit as well as a conversation within the next seven (7) days.

Very truly yours,

PACHOWICZ | GOLDENRING  
A Professional Law Corporation

By:  PETER A. GOLDENRING

PAG/sah

# PACHOWICZ | GOLDENRING

## A Professional Law Corporation

Mailing Address:  
6050 Seahawk Street, Ventura, CA 93003-6622  
January 17, 2023

T: 805.642.6702  
F: 805.642.3145

Via Email [jeff.pratt@ventura.org](mailto:jeff.pratt@ventura.org)

Mr. Jeff Pratt  
Fox Canyon Groundwater Management Agency  
800 South Victoria Avenue  
Ventura, California 93009-1610

Re: Placco, L.L.C. Roosevelt Dams

Dear Jeff:


You will recall in the several conversations and meeting that took place involving our client Esper Petersen/Placco, L.L.C., there was a discussion and documents were provided concerning the Roosevelt dams on Esper's property. Under the 1995 FCGMA Ordinance, Esper is entitled to a credit of approximately 185 acre feet based upon the Jensen Engineering analysis that was provided to FCGMA years ago.

Esper has been patiently waiting for FCGMA to afford him that credit. Given the most recent storms where these dams worked exactly as designed, captured huge amounts of water which are percolating into the aquifer, the time has come for this to be recognized as a significant contribution to the benefit of all concerned.

Please implement the credit to Esper's properties/wells. We look forward to this happening and confirmed within the next seven (7) days given the long passage of time on this issue.

Very truly yours,

PACHOWICZ | GOLDENRING  
A Professional Law Corporation

By:  PETER A. GOLDENRING

PAG/sah

# PACHOWICZ | GOLDENRING

## A Professional Law Corporation

**Mailing Address:**  
6050 Seahawk Street, Ventura, CA 93003-6622

**T: 805.642.6702**  
**F: 805.642.3145**

July 22, 2022

**Via Email** [jeff.pratt@ventura.org](mailto:jeff.pratt@ventura.org)

**Mr. Jeff Pratt**

Fox Canyon Groundwater Management Agency  
800 South Victoria Avenue  
Ventura, California 93009-1610

**Re: Placco Ranch Variance**

**Dear Jeff:**

Please allow this correspondence to be an augmentation of my letter to you of July 19, 2022 concerning Mr. Petersen's ranches and the "Roosevelt Dams." I want to emphasize that the words of the 1993-2 Resolution of FCGMA talks about "support and project injected and percolated waters" so the policy is very clear. In addition, the FCGMA Ordinance adopted in June 2002, last amended in 2015, Section 5.7.2.1.2 talks about "storage credits" and specifically refers to that being applicable to water that is "spread and percolated." I believe these words reasonably capture what has occurred on our client's property for a long time. In fact, Mr. Petersen has not been able to plant a significant portion of his property based upon these dams and their operation which inures to the benefit of the entire aquifer.

After you have had a chance to review my prior correspondence and this augmentation, I would appreciate an opportunity to speak with you so we can talk through the best way to approach this within the context of the current Ordinance structure, the pending variance application on which there has been no action taken, in a manner that is fair and just to Mr. Petersen.

As always, I appreciate your professional courtesy and attention to this matter.

Very truly yours,

PACHOWICZ | GOLDENRING  
A Professional Law Corporation

  
By: PETER A. GOLDENRING

PAG/sah

**Camarillo Location:**

4055 Mission Oaks Blvd., Suite A  
Camarillo, CA 93012

**T: 805.987.4975**  
**F: 805.987.4980**



# PACHOWICZ | GOLDENRING

## A Professional Law Corporation

**Mailing Address:**  
6050 Seahawk Street, Ventura, CA 93003-6622

**T: 805.642.6702**  
**F: 805.642.3145**

July 19, 2022

**Via Email** [jeff.pratt@ventura.org](mailto:jeff.pratt@ventura.org)

Mr. Jeff Pratt

Fox Canyon Groundwater Management Agency  
800 South Victoria Avenue  
Ventura, California 93009-1610

**Re: Placco Ranch Variance**

Dear Jeff:

Thank you for discussing the above referenced matter and requesting further information.

As your staff will tell you, all of Mr. Petersen's ranches are within the Las Posas Basin and all are within the Omnibus Variance Application that was timely filed under the current ordinance through Downey Brand. You may consider this letter as an augmentation on behalf of Mr. Petersen's properties. I say this because we believe the information being provided was previously provided to FCGMA staff. We are undertaking a search of a number of historic files to obtain that transmittal documentation but since I cannot hand it to you right now, the simplest and most appropriate way to get this under your consideration is through the inclusion within the pending variance application described.

The ranch of Mr. Petersen, referred to as PR1/4 under the name of Placco, has on it what would be described in common parlance as Roosevelt Dams, which are detention basins that effectively stop water from sheeting over the property and instead capture it so that the water percolates into the groundwater basin. At the risk of telling you what you already know, pursuant to a resolution by the FCGMA adopted in 1993 (Resolution 1993-2), the FCGMA declared the policy to always consider and recognize the benefits of recharge and provide appropriate credits and consideration. In subsequent ordinances this too was recognized and the policy reaffirmed.

The recharge facilities on Mr. Petersen's properties in the Las Posas Basin are not insubstantial, have been there for many years and are maintained by Mr. Petersen at his cost. In order to identify the recharge and quantify it, Mr. Petersen retained the services of Jensen Design & Survey, Inc. which issued an analysis of the recharge by its Report dated September 10, 2019. A copy is enclosed with this letter, although as indicated above, this was to my recollection previously provided to your staff. As you will see, on any given year, based upon averages, there is a range of direct benefit to the groundwater basin which at the upper threshold is approximately 180.7 acre feet per year.

**Camarillo Location:**

4055 Mission Oaks Blvd., Suite A  
Camarillo, CA 93012

**T: 805.987.4975**  
**F: 805.987.4980**





Mr. Jeff Pratt  
July 19, 2022  
Page 2

We believe that Mr. Petersen's property should be credited this amount or an appropriate reasonable average reached through conversation as a credit and additur to Mr. Petersen's groundwater allocation for his properties in the Las Posas Basin. Since the recharge is to the aquifer generally, these amounts should be credited generally to Mr. Petersen's properties but if that cannot be accomplished, Mr. Petersen can designate which property should receive these credits, both historically and going forward.

I am sure that FCGMA appreciates the uniqueness of what Mr. Petersen's properties provide at no cost to FCGMA or anyone else but obviously at significant cost to Mr. Petersen. He pays to maintain these structures to ensure that they work. They eliminate the ability to plant or commercially use his property. They are for the common good. This is precisely the kind of community activity and benefit that the policy of FCGMA has long espoused and we ask for your careful consideration in this regard.

Mr. Petersen and I are available to further discuss this matter with you.

Very truly yours,

PACHOWICZ | GOLDENRING  
A Professional Law Corporation

  
By: PETER A. GOLDENRING

PAG:nc  
Enclosure

Page 14 of 81

Basin	Tributary Area (ac)	10-year storm Volume (af)	50-year storm volume (af)	Available Basin Volume	2-year interpolated storm volume
1	26.6	2.34	4.74	7.31	0.29
2	23	2.05	4.12	0.90	0.25
3	16.8	1.53	3.08	1.20	0.19
4	34.3	3.2	6.35	4.10	0.38
5	39.2	3.22	6.63	4.65	0.40

Ventura County 2010 Hydrology Manual, the County's Tc Calculator and VcRat software were used to determine a 10-year and 50-year runoff volume directed to each basin. A 10-year storm event is an event that has a 10% likelihood of occurrence in any given year. A 50-year hydrograph has a 5% chance of occurrence every year. A 10-year rain event yields 4.3 inches over 24-hours. Given the unpredictability of the rainfall across the County as far as frequency and intensity, we decided to look at an average rainfall over the course of a year and assume that the basins do not overtop, but rather infiltrate the average yearly rainfall. There are currently no infiltration tests within the basins to determine infiltration rates.

K:\PET26082\Hydro\6082-Petersen Ranch Basin Summary.doc

ENGINEERS

PLANNERS

SURVEYORS

CONSTRUCTION MANAGERS



**JENSEN**  
DESIGN & SURVEY, INC.

*Delivering excellence through experience*

1672 Donlon Street  
Ventura, CA 93003  
Local 805 654-6977  
Fax 805 654-6979  
[www.jdsdvl.com](http://www.jdsdvl.com)

PET02.6082.002  
September 10, 2019

Placco, LLC  
Esper Petersen  
3400 Los Angeles Avenue  
Somis, CA 93066

**RE: Petersen Ranch Fox Canyon Groundwater Credit Analysis**

Jensen Design & Survey, Inc. analyzed drainage tributary to existing detention basins on the Petersen Ranch in Somis, California. The request was made to support the ranch in obtaining water use credits from Fox Canyon Groundwater Management Agency (the Agency) for percolated water onsite. Fox Canyon Groundwater Management Agency resolution 1993-2 states "Whereas, those ones, agencies and individuals that invest significant funds to develop storage facilities and comply with the requirements of the Fox Canyon Groundwater Ordinance are entitled to recover the water injected or percolated." This resolution does not state how the Agency calculates the volume that counts as percolated water to then count as a credit for pumping groundwater.

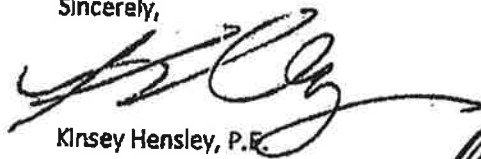
We obtained 2005 Ventura County Lidar topography of the Ranch to determine the existing basin volumes onsite and their tributary areas. There are currently a total of 5 basins located on the Ranch. The basins each vary in available storage volume and tributary area as shown below and on the attached exhibit:

The Local precipitation gauge data for Ventura County Precipitation Gauge Station 190 in Somis on Bradley Road and Berylwood Road, shows an average yearly rainfall from 1955-2018 of 15.5 inches. Total tributary area to the five basins is 139.9 acres. Assuming over a given year the basins can infiltrate the total Ventura County average rainfall, the upper threshold volume for credits could be 180.7 ac-ft. This is assuming there is no runoff from the site over one year of average rainfall.

It should be mentioned that Fox Canyon Groundwater Management Agency Ordinance Code amended in January 2015 section 5.7 describes the process to request credits. This has to be presented to the board for approval and must implement a management plan associated with the basins. Section 5.7 is attached to this letter.

Please let us know if you need any further assistance.

Sincerely,

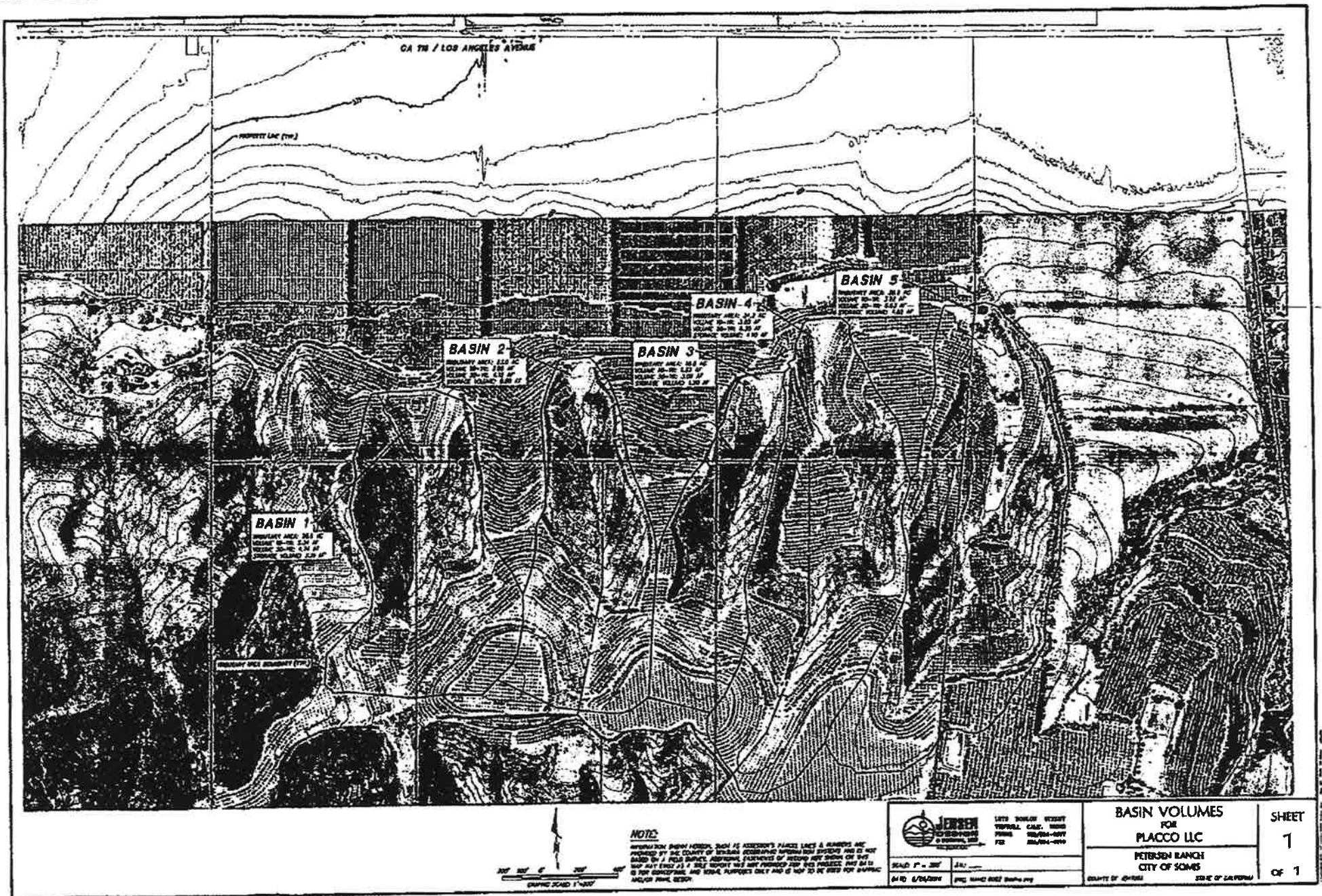


Kinsey Hensley, P.E.



9.10.19





**Resolution 1993-2**  
**of the**  
**Fox Canyon Groundwater Management Agency**

**A RESOLUTION**  
**TO SUPPORT AND PROTECT INJECTED**  
**AND PERCOLATED WATER**

WHEREAS, the Fox Canyon Groundwater Management Agency is empowered to manage the aquifers within the boundary of the Fox Canyon Groundwater Management Agency; and

WHEREAS, the Fox Canyon Groundwater Management Agency has enacted Ordinance No 5.2 to REDUCE GROUNDWATER EXTRACTIONS which includes regulating the injection or percolation of foreign water into aquifer systems; and

WHEREAS, certain cities, water agencies, and other individuals have already or may now desire to inject or percolate water into the aquifer systems; and

WHEREAS, the injection or percolation of water into the aquifer systems within the Fox Canyon Groundwater Management Agency is consistent with good management practices, benefiting the Fox Canyon Groundwater Management Agency and Ventura County as a whole; and

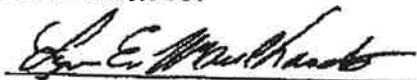
WHEREAS, the injection or percolation of water into the aquifer systems of the Fox Canyon Groundwater Management Agency is essential to meet seasonal and dry year demands and provide protection from other potential water supply emergencies; and

WHEREAS, monitoring guidelines for meeting Agricultural and Municipal and Industrial (M & I) standards and control of injected or percolated water will be accomplished by ordinance or in the specific project approval process; and

WHEREAS, those ones, agencies and individuals that invest significant funds to develop storage facilities and comply with the requirements of the Fox Canyon Groundwater Management Agency Ordinance are entitled to recover the water injected or percolated.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND RESOLVED that it is the policy of the Fox Canyon Groundwater Management Agency to support these efforts and will employ its powers to protect injected and percolated foreign water for the various purposes of those agencies, cities and individuals who have injected and percolated water in accordance with the Fox Canyon Groundwater Management Agency regulations and, within the boundaries of the Fox Canyon Groundwater Management Agency

On motion by Director Flynn, seconded by Director Daniels, the foregoing resolution was passed and adopted on this 27<sup>th</sup> DAY OF OCTOBER 1993.



Lynn E. Maulhardt, Chair - Board of Directors

ATTEST: I hereby certify that the above is a true and correct copy of Resolution 1993-2.

  
Vicki Griffin, Deputy Clerk of the Board

**Fox Canyon Groundwater Management Agency  
Ordinance Code**

Adopted June 26, 2002  
Last Amended January 9, 2015

**CHAPTER 1.0  
Definitions**

As used in this code, the following terms shall have the meanings stated below:

- 1.1. **"Actual Applied Water"** – means the total water applied by the grower to the crop over the course of a calendar year without regard to the water source. Examples of actual applied water include the sum of well water, water delivered from a water supplier, and or from surface water diversions. Total applied water does not include precipitation.
- 1.2. **"Agency"** means the Fox Canyon Groundwater Management Agency.
- 1.3. **"Agency Boundary"** shall be as depicted on the map adopted by the Board and recorded as an official record with the County Recorder's Office on January 14, 2002 (Document No. 2002-0009215), and as may be adjusted as provided in the Agency's enabling legislation.
- 1.4. **"Agricultural Extraction Facility"** means a facility from which the groundwater produced is used on lands in the production of plant crops or livestock for market, and uses incidental thereto.
- 1.5. **"Annual"** means the calendar year January 1 through December 31.
- 1.6. **"Aquifer"** means a geologic formation or structure that yields water in sufficient quantities to supply pumping wells or springs. A confined aquifer is an aquifer with an overlying less permeable or impermeable layer.
- 1.7. **"Board"** means the Board of Directors of the Fox Canyon Groundwater Management Agency.
- 1.8. **"County"** means the County of Ventura.
- 1.9. **"Developed Acreage"** means that portion of a parcel within the Agency Boundary that is receiving water for reasonable and beneficial agricultural, domestic or municipal and industrial (M & I) use.
- 1.10. **"Due Date"** means, unless otherwise specifically provided, within 45 days of the date of the Agency's mailing the Semi Annual Extraction Statement, the recipient (Well Operator and/or Well Owner) is to return (have postmarked) the completed forms along with any required payment of extraction charges, and surcharges.
- 1.11. **"East Las Posas Basin"** That part of the former North Las Posas Basin that is east of the subsurface anomaly described by significant changes in groundwater levels, as described in the Groundwater Management Plan and the Las Posas Basin-Specific Groundwater Management Plan, located for record purposes on maps as provided in Section 1.20.

- 1.12. **"Excess Extraction"** means those extractions in excess of an operator's extraction allocation or adjusted extraction allocation.
- 1.13. **"Executive Officer"** means the individual appointed by the Board to administer Agency functions, or his/her designee.
- 1.14. **"Exempt Well Operators"** means all well operators operating extraction facilities supplying a single family dwelling on one acre or less, with no income producing operations and those operators granted an exemption by the Board.
- 1.15. **"Expansion Area"** means that portion of land beyond the outer limits of the Agency Boundary in the West, East, and South Las Posas Basins that lies between the Agency Boundary and the crest of the hill or 1.5 miles beyond the Agency Boundary as defined by Map Number Two, entitled Fox Canyon Outcrop, Las Posas Basin, 1995. .
- 1.16. **"Extraction"** means the act of obtaining groundwater by pumping or other controlled means.
- 1.17. **"Extraction Allocation"** means the amount of groundwater that may be obtained from an extraction facility during a given calendar year, before a surcharge is imposed.
- 1.18. **"Extraction Facility"** means any device or method (e.g. water well) for extraction of groundwater within a groundwater basin or aquifer.
- 1.19. **"Flowmeter"** means a manufactured instrument for accurately measuring and recording the flow of water in a pipeline.
- 1.20. **"Foreign Water"** means water imported to the County through the State Water Project facilities or other newly available water as approved by the Board, such as recycled water that would otherwise be lost to the Ocean.
- 1.21. **"Groundwater"** means water beneath the surface of the earth within the zone below the water table in which the soil is completely saturated with water.
- 1.22. **"Groundwater Basin"** means a geologically and hydrologically defined area containing one or more aquifers, which store and transmit water yielding significant quantities of water to wells. For the purposes of this Ordinance Code, groundwater basins that of which either all or a portion or portions thereof are located within the Agency Boundary include, but are not limited to the Oxnard Plain Forebay Basin, Oxnard Plain Pressure Basin, Pleasant Valley Basin, East Las Posas Basin, West Las Posas Basin, South Las Posas Basin and the Arroyo Santa Rosa Basin, as described in the Groundwater Management Plan. The boundaries of these basins are shown on maps that shall be adopted by a Resolution. Groundwater basin boundaries may be modified by a Resolution.
- 1.23. **"Groundwater Management Plan"** means the 2007 Update to the Fox Canyon Groundwater Management Plan or Board-adopted updates to this plan.
- 1.24. **"Historical Extraction"** means the average annual groundwater extraction based on the five (5) calendar years of reported extractions from 1985 through 1989 within the Agency



Boundary. This average will be expressed in acre-feet per year. All historical extraction allocations became effective on January 1, 1991.

- 1.25. **"Inactive Well"** An inactive well is a well that conforms to the County Water Well Ordinance requirements for an active well, but is being held in an idle status in case of future need. Idle status means the well is pumped no more than 8 hours during any 12-month period. Inactive wells are not required to have a flowmeter. Pumping to maintain status as an active well under the County Water Well Ordinance shall not exceed 8 hours in a 12 month period, shall be for beneficial use, and shall be estimated and reported to the Agency. Prior to removing a well from idle status, the operator shall install a flowmeter in accordance with the requirements in Chapter 3 of the Ordinance Code.
- 1.26. **"Injection/Storage Program"** means any device or method for injection/storage of water into a groundwater basin or aquifer within the Agency Boundary, including a program to supply foreign water in lieu of pumping.
- 1.27. **"Las Posas Basin-Specific Groundwater Management Plan"** means the Las Posas Basin-Specific Groundwater Management Plan or Board-adopted updates to this plan.
- 1.28. **"Las Posas Basin Eastern Management Sub-Area (Las Posas EMSA)"** means the geographic area identified as such in the Las Posas Basin-Specific Groundwater Management Plan.
- 1.29. **"Las Posas Basin Management Area"** means the geographic area identified as such in the Las Posas Basin-Specific Groundwater Management Plan, which is comprised of the Las Posas Basin Western Management Sub-Area, Las Posas Basin Eastern Management Sub-Area, and the Las Posas Basin Management Area – Monitor Only Area.
- 1.30. **"Las Posas Basin Management Area – Monitor Only Area"** means the geographic area identified as such in the Las Posas Basin-Specific Groundwater Management Plan.
- 1.31. **"Las Posas Basin Western Management Sub-Area (Las Posas WMSA)"** means the geographic area identified as such in the Las Posas Basin-Specific Groundwater Management Plan.
- 1.32. **"Las Posas Outcrop"** or **"Outcrop"** means the area of Lower Aquifer System surface exposure as defined by Map Number One, Fox Canyon Outcrop, Las Posas Basin, 1982.
- 1.33. **"May"** as used in this Ordinance Code, permits action but does not require it.
- 1.34. **"Municipal and Industrial (M & I) Provider"** means person who provides water for domestic, industrial, commercial, or fire protection purposes within the Agency Boundary.
- 1.35. **"Municipal and Industrial (M & I) Operator"** An owner or operator that supplied groundwater for M & I use during the historical allocation period and did not supply a significant amount of agricultural irrigation during the historical period."

- 1.36. **"Municipal and Industrial (M & I) User"** means a person or other entity that used or uses water for any purpose other than agricultural irrigation.
- 1.37. **"Municipal and Industrial (M & I) Use"** means any use other than agricultural irrigation.
- 1.38. **"Non-Operating Flowmeter"** – A non-operating flowmeter includes a flowmeter that is out of calibration by plus or minus 5%, and/or a flowmeter that has not been calibrated within the flowmeter calibration schedule adopted by the Board.
- 1.39. **"Operator"** means a person who operates a groundwater extraction facility. In the event the Agency is unable to determine who operates a particular extraction facility, then "operator" shall mean the person to whom the extraction facility is assessed by the County Assessor, or, if not separately assessed, the person who owns the land upon which the extraction facility is located.
- 1.40. **"Ordinance Code"** means the Fox Canyon Groundwater Management Agency Ordinance Code.
- 1.41. **"Overdraft"** means the condition of a groundwater basin or aquifer where the average annual amount of water extracted exceeds the average annual supply of water to a basin or aquifer.
- 1.42. **"Owner"** means a person who owns a groundwater extraction facility. Ownership shall be determined by reference to whom the extraction facility is assessed by the County Assessor, or if not separately assessed, the person who owns the land upon which the extraction facility is located.
- 1.43. **"Perched" or "Semi-Perched Aquifer"** means the shallow, unconfined aquifer that overlies the Oxnard Aquifer in Sealing Zone III, as described in the California Department of Water Resources Bulletin No. 74-9.
- 1.44. **"Person"** includes any state or local governmental agency, private corporation, firm, partnership, individual, group of individuals, or, to the extent authorized by law, any federal agency.
- 1.45. **"Recharge"** means natural or artificial replenishment of groundwater in storage by percolation or injection of one or more sources of water.
- 1.46. **"Resolution"** means a formal statement of a decision adopted by the Board.
- 1.47. **"Safe Yield"** means the condition of groundwater basin when the total average annual groundwater extractions are equal to or less than total average annual groundwater recharge, either naturally or artificially.
- 1.48. **"Section"** as used in this Ordinance Code, is a numbered paragraph of a chapter.
- 1.49. **"Semi-Annual Groundwater Extraction Statement"** is a form filed by each operator containing the information required by Section 2.2 and 2.3.1 and shall cover the periods from January 1 to June 30 and from July 1 to December 31 annually.

- 1.50. **"Shall"** as used in this Ordinance Code, is an imperative requirement.
- 1.51. **"Well Flushing"** means the act of temporarily discharging extracted groundwater through a connection located upstream of the water distribution system at the beginning of an extraction cycle. Well flushing is typically performed until the quality of the extracted water is suitable for beneficial use and/or will not damage the distribution system. In some cases, the flushing flows may be discharged upstream of the distribution system, including the flowmeter. Flushing flows discharged upstream of the flowmeter shall be estimated and reported to the Agency in accordance with the requirements accordance with the requirements in Chapter 2 of the Ordinance Code.
- 1.52. **"Well Rehabilitation"** means the act of restoring a well to its most efficient condition by various treatments, development, or reconstruction methods. In most cases, groundwater extracted during well rehabilitation is not discharged through the extraction facility piping and, consequently, is not flowmetered. In these cases, the volume of water extracted shall be estimated and reported to the Agency in accordance with the requirements accordance in Chapter 2 of the Ordinance Code.
- 1.53. **"West Las Posas Basin"** is that part of the former North Las Posas Basin that is west of the subsurface anomaly described by significant changes in groundwater levels, as described in the Groundwater Management Plan and the Las Posas Basin-Specific Groundwater Management Plan, located for record purposes on maps as provided in Section 1.20.

## **CHAPTER 2.0**

### **Registration of Wells and Levying of Charges**

#### **2.1. Registration of Wells**

- 2.1.1. **Agency Water Well Permit Requirement (No-Fee Permit)** – All new extraction facilities constructed within the Agency Boundary shall obtain a no-fee permit from the Agency prior to the issuance of a well permit by the County.
- 2.1.2. **Registration Requirement** – All groundwater extraction facilities within the boundaries of the Agency shall be registered with the Agency within 30 days of the completion of drilling activities or within 30 days after notice is given to the operator of such facility. No extraction facility may be operated or otherwise utilized so as to extract groundwater within the Agency Boundary unless that facility is registered with the Agency, flowmetered and permitted, if required, and all extractions reported to the Agency as required. The operator of an extraction facility shall register his extraction facility and provide in full, the information required to complete the form provided by the Agency that includes the following:
- 2.1.2.1. Name and address of the operator(s).
  - 2.1.2.2. Name and address of the owner(s) of the land upon which the extraction facility is located.

2.1.2.3. A description of the equipment associated with the extraction facility.

2.1.2.4. Location, parcel number and state well number of the water extraction facility.

2.2. **Change in Owner or Operator** - The name of the owner of each extraction facility, the parcel number on which the well is located along with the names of all operators for each extraction facility shall be reported to the Agency within 30 days upon any change of ownership or operators, together with such other information required by the Executive Officer.

2.3. **Reporting Extractions** - All extractions shall be reported to the Agency. All extractions shall be flowmetered in accordance with the requirements and methods for flowmetering extractions as specified by Chapter 3. In cases where flowmetering is not required, the volume of water extracted shall be estimated and reported to the Agency. The Agency shall send a "Semi-Annual Groundwater Extraction Statement" (SAES) form to each well operator in January and July each year. Each operator shall return the completed SAES form on or before the due date for all wells they operate. SAES forms are due forty-five (45) days after being sent by the Agency. The SAES shall contain the following information:

2.3.1. The information required under Section 2.1.2 above.

2.3.2. The method of measuring or computing groundwater extractions.

2.3.3. The crop types or other uses and the acreage served by the extraction facility.

2.3.4. Total extractions from each extraction facility in acre-feet for the preceding period.

2.4. **Groundwater Extraction Charges**

2.4.1. All persons operating groundwater extraction facilities shall pay a groundwater extraction charge for all groundwater extracted after July 1, 1993, in the amount as established by Resolution. Payments are due semi-annually, and shall accompany the statement required pursuant to Section 2.3.

2.4.2. Payments not received or postmarked by the due date shall be charged interest at the rate of 1.5 percent per month until paid in full as provided in section 1005 of the Fox Canyon Groundwater Management Agency Act.

2.4.3. Owners of extraction facilities are ultimately responsible for payment of groundwater extraction charges and interest should an operator not pay. Consequently, owners are charged with providing for this liability in agreements entered into with well operators and water users.

2.5. **Use of Extraction Charges** - Revenues generated from extraction charges and interest shall be used exclusively for authorized Agency purposes, including financial assistance to support Board approved water supply, conservation, monitoring programs and water reclamation projects that demonstrate significant reductions in overdraft.

## **CHAPTER 3.0**

### **Installation and Use of Flowmeters for Groundwater Extraction Facilities**

#### **3.1. Installation and Use of Flowmeters**

3.1.1. **Installation Requirement** - Prior to extracting groundwater, the operator shall install a flowmeter. With the exception of connections used for well flushing and extraction facilities used by multiple operators, flowmeters shall be installed upstream of all connections to the main discharge line. Flowmetering is not required during well flushing and well rehabilitation; however, the volume of water extracted shall be estimated and reported to the Agency. Flowmeters are not required on inactive wells as defined in this Ordinance Code, nor are flowmeters required for extraction facilities supplying a single family dwelling on one acre or less, with no income producing operations. If more than one operator uses the same extraction facility, flowmeters shall be installed to record the water use of each operator. Well operators were required to install flowmeters on wells by July 1, 1994.

3.1.2. **Flowmeter Failure and Back-up Measurement Requirements** - Flowmeters occasionally fail, losing periods of record before the disabled or inaccurate meter is either replaced or repaired. When a flowmeter fails, the operator shall repair or replace the flowmeter within the timeframe specified in a separate Resolution. Flowmeter failures and associated repairs or replacements shall be reported to the Agency together with any other information required by the Executive Officer on or before the due date of the next Semi-Annual Groundwater Extraction Statement. Well operators shall be prepared to provide another acceptable method of computing extractions during these periods of flowmeter failure to avoid the loss of record on wells that require flowmetering under this Ordinance Code.

3.1.3. **Back-up Methods** - It is the operator's responsibility to maintain the flowmeter. Any allowable or acceptable backup measurement methods will be specified in a separate Resolution and may be changed as technology improves or changes.

3.1.4. **Flowmeter Readings** - Functional flowmeters shall be read and the readings reported semi-annually on the extraction statements required under Section 2.3 above.

3.1.5. **Inspection of Flowmeters** - The Agency may inspect flowmeter installations for compliance with this Ordinance Code at any reasonable time.

3.2. **Flowmeter Testing and Calibration** - All flowmeters shall be tested for accuracy at a frequency interval determined by the Board to meet specific measurement standards. Calibration methods and procedures approved by the Board shall be detailed in an adopted Resolution.

3.3. **Altering Flowmeters** - Any person who alters, removes, resets, adjusts, manipulates, obstructs, or in any manner interferes or tampers with any flowmeter affixed to any groundwater extraction facility required by this Ordinance Code, resulting in said flowmeter to improperly or inaccurately measure and record groundwater extractions, is guilty of an

intentional violation of this Ordinance Code and will be subject to any and all penalties as described in Chapter 8.

- 3.4. **Costs of Testing and Calibration** - All costs incurred with flowmeter testing or calibration shall be the personal obligation of the well owner. Non-compliance with any provision of the flowmeter calibration requirements will subject the owner to financial penalties and/or liens as described below or in Chapter 8 of the Ordinance Code.
- 3.5. **Fees and Enforcement** - If any water extraction facility required to have a flowmeter within the Agency's boundaries is used to produce water without a flowmeter or with a non-operating flowmeter in excess of the allowable timeframe specified in a separate Resolution, the Groundwater Extraction Charge is increased to the Non-Metered Water Use Fee. The amount of the fee shall be calculated as follows:
  - 3.5.1. **Groundwater extraction facilities** - The fee shall be equal to double the current groundwater extraction charge for all estimated water used. Estimates of water used shall be calculated by the operator and approved by the Executive Officer or calculated by the Agency using best available information about site use and conditions. Any delinquent Non-Metered Water Use Fee obligations shall also be charged interest at the rate of 1.5 percent per month on any unpaid balances.
- 3.6. Upon violation of any flowmeter provision, the Agency may, as allowed by law, petition the Superior Court of the County for a temporary restraining order or preliminary or permanent injunction prohibiting the well owner from operating the facility or for such other injunctive relief as may be appropriate.

## **CHAPTER 4.0**

### **Protection of the Las Posas Basin Management Area**

- 4.1. **This chapter has the following purpose and intent:**
  - 4.1.1. To facilitate implementation of the groundwater management strategies identified in the Las Posas Basin-Specific Groundwater Management Plan, which are intended to maintain a reliable groundwater supply of a quality suitable to the needs of the groundwater users in the Las Posas EMSA and Las Posas WMSA.
  - 4.1.2. To protect the Las Posas outcrop as a source of groundwater recharge into the Las Posas Basin Management Area.
  - 4.1.3. To prevent groundwater quality degradation of the Las Posas Basin Management Area by influence from the Expansion area.
  - 4.1.4. This Ordinance Code is only one means by which these goals will be met.
- 4.2. **Anti-degradation and Extraction Prohibition**
  - 4.2.1. **Extraction Facility Permits.**

- 4.2.1.1. Permit Required - Prior to either: (a) initiating any new or increased use of groundwater in the Expansion area, obtained from any source within the Agency, including the Expansion area or (b) constructing a new or replacement extraction facility in the Las Posas Basin Management Area, or the Expansion area, a permit must be obtained from the Agency as provided in this Chapter. For the purpose of this Chapter, a new or increased use is that which did not exist or occur before June 30, 1988.
- 4.2.1.2. Permit Application - Application shall be made in accordance with the requirements set forth in Section 2.1.1 and shall include all information required by the County Well Ordinance and the following:
  - 4.2.1.2.1. Location of each water well to be used, along with the associated state well number.
  - 4.2.1.2.2. Location(s) of current and proposed groundwater use, including acreage accurately plotted on copy of the County Assessor's Parcel Map.
  - 4.2.1.2.3. The proposed crop type(s) or Municipal and Industrial use(s) at each location.
  - 4.2.1.2.4. A brief description of the type of irrigation or distribution system and flowmeter to be used.
  - 4.2.1.2.5. The estimated average annual quantity of water use proposed for each location of use.
  - 4.2.1.2.6. An identification of the source of historical allocation to supply the proposed water use by the well.
  - 4.2.1.2.7. An analysis of the potential impacts on the water balance and water quality in the Las Posas Basin Management Area resulting from the proposed use(s).
- 4.2.1.3. Findings - A permit may only be granted if the Executive Officer finds that the proposed groundwater use will result in no net detriment to the Las Posas Basin Management Area by determining that:
  - 4.2.1.3.1. The Las Posas outcrop is not exposed to potential degradation of water quality of any type.
  - 4.2.1.3.2. Recharge to the Las Posas Basin Management Area from the Las Posas outcrop is not diminished.
  - 4.2.1.3.3. Neither baseline nor efficiency allocation will be used, directly or indirectly, to support groundwater use on the Expansion Area (an example of indirect use is using efficiency to supply a



demand inside the Agency and using the replaced historical allocation on the outcrop).

- 4.2.1.3.4. No increased or new uses of groundwater from inside the Agency Boundary will be applied on any area outside the Expansion area (or outside the Las Posas Basin Management Area).
- 4.2.1.3.5. [Operative Until Adoption of the Las Posas Basin-Specific Groundwater Management Plan] For extraction facilities located in the West Las Posas Basin, the proposed extraction will not interfere with attainment of basin management objectives or implementation of groundwater management strategies for the West Las Posas Basin identified in the Groundwater Management Plan, including, but not limited to, efforts to stabilize or raise groundwater elevations in the pumping depression identified in the Groundwater Management Plan.
- 4.2.1.3.6. [Operative Upon Adoption of the Las Posas Basin-Specific Groundwater Management Plan] For extraction facilities located in the Las Posas WMSA, the proposed extraction will not interfere with attainment of basin management objectives or implementation of groundwater management strategies for the Las Posas WMSA identified in the Las Posas Basin-Specific Groundwater Management Plan, including, but not limited to, efforts to stabilize or raise groundwater elevations in the pumping depression identified in the Las Posas Basin-Specific Groundwater Management Plan.
- 4.2.1.3.7. [Operative Until Adoption of the Las Posas Basin-Specific Groundwater Management Plan] For extraction facilities located in the East and South Las Posas Basins, the proposed extraction will not interfere with attainment of basin management objectives or implementation of groundwater management strategies for the East and South Las Posas Basins identified in the Groundwater Management Plan, including, but not limited to, efforts to manage or improve groundwater quality for the benefit of existing pumpers.
- 4.2.1.3.8. [Operative Upon Adoption of the Las Posas Basin-Specific Groundwater Management Plan] For extraction facilities located in the Las Posas EMSA, the proposed extraction will not interfere with attainment of basin management objectives or implementation of groundwater management strategies for the Las Posas EMSA identified in the Las Posas Basin-Specific Groundwater Management Plan, including, but not limited to, efforts to manage or improve groundwater quality for the benefit of existing pumpers.

4.2.1.4. **Permit Conditions.** The Executive Officer may include in the permit granted, any conditions consistent with the purpose of this Chapter, including:

4.2.1.4.1. Any proposed agricultural use shall include the installation of irrigation systems that employ irrigation best management practices consistent with then current industry standards.

4.2.1.4.2. Any proposed municipal or industrial use shall include the installation of systems that employ municipal and industrial best management practices consistent with the then current industry standards.

4.2.1.4.3. Mitigation, monitoring, and periodic reporting, as may be appropriate given the proposed use.

4.3. **Registration of Existing Uses** - The owners of groundwater wells located within the East or West Las Posas basins shall register their wells with the Agency no later than January 1, 2006, through the following procedure:

4.3.1. **Registration Form** - The Agency shall make available a registration form which shall be completed, and filed with the Agency for each well, which shall include the following:

4.3.1.1. Location(s) of all water well(s), along with the associated state well number(s) including offsite well(s) serving the proposed use. Information concerning wells shall also include any other use for the water well.

4.3.1.2. Location(s) of groundwater use for the well including acreage accurately plotted on a copy of the County Assessor's Parcel Map.

4.3.1.3. The proposed crop type(s) or Municipal and Industrial use(s) at each location.

4.3.1.4. A brief description of the type of irrigation or distribution system and flowmeter in use.

4.3.1.5. The estimated average annual quantity of water use at each location and for each well.

4.4. **Monitoring** - The Agency shall monitor compliance with this Chapter by reviewing County well permit applications and reported groundwater extractions and by conducting field surveys as may be necessary.

4.5 **Unreasonable Uses** - The Agency may commence and prosecute legal actions to enjoin unreasonable uses or methods of use of water within or without the Agency Boundary to the extent those uses or methods of use adversely affect the groundwater supply within the Agency Boundary.

- 4.6 **Extraction Surcharges** - Notwithstanding an operator's allocation under Chapter 5.0 of this Ordinance Code or the availability of conservation credits, groundwater use within the Las Posas EMSA and the Las Posas WMSA in excess of 4.0 acre-feet per acre per calendar year by shall be subject to extraction surcharges pursuant to Section 5.8 of this Ordinance Code.

## **CHAPTER 5.0**

### **Reduction of Groundwater Extractions**

- 5.1. **Purpose** - The purpose of this Chapter is to eliminate overdraft from the aquifer systems within the boundaries of the Agency and bring the groundwater basins to safe yield by the year 2010. It is not the purpose of this Chapter to determine or allocate water right entitlements, including those, which may be asserted pursuant to California Water Code sections 1005.1, 1005.2 or 1005.4.

#### **5.2. Extraction Allocations**

##### **5.2.1. General Limitations**

5.2.1.1. The Executive Officer shall establish an operator's extraction allocation for each extraction facility located within the Agency Boundary. The extraction allocation shall be the historical extraction as reported to the United Water Conservation District and/or to the Agency pursuant to Chapter 2 (or its successor), reduced as provided by Section 5.4, or as otherwise provided for in Section 5.6 of this Ordinance Code. An alternative allocation, either baseline or efficiency, may also be approved as explained in Sections 5.6.1.1 and 5.6.1.2. All extraction facilities have an allocation of zero unless the Executive Officer determines otherwise. The operator may determine whether the annual allocation used shall be either a combination of baseline and historical allocation, or based on an efficiency allocation. All wells used by an operator in any given basin shall be operated on either a combination of historical and baseline or an efficiency allocation except water purveyors as approved by the Executive Officer. As explained by Section 5.6.1.2, an efficiency allocation may not be combined with either a baseline or a historical allocation. Extraction allocations may be adjusted or transferred only as provided in Section 5.3.

5.2.1.2. Regardless of allocation, the total water use for agricultural purposes must be at least 60 percent efficient as determined by the formula described in Section 5.6.1.2.4.

5.2.1.3. Where an operator operates more than one extraction facility in the same basin, the extraction allocations for the individual facilities may be combined.

5.2.1.4. Where there is more than one operator for any agricultural extraction facility, each operator shall be entitled to a pro rata share of the facility's

historical allocation based on either usage or acreage irrigated during the historical extraction period. Such pro rata shares shall be determined by the owner of the extraction facility, and this determination shall be subject to the approval of the Executive Officer.

- 5.2.1.5. When an operator is no longer entitled to use an extraction facility, that operator is no longer entitled to any portion of the extraction allocation attributed to that extraction facility.
- 5.2.1.6. A historical allocation is assigned to an extraction facility and a baseline allocation is assigned to the land, both may be used, but neither is owned by the operator.
- 5.2.1.7. Where there is a sale or transfer of a part of the acreage served by any extraction facility, the extraction allocation for that facility shall be equitably apportioned between the real property retained and the real property transferred by the owner of the extraction facility. This apportionment shall be approved by the Executive Officer who may modify the apportionment to assure equity.
- 5.2.1.8. The name of the owner of each extraction facility, the parcel number on which the well is located along with the names of all operators for each extraction facility shall be reported to the Agency with each semi-annual statement and within 30 days of any change of ownership or operators, together with such other information required by the Executive Officer.
- 5.2.1.9. The Executive Officer may, on written request from a land owner or well operator, waive allocation requirements for the extraction of groundwater from the Perched or Semi-perched aquifer of Sealing Zone III when the pumping of that groundwater is specifically for the purpose of lowering the water table to reduce the high water table threat to property, including the root zone of crops, or for dewatering construction sites. The Executive Officer shall require that the groundwater extraction facility used for this purpose be perforated only in the Perched or Semi-perched zone, and shall also require the landowner and/or the operator to protect the Agency from damage potentially caused by transferring water to another location.
- 5.2.2. General Limitations: Special Board Approval Requirements - Notwithstanding any other provisions of this Ordinance Code, the following uses of water resources associated with the aquifers within the Agency may only be undertaken with prior Board approval of and subject to the conditions and restrictions established by the Board.
  - 5.2.2.1. Direct or indirect export of groundwater extracted from within the Agency Boundary for use outside the Agency Boundary.
  - 5.2.2.2. The direct or indirect use of surface water or Foreign Water from within the Agency outside the Agency in a manner that may adversely affect the groundwater supply within the Agency.

5.2.2.3. Application to the Board - To obtain the approval of the Board for any use provided in Sections 5.2.2.1 and 5.2.2.2, application shall be made to the Agency describing the details of the proposed use, including all the following information:

5.2.2.3.1. The location of each water well to be used, along with the associated state well number, and/or the location of each surface diversion and a description of the associated water right.

5.2.2.3.2. Location(s) of groundwater use, including acreage, accurately plotted on copy of the County Assessor's Parcel Map.

5.2.2.3.3. The proposed crop type(s) or Municipal and Industrial use(s) at each location.

5.2.2.3.4. A brief description of the type of irrigation or distribution system and flowmeter to be used.

5.2.2.3.5. The estimated average annual quantity of water use proposed for each location of use.

5.2.2.3.6. An identification of the source of historical allocation, if any, to supply the proposed water use by the well.

5.2.2.3.7. An analysis of the potential impacts on the water balance in any Basin or Subbasin within the Agency Boundaries resulting from the proposed use(s).

5.2.2.4. Findings - The Board may approve the proposed use if, after a public hearing, it finds that the proposed use will result in no net detriment to the Basin, or any subbasin, or aquifer associated with the use, by determining that:

5.2.2.4.1. The proposed use does not result in the material degradation of water quality of any type, or

5.2.2.4.2. Recharge to any aquifer within the Agency is not materially diminished.

5.2.2.4.3. In granting approval to projects subject to this subsection, the Board may impose any conditions as may be appropriate, including limitations on the quantity of water use, term of the approval, and periodic reporting to the Agency.

5.2.3. An operator shall comply with all provisions of this Ordinance Code and Resolutions prior to receiving an extraction allocation.

### **5.3. Adjustments to Extraction Allocations**

- 5.3.1. Adjustments to extraction allocations may be necessary to provide some flexibility, while still maintaining the goal of reaching a safe yield condition by the year 2010. Adjustments may be accomplished by a transfer, an assignment of historical extraction allocation, or a demonstration of a new water source.
- 5.3.2. 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.
- 5.3.3. Types of Transfers of Allocation. When irrigated agricultural land(s) changes to M & I use, a basic extraction allocation of 2 acre-feet per acre shall be transferred. In addition, a historical extraction allocation shall be transferred from the agricultural extraction facility(s) operators to the M & I provider in accordance with the following conditions:
  - 5.3.3.1. When the extraction facility is located on the land transitioning and did not serve other land during the historical allocation determination period, the M & I Operator shall receive a historical extraction allocation of 2 acre-feet per acre per year for the acreage transitioning to M & I use. Any historical allocation in excess of 2 acre-feet per acre for the land transitioning to M & I use shall be eliminated.
  - 5.3.3.2. When the extraction facility is located on the land transitioning and served other land during the historical allocation determination period, the historical allocation associated with the transitioning property shall be allocated on a pro rata basis by acreage to the total property served. The pro rata share for the property transitioning shall be eliminated. Two acre-feet per acre per year, based upon the acreage being transferred, shall be provided to the M & I provider.
  - 5.3.3.3. When the extraction facility serving the lands transitioning is not located on the land transitioning, the Executive Officer shall determine the allocation on an equitable basis for the remaining properties not transitioning to M & I. Two acre-feet per acre per year, based upon the acreage being transferred, shall be provided to the M & I provider.
  - 5.3.3.4. The transfer shall be effective upon the approval of the Executive Officer, taking into account the ongoing use of the property.
  - 5.3.3.5. Allocation originating from an agricultural extraction facility shall not be transferred to an M & I use except as provided in this Section 5.3.3.
- 5.3.4. 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.

- 5.3.5. 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.
- 5.3.6. The Executive Officer may approve a temporary assignment of allocation from one operator to another operator when there is no net detriment to the aquifer system. The temporary assignment shall not exceed one year.
- 5.3.7. Adjustments to M & I Allocations - The Board may adjust the historical allocation of an M & I operator when that operator has supplied groundwater to either an agricultural or M & I user during the historical allocation period and discontinues service to that user. This adjustment may be made by transferring the supplied portion of the historical allocation from the M & I operator to the new user. This adjustment will avoid increased pumping due to windfall allocations that could otherwise result when the M & I operator discontinues service. To avoid retroactive inequities, where an M & I operator has discontinued service to a user prior to July 1, 2005, the amount of the supplied portion of the historical allocation may be allocated to both the M & I operator and the user.
- 5.3.8. Historical allocation is subject to adjustment as provided in Section 5.4 below.

5.3.9. Procedures for Adjustment

- 5.3.9.1. It shall be necessary for the operator of the extraction facility to file a verified Application for Adjustment with the Executive Officer.
- 5.3.9.2. Adjustments of extraction allocations, pursuant to the Applications for Adjustment, shall be considered for approval by the Board after reviewing the findings and recommendations of the Executive Officer and, if approved, shall be effective for the remainder of the calendar year and for all subsequent calendar years until modified by a subsequent Board approved adjustment.

5.4. Reduction of Extraction Allocations

- 5.4.1. Historical extraction allocations, adjusted or otherwise, shall be reduced in order to eliminate overdraft from the aquifer systems within the boundaries of the Agency for agricultural and M & I uses. The reductions shall be as set forth below:



1992 - 1994 extraction allocation = 95% of historical extraction, as adjusted.  
1995 - 1999 extraction allocation = 90% of historical extraction, as adjusted.  
2000 - 2004 extraction allocation = 85% of historical extraction, as adjusted.  
2005 - 2009 extraction allocation = 80% of historical extraction, as adjusted.  
After 2009 extraction allocation = 75% of historical extraction, as adjusted.

5.4.2. Following the appropriate public review, the Board may exempt historical extraction allocations from these adjustments on a basin-by-basin basis.

## **5.5. Exemptions from Reductions**

5.5.1. The following types of extraction allocations are exempt from the reductions set forth in Section 5.4.1:

5.5.1.1. Baseline Extraction Allocations as set forth in 5.6.1.1.

5.5.1.2. Annual Efficiency Extraction Allocations as set forth in 5.6.1.2.

5.5.1.3. Non-metered Extraction Facilities. Reductions in extraction allocations shall not apply to those extraction facilities as identified in Chapter 3 that do not require flowmeters. Neither retroactive adjustments nor refunds will be made, except that any outstanding surcharges for non-metered extractions that existed prior to June 26, 2002 will be waived.

## **5.6. Alternative Extraction Allocations**

5.6.1. As an alternative to historical extractions, the Executive Officer may establish a Baseline or an Annual Efficiency extraction allocation for an operator, as follows:

5.6.1.1. Baseline Extraction Allocations. If no historical extraction exists, or the historical allocation is less than one acre-foot per acre per year, a Baseline extraction allocation may be established by the Executive Officer at one acre-foot per acre per year.

5.6.1.1.1. A Baseline Extraction Allocation specifically applies to undeveloped acreage that is being developed and once approved shall remain with that developed acreage. A Baseline allocation may be combined with a historical allocation for commonly operated facilities in the same basin. A baseline allocation shall not be used with an efficiency allocation.

5.6.1.1.2. To obtain a Baseline Extraction Allocation, a detailed report must be submitted to the Executive Officer. The report shall describe the historical extraction of groundwater use, if any, during the period between the end of calendar year 1984 and the end of calendar year 1989, the type (crop type or M & I) and the amount of water use and acreage involved. The report shall include copies of Assessor's maps identifying the parcels

where groundwater is presently being used. For the purpose of this ordinance, one (1) acre-foot per acre per year represents a reasonable use of water for a Baseline extraction allocation.

- 5.6.1.1.3. Application for the initial Baseline Extraction Allocation must be submitted prior to submission of the annual report of pumping. If approved, the Baseline Extraction Allocation shall apply beginning with the current calendar year.
- 5.6.1.1.4. To facilitate accounting procedures, an operator shall use Baseline Extraction Allocation before using Historical Allocation.
- 5.6.1.2. Annual Efficiency Allocation - If an operator can demonstrate to the Executive Officer that the Irrigation Allowance Index for agriculturally developed land is 1.0 or less, an Annual Efficiency allocation shall be established for one calendar year. An Irrigation Allowance Index of 1.0 or less than 1.0 has been determined by the Agency to be reasonable on agricultural lands within the Agency's boundaries.
  - 5.6.1.2.1. An Efficiency Allocation may be used when no historical allocation exists or when the historical allocation is not sufficient for the crop being grown. A historical allocation shall not be used in conjunction with an efficiency allocation.
  - 5.6.1.2.2. To prove irrigation efficiency the operator must submit a detailed report covering a minimum period of the immediately preceding calendar year. This report shall be submitted to the Executive Officer no later than the due date specified on the calendar-year-end Semi-Annual Extraction Statement unless otherwise extended by the Board. The report shall include all details required in a Resolution adopted by the Board.
  - 5.6.1.2.3. The irrigation allowance index includes an appropriate amount of water necessary to provide water for a) crop evapotranspiration, b) leaching to avoid salt build-up based on the quality of irrigation water used, c) frost protection, and d) reasonable distribution uniformity.
  - 5.6.1.2.4. Irrigation Efficiency (I.E.) will be calculated using the following formula:

$$I.E. = \frac{[ET_o \times K_c] - ER \times 100}{\text{Actual Water Applied (inches)}}$$

Where:

ET<sub>o</sub> is the reference evapotranspiration measured in inches.

K<sub>c</sub> is a crop factor, which is a dimensionless number that relates water use by a given plant in comparison to ET<sub>o</sub>.

ER is the effective rainfall measured in inches as determined by the Executive Officer utilizing the appropriate measuring equipment and methods.

5.6.1.2.5 The Irrigation Allowance Index will be calculated using the procedures set forth in a Resolution adopted by the Agency.

5.6.2. Exceptions - The Board may grant exceptions to Sections 5.6.1.1 and 5.6.1.2 on a case-by-case basis. However, individual exceptions shall not become the norm. Where agricultural efficiency cannot be measured as set forth in Section 5.6.1.2, then the most efficient practices of record for the type of agricultural use shall be the measurement of efficiency utilized by the Board in its deliberations.

## 5.7. Credits

5.7.1. Credits can be obtained by operators, but are not considered as extraction allocations or adjustments to extraction allocations. Credits are not subject to any reductions as set forth in Section 5.4.1. Credits, if available, shall be used to avoid paying extraction surcharges. Credits shall be accounted for through the normal reporting and accounting procedure and are carried forward from year to year unless extinguished as provided in Section 5.7.2.1.1.1. Except as provided below, credits may be transferred between commonly operated extraction facilities and within the basin where the credits were earned.

5.7.2. The Board may transfer credits between facilities that are not commonly operated within a basin or beyond the basin where such credits were earned, provided that there is no net detriment to the aquifers within the Agency. In determining whether there is no net detriment, the Board may, among other things, consider whether the transfer will help bring the aquifers within the Agency into equilibrium or whether the transfer is a part of an Agency or inter-Agency management plan or program to bring the aquifers of the Agency into balance. Also, in making this determination of no net detriment the Board may consider quality of water as well as the quantity. The transfer of credits 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.

5.7.2.1. Requests for the transfer of credits 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 credits shall be subject to other conditions as approved by the Board. Under no circumstances shall credits earned as a result of agricultural use be transferred to an M & I Provider, M & I Operator or an M & I User unless the transfer is specifically approved by the Board and no net detriment to the aquifer systems involved can be shown. Credits earned by an M & I facility shall remain with that facility unless transferred by the Board or transferred as part of a program such as an Agency or inter-Agency management plan or program approved by the Board. The types of credits are:

5.7.2.1.1. Conservation credits - An operator can obtain conservation credits by extracting less groundwater than the historical extraction allocation. Annual Efficiency, Baseline, or an allocation assigned to an extraction facility that is not required to have a flowmeter shall not earn credits. Credits shall be determined by the Executive Officer after receipt of annual extraction data. Subsequent to determining the amount of credits earned, a confirmation shall be mailed to the operator indicating the current allocation, the groundwater extracted during the previous calendar year, and the credits or surcharges for the previous year.

5.7.2.1.1.1. The Executive Officer shall extinguish all accumulated conservation credits obtained by an operator with a destroyed or abandoned well of record who fails to submit extraction data for five (5) consecutive years. Notice of the action taken by the Executive Officer pursuant to this section shall be sent by first class mail to the address stated on the most recent registration filed with the Agency and shall advise that the action being taken may be appealed within 120 days thereof in the manner specified in section 6.1. Notice of the Executive Officer's intended action shall also be provided as a Consent Item on the Board meeting agenda preceding the extinguishment of the conservation credits. This agenda item shall include a list of the last known Operator, the last known Owner, the State Well Number, and a map depicting the location of the well, along with number of conservation credits to be extinguished and a tabulation of the last reported activity on the well.

5.7.2.1.2. Storage credits - An operator may obtain storage credits for water that has been determined by the Board to qualify for credits or foreign water stored, injected or spread and percolated or delivered in lieu of pumping in a Board approved injection/storage program used within the Agency Boundary. A written application for approval of a program or an injection/storage facility shall include:

5.7.2.1.2.1. Operator of proposed injection/storage program.

5.7.2.1.2.2. Purpose of proposed injection/storage program.

5.7.2.1.2.3. Location, depth, casing diameter, perforated interval and other information regarding proposed injection/extraction facilities, if applicable.

5.7.2.1.2.4. Method of operation including source, quantity and quality of water, planned scheduling of storage, injection/extraction, delivery or percolation operations and proposed use of extracted water.

5.7.2.1.2.5. Any other information deemed necessary by the Executive Officer.

5.7.3. Following Board approval of the application, successful storage, delivery or injection of water and reporting of results, an operator will obtain credit as determined by the Executive Officer.

## **5.8. Extraction Surcharges and Late Penalty**

### **5.8.1. Necessity for Surcharges**

5.8.1.1. Extraction surcharges are necessary to achieve safe yield from the groundwater basins within the Agency and shall be assessed annually when annual extractions exceed the historical and/or baseline allocation for a given extraction facility or the combined sum of historical allocation and baseline allocation for combined facilities. The extraction surcharge shall be fixed by the Board and shall be based upon (1) the cost to import potable water from the Metropolitan Water District of Southern California, or other equivalent water sources that can or do provide non-native water within the Agency jurisdiction; and (2) the current groundwater conditions within the Agency jurisdiction.

5.8.2. At the discretion of the Board, the extraction surcharge may be structured, tiered, and varied between basins and or aquifers.

5.8.3. The Board shall fix the surcharge by Resolution at a cost sufficiently high to discourage extraction of groundwater in excess of the approved allocation when that extraction will adversely affect achieving safe yield of any basin within the Agency and may adjust the surcharge by Resolution; provided however, that the then existing extraction surcharge shall remain in effect until adjusted by the Board.

5.8.4. Surcharge for No Allocation - In circumstances where an individual or entity extracts groundwater from a facility(s) having no valid extraction allocation, the extraction surcharge shall be applied to the entire quantity of water extracted. Imposition and acceptance of payment of the surcharge imposed on an individual or entity that extracts water from a facility(s) that holds no extraction allocation shall not be deemed a waiver of the Agency's authority to limit or enjoin the unauthorized extractions.

- 5.8.5. For calendar year 2013 (January 1, 2013 through December 31, 2013), Section 5.8.5 of Chapter 5.0, Reduction of Groundwater Extractions, is hereby amended to read as follows:

Efficiency Surcharge - Facilities relying on the annual efficiency allocation shall also be subject to surcharge for inefficient use. The extraction allocation for efficiency is the amount of water used at an Irrigation Allowance Index (index) of 1.0 or less as defined in 5.6.1.2 of this ordinance. Extraction surcharges will be applied to the water extracted greater than index of 1.2. For example, an index of 1.3 would be subject to surcharges on the difference between the amount of water used at an index of 1.3 and the amount of water that would have been used at an index of 1.2. If the index is greater than 1.4, no efficiency allocation will be available, and the operator shall revert to a historical, baseline or to no allocation, whichever applies to that facility. Extraction surcharges would then apply to the difference between actual water used and the applicable allocation, if any. For example, a facility operating at an index greater than 1.4, with no historical or baseline allocation would be subject to surcharges on all water used.

Effective January 1, 2014, Section 5.8.5 of Chapter 5.0, Reduction of Groundwater Extractions, is hereby amended to read as follows:

Efficiency Surcharge - Facilities relying on the annual efficiency allocation shall also be subject to surcharge for inefficient use. The extraction allocation for efficiency is the amount of water used at an Irrigation Allowance Index (index) of 1.0 or less as defined in 5.6.1.2 of this ordinance. Extraction surcharges will be applied to the water extracted greater than an index of 1.0. For example, an index of 1.1 would be subject to surcharges on the difference between the amount of water used at an index of 1.1 and the amount of water that would have been used at an index of 1.0. If the index is greater than 1.2, no efficiency allocation will be available, and the operator shall revert to a historical, baseline or to no allocation whichever applies to that facility. Extraction surcharges would then apply to the difference between actual water used and the applicable allocation, if any. For example, a facility operating at an index greater than 1.2 with no historical or baseline allocation would be subject to surcharges on all water used.

Effective February 9, 2015, for the duration of Emergency Ordinance E, Section 5.8.5 of Chapter 5.0 of the Ordinance Code, Reduction of Groundwater Extractions, is hereby amended to read as follows:

Irrigation Allowance Index Surcharge - Facilities relying on the annual efficiency allocation shall also be subject to surcharge for exceeding an Irrigation Allowance Index (IAI) of 1.0. Extraction surcharges will be imposed as follows: if the total water applied includes only extractions, surcharges will be imposed on all water used over an IAI of 1.0. If the total water applied includes a blend of extractions and other water, and the total water applied results in an IAI above 1.0, the IAI will be recalculated using only extractions and any surface water delivered through United Water Conservation District's Pumping Trough Pipeline, Pleasant Valley Pipeline, or Line C. If the IAI as recalculated exceeds 1.0, the total water applied from those sources will be determined and compared to the extractions. If the extractions are



greater than or equal to the water applied above an IAI of 1.0, surcharges will be imposed on the water applied above an IAI of 1.0. If the extractions are less than the water applied above an IAI of 1.0, surcharges will be imposed on all extractions.

- 5.8.5.1. Notwithstanding an operator's irrigation allowance, extractions from an Agricultural Extraction Facility in excess of the irrigation allowance for "Nursery (Greenhouse)" shall be subject to surcharges.

#### 5.8.6. Payment of Extraction Surcharges

- 5.8.6.1. Surcharges are assessed annually with respect to the annual allocation and shall become due and payable by the owner/operator by the due date for returning the SAES. Payments shall be made with credits, if available. The Board may extend the time allowed to pay surcharges for a period of up to twelve months when circumstances exist that in the opinion of the Board warrant such extension. The Board may also approve the payment of surcharges in installments of up to 24 months with terms suitable to the Board.
- 5.8.6.2. Late Penalty. Surcharge payments not received or postmarked by the due date shall be charged a late penalty at the rate of 1.5 percent per month until paid in full as provided in section 1104 of the Fox Canyon Groundwater Management Agency Act.
- 5.8.6.3. Collection of Delinquent Extraction Surcharges and Late Penalties - The Board may order that any given extraction surcharge and/or late penalty shall be a personal obligation of the operator or shall be an assessment against the property on which the extraction facility is located. Such assessment constitutes a lien upon the property, which lien attaches upon recordation in the office of the County Recorder. The assessment may be collected at the same time and in the same manner as ordinary ad valorem taxes are collected, and shall be subject to the same penalties and the same procedure and sale, in case of delinquency as provided for such taxes. All laws applicable to the levy, collection and enforcement of ad valorem taxes shall be applicable to such assessment, except that if any real property to which such lien would attach has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrance for value has been created and attaches thereon, prior to the date on which the first installment of such taxes would become delinquent, then the lien which would otherwise be imposed by this section shall not attach to such real property and an assessment relating to such property shall be transferred to the unsecured roll for collection.
- 5.8.6.4 Use of Extraction Surcharges and Late Penalties - Revenues generated from extraction surcharges and late penalties shall be used exclusively for authorized Agency purposes, including financial assistance to support Board approved water supply, conservation, monitoring programs and

water reclamation projects that demonstrate significant reductions in overdraft.

#### **CHAPTER 6.0 Appeals**

- 6.1. Any person aggrieved by a decision or determination made by the Executive Officer may appeal to the Board within forty-five (45) calendar days thereof by filing with the Clerk, or Deputy Clerk, of the Board a written request that the Board review the decision of the Executive Officer. The Board shall equitably act on the appeal within 120 days after all relevant information has been provided by the appellant.

#### **CHAPTER 7.0 Severability**

- 7.1. If any section, part, clause or phrase in this Ordinance Code is for any reason held invalid or unconstitutional, the remaining portion of this Ordinance Code shall not be affected but shall remain in full force and effect.

#### **CHAPTER 8.0 Penalties**

- 8.1. Any operator or other person who violates the provisions of this Ordinance Code is subject to the criminal and civil sanctions set forth in the Agency's enabling act and its Ordinances.
- 8.2. Any person who intentionally violates any provision of this Ordinance Code shall be guilty of an infraction and may be required to pay a fine to the Agency in an amount not to exceed five hundred dollars (\$500).
- 8.3. Any person who negligently or intentionally violates any provision of this Ordinance Code may also be liable civilly to the Agency for a sum not to exceed one thousand dollars (\$1,000) per day for each day of such violation, in addition to any other penalties that may be prescribed by law.
- 8.4. Upon the failure of any person to comply with any provision of this Ordinance Code, the Agency may petition the Superior Court for a temporary restraining order, preliminary or permanent injunction, or such other equitable relief as may be appropriate. The right to petition for injunctive relief is an additional right to those, which may be provided elsewhere in this Ordinance Code or otherwise allowed by law. The Agency may petition the Superior Court of the County to recover any sums due the Agency.
- 8.5. Civil penalties for specified violations of the Ordinance Code shall be established by Resolution which may provide discretion for the Executive Officer to adjust and/or waive the civil penalty.

This Ordinance Code and amendments hereof shall become effective on the thirty-first day after adoption.

PETERSEN RANCH

Barranca 3



Barranca 4







Barranca 5

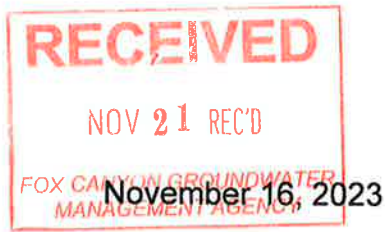


Barranca 6



Barranca 7





Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009

RE: Transitioning Fox Canyon Groundwater Management Agency to an Independent Staff

Dear FCGMA Directors:

This letter is to convey **Ocean Breeze Ag Management LLC's** support of Director David Borchard's initiative to develop a comprehensive, autonomous staffing plan which would transition FCGMA staff from contracted County employees to truly independent water, science, public administration, and finance professionals.

As it states on the FCGMA website, "The FCGMA is an independent special district, ***separate from the County of Ventura or any city government.***" Developing a comprehensive, independent staffing plan that builds a successful team of experienced, knowledgeable, and innovative hydrologist and hydrogeologist, staff members who encourage stakeholder engagement and involvement; who are passionate about developing mutually beneficial solutions to the challenges of reaching water sustainability and who are dedicated to balancing the delicate demands of constituents – be they residents, farmers, cities, or businesses, with efficient and effective water resource management would be a tremendous step forward in ensuring FCGMA's future value to all.

To that end, I look forward to having an opportunity to discuss FCGMA staffing in greater detail during the proposed Special Meeting of the FCGMA Board of Directors this November.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith W. Ford". The signature is fluid and cursive.

Keith W. Ford





## SoCal Berry Growers, LLC

November 16, 2023

Board of Directors

Fox Canyon Groundwater Management Agency

Ventura County Government Center

800 S Victoria Avenue

Ventura, CA 93009

RE: Transitioning Fox Canyon Groundwater Management Agency to an Independent Staff

Dear FCGMA Directors:

This letter is to convey **SoCal Berry Growers LLC's** support of Director David Borchard's initiative to develop a comprehensive, autonomous staffing plan which would transition FCGMA staff from contracted County employees to truly independent water, science, public administration, and finance professionals.

As it states on the FCGMA website, "The FCGMA is an independent special district, **separate from the County of Ventura or any city government.**" Developing a comprehensive, independent staffing plan that builds a successful team of experienced, knowledgeable, and innovative hydrologist and hydrogeologist, staff members who encourage stakeholder engagement and involvement; who are passionate about developing mutually beneficial solutions to the challenges of reaching water sustainability and who are dedicated to balancing the delicate demands of constituents – be they residents, farmers, cities, or businesses, with efficient and effective water resource management would be a tremendous step forward in ensuring FCGMA's future value to all.

To that end, I look forward to having an opportunity to discuss FCGMA staffing in greater detail during the proposed Special Meeting of the FCGMA Board of Directors this November.

Thank you for your time and consideration.

Sincerely,

Keith W. Ford

2112 Eastman Avenue, Suite #102

Ventura, CA 93003

Phone: (805) 981-9908 Fax: (805) 981-0199

Item 1C - Page 47 of 81



NOV 18 2023  
November 18, 2023

FOX CANYON GROUNDWATER  
MANAGEMENT AGENCY

Board of Directors

Fox Canyon Groundwater Management Agency

Ventura County Government Center

800 S Victoria Avenue

Ventura, CA 93009

RE: Transitioning Fox Canyon Groundwater Management Agency to an Independent Staff

Dear FCGMA Directors:

This letter is to convey **Santa Clara Farms, LLC's** support of Director David Borchard's initiative to develop a comprehensive, autonomous staffing plan which would transition FCGMA staff from contracted County employees to truly independent water, science, public administration, and finance professionals.

As it states on the FCGMA website, "The FCGMA is an independent special district, **separate from the County of Ventura or any city government.**" Developing a comprehensive, independent staffing plan that builds a successful team of experienced, knowledgeable, and innovative hydrologist and hydrogeologist, staff members who encourage stakeholder engagement and involvement; who are passionate about developing mutually beneficial solutions to the challenges of reaching water sustainability and who are dedicated to balancing the delicate demands of constituents – be they residents, farmers, cities, or businesses, with efficient and effective water resource management would be a tremendous step forward in ensuring FCGMA's future value to all.

To that end, I look forward to having an opportunity to discuss FCGMA staffing in greater detail during the proposed Special Meeting of the FCGMA Board of Directors this November.

Thank you for your time and consideration.

Sincerely,

  
Fidencio Velasquez

2112 Eastman Avenue, Suite #102

Ventura, CA 93003

Phone: (805) 981-9908 Fax: (805) 981-0199

Item 1C - Page 48 of 81



November 17, 2023

Fox Canyon Groundwater Management Agency  
Board of Directors  
Ventura County Government Center  
800 S. Victoria Ave.  
Ventura, CA 93009

Re: Transitioning Fox Canyon Groundwater Management Agency (FCGMA) Staffing Model from a County-dependent to an Independent Structure to Address the Future Needs of the Agency and its Constituents.

Dear FCGMA Directors,

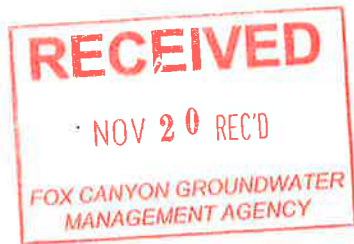
This letter is to express support for Director David Borchard's request for the FCGMA Board to include in the agenda a discussion to consider the development of an independent staffing plan to transition FCGMA staff from County employees to an independent model, staffed with experienced water, science, public administration, and finance professionals.

Gills Onions firmly believes that a comprehensive, independent staffing plan of experienced and knowledgeable members who encourage stakeholder engagement and who are passionate about reaching water sustainability, will ensure FCGMA's future value to all stakeholders.

Thank you for your consideration.

Sincerely,

Steven Gill  
President



**ARNOLD RANCH, LLC  
536 OAKHAMPTON STREET  
THOUSAND OAKS, CA 91361**

**NOVEMBER 20, 2023**

The Board of Directors  
Fox Canyon Groundwater Management Agency  
800 S. Victoria Avenue  
Ventura, CA 93009

Re: A Change in Staffing for FCGMA

Dear Directors,

The undersigned supports the request of Director David Borchard to discuss and ultimately decide to hire new, independent staff for the FCGMA. Arnold Ranch, LLC owns 160 acres of farm land, and is the 3<sup>rd</sup> generation of a farming family on the Oxnard Plains.

There are many reasons for the Board to consider a change of its staff. To date, the FCGMA staff has simply seemed unable to fulfill its regular duties to update its records, promptly provide basic information, collect and evaluate data, manage numerous variance requests from the Allocation Ordinance adopted by the FCGMA, work constructively with its stakeholders to help solve the sustainability of the groundwater basins and adopt a comprehensive management plan for the groundwater basins.

In our view, the FCGMA board should (a) create a new committee of the Directors to explore a plan to create a new and independent staff of the FCGMA employed exclusively by FCGMA, and (b) engage the services of a consultant to develop a reasonable and cost-efficient plan to retain independent staff.

We urge the board of directors to seriously consider the above, reduce or eliminate long-standing problems and act decisively to affect a lasting, positive change to how the FCGMA conducts its business.

Sincerely,

Arnold Ranch, LLC

Gary D. Arnold, Manager  
[garnold@atozlaw.com](mailto:garnold@atozlaw.com)  
(805) 988-9886



Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009

RE: Fox Canyon Groundwater Management Agency Staffing

Dear FCGMA Directors:

Zone Mutual's Board of Directors are supportive of the Fox Canyon Groundwater Management Agency (FCGMA) Board's decision to hold a public meeting on December 1, 2023 to consider and discuss the development of a comprehensive, autonomous staffing plan. We believe the current staffing model is outdated and no longer adequately supports the FCGMA's important and complex responsibilities in achieving water sustainability for the reasons identified below.

First, FCGMA needs to be an independent Special District, separate from the County of Ventura or any city government. Current staffing arrangements with the County create a clear conflict of interest in maintaining independence.

Second, current staffing does not have the capacity, given their numerous other County priorities and duties, to proactively administer FCGMA responsibilities. The passage of SGMA in 2014 has substantially increased the need for knowledgeable, innovative, "science-based" staff who are *solely focused* on planning and developing mutually beneficial solutions to reach water sustainability.

Third, to ensure long term success in managing the region's water resources, staff must openly seek input from and collaborate with all stakeholders, and be capable of balancing the delicate demands of these stakeholders, including cities, businesses, residents and farmers.

Finally, a significant lack of trust has developed during the last 10+ years due to actions and decisions recommended by staff to the FCGMA Board. A recent example that adversely impacted Zone Mutual includes staff's recommendation to reverse its support of the Las Posas Valley Adjudication's Judgment (which received 85% support of the stakeholders) and aggressively appeal the Court's ruling. This decision further amplified the lack of trust the majority of stakeholders, including Zone, have with staff. It also led to further fractious and unnecessary lawsuits and delays in implementing the Judgment, which adversely impacted the important predictability the Judgment was established to provide its stakeholders.

Managing the FCGMA's duties has become more challenging during the last several years, resulting in the current FCGMA staffing model to become outdated. As a result, the Zone Mutual Board strongly supports the FCGMA Board to further develop a comprehensive, independent staffing plan to transition FCGMA staff from contracted County employees to independent water, science, administrative and



financial professionals, led by an independent Executive Officer reporting to the FCGMA Board. We look forward to working with the FCGMA Board to maximize water sustainability in the region.

Very truly yours,



John D Menne  
President  
Zone Mutual Water Company

Cc: Zone Mutual Board of Directors



## CONNELLY RANCH, LLC

4000 Central Ave., Camarillo, CA 93010  
Phone: 714-630-0299 Fax: 714-630-2399

November 21, 2023

Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009

Re: Fox Canyon Groundwater Management Agency Staffing Model: Shift from County-Dependent to County-Independent

Dear FCGMA Directors:

Connelly Ranch, LLC has been part of a 40 year history of farming on the Oxnard plains.

Please allow this letter to communicate Connelly Ranch's support of Director's Borchard's request for the Fox Canyon Groundwater Management Agency (The Agency) to contemplate an independent, non-interested, third party staffing plan. This would transition The Agency staff to independent water, science, public administration, and finance professionals.

As it states on the FCGMA website, "The FCGMA is an independent special district, ***separate from the County of Ventura or any city government.***" Developing a comprehensive, independent staffing plan that builds a successful team of experienced, knowledgeable, and innovative hydrologist and hydrogeologist, staff members who encourage stakeholder engagement and involvement; who are passionate about developing mutually beneficial solutions to the challenges of reaching water sustainability and who are dedicated to balancing the delicate demands of constituents – be they residents, farmers, cities, or businesses, with efficient and effective water resource management would be a tremendous step forward in ensuring FCGMA's future value to all.

Thank you for your time and consideration toward this matter.

Sincerely,

Douglas R. Circle, Manager

[doug@circlevision.com](mailto:doug@circlevision.com)

714.742.1444





P.O. BOX 5147 • OXNARD, CA 93031 • PHONE: 805.984.7494 • FAX: 805.984.6021

November 16, 2023

Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009

Re: Fox Canyon Groundwater Management Agency Staffing Model: Shift from County-Dependent to County-Independent

Dear Directors of the Fox Canyon Groundwater Management Agency,

Duda Farm Fresh Foods is a multi-generational agricultural land-owning family. Farming has been the core of the family business since 1926, nearly 100 years, and now well into six generations. In Ventura County DUDA produces celery, iceberg, romaine, broccoli, and cauliflower: conventionally and organically.

Please allow this letter to communicate DUDA's support of Director's Borchard's request for the Fox Canyon Groundwater Management Agency (The Agency) to contemplate an independent, non-interested, third party staffing plan. This would transition The Agency staff to independent water, science, public administration, and finance professionals.

As it says on The Agency website, "The Fox Canyon Groundwater Management Agency is an independent special district, separate from the County of Ventura or any city government."

Why the change? Because the current model is broken and simply not working. Let us allow these discussions to develop a structure that leads to solutions that work to the advantage of the basins and stakeholders.

Thank you for your time and consideration toward this matter.

Sincerely,

Greg Lewis, Vice President

REC'D

NOV 17 2023

FOX CANYON GROUNDWATER  
MANAGEMENT AGENCY

**SHOZI BROTHERS RANCHES OF VENTURA COUNTY**

**1601 CARMEN DRIVE, SUITE 206  
CAMARILLO, CA 93010  
805-484-2765**

November 17, 2023

Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S. Victoria Avenue  
Ventura, CA 93009

RE: Transitioning Fox Canyon Groundwater Management Agency to an Independent Staff

Dear FCGMA Directors:

I represent Shoji Ventura, LLC, Shoji Brothers, LP, and J & P Douglas Family Trust which combined have about 450 acres within the FCGMA district. We are in support of Director David Borchard's initiative to develop a comprehensive, autonomous staffing plan which would transition FCGMA staff from contracted County employees to a new model of doing business with truly independent water, science, public administration, and finance professionals.

The FCGMA website states, "The FCGMA is an independent special district, **separate from the County of Ventura or any city government.**" The goal should be to develop a comprehensive, independent staffing plan that builds a successful team of experienced, knowledgeable, and innovative hydrologists and hydrogeologists, along with staff members, who encourage stakeholder engagement and involvement and who are collaborators, facilitators, and problem solvers with them. We need a team who are passionate about developing mutually beneficial solutions to the challenges of reaching water sustainability and avoiding seawater intrusion, and who are dedicated to balancing the delicate demands of constituents – be they residents, farmers, cities, or businesses, with efficient and effective water resource management. This new way of operating would be a tremendous step forward to ensuring FCGMA's future value to all.

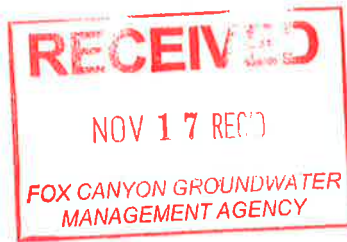
To that end, I look forward to having an opportunity to discuss FCGMA staffing in greater detail during the proposed Special Meeting of the FCGMA Board of Directors on December 1, 2023.

Thank you for your time and consideration.

Sincerely,



Jeff Douglas  
Ranch Manager



John D Menne  
P.O. Box 539  
Somis, California 93066

November 16, 2023

Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009

RE: Fox Canyon Groundwater Management Agency Staffing

Dear FCGMA Directors:

My name is John Menne and I am a 6<sup>th</sup> generation Ventura County farmer. My family owns approximately 200 acres of farmland within the Oxnard Plains and Las Posas Valley. I want to convey my strong support for the Fox Canyon Groundwater Management Agency (FCGMA) Board to hold a public meeting this year to consider and discuss the development of a comprehensive, autonomous staffing plan which would transition FCGMA staff from contracted County employees to truly independent water, science, public administration, and finance professionals. I support this meeting for the following reasons:

- It is important for the FCGMA to be an *independent* special district, separate from the County of Ventura or any city government. However current staffing arrangements with the County create a clear conflict of interest in maintaining independence.
- Managing our water resources has become increasingly difficult and challenging over the last 10+ years, requiring knowledgeable, innovative, "science based" staff who are *solely focused* on planning and developing mutually beneficial solutions to reach water sustainability. Unfortunately the current County staffing model, which includes numerous other County Public Works responsibilities, is no longer adequate to meet the current FCGMA water management duties and administration.
- To achieve successful water management, it is vital that staff *sincerely* consider input from stakeholders, and collaborate with these stakeholders in an effort to balance the delicate demands of these stakeholders. I do not believe, nor do many other stakeholders believe, that current staff have effectively considered stakeholder input over the years.
- A significant lack of trust has developed during the last 10+ years due to actions and decisions recommended by staff to the FCGMA Board. A recent example that adversely impacted my family's lemon ranch in Somis is staff's recommendation to reverse its support of the Las Posas Valley Adjudication's Judgement, and aggressively appeal the Court's ruling. Given that approximately 85% of the stakeholders supported the Judgment, staff's decision to appeal was inconsistent with the stakeholders' views and further amplified the stakeholders' lack of trust with FCGMA staff. Staff's decision also led to further fractious and unnecessary, costly lawsuits and delayed the implementation of the Judgment, which adversely impacted the important predictability the Judgment was established to provide its stakeholders.

Thank you for your consideration and leadership to improve this important matter.

Sincerely,

John D Menne



Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009

RE: Transitioning Fox Canyon Groundwater Management Agency to an Independent Staff

Dear FCGMA Directors:

This letter is to convey Jose C Martinez support of Director David Borchard's initiative to develop a comprehensive, autonomous staffing plan which would transition FCGMA staff from contracted County employees to truly independent water, science, public administration, and finance professionals.

As it states on the FCGMA website, "The FCGMA is an independent special district, **separate from the County of Ventura or any city government.**" Developing a comprehensive, independent staffing plan that builds a successful team of experienced, knowledgeable, and innovative hydrologist and hydrogeologist, staff members who encourage stakeholder engagement and involvement; who are passionate about developing mutually beneficial solutions to the challenges of reaching water sustainability and who are dedicated to balancing the delicate demands of constituents – be they residents, farmers, cities, or businesses, with efficient and effective water resource management would be a tremendous step forward in ensuring FCGMA's future value to all.

To that end, I look forward to having an opportunity to discuss FCGMA staffing in greater detail during the proposed Special Meeting of the FCGMA Board of Directors this December.

Thank you for your time and consideration.

Sincerely,  
Jose C Martinez  
President



DIRECTORS

Peter W. Hansen

Craig R. Kaihara

Thomas P. Vujovich, Jr.

John S. Broome

John D. Menne



PLEASANT VALLEY COUNTY WATER DISTRICT

PIONEER IN FOX CANYON AQUIFER CONSERVATION  
SERVING AGRICULTURE SINCE 1956

154 S. LAS POSAS ROAD, CAMARILLO, CA 93010-8570

Phone: 805-482-2119

Fax: 805-484-5835

STAFF

Jared L. Bouchard  
General Manager

General Counsel  
Arnold, Bleuel, LaRochelle,  
Mathews & Zirbel, LLP



November 16, 2023

Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009

RE: Transitioning Fox Canyon Groundwater Management Agency Staffing Model from County-dependent to Independent Structure that Would Address Future Needs of the Agency and its Constituents

Dear FCGMA Directors:

This letter is to convey Pleasant Valley County Water Districts support of Director David Borchard's request for the Fox Canyon Groundwater Management Agency (FCGMA) Board to agendize a discussion which would consider the development of a comprehensive, autonomous staffing plan which would transition FCGMA staff from contracted County employees to truly independent water, science, public administration, and finance professionals.

As it states on the FCGMA website, "The FCGMA is an independent special district, **separate from the County of Ventura or any city government.**" Developing a comprehensive, independent staffing plan that builds a successful team of experienced, knowledgeable, and innovative hydrologist and hydrogeologist, staff members who encourage stakeholder engagement and involvement; who are passionate about developing mutually beneficial solutions to the challenges of reaching water sustainability and who are dedicated to balancing the delicate demands of constituents – be they residents, farmers, cities, or businesses, with efficient and effective water resource management would be a tremendous step forward in ensuring FCGMA's future value to all.

To that end, I look forward to having an opportunity to discuss FCGMA staffing in greater detail during the proposed Special Meeting of the FCGMA Board of Directors this December.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Bouchard', written over a horizontal line.

Jared Bouchard, PVCWD General Manager





**RECEIVED**

**NOV 16 REC'D**

**FOX CANYON GROUNDWATER  
MANAGEMENT AGENCY**

**Vineyard Mutual Water Company**

5725 Ralston St., Suite 200  
Ventura, CA 93003  
805 654-1077 ext 226  
VMW5725@gmail.com

November 16, 2023

Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009

RE: Support of transitioning Fox Canyon Groundwater Management Agency to an Independent Staff

Dear FCGMA Directors:

This letter is to convey Vineyard Mutual Water's support of Director Borchard's initiative to develop a comprehensive, autonomous staffing plan which would transition FCGMA staff from contracted County employees to truly independent water, science, public administration, and finance professionals.

While FCGMA staff like Kim Loeb, have made significant contributions to management of the agency and the local groundwater resources, the FCGMA has many significant new responsibilities under SGMA and in its role as the Las Posas Basin Watermaster. To meet these challenges, the FCGMA needs a full time staff resourced, nimble, professional, and independent.

A diverse group of landowners came together to settle the Las Posas Basin Adjudication. They elected to support the FCGMA's appointment as Watermaster in hopes that the FCGMA would turn the page and put the "power wars" behind us. Unfortunately, the FCGMA's appeal and unilateral determination that the judgment was stayed by the appeals—a premise the trial court and appellate court rejected—shows that staff continue to choose conflict over cooperation and shows no respect for the cost of these conflicts.

As it states on the FCGMA website, "The FCGMA is an independent special district, separate from the County of Ventura or any city government." We support Director Borchard's proposal to develop a comprehensive, independent staffing plan that builds a successful team. We support and envision a staff comprised of experienced, knowledgeable, and innovative professionals who encourage stakeholder engagement and involvement, are passionate about developing mutually beneficial solutions to the challenges of reaching water sustainability, and who are dedicated to balancing the delicate demands of constituents – be they residents, farmers, cities, or businesses, with efficient and effective water resource management. Doing so would be a tremendous step forward in ensuring FCGMA's future value to all.

To that end, I look forward to the discussion of FCGMA staffing in greater detail during the upcoming proposed Special Meeting of the FCGMA Board of Directors in December.

Thank you for your time and consideration.

Sincerely,

John Ferro  
President,  
Vineyard Mutual Water Company



November 15, 2023

Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009

RE: Transitioning Fox Canyon Groundwater Management Agency to an Independent Staff

Dear FCGMA Directors:

This letter is to convey Seacoast Farms support of Director David Borchard's initiative to develop a comprehensive, autonomous staffing plan which would transition FCGMA staff from contracted County employees to truly independent water, science, public administration, and finance professionals.

While FCGMA staff like Kim Loeb, have made significant contributions to management of the agency and the local groundwater resources, the FCGMA has many significant new responsibilities under SGMA and in its role as the Las Posas Basin Watermaster. To meet these challenges, the FCGMA needs a full time staff resourced, nimble, professional, and independent.

A diverse group of landowners came together to settle the Las Posas Basin Adjudication. They elected to support the FCGMA's appointment as Watermaster in hopes that the FCGMA would turn the page and put the "power wars" behind us. Unfortunately, the FCGMA's appeal and unilateral determination that the judgment was stayed by the appeals—a premise the trial court and appellate court rejected—shows that staff continue to choose conflict over cooperation and shows no respect for the cost of these conflicts.

As it states on the FCGMA website, "The FCGMA is an independent special district, separate from the County of Ventura or any city government." We support Director Borchard's proposal to develop a comprehensive, independent staffing plan that builds a successful team. We support and envision a staff comprised of experienced, knowledgeable, and innovative professionals who encourage stakeholder engagement and involvement, are passionate about developing mutually beneficial solutions to the challenges of reaching water sustainability, and who are dedicated to balancing the delicate demands of constituents – be they residents, farmers, cities, or businesses, with efficient and effective water resource management. Doing so would be a tremendous step forward in ensuring FCGMA's future value to all.

To that end, I look forward to the discussion of FCGMA staffing in greater detail during the upcoming proposed Special Meeting of the FCGMA Board of Directors in December.

Thank you for your time and consideration.

Sincerely,

John Ferro  
Managing Member  
Seacoast Farms, LLC

5725 RALSTON STREET, SUITE 200, VENTURA, CA 93003  
(805) 654-1077 • FAX (805) 654-7014





November 16, 2023

Fox Canyon Groundwater Management Agency (FCGMA)  
800 South Victoria Avenue  
Ventura, CA 93009-1610

Re: The FCGMA movement away from County of Ventura to and independent structure

Dear FCGMA Directors:

This letter is to directly support Director Dave Borchard's request for the Fox Canyon Groundwater Management Agency (FCGMA) Board to ensure and add to your next agenda a discussion which would consider the development of a comprehensive, autonomous staffing plan which would transition FCGMA staff from contracted County of Ventura employees to a truly independent water, science, public administration, and finance professionals.

As it states on the FCGMA website, "The FCGMA is an independent special district, ***separate from the County of Ventura or any city government.***" Developing a comprehensive, independent staffing plan that builds a successful team of experienced, knowledgeable, and innovative hydrologist and hydrogeologist, staff members who encourage stakeholder engagement and involvement; who are passionate about developing mutually beneficial solutions to the challenges of reaching water sustainability and who are dedicated to balancing the delicate demands of constituents – be they residents, farmers, cities, or businesses, with efficient and effective water resource management would be a tremendous step forward in ensuring FCGMA's future value to all.

To that end, I look forward to having an opportunity to discuss FCGMA staffing in greater detail during the proposed Special Meeting of the FCGMA Board of Directors this December.

Thank you and hope you take this into consideration in your decision-making process.

Luis Calderon  
Director of Partners, Growers, and Resources  
Reiter Affiliated Companies



November 16, 2023

Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009

RE: Transitioning Fox Canyon Groundwater Management Agency Staffing Model to an Independent Structure

Dear FCGMA Directors:

Thank you for the opportunity to provide comments on this issue. The Ventura County Coalition of Labor, Agriculture and Business (VC CoLAB) and the Farm Bureau Ventura County (FBVC) are writing on behalf of our combined membership to express our support of Fox Canyon Groundwater Management Agency (FCGMA) Director David Borchard's request to agendaize a discussion at the proposed December 1, 2023, Special Meeting of the FCGMA Board of Directors (Board) to consider the development of a staffing plan to transition FCGMA staff to an independently-employed staffing team.

Our organizations recognize and appreciate the work that current staff have done to support FCGMA. However, with the recent announcement of Plan Manager Kimball Loeb's impending retirement, and in alignment with FCGMA's status as an independent special district, we urge FCGMA Board members to take the opportunity to evaluate options for future staffing considerations and ensure FCGMA's continued value to all stakeholders.

The years ahead will have an enormous impact on agriculture, including total planted acres and crop diversity. These impacts will likely change the landscape of Ventura County for everyone. The mission of FCGMA is to achieve sustainable yield from the groundwater basin and many stakeholders are engaged in and closely monitoring your efforts and work. As member-driven organizations, VC CoLAB and FBVC are aware of stakeholder concerns about whether the existing staffing processes are optimal to ensure FCGMA achieves that mission.

It is essential that FCGMA has a strong system of accountability for pumpers based on accurate, comprehensive, and timely data collection and reporting. FCGMA currently has a multi-year backlog in variance requests, resulting in a lack of regulatory certainty for growers to understand their liability for past pumping, reconcile record discrepancies, or resolve disputes over allocations. The large backlog in variance requests has created cascading impacts on FCGMA's ability to ensure accuracy in data reporting. Because of the backlog, some pumpers were granted blanket variances. While we appreciate staffs' efforts to avoid harming pumpers, the blanket variances did not address discrepancies or disputes or work to resolve potential inaccurate reporting in pumping and allocation numbers. And, because of the backlog, some pumpers are not receiving timely and accurate extraction statements. This delay, in turn impacts the pumpers' ability to make necessary adjustments to avoid overpumping. Without accurate, comprehensive and timely data and reporting for all stakeholders, we are concerned that the FCGMA Board cannot fulfill the mission of achieving sustainable yield in the basin. FCGMA needs the ability to maintain sufficient staffing levels to complete the necessary work in a timely manner and at the direction of the FCGMA Board. With the County's current staffing challenges and the upcoming retirement of Plan Manager Loeb, our organizations are concerned that the County's HR process may not be able to ensure there will ever be adequate staffing to meet current work demands, much less the agency's mission.

As an Independent Special District, the FCGMA must work to engage with all stakeholders without the appearance of conflict of interest or bias. The current staffing plan has the potential to create barriers for some stakeholders, as it allows for perceived potential biases. While both VC CoLAB and FBVC have worked collaboratively and successfully with County staff to resolve complex and challenging issues many times in the past, we must recognize and respect that some stakeholders may be hesitant to engage on challenging issues with government organizations upon which the stakeholder must depend for permitting and approvals to conduct day-to-day business operations. Furthermore, as the County itself is a stakeholder in the FCGMA, and the County is actively pursuing water projects that will benefit the County as a stakeholder, County staff need to be able to advocate for County issues and positions, without the need to be restrained out of fear of appearing biased. An independent staffing model may be more effective at coordinating with all stakeholders, from municipalities to agricultural representatives to the County itself.

Achieving sustainable yield for the basin is critical for long-term resource management and economic stability of the region. The community-at-large and the FCGMA stakeholders require sustainable groundwater management that is deeply invested in the outcome of the efforts to comply with SGMA. The economic impact on all pumpers will be significant as new projects to

increase water supply and storage capabilities and maximize wise water use are costly and protracted. As we work toward project-based solutions, we must be mindful of the impacts of temporary or permanent pumping allocation reductions on farming and our agricultural landscape. The solution to such issues lies in our ability to be resilient, agile, and collaborative. We urge the FCGMA Board to take this opportunity to engage in thoughtful and thorough discussion to consider whether an independent staffing model would best provide the collaboration and flexibility necessary to achieve the agency's mission.

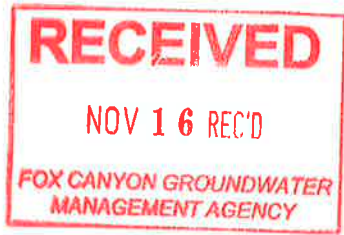
Sincerely,



Louise Lampara  
Executive Director  
VC CoLAB



Maureen McGuire  
CEO  
Farm Bureau Ventura County



**ROBERT P. ROY**  
GENERAL COUNSEL  
VENTURA COUNTY AGRICULTURAL ASSOCIATION  
916 W. Ventura Boulevard, Camarillo, California 93010  
Phone: (805) 388-2727 Fax: (805) 388-2767

November 15, 2023

Chairperson, Eugene F. West  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
Administration Building  
Watershed Protection District  
800 South Victoria Avenue  
Ventura, CA 93009-1610

Re: Special Meeting of Board to Discuss Changes to Independent Staff for the Agency

Dear Chairperson West:

The Ventura County Agricultural Association has represented the interests of local farmers and ranchers subject to the jurisdiction of GMA since 1970. Many of its members have been particularly involved in many of the issues that come before the GMA that affect their ability to conduct ongoing sustainable agricultural operations. Based upon many comments and discussions with those members, our Association believes that the GMA has not been able to complete core values that are important to a successful, sustainable Groundwater Basin. Above all, we believe the proper management of the Groundwater Basin is necessary to the health and safety of all stakeholders who are dependent upon the proper maintenance of a sustainable water system.

Recently, it has been brought to our attention that the current Board must ultimately decide whether or not to hire new, independent staff for the management of the basin to achieve its overall objectives. VCAA believes that there are a number of important reasons why the GMA Board

should seriously consider the following reasons in support of a decision to move towards an outside independent staff.

First of all, we believe the GMA has failed to embrace its inherently dual role as both a collaborator/problem-solver and a regulator, and has missed critical opportunities to build stakeholder consensus in support of its sustainability mission. This is evidenced in failing to utilize stakeholder input and including such data into management plans. The data that was collected and presented by stakeholders demonstrated that the Irrigation Allowance Index (IAI) was working and did, in fact, reduce overall applied water. Yet, in October 2019, GMA Staff recommended, and the Board approved, an allocation ordinance that turned everything upside down and ultimately resulted in multiple lawsuits.

Secondly, because the GMA's personnel provided by the County of Ventura intuitively approach FCGMA operations with the mindset of a local governmental regulator, the GMA seems incapable and ill-equipped to bridge disagreements and negotiate solutions to our region's groundwater problems. By way of example, there were over 150 variance requests filed in the Spring of 2020 as a result of the implementation of the above ordinance. These requests have yet to be resolved. Local businesses cannot make proper decisions without certainty. Further, the timeliness of operators receiving Groundwater Extraction statements is very slow. Lastly, operators today still do not know what their allocation is for water year 2023-2024, despite the fact that the current water year began two months ago on October 1, 2023.

Third, GMA's failure to work actively and creatively to solve local disagreements and broker compromises have ultimately led to fractious, unnecessary and costly lawsuits that perhaps could have been prevented with a different approach.

Fourth, the GMA seems incapable of facilitating, collaborating and working creatively with fellow water districts and municipalities on the critical infrastructure supply projects that will help solve/mitigate seawater intrusion, insure sustainability of the groundwater basins and the future viability of businesses and municipalities.

Lastly, recent actions taken during the Los Posas Basin Groundwater adjudication demonstrate that the GMA opposes greater stakeholder inclusion in basin management decisions and has caused continued, unnecessary and costly litigation at the taxpayers' expense. For example, the GMA first approved the Las Posas settlement, but then flip-flopped and requested the Court to stay the legal proceedings. This action undermines and continues to erode the trust of stakeholders.

For all the foregoing reasons, VCAA believes it is critical that the GMA be staffed by independent, competent, collaborative and proactive groundwater professionals and policy specialists who are 100% focused solely on working with stakeholders to accomplish the mission of the Fox Canyon Groundwater Management Agency. Therefore, we urge the Board of Directors to seriously consider the above, long-standing problems and act decisively to effect a lasting, positive change to have the GMA conduct its business operations consistent with its core values for the benefit of all stakeholders.

Respectfully submitted,

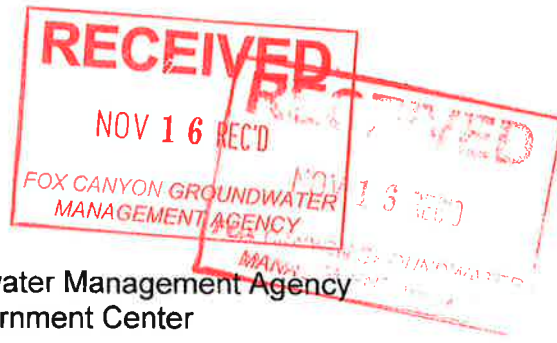


By: \_\_\_\_\_  
Robert P. Roy  
President and General Counsel

c: Board Members of the GMA

November 15, 2023

Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009



RE: Transitioning Fox Canyon Groundwater Management Agency to an Independent Staff

Dear FCGMA Directors:

This letter is to convey Sara N. McAndrew's support of Director David Borchard's initiative to develop a comprehensive, autonomous staffing plan which would transition FCGMA staff from contracted County employees to truly independent water, science, public administration, and finance professionals.

As it states on the FCGMA website, "The FCGMA is an independent special district, **separate from the County of Ventura or any city government.**" Developing a comprehensive, independent staffing plan that builds a successful team of experienced, knowledgeable, and innovative hydrologist and hydrogeologist, staff members who encourage stakeholder engagement and involvement; who are passionate about developing mutually beneficial solutions to the challenges of reaching water sustainability and who are dedicated to balancing the delicate demands of constituents – be they residents, farmers, cities, or businesses, with efficient and effective water resource management would be a tremendous step forward in ensuring FCGMA's future value to all.

To that end, I look forward to having an opportunity to discuss FCGMA staffing in greater detail during the proposed Special Meeting of the FCGMA Board of Directors this November.

Thank you for your time and consideration.

Sincerely,

*Sara N. McAndrew*

Sara Naumann McAndrews, Property Owner

15 November, 2023



Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009

RE: Transitioning Fox Canyon Groundwater Management Agency to an Independent Staff

Dear FCGMA Directors:

This letter is to convey Molly N. Sohrakoff's support of Director David Borchard's initiative to develop a comprehensive, autonomous staffing plan which would transition FCGMA staff from contracted County employees to truly independent water, science, public administration, and finance professionals.

As it states on the FCGMA website, "The FCGMA is an independent special district, ***separate from the County of Ventura or any city government.***" Developing a comprehensive, independent staffing plan that builds a successful team of experienced, knowledgeable, and innovative hydrologist and hydrogeologist, staff members who encourage stakeholder engagement and involvement; who are passionate about developing mutually beneficial solutions to the challenges of reaching water sustainability and who are dedicated to balancing the delicate demands of constituents – be they residents, farmers, cities, or businesses, with efficient and effective water resource management would be a tremendous step forward in ensuring FCGMA's future value to all.

To that end, I look forward to having an opportunity to discuss FCGMA staffing in greater detail during the proposed Special Meeting of the FCGMA Board of Directors this November.

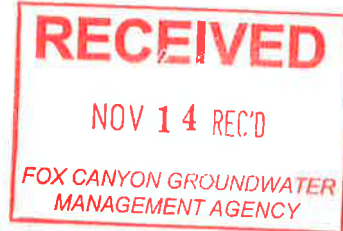
Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Molly Sohrakoff". The signature is fluid and cursive, with a long horizontal stroke at the end.

Molly Naumann Sohrakoff, Property Owner

11/13/2023



Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009

RE: Transitioning Fox Canyon Groundwater Management Agency to an Independent Staff

Dear FCGMA Directors:

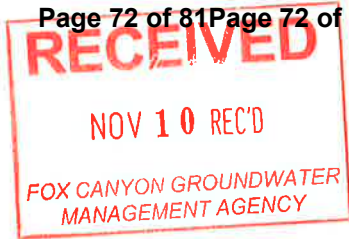
This letter is to convey McGrath Ranches in Camarillo support of Director David Borchard's initiative to develop a comprehensive, autonomous staffing plan which would transition FCGMA staff from contracted County employees to truly independent water, science, public administration, and finance professionals.

As it states on the FCGMA website, "The FCGMA is an independent special district, ***separate from the County of Ventura or any city government.***" Developing a comprehensive, independent staffing plan that builds a successful team of experienced, knowledgeable, and innovative hydrologist and hydrogeologist, staff members who encourage stakeholder engagement and involvement; who are passionate about developing mutually beneficial solutions to the challenges of reaching water sustainability and who are dedicated to balancing the delicate demands of constituents – be they residents, farmers, cities, or businesses, with efficient and effective water resource management would be a tremendous step forward in ensuring FCGMA's future value to all.

To that end, I look forward to having an opportunity to discuss FCGMA staffing in greater detail during the proposed Special Meeting of the FCGMA Board of Directors this November.

Thank you for your time and consideration.

Sincerely,  
Phil McGrath, McGrath Ranches, Camarillo



Board of Directors

Fox Canyon Groundwater Management Agency

Ventura county Government Center

800 south Victoria Avenue

Ventura, CA 93009

RE: Transitioning fox Canyon Groundwater Management Agency Staffing from County-Dependent to Private Independent Structure the would address Future needs of the Agency and its Constituents.

Dear FCGMA Board of Directors;

This letter is to convey RIO FARMS LLC support of Director David Borchard's request for the Fox Canyon Groundwater Management Agency Board to agendize a discussion which would consider the development of an autonomous staffing plan which would transition FCGMA staff from contracted county employees to truly independent water, science, public administration and finance professionals.

RIO FARMS believes that developing a comprehensive, independent staffing plan that builds a successful team of experienced, knowledgeable, and innovative hydrologist, staff members who encourage stakeholder engagement and involvement and are passionate about finding solutions would better serve Agricultural, Municipal and Industrial water users. This transition we believe would be a tremendous step forward in ensuring FCGMA's future success and value to all.

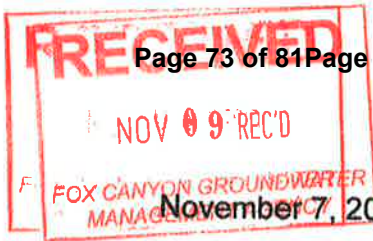
Thank you for your time and consideration in this matter

Sincerely

A handwritten signature in black ink, appearing to read "Danny Pereira", with a long horizontal line extending to the right.

Danny Pereira

General Manager



*Vujovich & Vujovich, Inc.*

3150 HAILES ROAD  
OXNARD, CA. 93033  
PHONE (805) 488-1909

Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009

RE: Transitioning Fox Canyon Groundwater Management Agency Staffing Model from County-dependent to Independent Structure that Would Address Future Needs of the Agency and its Constituents

Dear FCGMA Directors:

This letter is to convey Vujovich & Vujovich, Inc.'s support of Director David Borchard's request for the Fox Canyon Groundwater Management Agency (FCGMA) Board to agendize a discussion which would consider the development of a comprehensive, autonomous staffing plan which would transition FCGMA staff from contracted County employees to truly independent water, science, public administration, and finance professionals.

As it states on the FCGMA website, "The FCGMA is an independent special district, **separate from the County of Ventura or any city government.**" Developing a comprehensive, independent staffing plan that builds a successful team of experienced, knowledgeable, and innovative hydrologist and hydrogeologist, staff members who encourage stakeholder engagement and involvement; who are passionate about developing mutually beneficial solutions to the challenges of reaching water sustainability and who are dedicated to balancing the delicate demands of constituents – be they residents, farmers, cities, or businesses, with efficient and effective water resource management would be a tremendous step forward in ensuring FCGMA's future value to all.

To that end, I look forward to having an opportunity to discuss FCGMA staffing in greater detail during the proposed Special Meeting of the FCGMA Board of Directors this November.

Thank you for your time and consideration.

Sincerely,

VUJOVICH & VUJOVICH, INC.

Thomas P. Vujovich, Jr., President



DIRECTORS

William L. Davis  
Stephen T.B. Miller

Arthur M. Sakioka  
Thomas P. Vujovich, Jr.

E. Durston Williams

PLEASANT VALLEY COUNTY WATER DISTRICT

PIONEER IN FOX CANYON AQUIFER CONSERVATION  
Serving Agriculture Since 1956

154 SOUTH LAS POSAS ROAD CAMARILLO, CA 93010-8570

(805) 482-2119  
FAX # 805-484-5835

STAFF

Michael L. Miller  
General Manager

Thomas W. Petrovich  
Secretary-Treasurer

Arnold, Mathews,  
Wojkowski & Zirbel LLP  
General Counsel

Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009

RE: Transitioning Fox Canyon Groundwater Management Agency Staffing Model  
from County-dependent to Independent Structure that Would Address Future  
Needs of the Agency and its Constituents

Dear FCGMA Directors:

This letter is to convey Pleasant Valley County Water District's support of Director David Borchard's request for the Fox Canyon Groundwater Management Agency (FCGMA) Board to agendize a discussion which would consider the development of a comprehensive, autonomous staffing plan which would transition FCGMA staff from contracted County employees to truly independent water, science, public administration, and finance professionals.

As it states on the FCGMA website, "The FCGMA is an independent special district, **separate from the County of Ventura or any city government.**" Developing a comprehensive, independent staffing plan that builds a successful team of experienced, knowledgeable, and innovative hydrologist and hydrogeologist, staff members who encourage stakeholder engagement and involvement; who are passionate about developing mutually beneficial solutions to the challenges of reaching water sustainability and who are dedicated to balancing the delicate demands of constituents – be they residents, farmers, cities, or businesses, with efficient and effective water resource management would be a tremendous step forward in ensuring FCGMA's future value to all.

To that end, I look forward to having an opportunity to discuss FCGMA staffing in greater detail during the proposed Special Meeting of the FCGMA Board of Directors this November.

Thank you for your time and consideration.

Sincerely,

PLEASANT VALLEY COUNTY WATER DISTRICT

  
Thomas P. Vujovich, Jr., President



*Thomas P. Vujovich Jr., Inc.*

3150 HAILES ROAD  
OXNARD, CA 93033  
PHONE (805) 488-1909

November 7, 2023

Board of Directors

Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009

RE: Transitioning Fox Canyon Groundwater Management Agency Staffing Model from County-dependent to Independent Structure that Would Address Future Needs of the Agency and its Constituents

Dear FCGMA Directors:

This letter is to convey Thomas P. Vujovich, Jr., Inc.'s support of Director David Borchard's request for the Fox Canyon Groundwater Management Agency (FCGMA) Board to agendize a discussion which would consider the development of a comprehensive, autonomous staffing plan which would transition FCGMA staff from contracted County employees to truly independent water, science, public administration, and finance professionals.

As it states on the FCGMA website, "The FCGMA is an independent special district, **separate from the County of Ventura or any city government.**" Developing a comprehensive, independent staffing plan that builds a successful team of experienced, knowledgeable, and innovative hydrologist and hydrogeologist, staff members who encourage stakeholder engagement and involvement; who are passionate about developing mutually beneficial solutions to the challenges of reaching water sustainability and who are dedicated to balancing the delicate demands of constituents – be they residents, farmers, cities, or businesses, with efficient and effective water resource management would be a tremendous step forward in ensuring FCGMA's future value to all.

To that end, I look forward to having an opportunity to discuss FCGMA staffing in greater detail during the proposed Special Meeting of the FCGMA Board of Directors this November.

Thank you for your time and consideration.

Sincerely,

THOMAS P. VUJOVICH, JR., INC.



Thomas P. Vujovich, Jr.  
President



TDT, A GENERAL PARTNERSHIP  
3150 Hailes Road  
Oxnard, CA 93033  
(805) 488-1909

November 7, 2023

Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009

RE: Transitioning Fox Canyon Groundwater Management Agency Staffing Model from County-dependent to Independent Structure that Would Address Future Needs of the Agency and its Constituents

Dear FCGMA Directors:

This letter is to convey TDT, A General Partnership's support of Director David Borchard's request for the Fox Canyon Groundwater Management Agency (FCGMA) Board to agendize a discussion which would consider the development of a comprehensive, autonomous staffing plan which would transition FCGMA staff from contracted County employees to truly independent water, science, public administration, and finance professionals.

As it states on the FCGMA website, "The FCGMA is an independent special district, **separate from the County of Ventura or any city government.**" Developing a comprehensive, independent staffing plan that builds a successful team of experienced, knowledgeable, and innovative hydrologist and hydrogeologist, staff members who encourage stakeholder engagement and involvement; who are passionate about developing mutually beneficial solutions to the challenges of reaching water sustainability and who are dedicated to balancing the delicate demands of constituents – be they residents, farmers, cities, or businesses, with efficient and effective water resource management would be a tremendous step forward in ensuring FCGMA's future value to all.

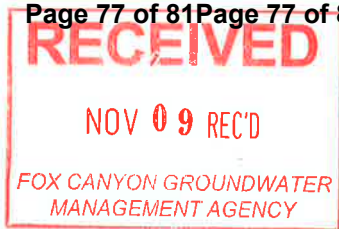
To that end, I look forward to having an opportunity to discuss FCGMA staffing in greater detail during the proposed Special Meeting of the FCGMA Board of Directors this November.

Thank you for your time and consideration.

Sincerely,

TDT, A GENERAL PARTNERSHIP

Thomas P. Vujovich, Jr., Partner



V & V PROPERTIES  
3150 Hailes Road  
Oxnard, CA 93033  
(805) 488-1909

November 7, 2023

Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009

RE: Transitioning Fox Canyon Groundwater Management Agency Staffing Model from County-dependent to Independent Structure that Would Address Future Needs of the Agency and its Constituents

Dear FCGMA Directors:

This letter is to convey V & V Properties' support of Director David Borchard's request for the Fox Canyon Groundwater Management Agency (FCGMA) Board to agendize a discussion which would consider the development of a comprehensive, autonomous staffing plan which would transition FCGMA staff from contracted County employees to truly independent water, science, public administration, and finance professionals.

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To that end, I look forward to having an opportunity to discuss FCGMA staffing in greater detail during the proposed Special Meeting of the FCGMA Board of Directors this November.

Thank you for your time and consideration.

Sincerely,

V & V PROPERTIES

A handwritten signature in blue ink, appearing to read "Tom Vujovich".

Thomas P. Vujovich, Jr., Partner



CALLEGUAS CREEK PARTNERS  
3150 Hailes Road  
Oxnard, CA 93033  
(805) 488-1909

November 7, 2023

Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009

RE: Transitioning Fox Canyon Groundwater Management Agency Staffing Model from County-dependent to Independent Structure that Would Address Future Needs of the Agency and its Constituents

Dear FCGMA Directors:

This letter is to convey Calleguas Creek Partners' support of Director David Borchard's request for the Fox Canyon Groundwater Management Agency (FCGMA) Board to agendize a discussion which would consider the development of a comprehensive, autonomous staffing plan which would transition FCGMA staff from contracted County employees to truly independent water, science, public administration, and finance professionals.

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To that end, I look forward to having an opportunity to discuss FCGMA staffing in greater detail during the proposed Special Meeting of the FCGMA Board of Directors this November.

Thank you for your time and consideration.

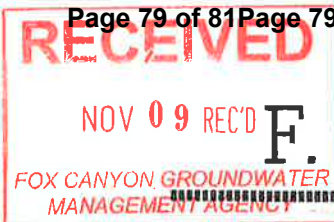
Sincerely,

CALLEGUAS CREEK PARTNERS



Thomas P. Vujovich, Jr., Partner





F. T. J., Inc.

November 7, 2023

OFFICE  
3150 Hailes Road  
Oxnard, California 93033  
Telephone: (805) 488-1909

Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009

RE: Transitioning Fox Canyon Groundwater Management Agency Staffing Model from County-dependent to Independent Structure that Would Address Future Needs of the Agency and its Constituents

Dear FCGMA Directors:

This letter is to convey F. T. J., Inc.'s support of Director David Borchard's request for the Fox Canyon Groundwater Management Agency (FCGMA) Board to agendize a discussion which would consider the development of a comprehensive, autonomous staffing plan which would transition FCGMA staff from contracted County employees to truly independent water, science, public administration, and finance professionals.

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To that end, I look forward to having an opportunity to discuss FCGMA staffing in greater detail during the proposed Special Meeting of the FCGMA Board of Directors this November.

Thank you for your time and consideration.

Sincerely,

F. T. J., INC.

A handwritten signature in blue ink, appearing to read "Tom Vujovich".

Thomas P. Vujovich, Jr.  
President



RECEIVED

Page 80 of 81

NOV 09 REC'D

FOX CANYON GROUNDWATER  
MANAGEMENT AGENCY

VUJOVICH, ET AL  
3150 Hailes Road  
Oxnard, CA 93033  
(805) 488-1909

November 7, 2023

Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009

RE: Transitioning Fox Canyon Groundwater Management Agency Staffing Model from County-dependent to Independent Structure that Would Address Future Needs of the Agency and its Constituents

Dear FCGMA Directors:

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Thank you for your time and consideration.

Sincerely,

VUJOVICH, ET AL



Thomas P. Vujovich, Jr.  
Managing Partner



**THOMAS P. VUJOVICH, JR.**

Vujovich Ranches  
November 7, 2023

3150 Hailes Road  
Oxnard, CA 93033

Board of Directors  
Fox Canyon Groundwater Management Agency  
Ventura County Government Center  
800 S Victoria Avenue  
Ventura, CA 93009

RE: Transitioning Fox Canyon Groundwater Management Agency Staffing Model from County-dependent to Independent Structure that Would Address Future Needs of the Agency and its Constituents

Dear FCGMA Directors:

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Thank you for your time and consideration.

Sincerely,

Thomas P. Vujovich, Jr.  
Owner