OJAI BASIN
GROUNDWATER MANAGEMENT AGENCY
A STATE OF CALIFORNIA WATER AGENCY

MEMBER AGENCIES
Ojai Water Conservation District
Casitas Municipal Water District
City of Ojai
Golden State Water Company

OJAI BASIN MUTUAL WATER COMPANIES
Senior Canyon MWC
Siete Robles MWC
Hermitage MWC

December 6, 2014

California Department of Water Resources
Attn: Mark Cowin
P.O. Box 942836
Sacramento, CA 94236-0001

NOTICE OF INTENT TO BECOME A GROUNDWATER SUSTAINABILITY AGENCY

Gentlemen:

As outlined in Senate Bill 1168, Chapter 4, Section 10723. (c), the Ojai Groundwater Basin Management Agency is deemed to be the exclusive groundwater management agency for the Ojai Groundwater Basin.

On December , 2014 the Board of Directors of the Ojai Basin Groundwater Management Agency passed Resolution 2014-4 wherein the Agency has elected to become a "Groundwater Sustainability Management Agency", as defined in Senate Bill 1168.

This Notice of Intent includes all of the Ojai Groundwater Basin as defined in the original enabling legislation, Senate Bill 534, approved on October 8, 1991. The exact boundaries of the management area are defined in Article 2, Section 201. A copy of Section 201 is attached to this Notice of Intent together with a map of the defined area.

Because this Agency has long operated as a Groundwater Management Agency, we had many years of communication with all of the interests in the groundwater. These interests include all of the following:

- Holders of overlying groundwater rights
- Agricultural users
- Domestic well owners
- Municipal water suppliers
- Local land use planning

In Section 10723.2 other entities are called out, but none of those entities are present in the Ojai valley.

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obgma@aol.com www.obgma.com

The membership of the Board of Directors of this Agency consists of one director from each of the following entities:

- Ojai Water Conservation District
- City of Ojai
- Casitas Municipal water District
- Golden State Water Company, (supplier to the City of Ojai)
- One member representing three small water companies

Each of these members is charged with the responsibility of communicating OBGMA activities with the public at large within each of these five constituencies. In addition to these means of communication with all of our interested parties, this Agency maintains a public web site: www.obgma.com.

This Notice of Intent is accompanied with the following additional documents:

- Map of service boundaries
- Copy of the resolution electing to become a sustainability agency
- Copy of by-laws and ordinances adopted in the past by this Agency
- Copy of existing groundwater management plan
- Copy of the most recent published annual report

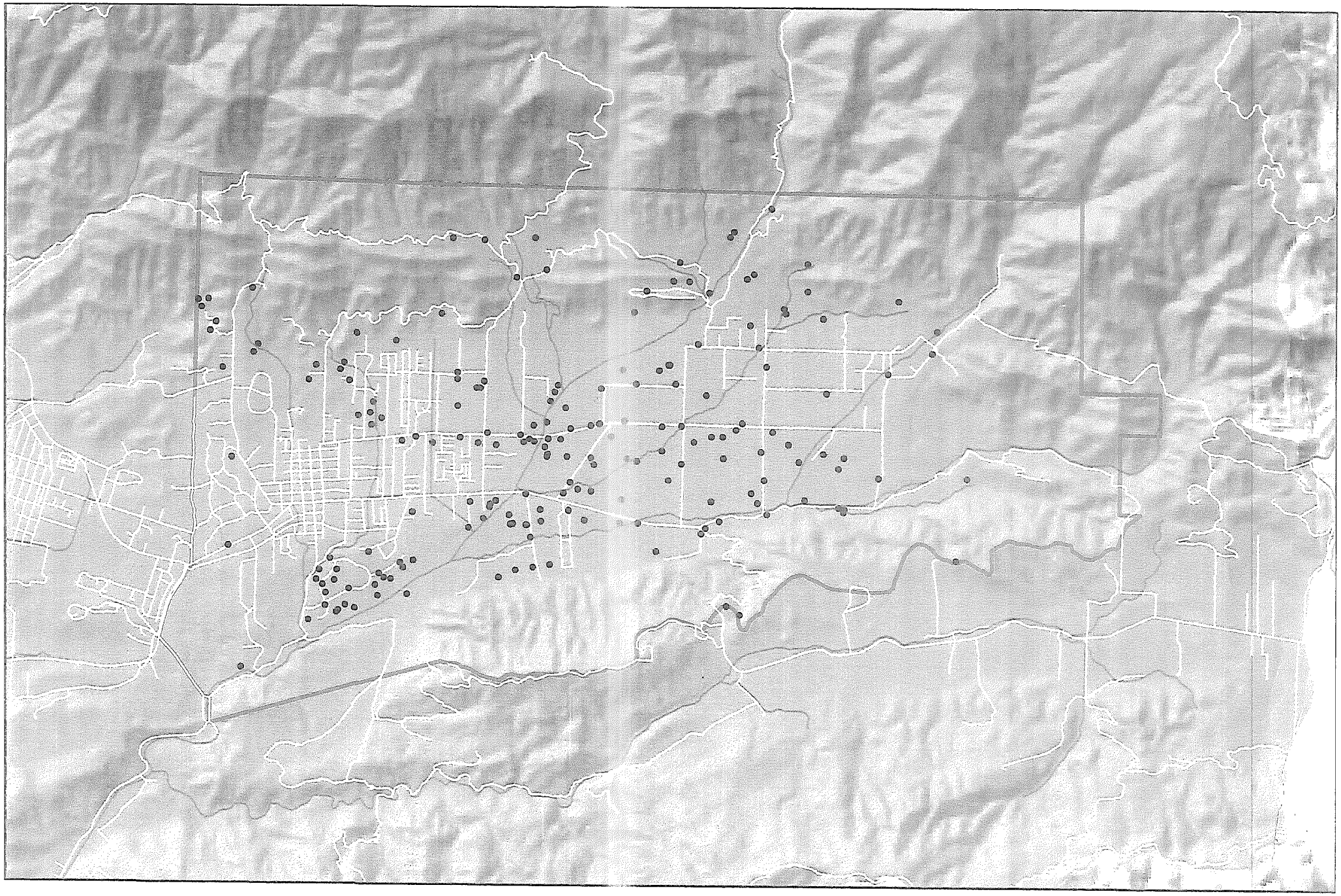
Should any other information be required by DWR, prior to the acceptance of this Agency becoming a "Sustainability Agency", please address your concerns to the undersigned.

Very truly yours,

Jerry L. Conrow

Jerry L. Conrow, President
Ojai Basin Groundwater Management Agency

Cc: Bob Pierotti, California Department of Water Resources; Southern Region



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0 6,000 12,000 Feet

Legend

- Wells
- Rivers & Streams
- OBGMA Boundary
- Ventura River Watershed

DISCLAIMER: The information contained herein was created by the Ventura County Watershed Protection District; Water & Environmental Resources Division for its own use. The VCWPD assumes no liability for damages incurred directly or indirectly as a result of errors, omissions or discrepancies.

Resolution 2014-4

A Resolution of the Ojai Basin Groundwater Management Agency requesting authorization from the Department of Water Resources to Become the Groundwater Sustainable Agency for the Ojai Basin as stated in California Water Code Section 10723(c)(3)

Whereas, the Ojai Basin Groundwater Management Agency (Agency) was officially established by legislative action (SB534 Hart) in 1991, and:

Whereas, the Agency has the responsibility for the requirements for the review of new well permitting, notification of intent to construct, registration of extraction facilities, metering, reporting of groundwater extractions, and the recordation of wells within the boundaries of the agency, and:

Whereas, the Agency has produced a Groundwater Management Plan (and a recent update) along with comprehensive Annual Reports outlining the status and actions of the Agency in the management of the basin, and:

Whereas, the Agency has adopted resolutions and Ordinances to provide for the management of the basin, and:

Whereas, the Agency has established a website (www.obgma.com) with all pertinent information easily available for the groundwater extractors and the public, and:

Whereas, Governor Brown signed into law the Groundwater Sustainability Act on September 16, 2014, and:

Whereas, Section 1072(c)(3) provides for those agencies created by statute to be deemed the exclusive local agency within their respective statutory boundaries with powers to comply with the new law, and:

And now, therefore, be it resolved:

The Ojai Basin Groundwater Management Agency, in conformance with California Water Code Section 1072(c)(3), requests that the Department of Water Resources designate the Agency as the Groundwater Sustainability Agency for the Ojai Basin as depicted the map attached to this resolution.

ADOPTED, SIGNED AND APPROVED this Dec 4, _____, 2014

ATTEST: _____ _____

Cece VanDerMeer, Secretary **Jerry L. Conrow, President**

Senate Bill No. 534

CHAPTER 750

An act to amend Section 1 of, to repeal Sections 2 and 4 of, and to amend and renumber Section 3 of, Chapter 153 of the Statutes of 1974, and to create the Ojai Basin Groundwater Management Agency, relating to water.

[Approved by Governor October 8, 1991. Filed with Secretary of State October 9, 1991.]

LEGISLATIVE COUNSEL'S DIGEST

SB 534, Hart. Ojai Basin Groundwater Management Agency.

(1) Under existing law, there are no specific provisions for groundwater management within the Ojai Groundwater Basin.

This bill would enact the Ojai Basin Groundwater Management Agency Act which would create the Ojai Basin Groundwater Management Agency to provide for groundwater management within the prescribed boundaries of the agency. The bill would specify the powers and duties of the district and provide for the management and financing of the district.

The bill would require the agency to develop a prescribed plan and to undertake specified studies. The bill would provide that any person who intentionally violates the act or any agency ordinance is guilty of an infraction, thereby imposing a state-mandated local program by creating a new crime, and would subject that person to an administrative fine in an amount not to exceed $500, as prescribed. The bill would subject any person who negligently or intentionally violates the act or any agency ordinance to civil liability in an amount not to exceed $1,000 per day for each day of violation, as prescribed. The bill would impose a state-mandated local program by imposing various duties on local entities.

(2) Existing law requires that the Ojai Water Conservation District be governed by the Water Conservation District Law of 1931.

This bill would require the district to be governed by the Water Conservation Act of 1927.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for specified reasons.

The people of the State of California do enact as follows:

SECTION 1. This act shall be known and may be cited as the Ojai

Basin Groundwater Management Agency Act.

Article 1. Creation

Sec. 101. The Legislature hereby finds and declares that the preservation of the groundwater within the territory of the Ojai Basin Groundwater Management Agency, created pursuant to Section 102 for the protection of agricultural, municipal, and industrial uses, is in the public interest and for the common benefit of water users within the agency.

Sec. 102. The Ojai Basin Groundwater Management Agency is hereby created. The agency shall exercise the express powers granted by this act for purposes of groundwater management within the territory of the agency, together with other powers reasonably implied and necessary and proper to carry out the purposes of the agency.

Article 2. Boundaries

Sec. 201. For the purposes of this act, the boundaries of the agency include that portion of the Ojai Basin watershed which lies within the boundaries of the Casitas Municipal Water District or the Ojai Water Conservation District, but do not include any land within the boundaries of the Ventura River County Water District. The boundaries of the agency are more particularly described as follows:

The point of beginning is located at the intersection of the centerline of Creek Road and the northerly boundary of Camp Comfort; thence, northerly along the centerline of Creek Road to the point of intersection with the centerline of Hermosa Road; thence, westerly and northwesterly along the centerline of Hermosa Road to the point of intersection with the easterly line of Ventura Avenue, also known as State Highway Routes 33 and 150; thence, northerly along that easterly line of Ventura Avenue to the point of intersection with the centerline of Ojai Avenue; thence, northeasterly along the centerline of Ojai Avenue to the point of intersection with the centerline of Del Norte Road; thence, northerly along the centerline of Del Norte Road and the northerly prolongation of the centerline of Del Norte to the north quarter corner of Section 35, Township 5 North, Range 23 West, San Bernardino Base and Meridian, that point being also a point in the boundary of the Casitas Municipal Water District; thence along that boundary; thence east along the north line of that Section 35 and along the north line of Section 36 of that Township and Range and Sections 31, 32, 33, and 34 of Township 5 North, Range 22 West, San Bernardino Base and Meridian to the northeast corner of that Section 34; thence, south along the east line of that Section 34 and the east line of Section 3, Township 4 North, Range 22 West, San Bernardino Base and Meridian to the northwest corner of the south one-half of

the northwest one-quarter of Section 2 of that last mentioned Township and Range; thence, east along the north line of that south one-half of the northwest one-quarter of Section 2 to the northeast corner thereof, south along the east line of that south one-half of the northwest one-quarter of Section 2 to the southeast corner thereof; thence, west along the south line of that south one-half of the northwest one-quarter of Section 2 to the northeast corner of the west one-half of the southwest one-quarter of that Section 2; thence, south along the east line of that west one-half of the southwest one-quarter of Section 2 to the southeast corner thereof to a point in the north line of fractional Section 11, Township 4 North, Range 22 West, San Bernardino Base and Meridian; thence, east along that north line to the north quarter corner of that fractional Section 11; thence, in a varying generally southwesterly and westerly direction along the watershed dividing ridge line, as shown on the Ojai Quadrangle of the United States Geological Survey 7.5 minute series of topographic maps, between the Ojai Valley and the Lions Creek Drainage, a distance of approximately four and three-quarter miles, more or less, to the point at which the 1,400-foot contour intersects the range line common to Range 22 West and Range 23 West, San Bernardino Base and Meridian; thence, in a straight line in a generally south of west direction a distance of approximately one and one-half miles, more or less, to the point of beginning.

Sec. 202. The boundaries of the agency shall be depicted on a map which shall be adopted by the board and thereafter recorded in the office of the county recorder.

Article 3. Definitions

Sec. 301. Unless otherwise indicated by their context, the terms defined in this article govern the interpretation of this act.

Sec. 302. "Agency" means the Ojai Basin Groundwater Management Agency.

Sec. 303. "Aquifer" means a geologic formation or structure that transmits or stores water in sufficient quantities to supply pumping wells or springs.

Sec. 304. "Available supply" means that quantity of groundwater which can be withdrawn in any given year from the groundwater basin without resulting in, or aggravating, conditions of overdraft, subsidence, or groundwater quality degradation. Available supply of the basin includes the natural water supply, imported water, and other water which has been spread to the basin or has otherwise reached the basin and return flows to the basin attributable to these sources reaching the basin in the course of use.

Sec. 305. "Basin" means the Ojai groundwater basin, as shown in the Department of Water Resources Bulletin No. 12, "Ventura County Investigation," dated October 1953, to the extent included within the boundaries of the district, as defined in Section 201.

Sec. 306. "Board" means the board of directors of the agency.

Sec. 307. "Conjunctive use" means the coordinated operation of groundwater and surface water supplies. Conjunctive use includes increased groundwater use or decreased groundwater replenishment with surface supplies in years when surface supplies are less than normal and, in years of more abundant surface supplies, the increased use of surface water in lieu of groundwater, either to allow groundwater levels to recover or to replenish artificial groundwater supplies. Conjunctive use also includes long-term storage of water in the basin.

Sec. 308. "County" means the County of Ventura.

Sec. 309. "Export" means extracting groundwater from the basin for use on land, or within an area, which does not overlie or is not within the boundaries of the agency. Export does not include use on or after January 1, 1992, within any area served by groundwater from the basin prior to January 1, 1992.

Sec. 310. "Extraction" means the act of obtaining groundwater by pumping or other controlled means.

Sec. 311. "Extraction facility" means any device or method for the extraction of groundwater within the basin.

Sec. 312. "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.

Sec. 313. "Groundwater basin" means a geologically and hydrologically defined area containing one or more aquifers which store, transmit, and yield significant quantities of water to wells, or are capable of doing so.

Sec. 314. "Groundwater management activities" means programs, measures, or actions taken to preserve, monitor, protect, and enhance groundwater resources within the territory of the agency.

Sec. 315. "Groundwater rights adjudication" means the determination of substantially all rights in the basin or the area subject to the adjudication.

Sec. 316. "Mutual water company" means a corporation organized for, or engaged in the business of, selling, distributing, supplying, or delivering water to its stockholders and members at cost for irrigation purposes or for domestic use.

Sec. 317. "Notice" or a "noticed hearing" means the notice required by Section 6061 of the Government Code.

Sec. 318. "Operator" means a person who operates a groundwater extraction facility. If 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.

Sec. 319. "Overdraft" means the condition of the basin where the average annual amount of water extracted exceeds the average

annual supply of water to the basin.

Sec. 320. "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.

Sec. 321. "Program" means a groundwater management program prepared by the agency pursuant to this act.

Sec. 322. "Recharge" means the natural or artificial replenishment of groundwater storage by percolation or injection of one or more sources of water at the surface.

Sec. 323. "Replenishment" means spreading water over a permeable area for the purpose of allowing it to percolate to groundwater basins or aquifers, or otherwise adding water to groundwater basins or aquifers.

Sec. 324. "Supplemental water" means surface water or groundwater imported from outside the watershed or watersheds of the basin and flood waters that are conserved and saved within the watershed or watersheds which would otherwise have been lost or would not have reached the basin.

Sec. 325. "Temporary surplus" means the amount of water that can be extracted from the basin without permanently adversely affecting the available supply of the basin or the ability of the basin to provide storage space for natural or artificial recharge that would be lost during wet years if it could not be stored in the basin.

Sec. 326. "Water year" means the period from October 1 of one calendar year to September 30, inclusive, of the following calendar year.

Sec. 327. "Well interference" means a substantial water level decline in a short time period in a localized area caused by pumping from extraction facilities.

Article 4. General Provisions

Sec. 401. (a) The board shall consist of five directors and shall be selected in the following manner:

(1) One director shall be a member of, and be appointed by, each of the following entities, and shall be chosen by their respective governing boards or bodies from their members whose districts or divisions, if any, overlie, at least in part, the boundaries of the agency:

(A) The Ojai City Council.

(B) The Board of the Casitas Municipal Water District.

(C) The Board of the Ojai Water Conservation District.

(2) One director shall be a representative of the Southern California Water Company.

(3) One director shall be chosen from the members of the governing boards of the following mutual water companies whose territory at least in part overlies the boundaries of the agency.

(A) The Senior Canyon Mutual Water Company.

(B) The Siete Robles Mutual Water Company.

(C) The Hermitage Mutual Water Company.

The mutual water company director shall be chosen at a public meeting of each mutual water company represented by the chairperson of its governing board. If the mutual water companies fail to appoint a director within three months, the remaining four directors shall appoint a director from one of the boards of the mutual water companies identified in this paragraph.

(b) The board is the governing body of the agency and shall exercise the powers of the agency.

Sec. 402. (a) No provisions of this act shall be construed to deny any entity from which a board member is or may be selected any rights or powers which they have or may be granted.

(b) The agency shall not involve itself in activities normally and historically undertaken by any entity, such as the construction and operation of dams, spreading grounds, pipelines, flood control facilities, groundwater wells, and water distribution facilities, or the wholesale and retail sale of water, without prior consent of those entities, and shall otherwise limit its activities to monitoring, planning, managing, controlling, preserving, and regulating the extraction and use of groundwater within the boundaries of the agency.

Sec. 403. This act does not abrogate or impair the overlying or appropriative rights of landowners or existing appropriators within the agency, including the right to seek an adjudication of those rights, or abrogate or impair the jurisdiction of the California Public Utilities Commission in regulating the activities and assets of the Southern California Water Company.

Sec. 404. (a) The board may adopt ordinances for the purpose of monitoring, regulating, conserving, managing, and controlling the use and extraction of groundwater within the boundaries of the agency. All ordinances shall be adopted, after a noticed public hearing, by a majority vote of the board. Notice of the adoption of all ordinances shall be given. The ordinances of the agency shall become effective on the 31st day after adoption.

(b) Notwithstanding subdivision (a), the board shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of the Government Code), and may adopt as an urgency measure an interim ordinance. That urgency measure shall require a ⅘ vote of the board for adoption. The interim ordinance shall have no force and effect 45 days after its adoption. After a noticed public hearing, the board may extend the interim ordinance for 10 months and 15 days by a ⅘ vote of the board.

Sec. 405. Any person who intentionally violates this act or any agency ordinance is guilty of an infraction and may be required to pay a fine to the agency not to exceed five hundred dollars ($500). No fine shall be imposed until written notice has been given by registered mail to the alleged violator stating that a hearing will be held by the board not less than 30 days after the date of the notice,

at which time the board will consider the imposition of the fine.

Sec. 406. Any person who negligently or intentionally violates this act or any agency ordinance 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 violation, in addition to any other penalties that may be prescribed by law. No liability shall be imposed until written notice has been given by registered mail to the alleged violator stating that a hearing will be held by the board not less than 30 days after the date of the notice, at which time the board will consider the imposition of the liability.

Sec. 407. Upon the failure of any person to comply with this act or any agency ordinance, the agency may petition the superior court for a temporary restraining order, preliminary or permanent injunction, or other appropriate equitable relief. The right to petition for injunctive relief is in addition to other rights, which may be provided elsewhere in this act or otherwise allowed by law.

Sec. 408. The agency may petition the superior court of the county to recover any sums due the agency or damages incurred by the agency. To preserve and manage the groundwater resources within the agency, the agency may commence, maintain, intervene in, defend in, compromise, and assume the costs and expenses incurred by the agency in, actions and proceedings involving groundwater, including, but not limited to, groundwater rights adjudication.

Sec. 409. The agency may contract for staff and other services and may hire other contractors and consultants.

Sec. 410. The agency may exclude from any of the requirements of this act, or the operation of any ordinance, any operator who extracts less than a minimum amount of groundwater as specified by ordinance adopted by the board.

Article 5. Studies and Investigations

Sec. 501. The agency may collect data and conduct technical and other investigations in order to carry out this act. All hydrological investigations and studies carried out by, or on behalf of, the agency shall be conducted by, or under the supervision of, licensed engineers or other persons qualified in groundwater geology or hydrology.

Sec. 502. (a) The agency shall prepare annually a report on groundwater supplies and conditions in the agency, including groundwater management objectives and a plan of implementation of those objectives, following a determination that groundwater management activities may be necessary.

(b) The agency may prepare, or receive reports on groundwater and supplemental water supplies and conditions in the territory of the agency, including groundwater management and conjunctive use objectives and a plan for implementation of those objectives.

Sec. 503. The agency may recommend and encourage wastewater reuse and other water development projects, if those projects will enhance and contribute to the responsible management of groundwater resources, as part of its annual plan for implementation of groundwater management objectives.

Article 6. Groundwater Management Plans

Sec. 601. In order to maximize the long-term available supply, the agency shall develop, adopt, and implement a plan to protect the basin's groundwater quality and to balance long-term average annual water replenishment and extractions in the basin.

Sec. 602. The agency shall undertake a study to develop the plan required pursuant to Section 601 which includes all of the following components:

(a) A list of groundwater extraction facilities within the boundaries of the agency.

(b) For each extraction facility, an estimate of annual water production, in acre-feet per year, using industry accepted monitoring and testing procedures.

(c) A table and graph depicting water level readings, as of each October 1, from acceptable sources for the period of record.

(d) Provisions and testing procedures for monitoring water quality.

(e) Historical data for rainfall runoff, basin usage and replenishment, and water conservation activities.

(f) A proposed minimum amount of groundwater extraction below which the requirements of this act will not be applied.

Sec. 603. (a) The agency shall undertake a groundwater management study for future extractions from the basin. As a part of this study, the agency shall determine the hydrologic characteristics of the basin, which shall include all of the following information:

(1) Existing groundwater storage capacity.

(2) Existing groundwater storage.

(3) Existing and projected groundwater use.

(4) A review of the boundaries of the basin.

(5) The average annual variation in storage in existing groundwater storage.

(6) Projected annual rainfall, runoff, and recharge rates.

(7) Long-term recoverable storage, including an estimate of nonrecoverable storage.

(8) Potential extractions and storage programs.

Sec. 604. (a) The plan required pursuant to Section 601 may consider any project alternatives designed to enhance the overall balance of long-term average annual basin replenishment and extractions.

(b) The plan shall investigate options of operating the basin to

provide an increased ability to capture, recharge, and maximize reasonable uses by fully utilizing the available groundwater supply. The options may include the conjunctive operation of the basin with Casitas Reservoir. The plan shall recommend alternative methods of managing the basin to achieve the long-term objectives of Section 601.

(c) The plan shall establish a minimum amount of groundwater extraction below which the requirements of this act will not be applied, which amount may be modified from time to time based on the impact on the operation of the agency.

Sec. 605. (a) The studies required in Sections 602 and 603 shall be completed and submitted to the board by January 1, 1993.

(b) The plan required in Section 601 shall be completed and submitted to the board by January 1, 1994.

Article 7. Groundwater Management

Sec. 701. If, after a noticed public hearing and consideration of any relevant investigations, studies, and evidence, including compliance with the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code), the board determines that groundwater management activities are necessary in order to improve or protect the quantity or quality of groundwater supplies within the basin, the board may, by ordinance, undertake any of the activities authorized by this article. The requirement in this section for compliance with the California Environmental Quality Act does not, and shall not be construed to, limit compliance with that act for other discretionary actions by the board.

Sec. 702. The board may exercise any of the following measures:

(a) Require conservation practices and measures within identified portions of the agency.

(b) Commence and prosecute legal actions to enjoin unreasonable uses or methods of use of water within the agency or outside the agency to the extent those uses or methods of use adversely affect the groundwater supply within the agency.

(c) Conserve and reclaim water within or outside the agency, require conservation practices and measures within the agency, and impose charges upon those within or without the agency benefited by the conservation practices.

Sec. 703. The agency may regulate groundwater replenishment programs and the recapture of supplemental groundwater resulting from those programs within the agency.

Sec. 704. To encourage conjunctive use, the agency may do either or both of the following:

(a) Contract with entities for benefits to areas outside the basin which may result from conservation or conjunctive use practices within the basin and may impose appropriate charges for those

benefits.

(b) Contract with groundwater users within the basin to enhance the conjunctive use of groundwater and surface water and compensate groundwater users for the value of those measures.

Sec. 705. To minimize well interference, the agency may do either or both of the following:

(a) Impose spacing requirements or require reasonable mitigation measures relating to the construction of any new extraction facility.

(b) Impose reasonable operating regulations on extraction facilities.

Sec. 706. The agency may control groundwater extractions by regulating, limiting, or suspending extractions from extraction facilities, the construction of new extraction facilities, the enlarging of existing facilities, and the reactivation of abandoned or inactive extraction facilities. Construction of new extraction facilities may be suspended only after consulting with the county water resources department.

Sec. 707. The availability of supplemental water to any operator shall not subject that operator to regulations more restrictive than those imposed on other operators.

Sec. 708. (a) No groundwater shall be exported from within the agency unless the exporter has applied for, and obtained, a permit from the agency which establishes the quantity of water which may be exported and the conditions of the export. Notwithstanding any conditions specified in the permit, exporters shall be subject to this act.

(b) The agency shall not issue any permit to export groundwater from the agency unless the applicant has established that the temporary surplus is in excess of the amount currently required for reasonable and beneficial uses within the agency, and the board determines that the export would not adversely affect the rights of groundwater users within the agency. The agency shall issue permits for export for time periods, and under terms and conditions, it deems appropriate. All permits shall declare that they are subject to the right of the agency to reduce or suspend exports pursuant to this act.

(c) The agency shall, after published notice and a hearing which discloses evidence of overdraft, or any threat of overdraft, reduce or suspend extractions by exporters regardless of whether a permit to export has been granted pursuant to this act.

(d) The right to store and recapture imported or developed water in the groundwater basin shall be subject to prior permit by the agency. The agency shall issue storage and recapture permits under terms and conditions it deems appropriate and may impose charges therefor. Existing recapture facilities are exempt from this section.

Article 8. Registration of Groundwater Extraction Facilities

Sec. 801. The agency may, by ordinance, require extraction facilities to be registered with the agency within 30 days of notice being given to the operator of the extraction facility.

Sec. 802. The agency may require, by ordinance, that the operator of a registered extraction facility provide the agency annually with all of the following information regarding the extraction facility:

(a) The name and address of the operator of the extraction facility.

(b) The name and address of the owner of the land upon which the extraction facility is located.

(c) A description of the equipment associated with the extraction facility.

(d) The location of the water extraction facility.

(e) The purposes of groundwater use.

Sec. 803. No person may extract groundwater by the use of any extraction facility required to be registered unless the extraction facility has been registered with the agency.

Sec. 804. The agency shall require extraction facilities to be equipped with waterflow measuring devices installed and calibrated by the agency or, at the agency's option, by the extraction facility operator. The agency may, by ordinance, exempt specific extraction facilities from the measuring device requirements.

Sec. 805. No person may extract groundwater by the use of any extraction facility required to be equipped with a waterflow measuring device unless the extraction facility is so equipped.

Sec. 806. If an extraction facility is equipped with a waterflow measuring device, the record of extraction, as disclosed by the waterflow measuring device, may at the election of the board be presumed to be accurate, and if so presumed, shall be used as the basis for computing the water extraction of the extraction facility in completing the groundwater extraction statement.

Sec. 807. The agency may require proof of the accuracy of the waterflow measuring device from the operator and may, absent adequate proof of accuracy, order the operator, at the operator's sole cost, to have the waterflow measuring device calibrated in a manner acceptable to the agency. If the agency has probable cause to believe that the extraction of groundwater from any extraction facility is in excess of the amount reported in a groundwater extraction statement filed pursuant to Section 810, or if no statement is filed covering an extraction facility, the agency may investigate the extraction of water from the extraction facility.

Sec. 808. No person may intentionally injure, alter, remove, reset, adjust, manipulate, obstruct, or in any manner interfere or tamper with any waterflow measuring device affixed to any extraction facility so that the waterflow measuring device improperly or

inaccurately measures and records water extraction.

Sec. 809. The board may, by ordinance, establish reasonable methods to be used in computing the amount of water extracted by exempted extraction facilities.

Sec. 810. (a) The agency may, by ordinance, require the operator of each extraction facility to file, in the form specified by the agency, a groundwater extraction statement that contains, but is not limited to, the following information:

(1) Total extraction in acre-feet of water from the extraction facility.

(2) The crop types or other uses and the acreage served by the extraction facility compared to the number of acres owned or leased.

(3) The method of measuring or computing groundwater extraction.

(4) Water conservation activities.

(b) Each groundwater extraction statement shall be verified by a written declaration under penalty of perjury that the information contained in the statement is true and correct.

(c) The operator of an extraction facility which has been permanently abandoned on or after January 1, 1992, shall give written notice of the abandonment to the agency.

Sec. 811. No person who is required to file a groundwater extraction statement may fail to do so.

Sec. 812. No person, with an intent to evade any requirement of this act, may file a false or fraudulent groundwater extraction statement with the agency.

Article 9. Management Charges

Sec. 901. (a) Each year the board may fix a management charge in accordance with benefit-based criteria to be established by the board, upon the City of Ojai, the Casitas Municipal Water District, the Ojai Water Conservation District, and the Southern California Water Company, for the purpose of paying the costs of initiating, carrying on, and completing any of the powers, purposes, and groundwater management activities for which the agency is organized.

(b) In the aggregate, management charges shall be limited to fifty thousand dollars ($50,000) in the first year and twenty-five thousand dollars ($25,000) in the second year. None of the entities identified in subdivision (a) shall be required to pay more than one-third of the aggregate allowable charges. Management charges in succeeding years, or contributions in excess of the established limits, shall be voluntary and payable at the discretion of each entity identified in subdivision (a).

Sec. 902. Management charges shall be paid in the manner prescribed by ordinance.

Article 10. Management Charges to Property

Sec. 1001. Each year the agency may fix a management charge for the purpose of paying the costs of initiating, carrying on, and completing any of the powers, projects, and purposes for which the agency is organized.

Sec. 1002. Before levying management charges, the board shall, after notice and hearing, find and determine the portion of the agency to be benefited by management and planning activities, the need for management charges for the purpose of paying the cost of these activities, and the amount of the charges to be levied.

Sec. 1003. Management charges may not exceed seven dollars and fifty cents ($7.50) per acre per year for each acre of land, or five dollars ($5.00) for each parcel of land of less than one acre within the agency.

Sec. 1004. Management charges applicable to the territory served by the City of Ojai's corporate franchise, or any other water purveyor within the agency's boundaries, may be collected by the water purveyor if the agency so requests and the water purveyor agrees to do so, and shall be paid to the agency in lieu of collection through the tax bills. The board may exclude portions of the agency or may establish schedules varying the management charges according to the likelihood that the land will benefit, as determined by the board, from improved groundwater management and planning.

Sec. 1005. The management charge may, at the option of the agency, be collected on the tax bills of the county, by the same persons, and at the same time as, together with and not separately from, county property taxes. In lieu of this election, the agency shall collect management charges at the same time, together with penalties and interest at the same rates, as is prescribed for the collection of county property taxes.

Sec. 1006. The amount of an unpaid management charge, together with any penalty and interest thereon, shall constitute a lien on that land as of the same time and in the same manner as does the tax lien securing county property taxes.

Sec. 1007. The board may fix management charges until January 1, 1995.

Article 11. Groundwater Extraction Charges

Sec. 1101. (a) The agency may, by ordinance, levy groundwater extraction charges on the extraction of groundwater by the use of water extraction facilities within the boundaries of the agency to pay the costs of initiating, carrying on, and completing any of the powers, purposes, and groundwater management activities described in this act, except that the charge shall not exceed the annual costs to the district incurred in carrying out this act and the cost of a reasonable reserve not to exceed 25 percent of the total appropriations in the

agency's budget.

(b) Groundwater extraction charges shall be levied only within a zone or zones of benefit of the district which will benefit from the powers, purposes, and groundwater management activities.

(c) The board may establish zones of benefit within the district. Resolutions of the board shall describe the boundaries of the zones of benefit. The board may amend zones of benefit boundaries by annexing property to or by withdrawing property from a zone, or may divide a zone into two or more zones. Resolutions of the board shall describe the boundaries of the amended or divided zones.

Sec. 1102. (a) Before the levy of groundwater extraction charges, the board of directors shall, after notice and hearing, find and determine the activities required to prepare or implement any groundwater management program for the district and to initiate, carry on, or complete any of the other powers and purposes set forth in this act, and the sum of money necessary for the ensuing water year for those activities.

(b) The board shall determine the need and desirability of levying a groundwater extraction charge for the purpose of paying the costs of initiating, carrying on, and completing any of the powers and purposes set forth in this act. The board shall find that the charge is necessary to finance or otherwise support the groundwater management services provided by the district, except that the charge shall not exceed the annual costs to the district incurred in carrying out this act and the cost of a reasonable reserve not to exceed 25 percent of the total appropriations contained in the agency's budget.

Sec. 1103. The groundwater extraction charge rate shall be uniform for groundwater extraction within the territory of the agency.

Sec. 1104. Groundwater extraction charges shall be calculated on the basis of groundwater extraction statements filed pursuant to Section 810 and the benefit determined pursuant to Section 1101.

Sec. 1105. If any operator of any extraction facility fails to pay the groundwater extraction charge when due, the agency shall charge and collect interest, at the rate of 1½ percent each month, on the delinquent amount of the groundwater extraction charge. In addition, the agency may exercise any of the rights granted pursuant to Article 5 (commencing with Section 75630) of Chapter 3 of Part 9 of Division 21 of the Water Code to collect delinquent groundwater extraction charges.

Sec. 1106. All money collected by the agency pursuant to this article, Article 9 (commencing with Section 901), or Article 10 (commencing with Section 1001), shall be available for expenditure by the agency in carrying out its groundwater management activities.

Sec. 1107. The groundwater extraction charge shall not exceed seven dollars and fifty cents ($7.50) per acre-foot pumped per year.

Article 12. Miscellaneous

Sec. 1201. The Legislature finds and declares that this act, which is applicable only to the Ojai Basin Groundwater Management Agency, is necessary because of the unique and special groundwater management problems in the area included in the agency. It is, therefore, hereby declared that a general law cannot be made applicable to the agency and the enactment of this special law is necessary for the conservation, development, control, and use of that water for the public good and for the protection of life and property therein.

SEC. 2. Section 1 of Chapter 153 of the Statutes of 1974 is amended to read:

Section 1. The Ojai Water Conservation District shall be governed by the Water Conservation Act of 1927 (Chapter 91 of the Statutes of 1927).

SEC. 3. Section 2 of Chapter 153 of the Statutes of 1974 is repealed.

SEC. 4. Section 3 of Chapter 153 of the Statutes of 1974 is amended and renumbered to read:

Sec. 2. The Legislature hereby finds and declares that this act, which is applicable only to the Ojai Water Conservation District, is necessary because of the unique and special water conservation problems in the area included in the district. It is, therefore, hereby declared that a general law cannot be made applicable to the district and the enactment of this special law is necessary for the conservation, development, control, and use of water in the district for the public good and for the protection of life and property therein.

SEC. 5. Section 4 of Chapter 153 of the Statutes of 1974 is repealed.

SEC. 6. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act or the costs which may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, changes the penalty for a crime or infraction, or eliminates a crime or infraction. Notwithstanding Section 17580 of the Government Code, unless otherwise specified in this act, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

O

ORDINANCE NO. 1

AN ORDINANCE OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY REQUIRING THE REGISTRATION, METERING AND REPORTING OF GROUNDWATER EXTRACTIONS WITHIN THE BOUNDARIES OF THE AGENCY.

WHEREAS, Article 5, §§ 501 and 502 of the Ojai Groundwater Basin Management Agency Act authorizes the Agency to collect technical and other information necessary and appropriate to the compilation of an annual report on groundwater supplies within the basin; and

WHEREAS, information regarding the number, location, and use of wells within the basin and the amount of water extracted from these wells is important to the preparation of an annual report; and

WHEREAS, Article 8, § 802 of the Agency's Authorizing Act provides that the operator of a registered extraction facility shall be required to provide information to the Agency as requested from time to time; and

WHEREAS, Article 8, § 804 of the Agency's Authorizing Act mandates that the Agency, by Ordinance, shall require extraction facilities to be equipped with waterflow measuring devices; and

WHEREAS, the completion of the attached forms by persons who own or operate wells or produce groundwater within the boundaries of the basin, as defined by the Agency's Authorizing Act, will be useful to the Agency and will satisfy the legislative requirements applicable to the metering of wells;

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY AS FOLLOWS:

Section 1. <u>Short Title</u>.

This Ordinance No. 1 shall be known and cited as "the Agency Registration, Extraction and Metering Ordinance."

Section 2. <u>Policy and Purpose</u>.

The Agency is charged with the legal responsibility for managing groundwater within the boundaries of the Agency. Information concerning the extraction, use and distribution of water is necessary to the Agency's fulfillment of its legislative function of managing groundwater resources.

Section 3. Definitions.

All terms, phrases and words shall have the meaning assigned to such terms, phrases and words as commonly understood or as expressly defined in the Agency's Authorizing Act or as defined herein.

a. "Waterflow measuring device" shall mean a meter or other measuring device which is attached to an extraction facility for the purpose of measuring the quantity of water extracted by the facility.

b. "Extraction" shall mean the act of obtaining groundwater by pumping or other controlled means.

c. "Extraction facility" shall mean any device or method for the extraction of groundwater within the basin, including a well.

d. "Basin" shall mean the Ojai Groundwater Basin as shown in the Department of Water Resources Bulletin No. 12, "Ventura County Investigation," dated October 1953, to the extent included within the boundaries of the Agency, as defined in § 201 of the Agency's Authorizing Act.

e. "Operator" shall mean a person who operates a groundwater extraction facility. If 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.

f. "Person" shall mean any person, state or local governmental agency, private corporation, firm, partnership, individual, group of individuals or, to the extent authorized by law, any federal agency.

Section 4. Extraction Facility Registration Form.

a. The operator of an extraction facility shall register any extraction facility with the Agency by completing a registration form similar to the one attached hereto as Exhibit A and incorporated by reference as if fully set forth herein. The registration form shall be completed and the information requested provided to the Agency by the operator of an existing facility by returning a completed registration form to the Agency by July 1, 1993. New extraction facilities shall be registered by returning the registration form to the Agency within thirty calendar days following the completion of construction.

b. The Agency shall make blank registration forms available to operators and the public generally by direct mail to known operators and by keeping copies at the Agency office located at City Hall, 401 South Ventura Street, Ojai, California 93024.

c. Failure of any operator to receive a direct mailing of a registration form shall not relieve the operator of the obligation to file the form with the Agency as required in Section 4(a).

Section 5. Groundwater Extraction Form.

a. Every operator that extracts groundwater from the basin shall file an annual extraction report containing an estimate of total extractions of groundwater through an extraction facility and additional relevant information as provided on a groundwater extraction form similar to Exhibit B attached hereto and incorporated herein by this reference, and signed under penalty of perjury by the operator.

b. The operator shall set forth its good faith basis for the estimate of total water extractions as set forth in § 5(a) which shall be included in the completed form transmitted to the Agency.

c. The Agency shall make blank groundwater extraction forms available to operators and the public generally by direct mail to known operators and by keeping copies at the Agency office located at City Hall, 401 South Ventura Street, Ojai, California 93024.

d. Failure of any operator to receive a direct mailing of an extraction statement form shall not relieve the operator of the obligation to file the form with the Agency as required in Section 5(a).

e. The operator's extraction statement shall be presumed accurate upon timely filing of the form with the Agency. For good cause, the Agency may disregard the extraction statement and cause an investigation of the actual amount extracted by any operator in any calendar year. In the event of a discrepancy between the extraction statement filed by the operator and the findings of the Agency, the findings of the Agency shall control.

Section 6. Extraction Facility Metering.

Every operator shall equip each extraction facility with an approved waterflow measuring device and report the accuracy of the measuring device to the Agency in accordance with the following schedule:

a. For every extraction facility for which construction has been completed before June 1, 1993, every operator shall be required to equip each extraction facility with a waterflow measuring device by December 31, 1993.

b. For every extraction facility for which construction has been completed before June 1, 1993, every operator for each extraction facility shall be required to cause a test of the accuracy of the measuring device to be completed and the results of the test to be reported to the Agency by June 1, 1994. The test shall be undertaken in accordance with recognized industry standards.. Thereafter, every operator shall cause a test of the waterflow measuring device to be conducted and the test results reported to the Agency within the fifth calendar year immediately following the year in which the initial test was performed and reported.

c. For new extraction facilities for which construction is completed after June 1, 1993, every operator shall be required to equip each new extraction facility with a waterflow measuring device within 60 calendar days following the completion of well construction.

d. For new extraction facilities for which construction is completed after June 1, 1993, every operator shall be required to cause a test of the accuracy of the measuring device to be completed and the results of the test to be reported to the Agency within 90 calendar days following the completion of well construction. The test shall be undertaken in accordance with recognized industry standards. Thereafter, every operator shall cause a test of the waterflow measuring device to be conducted and the results of the test reported to the Agency within the fifth calendar year immediately following the year in which the initial test was performed and reported.

Section 7. <u>Termination Date</u>.

This Ordinance will remain in full force and effect until repealed by action of the Board of Directors for the Agency.

Section 8. <u>Violation</u>.

a. Any person who intentionally violates this Ordinance is guilty of an infraction and may be required to pay a fine not to exceed $500.

b. Any person who intentionally or negligently violates this Ordinance may be liable to the Agency civilly for a sum not to exceed $1,000 per day.

Section 9. Enforcement.

The Agency may take any actions authorized by law, to enforce the terms and provisions of this Ordinance.

Section 10. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance and its implementing rules and regulations is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors hereby declares and determines that it would have passed this Ordinance and its implementing rules and regulations, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be determined to be unconstitutional or invalid.

Section 11. Effective Date.

This Ordinance was adopted on April 29, 1993, to be effective thirty-one (31) calendar days after its passage. Before the expiration of fifteen (15) calendar days after its passage, this Ordinance shall be published once, with the names of the members of the Board of Directors for the Agency voting for it and against it, in a newspaper of general circulation published in the County of Ventura, State of California.

PASSED AND ADOPTED by the Board of Directors of the Agency, State of California, by the following vote:

AYES: Roger Essick, Conner Everts, Robert N. McKinney, Charles Noren, Scott S. Slater
NOES: None
ABSTAIN: None
ABSENT: None

ATTEST:

Roger Essick
President

Harry Bodell
Harry Bodell,
Acting Secretary
3284S

ORDINANCE NO. 1
AN ORDINANCE OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY REQUIRING THE REGISTRATION, METERING AND REPORTING OF GROUNDWATER EXTRACTIONS WITHIN THE BOUNDARIES OF THE AGENCY.

WHEREAS, Article 5, §§501 and 502 of the Ojai Groundwater Basin Management Agency Act authorizes the Agency to collect technical and other information necessary and appropriate to the compliation of an annual report on groundwater supplies within the basin; and

WHEREAS, information regarding the number, location, and use of wells within the basin and the amount of water extracted from these wells is important to the preparation of an annual report; and

WHEREAS, Article 8, § 802 of the Agency's Authorizing Act mandates that the Agency, by Ordinance, shall require extraction facilities to be equipped with waterflow measuring devices; and

WHEREAS, Article 8, §804 of the Agency's Authorizing Act mandates that the agency, by Ordinance, shall require extraction facilities to be equipped with waterflow measuring devices; and

WHEREAS, the completion of the attached forms by persons who own or operate wells or produce groundwater within the boundaries of the basin, as defined by the Agency's Authorizing Act, will be useful to the Agency and will satisfy the legislative requirements applicable to the metering of wells;

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY AS FOLLOWS:

Section 1. SHORT TITLE.

This Ordinance No. 1-93 shall be known and cited as "the Agency Registration, extraction and Metering Ordinance."

Section 2. POLICY AND PURPOSE.

The Agency is charged with the legal responsibility for managing groundwater within the boundaries of the Agency. Information concerning the extraction, use and distribution of water is necessary to the Agency's fulfillment of its legislative function of managing groundwater resources.

Section 3. DEFINITIONS.

All terms, phrases and words shall have the meaning assigned to such terms, phrases and words as commonly understood or as expressly defined in the Agency's Authorizing Act or as defined herein.

a. "Waterflow measuring device" shall mean a meter or other measuring device which is attached to an extraction facility for the purpose of measuring the quantity of water extracted by the facility.

b. "Extraction" shall mean the act of obtaining groundwater by pumping or other controlled means.

c. "Extraction facility" shall mean any device or method for the extraction of groundwater within the basin, including a well.

d. "Basin" shall mean the Ojai Groundwater Basin as shown in the Department of Water Resources Bulletin No. 12, "Ventura County Investigation," dated October 1953, to the extent included within the boundaries of the Agency, as defined in § 201 of the Agency's Authorizing Act.

e. "Operator" shall mean a person who operates a groundwater extraction facility. If 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.

f. "Person" shall mean any person, state or local governmental agency, private corporation firms, partnership, individual, group of individuals or, to the extent authorized by law, any federal agency.

Section 4. EXTRACTION FACILITY REGISTRATION FORM.

a. The operator of an extraction facility shall register any extraction facility with the agency by completing a registration form similar to the one attached hereto as Exhibit A and incorporated by reference as if fully set forth herein. The registration form shall be completed and the information requested provided to the Agency by the operator of an existing facility by returning a completed registration form to the Agency by July 1, 1993. New extraction facilities shall be registered by returning the registration form to the Agency within thirty calendar days following the completion of construction.

b. The Agency shall make blank registration forms available to operators and the public generally by direct mail to known operators and by keeping copies at the Agency office located at City Hall, 401 South Ventura Street, Ojai, California 93023.

c. Failure of any operator to receive a direct mailing of a registration form shall not relieve the operator of the obligation to file the form with the Agency as required in Section 4(a).

Section 5. GROUNDWATER EXTRACTION FORM.

a. Every operator that extracts groundwater from the basin shall file an annual extraction report containing an estimate of total extractions of groundwater through an extraction facility and additional relevant information as provided on a groundwater extraction form similar to Exhibit B attached hereto and incorporated herein by this reference, and signed under penalty of perjury by the operator.

b. The operator shall set forth its good faith basis for the estimate of total water extractions as set forth in § 5(a) which shall be included in the completed form transmitted to the Agency.

c. The Agency shall make blank groundwater extraction forms available to operators and the public generally by direct mail to known operators and by keeping copies at the Agency office located at City Hall, 401 South Ventura Street, Ojai, California 93023.

d. Failure of any operator to receive a direct mailing of an extraction statement form shall not relieve the operator of the obligation to file the form with the Agency as required in Section 5(a).

e. The operator's extraction statement shall be presumed accurate upon timely filing of the form with the Agency. For good cause, the Agency may disregard the extraction statement and cause an investigation of the actual amount extracted by any operator in any calendar year. In the event of a discrepancy between the extraction statement filed by the operator and the findings of the Agency, the findings of the Agency shall control.

Section 6. EXTRACTION FACILITY METERING.

Every operator shall equip each extraction facility with an approved waterflow measuring device and report the accuracy of the measuring device to the Agency in accordance with the following schedule:

a. For every extraction facility for which construction has been completed before June 1, 1993, every operator shall be required to equip each extraction facility with a waterflow measuring device by December 31, 1993.

b. For every extraction facility for which construction has been completed before June 1, 1993, every operator for each extraction facility shall be required to cause a test of the accuracy of the measuring device to be completed and the results of the test to be reported to the Agency by June 1, 1994. The test shall be undertaken in accorandance with recognized industry standards. Thereafter, every operator shall cause a test of the waterflow measuring device to be conducted and the test results reported to the Agency within the fifth calendar year immediately following the year in which the inital test was performed and reported.

c. For new extraction facilities for which construction is completed after June 1, 1993, every operator shall be required to equip each new extraction facility with a waterflow measuring device within 60 calendar days following the completion of well construction.

d. For new extraction facilities for which construction has been completed before June 1, 1993, every operator shall be required to cause a test of the accuracy of the measuring device to be completed and the results of the test to be reported to the Agency within 90 calendar days following the completion of well construction. The test shall be undertaken in accordance with recognized industry standards. Thereafter, every operator shall cause a test of the waterflow measuring device to be conducted and the results of the test reported to the Agency within the fifth calendar year immediately following the year in which the initial test was performed and reported.

Section 7. TERMINATION DATE.

This Ordinance will remain in full force and effect until repealed by action of the Board of Directors for the Agency.

Section 8. Violation.

a. Any person who intentionally violates this Ordinance is guilty of an infraction and may be required to pay a fine not to exceed $500.

b. Any person who intentionally or negligently violates this Ordinance may be liable to the Agency civilly for a sum not to exceed $1,000 per day.

Section 9. ENFORCEMENT.

The Agency may take any actions authorized by law, to enforce the terms and provisions of this Ordinance.

Section 10. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Ordinance and its implementing rules and regulations is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors hereby declares and determines that it would have passed this Ordinance and its implementing rules and regulations, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be determined to be unconstitutional or invalid.

Section 11. EFFECTIVE DATE

This Ordinance was adopted April 29, 1993, to be effective thirty-one (31) calendar days after its passage. Before the expiration of fifteen (15) calendar days after its passage, this Ordinance shall be published once, with the names of the members of the Board of Directors for the Agency voting for it and against it, in a newspaper of general circulation published in the County of Ventura, State of California.

PASSED AND ADOPTED by the Board of Directors of the Agency, State of California, by the following vote:

AYES: - Roger Essick, Conner Everts, Robert N. McKinney, Charles Noren, Scott S. Slater.
NOES:
ABSTAIN:
ABSENT:
ATTEST:
/s/Roger Essick
President
Harry Bodell,
Acting Secretary

Published Ojai Valley News
May 7, 1993
5-10-3

ORDINANCE NO. 2

AN ORDINANCE OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY REQUIRING NOTIFICATION OF AN INTENT TO CONSTRUCT AN EXTRACTION FACILITY.

WHEREAS, Article 8, § 802 of the Agency's Authorizing Act provides that the operator of a registered extraction facility shall be required to provide information to the Agency as requested from time to time; and

WHEREAS, the Agency has adopted an ordinance requiring the registration of all wells within the boundaries of the Agency; and

WHEREAS, Article 7, of the Agency's Authorizing Act provides the Agency with the authority to impose reasonable conditions and regulations on the use of extraction facilities; and

WHEREAS, the Agency must be adequately informed about the existence of new extraction facilities within the Agency to carry out its groundwater management responsibilities, and

WHEREAS, the County of Ventura presently permits the construction and operation of extraction facilities as a ministerial matter; and

WHEREAS, the Agency desires to avoid the burden of unnecessary permitting in its regulation of extraction facilities; and

WHEREAS, an Ordinance is required to carry out this legislative purpose;

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY AS FOLLOWS:

Section 1. <u>Short Title</u>.

This Ordinance No. 2 shall be known and cited as "the Extraction Facility Notification Ordinance."

Section 2. <u>Policy and Purpose</u>.

The Agency is charged with the legal responsibility for managing groundwater within the boundaries of the Agency. Information concerning the extraction, use and distribution of water is necessary to the Agency's fulfillment of its legislative function of managing groundwater resources.

Section 3. **Definitions.**

All terms, phrases and words shall have the meaning assigned to such terms, phrases and words as commonly understood or as expressly defined in the Agency's Authorizing Act or as defined herein.

a. "Basin" shall mean the Ojai Groundwater Basin as shown in the Department of Water Resources Bulletin No. 12, "Ventura County Investigation," dated October 1953, to the extent included within the boundaries of the Agency, as defined in § 201 of the Agency's Authorizing Act.

b. "County" means the County of Ventura.

c. "Construction" means the building of an extraction facility such as the act of drilling a well

d. "Extraction" shall mean the act of obtaining groundwater by pumping or other controlled means.

e. "Extraction facility" shall mean any device or method for the extraction of groundwater within the basin, including a well.

f. "Operator" shall mean a person who operates a groundwater extraction facility. If 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.

g. "Person" shall mean any person, state or local governmental agency, private corporation, firm, partnership, individual, group of individuals or, to the extent authorized by law, any federal agency.

Section 4. **Extraction Facility Permit.**

a. No operator shall construct an extraction facility within the boundaries of the Agency without first having provided a copy of a County well permit to the Agency.

b. An operator shall be entitled to construct an extraction facility within the Agency as a matter of right upon demonstrating compliance with all County requirements for the

construction and operation of a water well and providing a copy of the County well permit to the Agency.

c. The presentation of an approved County well permit, in a form and manner customarily issued by the County, to the Agency at the Agency office located at City Hall, 401 South Ventura Street, Ojai, California 93023 shall be deemed compliance with County requirements for the purposes of this Ordinance.

d. An operator may begin construction of the extraction facility 3 calendar days following the Agency's receipt of a County well permit from the operator.

Section 5. Termination Date.

This Ordinance will remain in full force and effect until repealed by action of the Board of Directors for the Agency.

Section 6. Violation.

a. Any person who intentionally violates this Ordinance is guilty of an infraction and may be required to pay a fine not to exceed $500.

b. Any person who intentionally or negligently violates this Ordinance may be liable to the Agency civilly for a sum not to exceed $1,000 per day.

Section 7. Enforcement.

The Agency may take any actions authorized by law, to enforce the terms and provisions of this Ordinance.

Section 8. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance and its implementing rules and regulations is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors hereby declares and determines that it would have passed this Ordinance and its implementing rules and regulations, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be determined to be unconstitutional or invalid.

Section 9. Exemption.

Any extraction facility in existence on the date this Ordinance shall become effective shall be exempt from the requirements of this Ordinance. However, in the event a modification of an existing extraction facility is undertaken by any operator and that operator is required under applicable County Ordinances to obtain a new County well permit, the operator shall also be obligated to provide a copy of the County well permit to the Agency in accordance with the terms of this Ordinance.

Section 10. Effective Date.

This Ordinance was adopted on December 16, 1993, to be effective thirty-one (31) calendar days after its passage. Before the expiration of fifteen (15) calendar days after its passage, this Ordinance shall be published once, with the names of the members of the Board of Directors for the Agency voting for it and against it, in a newspaper of general circulation published in the County of Ventura, State of California.

PASSED AND ADOPTED by the Board of Directors of the Agency, State of California, by the following vote:

AYES: Roger Essick, Conner Everts, Robert N. McKinney, Scott S. Slater
NOES: None
ABSTAIN: None
ABSENT: Charles Noren

ATTEST:

Roger Essick
President

Harry Bodell
Administrative Staff Assistant

3738S

ORDINANCE NO. 2
AN ORDINANCE OF THE OJAI BASIN GROUNDWATER MANAGEMENT
AGENCY REQUIRING NOTIFICATION OF AN INTENT TO CONTSTRUCT AN EXTRACTION FACILITY.

WHEREAS, Article 8, § 802 of the Agency's Authorizing Act provides that the operator of a registered extraction facility shall be required to provide information to the Agency as requested from time to time; and

WHEREAS, the agency has adopted an ordinance requiring the registration of all wells within the boundaries of the Agency; and

WHEREAS, Article 7, of the Agency's Authorizing Act provides the Agency with the authority to impose reasonable conditions and regulations on the use of extraction facilities; and

WHEREAS, the Agency must be adequately informed about the existence of new extraction facilities within the Agency to carry out its groundwater management responsibilities, and

WHEREAS, the County of Ventura presently permits the construction and operation of extraction facilities as a ministerial matter and

WHEREAS, the Agency desires to avoid the burden of unnecessary permitting in its regulation of extraction facilities; and

WHEREAS, an Ordinance is required to carry out this legislative purpose;

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY AS FOLLOWS:

Section 1. Short Title.

This Ordinance No. 3 shall be known and cited as "the Extraction Facility Notification Ordinance."

Section 2. Policy and Purpose.

The Agency is charged with the legal responsibility for managing groundwater within the boundries of the Agency. Information concerning the extraction, use and distribution of water is necessary to the Agency's fulfillment of its legislative function of managing groundwater resources.

Section 3. Definitions.

All terms, phrases and words shall have the meaning assigned to such terms, phrases and words as commonly understood or as expressly defined in the Agency's Authorizing Act or as defined herein.

a. "Basin" shall mean the Ojai Groundwater Basin as shown in the Department of Water Resources Bulletin No. 12, "Ventura County Investigation," dated October 1953, to the extent included within the boundaries of the Agency, as defined in § 201 of the agency's Authorizing Act.

B. "County" means the County of Ventura.

c. "Construction" means the building of an extraction facility such as the act of drilling a well

d. "Extraction" shall mean the act of obtaining groundwater by pumping or other controlled means.

e. "Extraction facility" shall mean any device or method for the extraction of groundwater within the basin, including a well.

f "Operator" shall mean a person who operates a groundwater extraction facility. If 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.

g. "Person" shall mean any person, state or local government agency, private corporation, firm, partnership, individual, group of individuals or, to the extent authorized by law, any federal agency.

Section 4. Extraction Facility Permit.

A. No operator shall construct an extraction facility within the boundaries of the agency without first having provided a copy of a County well permit to the Agency.

b. An operator shall be entitled to construct an extraction facility within the Agency as a matter of right upon demonstrating compliance with all County requirements for the construction and operation of a water well and providing a copy of the County well permit to the Agency

c. The presentation of an approved County well permit, in a form and manner customarily issued by the County, to the Agency at the Agency office located at City Hall, 401 South Ventura Street, Ojai, California 93023 shall be deemed compliance with County requirements for the purposes of this Ordinance.

d. An operator may begin construction of the extraction facility 3 calendar days following the Agency's receipt of a County well permit from the operator.

Section 5. Termination Date.

This Ordinance will remain in full force and effect until repealed by action of the Board of Directors for the Agency.

Section 6. Violation.

a. Any person who intentionally violates this Ordinance is guilty of an infraction and may be required to pay a fine not to exceed $500.

b. Any person who intentionally or negligently violates this Ordinance may be liable to the Agency civilly for a sum not to exceed $1,000 per day.

Section 7. Enforcement.

The Agency may take any actions authorized by law, to enforce the terms and provisions of this Ordinance.

Section 8. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance and its implementing rules and regulations is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors hereby declares and determines that it would have passed this Ordinance and its implementing rules and regulations, irrespective of the fac that any one or more sections, subsections, sentences, clauses or phrases may be determined to be unconstitutional or invalid.

Section 9. EXEMPTION.

Any extraction facility in existence on the date this Ordinance shall become effective shall be exempt from the requirements of this Ordinance. However, in the event a modification of an existing extraction facility is undertaken by any operator and that operator is required under applicable County Ordinances to obtain a new County well permit, the operator shall also be obligated to provide a copy of the County well permit to the Agency in accordance with the terms o this Ordinance.

Section 10. Effective Date.

This Ordinance was adopted on December 16, 1993, to be effective thirty-one (31) calendar days after its passage. Before the expiration of fifteen (15) calendar days after its passage, this Ordinance shall be pubished once, with the names of the members of the Board of Directors for the Agency voting for it and against it, in a newspaper of general circulation published in the County of Ventura, State of California.

PASSED AND ADOPTED by the Board of Directors of the Agency, State of California, by the following vote:

AYES: Roger Essick, Conner Everts, Robert N. McKinney, Scott S. Slater

NOES: None

ABSTAIN: None

ABSENT: Charles Noren

ATTEST:

/s/Roger Essick
President

/s/Harry Bodell
Administrative Staff Assistant

3738S

Published Ojai Valley News
December 31, 1993
12-34-3

ORDINANCE NO. 3

AN ORDINANCE OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY EXEMPTING CERTAIN WELLS FROM THE METERING REQUIREMENTS ESTABLISHED UNDER AGENCY ORDINANCE NO. 1-93.

WHEREAS, Article 5, §§ 501 and 502 of the Ojai Groundwater Basin Management Agency Act authorizes the Agency to collect technical and other information necessary and appropriate to the compilation of an annual report on groundwater supplies within the basin; and

WHEREAS, information regarding the number, location, and use of wells within the basin and the amount of water extracted from these wells is important to the preparation of an annual report; and

WHEREAS, Article 8, § 802 of the Agency's Authorizing Act provides that the operator of a registered extraction facility shall be required to provide information to the Agency as requested from time to time; and

WHEREAS, Article 8, § 804 of the Agency's Authorizing Act mandates that the Agency, by Ordinance, shall require extraction facilities to be equipped with waterflow measuring devices; and

WHEREAS, the Agency has adopted an Ordinance requiring the registration, and metering of extraction facilities; and

WHEREAS, Article 4, section 410 of the Agency's Authorizing Act allows the Agency to exempt the owners of extraction facilities from some or all of the provisions of its ordinances;

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY AS FOLLOWS:

Section 1. <u>Title</u>.

This Ordinance No. 3 shall be known as the "Metering Exemption Ordinance."

Section 2. <u>Purpose and Intent</u>.

The purpose and intent of this ordinance is to provide a procedure for the operator of an extraction facility to obtain an exemption to the Agency's requirement that all extraction facilities be metered.

Section 3. Definitions.

As used in this ordinance, all terms shall have the meaning given to them in the Agency's Authorizing Act or Agency Ordinance No. ____.

Section 4. Exemption From Agency Ordinance No. ____ Requiring Extraction Facility Metering.

A --- HYDROLOGIC SOURCE EXEMPTION

1. The Agency may exempt operators from metering specific extraction facilities based upon the source of the water extracted by the extraction facility. Where the operator can demonstrate by clear and convincing evidence that an extraction facility within the boundaries of the Agency is (1) extracting water through a facility which draws water from a HYDROLOGIC source other than the Basin and (2) that no other operator within the Basin will be injured by the use of the extraction facility proposed for exemption, they shall be entitled to an exemption from the metering requirements specified in Ordinance 93-1.

2. The burden of proving that the water being extracted is not within the boundaries of the Agency or is not otherwise groundwater which is subject to the jurisdiction of the Agency is upon the operator.

3. Factors the Board deems relevant in granting the requested exemption include the following:

(a) The location of the extraction facility.

(b) The size of the extraction facility.

(c) The source of the water.

(d) The watershed boundaries.

(e) The drainage area.

(f) Where the water is applied.

(g) The public interest.

B --- THE SMALL USER EXEMPTION

1. The Agency shall exempt operators from metering specific extraction facilities where the operator can demonstrate by clear and convincing evidence that an extraction facility is powered by a motor of three (3) or less horsepower and the sum total of water extracted by the operator from all extraction facilities for use on any single legal parcel is less than one and one half (1.5) acre-feet per year.

2. The burden of proving that the extraction facility meets the requirements of paragraph 1 is upon the operator.

3. This exemption shall expire by its terms without further action of the Agency on January 1, 1996.

C --- PROCEDURE

1. Upon receipt of a written request for an exemption which is filed by an operator at the Agency office located at City Hall, 401 South Ventura Street, Ojai, California 93023, the Agency Board shall set and conduct a public hearing to consider evidence and hear testimony on whether the operator has met the burden required for the exemption.

2. The hearing shall be held within sixty days of the date the Agency receives the written request for exemption.

3. The issuance of an exemption in any one case shall not entitle the operator to future exemptions. Nor shall an exemption from the metering requirement exempt the operator from any other Agency ordinance, resolution or legal requirement including, but not limited to, well registration and reporting of groundwater extractions.

Section 5. Cost Reimbursement.

All costs incurred by the Agency in reviewing an application for an exemption from the Extraction Facility Permit Ordinance shall be borne entirely by the operator including, but not limited to publication, administration, environmental review, engineering, geologic, hydrogeologic, and legal fees. Any exemption granted by the Agency pursuant to this Ordinance shall not become effective until the operator has tendered payment in full to the Agency.

Section 6. Effective Date.

This Ordinance was adopted on February 24, 1994, to be effective thirty-one (31) calendar days after its passage. Before the expiration of fifteen (15) calendar days after its passage, this Ordinance shall be published once, with the names of the members of the Board of Directors for the Agency voting for it and against it, in a newspaper of general circulation published in the County of Ventura, State of California.

ORDINANCE NO. 3
AN ORDINANCE OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY EXEMPTING CERTAIN WELLS FROM THE METERING REQUIREMENT ESTABLISHED UNDER AGENCY ORDINANCE NO. 1-93.

WHEREAS, Article 5, §§ 501 and 502 of the Ojai Groundwater Basin Management Agency act authorizes the agency to collect technical and other information necessary and appropriate to the compilation of an annual report on groundwater supplies within the basin; and

WHEREAS, information regarding the number, location, and use of wells within the basin and the amount of water extracted from these wells is important to the preparation of an annual report; and

WHEREAS, Article 8, § 802 of the Agency's Authorizing Act provides that the operator of a registered extraction facility shall be required to provide information to the Agency as requested from time to time; and

WHEREAS, Article 8, § 804 of the Agency's Authorizing Act mandates that the Agency, by Ordinance, shall require extraction facilities to be equipped with waterflow measuring devices; and

WHEREAS, the agency has adopted an Ordinance requiring the registration, and metering of extraction facilities; and

WHEREAS, Article 4, Section 410 of the Agency's Authorizing act allows the Agency to exempt the owners of extraction facilities from some or all of the provisions of its ordinances;

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE OJAI BASIN GROUNDWATER MANAGMENT AGENCY AS FOLLOWS:

Section 1. Title.

This Ordinance No.3 shall be known as the "Metering Exemption Ordinance."

Section 2. Purpose and Intent.

The purpose and intent of this ordinance is to provide a procedure for the operator of an extraction facility to obtain an exemption to the Agency's requirement tht all extraction facilities be metered.

Section 3. Definitions.

As used in this ordinane, all terms shall have the meaning given to them in the Agency's Authorizing Act or Agency Ordinance No. SB534.

Section 4. Exemption From Agency Ordinance No. 1 Requiring Extraction Facility Metering.

A HYDROLOGIC SOURCE EXEMPTION

1. The Agency may exempt operators from metering specific extraction facilities based upon the source of the water extracted by the extraction facility. Where the operator can demonstrate by clear and convincing evidence that an extraction facility within the boundaries of the agency is (1) extracting water through a facility which draws water from a HYDROLOGIC source other than the Basin and (2) that no other operator within the Basin will be injured by the use of the extraction facility proposed for exemption, they shall be entitled to an exemption from the metering requirements specified in Ordinance 93-1.

2. The burden of proving that the water being extracted is not within the boundaries of the Agency or is not otherwise groundwater which is subject to the jurisdiciton of the agency is upon the operator.

3. Factors the Board deems relevant in granting the requested exemption include the following:

(a) The location of the extraction facility.

(b) The size of the extraciton facility.

(c) The source of the water.

(d) The watershed boundaries.

(e) The drainage area.

(f) Where the water is applied.

(g) The public interest.

B THE SMALL USER EXEMPTION

1. The Agency shall exempt operators from metering specific extraction facilities where the operator can demonstrate by clear and convincing evidence that an extraction facility is powered by a motor of three (3) or less horsepower and the sum total of water extracted by the operator from all extraction facilities for use on any single legal parcel is less than one and one half (1.5) acre-feet per year.

2. The burden of proving that the extraction facility meets the requirements of paragraph 1 is upon the operator.

3. This exemption shall expire by its terms without further action of the Agency on January 1, 1996.

C PROCEDURE

1. Upon receipt of a written request for an exemption which is filed by an operator at the Agency Board shall set and conduct a public hearing to consider evidence and hear testimony on whether the operator has met the burden required for the exemption.

2. The hearing shall be held within sixty days of the date the Agency receives the written request for exemption.

3. The issuance of an exemption in any one case shall not entitle the operator to future exemptions. Nor shall an exemption from the metering requirement exempt the operator from any other Agency ordinance, resolution or legal requirement including, but not limited to, well registration and reporting of groundwater extractions.

Section 5. Cost Reimbursement.

All costs incurred by the agency in reviewing an application for an exemption from the Extraction Facility Permit Ordinance shall be borne entirely by the operator including, but not limited to publication, administration, environmental review, engineering, geologic, hydrogeologic, and legal fees. Any exemption granted by the Agency pursuant to this Ordinance shall not become effective until the operator has tendered payment in full to the Agency.

Section 6. Effective Date.

This Ordinance was adopted on February 24, 1994, to be effective thirty-one (31) calendar days after its passage. Before the expiration of fifteen (15) calendar days after its passage, this Ordinance shall be published once, with the names of the members of the Board of Directors for the Agency voting for it and against it, in a newspaper of general circulation published in the County of Ventura, State of California.

PASSED AND ADOPTED by the board of Directors of the Agency, State California; by the following vote:

AYES: Essick, Noren, McKinnon & Slater
NOES: Everts
ABSTAIN: None
ABSENT: None
ATTEST
/s/Conner Everts
President
/s/Harry Bodell
Secretary
3743S
Published Ojai Valley News
March 9, 1994
3-21-4

NOTICE OF PUBLIC HEARING
OJAI BASIN GROUNDWATER MANAGEMENT AGENCY

NOTICE IS HEREBY GIVEN THAT the Ojai Basin Groundwater Management Agency will hold a public workshop to consider the contents of a proposed Groundwater Management Plan.

This workshop has been set for public participation on Monday, March 14, 1994 at 7:00 p.m. in the Auditorium, Chaparral High School, 414 E. Ojai Ave., Ojai, California.

Interested persons may at that time participate with the Agency in the development of the proposed Management Plan.

Seating will be limited to 30-40. Additional information and reservations may be obtained by calling 640-8157.

Date: Feburary 28, 1994
Harry Bodell
Staff Assistant
Published Ojai Valley News
March 4, 9 & 11, 1994
3-11-4

PASSED AND ADOPTED by the Board of Directors of the Agency, State of California, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Conner Everts
President

ATTEST:

Harry Bodell, Secretary

3743S

ORDINANCE NO. 4

AN ORDINANCE OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY LEVYING GROUNDWATER EXTRACTION CHARGES.

WHEREAS, Article 1, section 101 of the Ojai Groundwater Basin Management Agency Act declares that the preservation of the groundwater within the territory of the Ojai Basin Groundwater Management Agency for the protection of agricultural, municipal, and industrial uses, is in the public interest and for the common benefit of the water users within the Agency; and

WHEREAS, Article 10, sections 1001-1007 of the Ojai Groundwater Basin Management Agency Act authorizes the Agency to fix a management charge for the purpose of paying for the costs of initiating, carrying on and completing any of the powers, projects and purposes for which the Agency is organized. However, the Agency may not impose the management charge after January 1, 1995; and

WHEREAS, the Agency must raise sufficient funds to pay for the cost of initiating, carrying on, and completing the powers, purposes, and groundwater management activities described in its authorizing Act; and

WHEREAS, Article 11, section 1101 of the Ojai Groundwater Basin Management Agency Act authorizes the Agency to levy groundwater extraction charges on the extraction of groundwater by the users of groundwater extraction facilities within the boundaries of the agency; and

WHEREAS, the Agency has adopted Ordinance No. 1, which requires the registration of groundwater extraction facilities and reporting of groundwater extractions within the boundaries of the Agency; and

WHEREAS, Ordinances 1 and 4, taken together, enable the Agency to determine water extractions accurately and to assess and collect charges and fees equitably, so that the Agency may meet its mission of preserving the quantity and quality of the groundwater in the Ojai Basin.

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY AS FOLLOWS:

Section 1. Short Title.

This Ordinance No. 4 shall be known and cited as "the Groundwater Extraction Charge Ordinance."

Section 2. Policy and Purpose.

The Agency is charged with the legal responsibility of managing the groundwater resource within the boundaries of the Agency. The Agency's mission is to preserve the quality and quantity of groundwater in the Ojai Basin in order to protect and maintain the long-term water supply for the common benefit of the water users in the basin. The Agency enacts this Groundwater Extraction Charge Ordinance as legal authority to require that every groundwater extraction facility contribute an equitable portion of the costs of running the Agency.

Section 3. Definitions.

All terms, phrases and words shall have the meaning assigned to such terms, phrases and words as commonly understood or as expressly defined in the Agency's Authorizing Act or as defined herein.

a. **"Agency"** shall mean the Ojai Basin Groundwater Management Agency.

b. **"Basin"** shall mean the Ojai Groundwater Basin as shown in the Department of Water Resources Bulletin No. 12, "Ventura County Investigation," dated October 1953, to the extent included within the boundaries of the Agency, as defined in § 201 of the Agency's Authorizing Act.

c. **"Board"** shall mean the Board of Directors of the Agency.

d. **"County"** shall mean the County of Ventura.

e. **"Dwelling unit"** shall mean a structure suitable for residential household occupancy.

f. **"Extraction"** shall mean the act of obtaining groundwater from the Basin by pumping or other controlled means.

g. **"Extraction facility"** shall mean any device or method for the extraction of groundwater from the Basin, including a well.

h. **"Groundwater"** shall mean the water beneath the surface of the earth within the zone below the water table in which the soil is completely saturated with water, whether or not flowing through known and definite channels.

i. **"Operator"** shall mean a person who operates a groundwater extraction facility. If 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.

j. **"Public water system"** shall mean a water system which, as defined in Section 4010.1 of the California Health and Safety Code, (i) serves 15 or more connections and provides water for residential use or (ii) regularly serves an average of at least 25 individuals daily at least 60 days out of the year.

k. **"Person"** shall mean any person, state or local governmental agency, private corporation, firm, partnership, individual, group of individuals or, to the extent authorized by law, any federal agency.

l. **"Waterflow measuring device"** shall mean a meter or other measuring device which is attached to an extraction facility for the purpose of measuring the quantity of water extracted by the facility.

Section 4. Estimated Semi-Annual Water Demand.

a. The following estimates of semi-annual water demand shall be presumed accurate for those extraction facilities not equipped with a waterflow measuring device.

(1) Groundwater extraction facilities not equipped with waterflow measuring devices. The Table of Average Semi-Annual Water Demand set forth below shall be used to estimate the amount of water extracted by groundwater extraction facilities not equipped with a waterflow measuring device.

TABLE OF AVERAGE SEMI-ANNUAL WATER DEMAND

Water Use	Average Semi-Annual Water Demand
Residential	0.3 acre-foot/per dwelling unit
Subtropical orchard (Citrus/avocado/kiwi)	1.7 acre-foot/cultivated acre
Greenhouse operation	2.0 acre-foot/cultivated acre
Golf course and other turf	2.0 acre-foot/cultivated acre
All other agriculture	1.7 acre-foot/cultivated acre

b. If an extraction facility that is not equipped with a waterflow measuring device provides water to more than one type of use, total semi-annual groundwater extraction by the facility shall be estimated as the sum of all such uses on the basis of the indices established in the Table of Average Semi-Annual Water Demand. Water demand shall be presumed to be evenly divided between the payment periods prescribed in this Ordinance.

c. A groundwater extraction facility operator may appeal the Agency presumption of semi-annual water demand, as determined under paragraph a. of this Section, to the Board. Such appeal may challenge the presumed demand for a specific period of time or it may request authorization of a perennial method of estimating demand which would eliminate the need for reference to the Table of Average Semi-Annual Water Demand. Such appeal shall state fully the grounds of the appeal and all facts relied upon in the appeal, including, but not limited to, flow meter records; electrical power consumption records; logs of hours of operation, operating pressure, and depth of water; the result of any pump or efficiency test made; measurements of pump output; and any other data pertinent to quantifying groundwater production. The Board shall make a written finding of fact either granting or denying the appeal.

Section 5. <u>Frequency of Payment and Computing Groundwater Extraction Charges.</u>

a. Beginning with Semi-Annual Period 2 of 1995, each operator shall complete and file a Groundwater Extraction Statement and make payment of the appropriate groundwater extraction charge to the Agency. The frequency of reporting and making payment, and the method of computing the charge shall be as follows.

b. All operators shall pay the groundwater extraction charge semi-annually. If the extraction facility is equipped with a waterflow measuring device, the operator shall calculate and pay its extraction charge on the basis of its measured extractions. If the extraction facility is not equipped with a waterflow measuring device, the operator shall calculate and pay its extraction charge on the basis of the estimated semi-annual water demand set forth in Section 4 of this Ordinance. Semi-annual payments are due as set forth in Section 6 of this Ordinance and shall accompany the "Groundwater Extraction Statement" required pursuant to Section 7 of this Ordinance.

c. The amount of payment due shall be determined by multiplying the total water extraction for the applicable payment period by the effective per-acre-foot charge as set forth in Section 8 of this Ordinance.

Section 6. <u>Payment and Reporting Due Dates.</u>

a. Payment of the semi-annual extraction charge is due to the Agency as set forth in this Section. Payment is to accompany the filing of a Groundwater Extraction Statement required pursuant to Section 7 of this Ordinance.

b. The semi-annual assessment periods and payment due dates are as follows:

SEMI-ANNUAL PAYMENT DATES

Semi-Annual Period	Assessment Dates	Payment Due Date
1	January 1 - June 30	July 31
2	July 1- December 31	January 31

c. Payment not received by the Agency within the time specified for the applicable payment cycle shall be deemed delinquent and subject the operator to penalties as set forth in Section 8 of this Ordinance.

d. The operator's Groundwater Extraction Statement and payment of calculated fees shall be presumed accurate upon timely receipt by the Agency. For good cause, the Agency may disregard the Groundwater Extraction Statement and payment of fees and cause an investigation of the actual amount extracted by any operator for any payment period. In the event of a discrepancy between the Groundwater Extraction Statement and payment provided the Agency and the findings of the Agency, the findings of the Agency shall control.

Section 7. Groundwater Extraction Statement: Reporting Extractions

a. The Groundwater Extraction Form filing requirements of Ordinance 1, Section 5, are hereby superseded by this Ordinance. The Groundwater Extraction Statement forms and filing requirements are as set forth in this Ordinance.

b. Every operator that extracts groundwater from the basin shall file a completed "Groundwater Extraction Statement," in conjunction with the payment of the required extraction charge, with the same periodicity as required for payment of the extraction charge as set forth in Section 5 of this Ordinance. The completed and filed Groundwater Extraction Statement shall be on a form substantially similar to Exhibit A attached hereto and incorporated herein by this reference. Each completed and filed Groundwater Extraction Statement shall be signed under penalty of perjury by the operator of the respective extraction facility.

c. The Agency shall make Groundwater Extraction Statement forms available to operators and the public generally by direct mail to known operators and by keeping copies available for the public at the Agency office located at City Hall, 401 South Ventura Street, Ojai, California 93024.

d. Failure of any operator to receive a direct mailing of a Groundwater Extraction Statement form shall not relieve the operator of the obligation to file a completed Groundwater Extraction Statement and timely pay to the Agency the applicable groundwater extraction charge as required by this Ordinance.

Section 8. Extraction Charge

a. The groundwater extraction charge for Semi-Annual Period 2 of 1995 and Period 1 of 1996 shall be six dollars ($6.00) per acre-foot. The groundwater extraction charge shall thereafter be set annually by Board Resolution.

b. Detailed recording and management of all groundwater extraction charge funds shall be required. Deposits, investments and expenditures shall be handled in accordance with generally accepted accounting principles.

Section 9. Penalties.

a. Any groundwater production facility operator delinquent in payment of the groundwater extraction charge shall be subject to an assessment of extraction charges based on metered use or estimated use set forth in Section 4 of this Ordinance, whichever is greater; plus a ten (10) percent penalty; plus interest. Interest on all delinquent payments shall be charged at a rate of one and one-half percent (1.5%) per month.

b. Any operator or person who intentionally violates any provision of this Ordinance shall be guilty of an infraction and may be required to pay a fine to the Agency not to exceed five hundred dollars ($500).

c. Any operator or person who negligently or intentionally violates any provision of this Ordinance may also be civilly liable 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.

d. Upon the failure of any operator or person to comply with any provision of this Ordinance, 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 rights which may be provided elsewhere in this Ordinance or otherwise allowed by law.

e. The Agency may petition the Superior Court of the county to recover any sums due it under the provisions of this Ordinance.

f. A groundwater extraction facility operator subject to a penalty under Section 9 of this Ordinance may promptly appeal the penalty to the Board. Such appeal shall state fully the grounds of the appeal and all facts relied upon in the appeal, including, but not limited to, the facts causing the imposition of the penalty, any extenuating circumstances, the monetary amount owed to the Agency including penalties, and any other facts pertinent to the delinquency or violation. The Board shall make a written finding of fact either granting or denying the appeal.

g. The penalty provisions set forth in Section 9 of this Ordinance shall be reviewed annually by the Agency Board and, if deemed necessary, adjusted by Board Resolution.

Section 10. Termination Date.

This Ordinance will remain in full force and effect until repealed by action of the Board of Directors for the Agency.

Section 11. Application.

The provisions of this Ordinance shall be read in conjunction with and complement all other Agency Ordinances and Resolutions and shall apply to all persons residing within the boundaries of the Agency.

Section 12. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance and its implementing rules and regulations is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors hereby declares and determines that it would have passed this Ordinance and its implementing rules and regulations irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be determined to be unconstitutional or invalid.

Section 13. Effective Date.

This Ordinance was adopted on APRIL 27, 1995, to be effective thirty-one (31) calendar days after its passage. Before the expiration of fifteen (15) calendar days after its passage, this Ordinance shall be published once, with the names of the members of the Board of Directors for the Agency voting for it and against it, in a newspaper of general circulation published in the County of Ventura, State of California.

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PASSED AND ADOPTED by the Board of Directors of the Agency, State of California, by the following vote:

AYES: Jerry Conrow, Conner Everts, Charles Noren, Scott S. Slater
NOES: None
ABSTAIN: None
ABSENT: Robert N. McKinney

ATTEST:

Conner Everts, President

Harry Bodell, Secretary

ORDINANCE NO. 4.1

AN AMENDMENT TO ORDINANCE NO. 4 OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY, WAIVING GROUNDWATER EXTRACTION CHARGES FOR CERTAIN SMALL USERS

WHEREAS, the Agency has adopted Ordinance No. 1, which requires the registration of groundwater extraction facilities and reporting of groundwater extractions within the boundaries of the Agency; and

WHEREAS, the Agency has adopted Ordinance No. 4, which requires all groundwater users within the boundaries of the Agency to pay a groundwater extraction charge based upon their water usage; and

WHEREAS, Ordinances 1 and 4, taken together, enable the Agency to determine water extractions accurately and to assess and collect charges and fees equitably, so that the Agency may meet its mission of preserving the quantity and quality of the groundwater in the Ojai Basin; and

WHEREAS, Article 4, section 410 of the Agency's authorizing act allows the Agency to exempt the owners of extraction facilities from some or all of the provisions of its ordinances;

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY AS FOLLOWS:

Section 1. **Amendment of Ordinance No. 4**

Section 5 of Agency Ordinance No. 4, the "Groundwater Extraction Charge Ordinance," is hereby amended to provide as follows:

Section 5. **Frequency of Payment and Computing Groundwater Extraction Charges.**

a. Beginning with Semi-Annual Period 2 of 1995, each operator shall complete and file a Groundwater Extraction Statement and make payment of the appropriate groundwater extraction charge to the Agency. The frequency of reporting and making payment, and the method of computing the charge shall be as follows.

b. All operators shall pay the groundwater extraction charge semi-annually. If the extraction facility is equipped with a waterflow measuring device, the operator shall calculate and pay its extraction charge on the basis of its measured extractions. If the extraction facility is not equipped with a waterflow

measuring device, the operator shall calculate and pay its extraction charge on the basis of the estimated semi-annual water demand set forth in Section 4 of this Ordinance. Semi-annual payments are due as set forth in Section 6 of this Ordinance and shall accompany the "Groundwater Extraction Statement" required pursuant to Section 7 of this Ordinance.

c. The amount of payment due shall be determined by multiplying the total water extraction for the applicable payment period by the effective per-acre-foot charge as set forth in Section 8 of this Ordinance.

d. Notwithstanding the provisions of subsection c above, the payment of the semi-annual extraction charge is waived and set at $0.00 (zero dollars) for those extraction facilities whose semi-annual groundwater use is less than or equal to 1.0 (one) acre foot. The small user waiver set forth in this subsection shall be reviewed annually by the Agency Board and, if deemed necessary, adjusted by Board Resolution.

Section 2. Termination Date.

This Ordinance will remain in full force and effect until repealed by action of the Board of Directors for the Agency.

Section 3. Application.

The provisions of this Ordinance shall be read in conjunction with and complement all other Agency Ordinances and Resolutions and shall apply to all persons residing within the boundaries of the Agency.

Section 4. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance and its implementing rules and regulations is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors hereby declares and determines that it would have passed this Ordinance and its implementing rules and regulations irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be determined to be unconstitutional or invalid.

Section 5. Effective Date.

This Ordinance was adopted on July 27, 1995, to be effective thirty-one (31) calendar days after its passage. Before the expiration of fifteen (15) calendar days after its passage, this Ordinance shall be published once, with the names of the members of the Board of Directors for the Agency voting for it and against it, in a newspaper of general circulation published in the County of Ventura, State of California.

PASSED AND ADOPTED by the Board of Directors of the Agency, State of California, by the following vote:

AYES: CONROW, EVERTS, McKINNEY, NOREN, SLATER
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ATTEST:

Conner Everts
President

Harry Bodell, Secretary

July 27, 1998

OVN07155
ORDINANCE NO. 4.1
AN AMENDMENT TO ORDINANCE NO. 4 OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY, WAIVING GROUNDWATER EXTRACTION CHARGES FOR CERTAIN SMALL USERS

WHEREAS, the Agency has adopted Ordinance no.. 1, which requires the registration of groundwater extraction facilities and reporting of groundwater extraction's within the boundaries of the Agency; and

WHEREAS, the Agency has adopted Ordinance No. 4, which requires all groundwater users within the boundaries of the Agency to pay a groundwater extraction charge based upon their water usage and

WHEREAS, Ordinances 1 and 4, taken together, enable the Agency to determine water extraction's accurately and to assess an collect charges and fees equitably, so that the Agency may meet its mission of preserving the quantity and quality of the groundwater in the Ojai Basin; and

WHEREAS, Article 4, section 410 of the Agency's authorizing act allows the Agency to exempt the owners of extraction facilities from some or all of the provisions of its ordinances;

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY AS FOLLOWS:

Section 1. Amendment of Ordinance No. 4

Section 5 of Agency Ordinance No. 4, the "Groundwater Extraction Charge Ordinance," is hereby amended to provide as follows:

Section 5. Frequency of Payment and Computing Groundwater Extraction charges.

a. Beginning with Semi-Annual Period 2 of 1995, each operator shall complete and file a Groundwater Extraction' Statement and make payment of the appropriate groundwater extraction charge to the Agency. The frequency of reporting and making payment, and the method of computing the charge shall be as follows.

b. All operators shall pay the groundwater extraction charge semi-annually. If the extraction facility is equipped with a waterflow measuring device, the operator shall calculate and pay its extraction charge on the basis of its measured extraction's. If the extraction facility is not equipped with a waterflow measuring device, the operator shall calculate and pay its extraction charge on the basis of the estimated semi-annual water demand set forth in section 4 of this Ordinance. Semi-annual payments are due as set forth in Section 6 of this Ordinance and shall accompany the "Groundwater Extraction Statement" required pursuant to section 7 of this Ordinance.

c. The amount of payment due shall be determined by multiplying the total water extraction for the applicable payment period by the effective per-acre-foot charge as set for in Section 8 of this Ordinance.

d. Notwithstanding the provisions of subsection c above, the payment of the Semi-annual extraction charge is waived and set at $0.00 (zero dollars) for those extraction facilities whose semi-annula groundwater use is less than or equal to 1.0 (one) acre foot. Thermal user waiver set forth in this subsection shall be reviewed annually by the Agency Board and, if deemed necessary, adjusted by Board Resolution.

Section 2. Termination Date. this Ordinance will remain in full force and effect until repealed by action of the Board of Directors of the Agency.

Section 3. Application. The provisions of the ordinance shall be read in conjunction with and complement all other agency Ordinances and Resolutions and shall apply to all persons residing within the boundaries of the Agency.

Section 4. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance and its implementing rules and regulations is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the Ordinance The Board of Directors hereby declares and determines that it would have passed this Ordinance and its implementing rules and regulations irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be determined to be unconstitutional or invalid.

Section 5. Effective Date This Ordinance was adopted on June 29, 1995, to be effective thirty-one (31) calendar days after its passage. before the expiration of fifteen (15) calendar days after its passage, this Ordinance shall be published once, with the names of the members of the Board of Directors for the Agency voting for it and against it, in a newspaper of general circulation published in the County of Ventura, State of California.

PASSED AND ADOPTED by the Board of Directors of the Agency, State of California, by the following vote

AYES: Jerry Cornrow, Conner Everts, Robert N. McKinney, Charles Noren, Scott S. Slater
NOES: None
ABSTAIN: None
ABSENT: None
Attest: Conner Everts, President
Harry Bodell, Secretary
Published Ojai Valley News
July 12, 1995

OVN07265
CITY OF OJAI
PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the Ojai Basin Groundwater Management Agency will hold a public hearing to consider the adoption of Ordinance No. 4.1, an amendment to Ordinance 4; Waving Groundwater Extraction Charges for Certain Small Users, on Thursday, July 27, 1995, at 7 p.m. in the Ojai City Hall.

Interested persons may at that time appear before the Agency Board as an advocate or opponent to the proposed amendment, copies of which are on file at the Ojai City Hall reception desk.

Date: July 17, 1995
/s/Harry Bodell, Secretary
Ojai Basin Groundwater Management Agency
P.O. Box 1570, Ojai, CA 93024
Published Ojai Valley News
July 19, 21 & 26,1995

ORDINANCE No. 5

AN ORDINANCE OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY REQUIRING A PERMIT FOR THE CONSTRUCTION AND OPERATION OF GROUNDWATER RECHARGE, REPLENISHMENT, STORAGE AND RECAPTURE PROJECTS IN THE BASIN

WHEREAS, Article 7, Section 703 of the Ojai Basin Groundwater Management Agency Act authorizes the agency to regulate groundwater replenishment programs and the recapture of supplemental groundwater resulting from those programs; and

WHEREAS, Article 7, Section 708(d) of the Agency Act mandates that the right to store and recapture imported or developed water shall be subject to prior permit by the agency and further states that the Agency shall issue storage and recapture permits under terms and conditions it deems appropriate and may impose charges therefore; and

WHEREAS, Article 1, Section 101 of the Agency Act declares that the preservation of the Ojai basin groundwater for the protection of agricultural, municipal, and industrial uses is in the public interest and for the common benefit of water users within the agency; and

WHEREAS, It is the expressed mission of the OBGMA to preserve the quantity and quality of groundwater in the Ojai Basin in order to protect and maintain the long-term water supply for the common benefit of the water users in the basin; and

WHEREAS, The groundwater in the Ojai Basin is a resource of common benefit to all groundwater extractors in the basin. Under existing circumstances and to the limited present knowledge of the Agency, the water supply and demand is largely in balance; however due to the increasing demands on the very limited water supply in the Ventura River Watershed, and the likelihood of extended drought periods in the future the natural recharge of the Ojai Basin may not be sufficient to meet the needs of well operators who extract water from the basin without the implementation of stringent conservation measures; and

WHEREAS, Projects to augment water storage in the Ojai basin through recharge from diverted surface water or imported water provide a potential method of augmenting the natural replenishment of the basin can potentially increase the water in storage in the basin available to well operators during drought periods; and water stored in the Ojai basin by such projects can potentially be recaptured to the common benefit of the well operators in the basin; now therefore

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY AS FOLLOWS:

Section 1. **Short Title.**

This Ordinance No. 5 shall be known and cited as "the Groundwater Recharge Permit Ordinance."

Section 2. **Policy and Purpose.**

The Agency is charged with the legal responsibility for managing groundwater within the boundaries of the Agency, with the protection of that groundwater in the public interest and for the common benefit of water users within the agency, and with the regulation of replenishment programs in the basin. The Agency enacts this Groundwater Recharge Ordinance as legal authority to require that every recharge, replenishment, storage and recapture project proposed to be undertaken in the basin obtain a permit from the Agency prior to construction or operation; and to set forth, in accordance with the Agency Act, terms and conditions for the development, construction and operation of such projects required for the approval of such a permit by the Board of Directors of the Agency.

Section 3. **Definitions.**

Agency
Aquifer
Available supply
Basin
Board
County
Extraction
Extraction facility
Groundwater
Groundwater management activities
Operator
Overdraft
Permitee
Person
Program
Recharge
Replenishment
Supplemental water
Temporary Surplus
Water Year

Section 4. **Groundwater Replenishment and Recharge Permit**

No person shall construct and/or operate a groundwater replenishment and recharge project in the Ojai Basin without first obtaining a Groundwater Replenishment and Recharge Permit (Recharge Permit) from the Agency.

An application for a Groundwater Permit shall be filed with the Agency at least 180 days prior to the requested date of approval.

Approval of a permit shall require compliance with the following terms and conditions:

The design and proposed operation of the project must be certified by a licensed hydrogeologist and a licensed engineer with experience in groundwater recharge project design. The OBGMA may require a review of the project design by an independent hydrogeologist and engineer.

All recharged water must accrue to the basin to the common benefit of all groundwater users in the basin.

Rights to the source of water for recharge must be obtained and held by a public agency authorized by law to obtain such rights.

An economic analysis shall be prepared by the project proponent demonstrating a positive cost benefit for well operators in the basin.

All appropriate permits must be obtained by the project proponent, as well as compliance with CEQA.

The designated operator for the Project shall be responsible for the construction and operation of the Project including all necessary safety precautions including the financial responsibility for accidents or property damage. That responsibility shall also include timely repair, rehabilitation, and restoration to functioning condition if the project is damaged by storm waters or other natural forces, or if damaged beyond restorable usability stabilization of the site into pre project condition.

Section 5. **Termination Date**

This Ordinance will remain in full force and effect until repealed by action of the Board of the Agency.

Section 6. **Violation**

a. Any person who intentionally violates this Ordinance is guilty of an infraction and may be required to pay a fine not to exceed $500.

b. Any person who intentionally or negligently violates this Ordinance may be liable to the Agency civilly for a sum not to exceed $1000 per day.

Section 7. **Enforcement.**

The Agency may take any actions authorized by law to enforce the terms and provisions of this Ordinance.

Section 8. **Severability.**

If any section, subsection, sentence, clause or phrase of this Ordinance and its implementing rules and regulation is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board hereby declares and determines that it would have passed this Ordinance and its implementing rules and regulation irrespective of the fact that any one or more sections, subsection, sentences, clauses or phrases may be determined to be unconstitutional or invalid.

PASSED AND ADOPTED by the Board of Directors of the Agency, State of California October 17, 2007.

ATTEST:

Jerry Conrow, President

Cece VanDerMeer, Secretary

AN ORDINANCE OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY ESTABLISHING POLICY FOR CONTRACTING FOR PROFESSIONAL CONSULTING SERVICES

ORDINANCE No. 6

Whereas, The Ojai Basin Groundwater Management Agency (Agency) has been established by legislation *(Stats.1991, c. 750(S.B. 534).)*; and,

Whereas, the enabling law, known as the Ojai Basin Groundwater Management Act ("Authorizing Act"), provides in Section 131-404(a) that the Board of Directors of the Agency may adopt ordinances for the purpose of monitoring, regulating, conserving, managing, and controlling the use and extraction of groundwater within the boundaries of the agency; and,

Whereas, the Authorizing Act provides in Section 131-409 that the Agency may contract for staff and other services and may hire other contractors and consultants; and

Whereas, the Authorizing Act provides in Section 131-501 the authority of the Agency to collect data and conduct technical and other investigations, and further provides that all hydrological investigations carried by, or on behalf of, the Agency shall be conducted by, or under the supervision of, licensed engineers or other persons qualified in groundwater geology or hydrology; and

Whereas, the Agency desires to establish a standardized policy governing service contracts between the Agency and Professional Consultants as defined in Section 3 herein.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY AS FOLLOWS:

Section 1. **Title.**

Ordinance No. 6 shall be known as the "Ojai Basin Groundwater Management Agency Professional Consulting Service Contracting Policy."

Section 2. **Purpose and Intent.**

To provide the Agency with a standardized policy governing service contracts with Professional Consultants as defined in Section 3 herein.

Section 3. **Definitions.**

All terms, phrases and words shall have the meaning assigned to such terms, phrases and words as commonly understood or as expressly defined in the Agency's Authorizing Act or as defined herein.

a. **"Basin"** shall mean the Ojai Groundwater Basin as shown in the Department of Water Resources Bulletin No. 12, "Ventura County Investigation," dated October 1953, to the extent included within the boundaries of the Agency, as defined in Section 201 of the Agency's Authorizing Act.

b. **"Agency"** shall mean the Ojai Basin Groundwater Management Agency.

c. **"Person"** shall mean any person, state, or local governmental agency, private corporation, firm, partnership, individual, group of individuals or, to the extent authorized by law, and federal agency.

d. **"Professional Consultant"** shall refer to those professional consultants providing services related to hydrological, geological, and hydrogeological investigations, reports or any other professional services and activities for which the Agency has responsibility and authority under its Authorizing Act.

e. **"Local Agency Head"** shall mean the Board of Directors or the General Manager, as designee, which shall be governed by all provisions set forth in Government Code Sections 4525-4529.5 pertaining to the Local Agency Head, as set forth therein.

Section 4. **Establishment of a Policy on Contracting for Professional Consulting Services.**

a. The Agency shall only contract with a Professional Consultant when one or more of the following situations occur.

i. Specialized skill, experience, or abilities are required which are not possessed by Agency staff members available for assignment to the required work.

ii. Specialized equipment and/or facilities are needed for the required work, which specialized equipment and/or facilities are not possessed and/or operated by the Agency, but are possessed and/or operated by a Professional Consultant.

iii. There is insufficient Agency staff available to accommodate the staffing needs of the required work.

b. All contracts entered into between the Agency and a Professional Consultant shall be consistent with Government Code Sections 4525-4529.5 as those sections pertain to the Local Agency Head.

c. The Agency shall generally issue Request for Qualifications/Request for Proposals prior to contracting with a Professional Consultant.

d. The Agency may, at its option, contract with a Professional Consultant as a sole source contract under the following conditions and/or criteria:

i. Consulting professional shall have a statement of qualifications on file with the Agency prior to the selection of any consulting firm.

ii. The Professional Consultant chosen for a sole source contract with the Agency shall demonstrate sufficient prior knowledge of the Agency, the tasks involved, and the desired results for the benefit of the Agency and the groundwater basin.

e. The Board of Directors or the General Manager, as designee, shall be designated by the Board of Directors as the Local Agency Head for the purposes of this ordinance.

f. Any contract by and between the Agency and a Professional Consultant shall be approved by a majority vote of the Board of Directors.

Section 5. Termination Date.

This Ordinance shall remain in full force and effect until repealed by action of the Board of Directors of the Agency.

Section 6. Severability.

If any section, subsection, sentence, clause or phrase of this ordinance and its implementing rules and regulations is for any reason held to be unconstitutional or invalid, such decisions shall not affect the validity of the remaining portions of this ordinance. The Board of Directors hereby declares and determines that it would have passed this ordinance and its rules and regulations, irrespective of the fact that any one or more sections, subsections, sentence, clause or phrase of this ordinance and its implementing rules and regulations may be determined to be unconstitutional or invalid.

PASSED AND ADOPTED by the Board of Directors of the Agency, State of California by the following vote on August 28, 2008:

AYES: 4
NOES: Ø
ABSTAIN: Ø
ABSENT: Ø

ATTEST: Jerry Z. Conrow — Jerry Conrow, President

Cece VanDerMeer, Secretary

AN ORDINANCE OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY SUPERCEDING ORDINANCES 1, 2, and 3, SPECIFYING THE REQUIREMENTS FOR THE NOTIFICATION OF INTENT TO CONSTRUCT AND THE REGISTRATION OF EXTRACTION FACILITIES, METERING AND REPORTING OF GROUNDWATER EXTRACTIONS, AND THE RECORDATION OF WELLS WITHIN THE BOUNDARIES OF THE AGENCY

OBGMA ORDINANCE NUMBER 7

Whereas, Article 5 of the Ojai Basin Groundwater Management Act authorizes the Agency to collect information necessary for the management of the groundwater resources of the Ojai Basin; and to collect information and data necessary for the compilation of an annual report on groundwater supplies; and

Whereas, Article 8 of the Act provides that Extraction Facilities in the Ojai Basin be registered with the Agency, and further provides that the Operator of a registered Extraction Facility may be required to provide information to the Agency; and

Whereas, information regarding the number, location, and use of groundwater Extraction Facilities within the basin, and the amount of water extracted from these facilities, is necessary for groundwater management, planning, and reporting by the Agency; and

Whereas, the Agency must be adequately informed about the existence and nature of new Extraction Facilities within the boundaries of the Agency in order to carry out its groundwater management responsibilities; and

Whereas, the County of Ventura Public Works Department and the City of Ojai issue permits for construction and operation of groundwater Extraction Facilities within the Agency boundaries, and the Agency desires to avoid unnecessary permitting in its regulation of groundwater Extraction Facilities; and

Whereas, Article 7, of the Act provides the Agency with the authority to impose reasonable conditions and regulations on the use of groundwater Extraction Facilities; and

Whereas, Article 8 of the Act provides that the Agency, by Ordinance, shall require groundwater Extraction Facilities to be equipped with Waterflow Measuring Devices; and allows the Agency to exempt specific groundwater Extraction Facilities from this requirement; and

Whereas, The State Water Resources Control Board Division of Water Rights has designated the Agency as the official groundwater extraction recordation Agency for the State within the Agency boundaries with specific authorities;

Now therefore be it ordained by the Board of Directors of the Ojai Basin Groundwater Management Agency (OBGMA) as follows:

Section 1 Title

Ordinance Number 7 shall be known as the "Ojai Basin Groundwater Management Agency Registering, Reporting, Metering, and Well Recordation Ordinance."

Section 2 Purpose and Intent

The purpose of this Ordinance is:

1. To approve and implement updated Agency policies requiring the Operators of Extraction Facilities to provide information to the Agency.
2. To approve and implement updated Agency policies for requiring notification of intent to construct an Extraction Facility within the boundaries of the Agency, for registering Extraction Facilities, and for semi-annual extraction reporting.
3. To approve and implement an updated Agency policy for metering Extraction Facilities.
4. To establish by Ordinance and implement new requirements for the Groundwater Recordation Program transferred to the Agency by the State Water Resources Control Board in June 2008.

Section 3 Definitions

All terms, phrases and words shall have the meaning assigned to such terms, phrases and words as commonly understood or as expressly defined in the Agency's Authorizing Act or as defined herein.

"Act" shall mean the Ojai Basin Groundwater Management Act.

"Agency" shall mean the Ojai Basin Groundwater Management Agency.

"Basin" shall mean the Ojai Groundwater Basin as shown in the Department of Water Resources Bulletin No. 12, "Ventura County Investigation," dated October 1953, to the extent included within the boundaries of the Agency, as defined in Section 201 of the Agency's Authorizing Act.

"Board" shall mean the Board of Directors of the Agency.

"City" shall mean the City of Ojai.

"County" means the County of Ventura.
"Construction" means the building of a groundwater Extraction Facility such as the act of drilling a well.
"Extraction" shall mean the act of obtaining groundwater by pumping or other controlled means.
"Extraction Facility" shall mean any device or method for the extraction of groundwater within the basin, including a well.
"Operator" shall mean a person who owns and operates a groundwater Extraction Facility. If the Agency is unable to determine who operates a particular Extraction Facility, the "Operator" shall mean the person to whom the Extraction Facility is assessed, if assessed by the County Assessor or, if not separately assessed, the person who owns the land upon which the Extraction Facility is located.
"Person" shall mean any person, state, or local governmental Agency, private corporation, firm, partnership, individual, group of individuals or, to the extent authorized by law, any federal Agency.
"Waterflow Measuring Device" shall mean a meter or other measuring device, meeting the standards set by the American Water Works Association (AWWA), which is attached to an Extraction Facility for the purpose of measuring the quantity of water extracted by the facility.

Section 4 Extraction Facility Permit Notification

1. No Operator shall construct an Extraction Facility within the boundaries of the Agency without first having provided a copy of a County, and, where required, City, well construction permit to the Agency.

2. The presentation of an approved County and, where required, City, well construction permit, in a form and manner customarily issued by the County or City, to the Agency at the Agency office shall be deemed compliance with County and City requirements for the purposes of this Ordinance.

3. An Operator may begin construction of the Extraction Facility three (3) calendar days following the Agency's receipt of a County and, where required, City, well construction permit from the Operator.

Section 5 Extraction Facility Registration

1. An Operator shall be permitted to operate an Extraction Facility within the Agency boundaries in accordance with the provisions of law and this ordinance upon demonstrating compliance with County and/or City requirements for the construction and operation of a water well, providing a completed copy of the County and/or City well permit including well test data and well drillers log to the Agency, and registering the Extraction Facility in accordance with section 5.2 of this ordinance.

2. Operators of Extraction Facilities shall register all Extraction Facilities with the Agency by completing and returning an OBGMA **Registration Form** to the Agency. New Extraction Facilities shall be registered by returning the Registration Form to the Agency within thirty (30) calendar days following completion of construction and prior to any groundwater extraction.

3. The Agency shall make Registration Forms available to Operators and the public generally at the Agency office, and downloadable on the Agency website at www.obgma.com.

4. Failure of the Operator to receive a direct mailing of a Registration Form shall not relieve the Operator of the obligation to file the form with the Agency as required in Section 4.2

5. The Agency shall prepare and maintain an Extraction Facility data sheet for each registered Extraction Facility within the Agency boundaries

Section 6 Groundwater Extraction Reports

1. Every Operator extracting groundwater from the basin shall file a semi-annual extraction report in January and July of each calendar year accurately stating the amount of water extracted during the prior six month period, providing all additional relevant information requested on the OBGMA **Groundwater Extraction Form**, signed under penalty of perjury by the Operator.

2. The Agency shall make Groundwater Extraction Forms available in June and December by direct mail to known Operators. Blank copies of the form will be available at the Agency office.

3. Failure of the Operator to receive a direct mailing of a Groundwater Extraction Form shall not relieve the Operator of the obligation to file the form with the Agency as required in Section 6.1.

4. The Operator's extraction statement on the form shall be presumed accurate upon timely filing of the form with the Agency. For good cause, the Agency may disregard the extraction statement and cause an investigation of the actual amount extracted by the Operator in any semi-annual period. In the event of a discrepancy between the statement filed by the Operator and the findings of the Agency, the findings of the Agency shall prevail.

Section 7 Extraction Facility Metering

1. Except as otherwise specified by Sections 7.2 and 7.3 of this ordinance, every Operator shall equip each Extraction Facility with a Waterflow Measuring Device as defined in Section 3 of this ordinance, and shall report installation of the measuring device to the Agency.

2. Operators of existing permitted Extraction Facilities otherwise in compliance with all ordinances and requirements of the Agency but not equipped with a Waterflow Measuring Device as of the date of adoption of this ordinance are exempt from the requirement in Section 7.1 for a period of three years from that date.

3. All Waterflow Measuring Devices shall be tested for accuracy at a frequency interval determined by the OBGMA Board to meet specific measurement standards. Calibration methods and procedures approved by the Board of Directors shall be detailed in an adopted Resolution of the Board.

4. Operators of Extraction Facilities not equipped with a Waterflow Measuring Device under the exemption in Section 7.2 shall provide an accurate record of the amount of water extracted during each semi-annual period on the OBGMA Groundwater Extraction Form as follows:
   a. Irrigated property shall use the following crop factor applied for each acre irrigated:
      i. Citrus and Avocado – 1.7 acre feet
      ii. Landscaping, turf, golf course – 2 acre feet
   b. Domestic use:
      i. For each dwelling unit - .3 acre feet

5. Operators of Extraction Facilities extracting one acre foot or less in any semi-annual period shall report and pay for a minimum of one acre foot for that period.

6. Any person who alters, removes, resets, adjusts, manipulates, obstructs or in any manner interferes or tampers with any Waterflow Measuring Device affixed to any groundwater extraction facility in accordance with this ordinance, resulting in said device to improperly or inaccurately measure and record groundwater extractions, is guilty of an intentional violation of this Ordinance, and will be subject to any and all penalties as described in Section 10.

7. All costs incurred with Waterflow Measuring Device testing or calibration shall be the personal obligation of the well operator. Non-compliance with any provision of the meter calibration requirements will subject the operator to financial penalties as described in Section 10.

Section 8 Groundwater Recordation

1. Operators of groundwater Extraction Facilities within the Agency's area of jurisdiction will record groundwater extractions with the Agency in accordance with California Water Code Sections 5001 - 5009 and delegated authority from the State Water Resources Control Board Division of Water Rights. The records for all groundwater extractions will be maintained at the Agency office.

2. Extraction Facilities with extractions properly recorded prior to April 23, 2008, when the Agency assumed authority for recordation shall retain their original recordation numbers. For all facilities recorded after that date, the Agency shall assign recordation numbers within the range of numbers, **G563001L004** through **G563999L004.**

3. In accordance with California Water Code Section 5001 all Extraction Facilities within the Agency jurisdiction extracting 25 acre feet of groundwater or more per year shall be recorded. Wells extracting less than 25 acre feet per year may be recorded.

4. To record an Extraction Facility an operator shall fill out a **First Notice of Groundwater Extraction Form** provided by the Agency

and return the form to the Agency office. The operator shall be responsible for keeping the information provided on the first notice form current by informing the Agency within the next semi-annual period of any changes in the information on file in the Agency office. There is no charge for the filing of the first notice form.

5. The Agency shall charge a fee of Ten dollars ($10) per semi-annual reporting period for the recordation of groundwater extraction. This fee shall be paid in conjunction with the semi-annual groundwater extraction charge as reported on the OBGMA Groundwater Extraction Form sent by the Agency by direct mail to Operators. The amount of this fee may be reviewed and amended annually when the Board sets its annual charges and fees.

6. The groundwater recordation records may be made available to other governmental agencies pursuant to Section 5009 of the California Water Code.

Section 9 **Termination Date**

This Ordinance shall remain in full force and effect until repealed or superseded by action of the Board of Directors of the Agency.

Section 10 **Violation**

In accordance with provisions 405 and 406 of the Act:

1. Any person who intentionally violates this Ordinance is guilty of an infraction and may be required to pay a fine not to exceed five hundred dollars ($500).

2. Any person who negligently or intentionally violates this Ordinance may also be liable civilly to the Agency for a sum not to exceed one thousand dollars ($1,000) per day for each violation, in addition to any other penalties that may be prescribed by law.

Section 11 **Enforcement**

The Agency may take any actions authorized by law, to enforce the terms and provisions of this Ordinance.

Section 12 **Severability**

If any section, subsection, sentence, clause or phrase of this Ordinance and its provisions is for any reason held to be unconstitutional or invalid, such decisions shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors hereby declares and determines that it would have passed this Ordinance and its rules and regulations, irrespective of the fact that any one or more sections, subsection, sentence, clause or phrase of this Ordinance may be determined to be unconstitutional or invalid.

Attachments:

Registration Form
Semi-Annual Groundwater Extraction Form
First Notice of Groundwater Extraction Form

AN ORDINANCE OF THE OJAI BASIN GROUNDWATER MANAGEMENT AGENCY SUPERCEDING ORDINANCE NUMBER 7 SPECIFYING THE REQUIREMENTS FOR NEW WELL PERMITTING, NOTIFICATION OF INTENT TO CONSTRUCT, REGISTRATION OF EXTRACTION FACILITIES, METERING, REPORTING OF GROUNDWATER EXTRACTIONS, AND THE RECORDATION OF WELLS WITHIN THE BOUNDARIES OF THE AGENCY

OBGMA ORDINANCE NUMBER 8

Whereas, Article 5 of the Ojai Basin Groundwater Management Act authorizes the Agency to collect information necessary for the management of the groundwater resources of the Ojai Basin; and to collect information and data necessary for the compilation of an annual report on groundwater supplies; and

Whereas, Article 8 of the Act provides that Extraction Facilities in the Ojai Basin be registered with the Agency, and further provides that the Operator of a registered Extraction Facility may be required to provide information to the Agency; and

Whereas, information regarding the number, location, and use of groundwater Extraction Facilities within the basin, and the amount of water extracted from these facilities, is necessary for groundwater management, planning, and reporting by the Agency; and

Whereas, the Agency must be adequately informed about the existence and nature of new Extraction Facilities within the boundaries of the Agency in order to carry out its groundwater management responsibilities; and

Whereas, Article 7, of the Act provides the Agency with the authority to impose reasonable conditions and regulations on the use of groundwater Extraction Facilities; and
Whereas, Article 8 of the Act provides that the Agency, by Ordinance, shall require groundwater Extraction Facilities to be equipped with Waterflow Measuring Devices; and allows the Agency to exempt specific groundwater Extraction Facilities from this requirement; and
Whereas, The State Water Resources Control Board Division of Water Rights has designated the Agency as the official groundwater extraction recordation Agency for the State within the Agency boundaries with specific authorities;

Now therefore be it ordained by the Board of Directors of the Ojai Basin Groundwater Management Agency (OBGMA) as follows:

Section 1 **Title**

Ordinance Number 8 shall be known as the "Ojai Basin Groundwater Management Agency Permitting, Registering, Reporting, Metering, and Well Recordation Ordinance."

Section 2 **Purpose and Intent**

The purpose of this Ordinance is:

1. To approve and implement updated Agency policies requiring the Operators of Extraction Facilities to provide information to the Agency.
2. To approve and implement updated Agency policies requiring permitting and notification of intent to construct an Extraction Facility within the boundaries of the Agency, for registering Extraction Facilities, and for semi-annual extraction reporting.
3. To approve and implement an updated Agency policy for metering Extraction Facilities.
4. To establish by Ordinance and implement new requirements for the Groundwater Recordation Program transferred to the Agency by the State Water Resources Control Board in June 2008.

Section 3 **Definitions**

All terms, phrases and words shall have the meaning assigned to such terms, phrases and words as commonly understood or as expressly defined in the Agency's Authorizing Act or as defined herein.

"Act" shall mean the Ojai Basin Groundwater Management Act.

"Agency" shall mean the Ojai Basin Groundwater Management Agency.

"Basin" shall mean the Ojai Groundwater Basin as shown in the Department of Water Resources Bulletin No. 12, "Ventura County Investigation," dated October 1953, to the extent included within the boundaries of the Agency, as defined in Section 201 of the Agency's Authorizing Act.

"Board" shall mean the Board of Directors of the Agency.

"City" shall mean the City of Ojai.

"County" means the County of Ventura.

"Construction" means the building of a groundwater Extraction Facility such as the act of drilling a well.

"Extraction" shall mean the act of obtaining groundwater by pumping or other controlled means.

"Extraction Facility" shall mean any device or method for the extraction of groundwater within the basin, including a well.

"Operator" shall mean a person who owns and operates a groundwater Extraction Facility. If the Agency is unable to determine who operates a particular Extraction Facility, the "Operator" shall mean the person to whom the Extraction Facility is assessed, if assessed by the County Assessor or, if not separately assessed, the person who owns the land upon which the Extraction Facility is located.

"Person" shall mean any person, state, or local governmental Agency, private corporation, firm, partnership, individual, group of individuals or, to the extent authorized by law, any federal Agency.

"Waterflow Measuring Device" shall mean a meter or other measuring device, meeting the standards set by the American Water Works Association (AWWA), which is attached to an Extraction Facility for the purpose of measuring the quantity of water extracted by the facility.

Section 4 **Extraction Facility Permitting and Registration**

1. All groundwater extraction facilities within the boundaries of the Agency shall be registered with the Agency. 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 Ventura County Watershed Protection District and or the City of Ojai. No extraction facility may be operated or otherwise utilized so as to extract groundwater within the boundaries of the Agency unless the facility is registered with 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:

a. Name and address of the operator(s)
b. Name and address of the owner(s) of the land upon which the extraction facility is located.
c. A description of the equipment associated with the extraction facility.
d. Location, parcel number and state well number of the extraction facility.
e. Well Driller's log and well test data if available.

2. Operators of extraction Facilities shall register all Extraction Facilities with the Agency by completing and returning an OBGMA Registration Form to the Agency. New Extraction Facilities shall be registered by returning the Registration Form to the Agency within thirty (30) calendar days following completion of construction and prior to any groundwater extraction.

3. The Agency shall make Registration Forms available to Operators and the public generally at the Agency office located 428 Bryant Circle, Ojai, CA 93023 or P.O. box 1779, Ojai, CA 93024, or downloadable on the Agency website at www.obgma.com.

4. Failure of the Operator to receive a direct mailing of a Registration Form shall not relieve the Operator of the obligation to file the form with the Agency as required in Section 4.2.

5. The Agency shall prepare and maintain an Extraction Facility data sheet for each registered Extraction Facility within the Agency boundaries.

Section 5 Groundwater Extraction Reports

1. Every Operator extracting groundwater from the basin shall file a semi-annual extraction report in January and July of each calendar year accurately stating the amount of water extracted during the prior six month period, providing all additional relevant information requested on the OBGMA **Groundwater Extraction Form**, signed under penalty of perjury by the Operator.

2. The Agency shall make Groundwater Extraction Forms available in June and December by direct mail to known Operators. Blank copies of the form will be available at the Agency office.

3. Failure of the Operator to receive a direct mailing of a Groundwater Extraction Form shall not relieve the Operator of the obligation to file the form with the Agency as required in Section 5.1.

4. The Operator's extraction statement on the form shall be presumed accurate upon timely filing of the form with the Agency. For good cause, the Agency may disregard the extraction statement and cause an investigation of the actual amount extracted by the Operator in any semi-annual period. In the event of a discrepancy between the statement filed by the Operator and the findings of the Agency, the findings of the Agency shall prevail.

Section 6 Extraction Facility Metering

1. Except as otherwise specified by Section 6.2 of this ordinance, every Operator shall equip each Extraction Facility with a Waterflow Measuring Device, and shall report installation of the measuring device to the Agency.

2. Operators of existing permitted Extraction Facilities otherwise in compliance with all ordinances and requirements of the Agency but not equipped with a Waterflow Measuring Device as of the date of adoption of this ordinance are exempt from the requirement in Section 6.1 until April 23, 2011.

3. Operators of Extraction Facilities not equipped with a Waterflow Measuring Device under the exemption in Section 6.2 shall provide an accurate record of the amount of water

extracted during each semi-annual period on the OBGMA Groundwater Extraction Form as follows:

a. Irrigated property shall use the following crop factor applied for each acre irrigated:
   i. Citrus and Avocado – 1.7 acre feet
   ii. Landscaping, turf, golf course – 2 acre feet

b. Domestic use:
   i. For each dwelling unit - .3 acre feet

4. Operators of Extraction Facilities extracting one acre foot or less in any semi-annual period shall report and pay for a minimum of one acre foot for that period.

5. All Waterflow Measuring Devices 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 of Directors shall be detailed in an adopted Resolution of the Board.

6. All costs incurred with Waterflow Measuring Device testing or calibration shall be the personal obligation of the well operator. Non-compliance with any provision of the meter calibration requirements will subject the operator to financial penalties and/or liens as described in Section 9.

Section 7 Groundwater Recordation

1. Operators of groundwater Extraction Facilities within the Agency's area of jurisdiction will record groundwater extractions with the Agency in accordance with California Water Code Sections 5001 - 5009 and delegated authority from the State Water Resources Control Board Division of Water Rights. The records for all groundwater extractions will be maintained at the Agency office.

2. Extraction Facilities with extractions properly recorded prior to April 23, 2008, when the Agency assumed authority for recordation shall retain their original recordation numbers. For all facilities recorded after that date, the Agency shall assign recordation numbers within the range of numbers, **G563001L004** through **G563999L004.**

3. In accordance with California Water Code Section 5001 all Extraction Facilities within the Agency jurisdiction extracting 25

acre feet of groundwater or more per year shall be recorded. Wells extracting less than 25 acre feet per year may be recorded.

4. To record an Extraction Facility an operator shall fill out a **First Notice of Groundwater Extraction Form** provided by the Agency and return the form to the Agency office. The operator shall be responsible for keeping the information provided on the first notice form current by informing the Agency within the next semi-annual period of any changes in the information on file in the Agency office. There is no charge for the filing of the first notice form.

5. The Agency shall charge a fee of Ten dollars ($10) per semi-annual reporting period for the recordation of groundwater extraction. This fee shall be paid in conjunction with the semi-annual groundwater extraction charge as reported on the OBGMA Groundwater Extraction Form sent by the Agency by direct mail to Operators. The amount of this fee may be reviewed and amended annually when the Board sets its annual charges and fees.

6. The groundwater recordation records may be made available to other governmental agencies pursuant to Section 5009 of the California Water Code.

This Ordinance shall remain in full force and effect until repealed or superseded by action of the Board of Directors of the Agency.

Section 9 **Violation**

In accordance with provisions 405 and 406 of the Act:

1. Any person who intentionally violates this Ordinance is guilty of an infraction and may be required to pay a fine not to exceed five hundred dollars ($500).

2. Any person who negligently or intentionally violates this Ordinance may also be liable civilly to the Agency for a sum not to exceed one thousand dollars ($1,000) per day for each violation, in addition to any other penalties that may be prescribed by law.

Section 10 **Enforcement**

The Agency may take any actions authorized by law, to enforce the terms and provisions of this Ordinance.

If any section, subsection, sentence, clause or phrase of this Ordinance and its provisions is for any reason held to be unconstitutional or invalid, such decisions shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors hereby declares and determines that it would have passed this Ordinance and its rules and regulations, irrespective of the fact that any one or more sections, subsection, sentence, clause or phrase of this Ordinance may be determined to be unconstitutional or invalid.

Registration Form
Semi-Annual Groundwater Extraction Form
First Notice of Groundwater Extraction Form

PASSED AND ADOPTED by the Board of Directors of the Agency, State of California April 29, 2010.

ATTEST: Jerry Z. Conrow

Jerry Conrow, President Cece VanDerMeer, Secretary

Ojai Basin Groundwater Management Agency

Management Plan 2007 Update

Prepared by: Daniel B. Stephens & Associates

Ojai Basin Groundwater Management Agency
A Special District of Ventura County

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Ojai Basin Groundwater Management Agency
Groundwater Management Plan Update

1. Background

Two critical facts underline the importance of the Ojai Basin Groundwater Management Agency (OBGMA) and this management plan update.

- Chronic drought is a climatic reality. Over the last 100 years there have been several serious droughts, and climate change may likely bring an increase in the number and intensity of years with below average rainfall. Local precipitation, the only source of water in the Ventura River watershed, is predicted by several models to decrease in annual averages. Extended periods of drought are likely.

- The Ventura River watershed is depended on by numerous competing interests. Most water allocated to the various water purveyors in the watershed is accounted for; it has been predicted that, in a long- term drought, Lake Casitas could go dry. Existing wells already in the Ojai Basin are producing groundwater at a rate that is considered to be at or near the safe yield of the basin, and it is predicted (with historical precedence) that in a long-term drought a significant number of the existing wells will go dry. Stakeholders in the Ojai Basin cannot depend on any economically reasonable new source of water.

The OBGMA is responsible for managing the Ojai groundwater basin and, working with the well operators in the basin, for conserving that groundwater. The intent of this plan update is to avoid (where possible) and minimize the adverse economic and social impacts facing our valuable but limited water supply.

1.1 Mission Statement

The Ojai Basin Groundwater Management Agency's mission is to preserve the quantity and quality of groundwater in the Ojai Basin so that the long-term water supply is protected and maintained for the common benefit of the water users in the basin.

The mission of the OBGMA is derived from its enabling legislation, the Ojai Basin Groundwater Management Agency Act, which became law in 1991. The Act was approved as a response to the needs and concerns of local water agencies, water users, and well owners of the Ojai Basin. OBGMA was established in the fifth year of a drought, amidst concerns for potential Ojai Basin overdraft. The mission is in keeping with the history of the Ojai Basin and the circumstances existing when the OBGMA was formed. Since that time, although there have been some good water years and the Ojai Basin has continued to provide sufficient water for its well owners, competition for scarce water resources in Southern California and Ventura County is ever expanding, water resource planning is intensifying, and the importance of OBGMA's mission is even greater today.

Based upon the studies conducted by and for OBGMA, and due to a relatively wet period over the past 15 years, the water and demand in the Ojai Basin is largely in balance and capable of meeting the annual demands of overlying landowners and in-basin water users under present conditions. However, after a series of dry years, water in some wells drop to the point where an alternative water source must be used. In part, that is why water users presently import some 3,750 (1981 to 2005 average) acre-feet of Casitas Municipal Water District (Casitas) water into the Ojai Basin annually, mostly for irrigation. If Casitas water was not available or not used during a series of dry years, considering the present understanding of the hydrology of the basin and the existing water uses, some shallower and peripheral wells would probably not produce water. As a result, pumping lift costs to pump groundwater would be excessive, some wells would produce excessive amounts of sand, water quality of pumped groundwater would likely be compromised, and other detrimental effects of a reduced amount of groundwater storage in the Ojai Basin could occur.

Therefore, the focus of the OBGMA's efforts is on protecting and preserving the Ojai Basin groundwater resource for in-basin use and guarding against harmful export of water from the basin.

1.2 Current Fiscal Situation

The OBGMA is funded by extraction charges levied on pumpers in the Ojai Basin. The present legislative ceiling on extraction charges of $7.50 per acre-foot limits the capacity of OBGMA to

meet its obligations and goals. The OBGMA is attempting to amend the Ojai Basin Groundwater Management Agency Act in the 2007 legislative session to increase the extraction charge ceiling, but any actual extraction charge change must be voted upon by the board, which consists of representatives of the stakeholders. Further fiscal details are presented in Section 3.5.

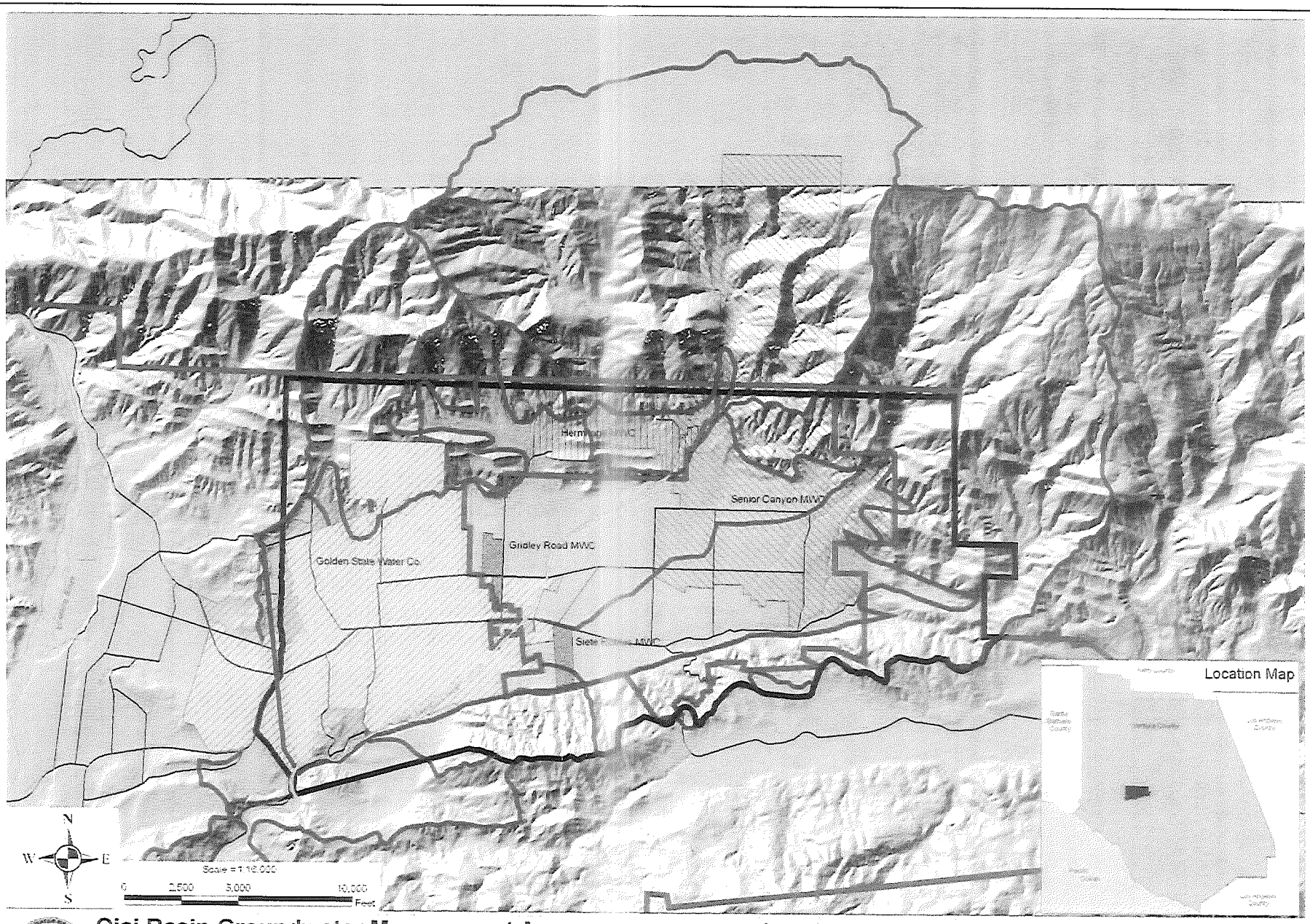
With adequate funding OBGMA will meet its responsibilities as required by law, will be able to carry out its mission to protect Ojai Basin groundwater in the interests of its water users, and will be able to achieve the goals of this management plan update.

2. General Approach

The OBGMA is required by law to have a Groundwater Management Plan (Plan) to guide its operations. The initial Plan was prepared and published in 1995. This 2007 update provides additional information and has been developed based on studies done for the OBGMA by its hydrogeologists and engineering contractors, input from well owners and water users, and recommendations made by the OBGMA's advisory committee and the State of California Department of Water Resources. Figure 1 provides a map of the OBGMA area of purview and service areas of other local agencies.

Since the Plan publication in 1995, numerous studies and projects have been conducted in the Ojai Basin within the jurisdiction of the OBGMA and have led to a better understanding of basin hydrogeology, water demands, and hydrologic fluctuations that affect the stakeholders. Continually improved understanding provides an additional level of detail to the goals and objectives of the Plan update. As understanding of the Ojai Basin improves over the years, updates to the Plan will be incorporated. It is anticipated that the Plan will be updated every five years.

This Plan update describes five broad goals. Each goal includes a number of action elements. Tables for each goal indicate when various action elements were completed or are planned for completion. While the five broad goals will provide the structure to the OBGMA's management efforts for several years, the OBGMA anticipates that the detailed action elements will evolve as the OBGMA's efforts continue to progress. Elements approved with this Plan update will be



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Legend

- San Antonio Watershed
- Cities
- Ojai Water Conservation District
- Casitas MWD
- OBGMA Boundary
- Ojai Valley Groundwater Basin

Figure 1: OBGMA Agency Location Map

implemented in the form of rules, regulations, or ordinances. Prior to implementation, additional criteria to guide these actions will be developed in a public process by the OBGMA Board of Directors (OBGMA board) and added to this management plan update. Some elements as noted herein require more study and public review before specific implementation actions are approved. Additions will be made to this Plan update as actions to implement these elements are reviewed by the water users and well owners in the basin and approved by the OBGMA board. Amendments to the approved Plan update will be made only after full review, consideration of any advisory recommendation, and formal approval by the OBGMA board.

3. Groundwater Management Plan--Detailed Action Plan

3.1 Goal 1. Understanding the Basin

OBGMA must have a comprehensive understanding of the hydrology of the basin under its jurisdiction in order to carry out its mission. This understanding will continue to evolve as additional goal elements are implemented. Table 1 describes selected Goal 1 elements that have been completed, are scheduled, or are planned.

3.1.1 Monitoring

OBGMA has at its disposal several studies of the basin hydrology, including conceptual models. These models must be tested and updated regularly under a continuing monitoring program to serve as a basis for informed decision making. Monitoring will also be conducted to identify changing conditions and implement management programs when needed. Monitoring will include:

- Surface water entering the basin
- Recharge of the basin from rainfall
- Streamflow seepage
- Evapotranspiration
- Discharge from the basin as surface flow from San Antonio Creek and subsurface flow
- Extractions from the basin via public and private wells

Table 1. Selected Completed, Scheduled, and Planned Future Elements
Goal 1, Understanding the Basin

Element	Description	Completion Date (Actual or Anticipated)
Completed Element		
Basin studies	Study of basin water records developed by county technicians to monitor basin water quantity and quality, well permits, stream flows, and precipitation	1996
Monitoring	Conducted ongoing meetings and monitoring with county hydrologists	2000
Jim Capito, basin study	Located wells of record, obtained GPS coordinates of each, plotted surface altitudes of wells, determined conditions of abandoned wells, performed hazard screening, recorded well data sheets, provided QA/QC of county well records with OBGMA records	September 2001 to Spring 2002
Database creation	Established database	2004
Kear, 2005, Masters Thesis	Hydrogeology of the Ojai Groundwater Basin: Storativity and Confinement, Ventura County, California	December 2005
Daniel B. Stephens & Associates, Inc.	Hydrologic assessment, San Antonio Creek Sub-watershed, Ventura County, California	June 2006
Extraction reporting	Reporting of basin groundwater extractions	Twice annually
Scheduled Element		
Extraction reporting	Reporting of basin groundwater extractions	Twice annually
Basin studies	Depth discrete monitoring well construction and monitoring	2007-2010
Basin studies	Monitoring San Antonio Creek flow into basin	2007-2010
Monitoring	Key wells for water quality	Annually
Monitoring	Key wells for groundwater levels	Every other month
Future Element		
Extraction reporting	Reporting of basin groundwater extractions	Twice annually
Monitoring	Conversion of inactive production wells into depth-discrete monitoring wells	2008
Groundwater model	Generation of a MODFLOW type of groundwater model for the basin	2009
Basin studies	Evaluate and augment recharge along creek channels	2008
Basin studies	Geophysical survey of the basin to identify aquifer and bedrock morphology	2010

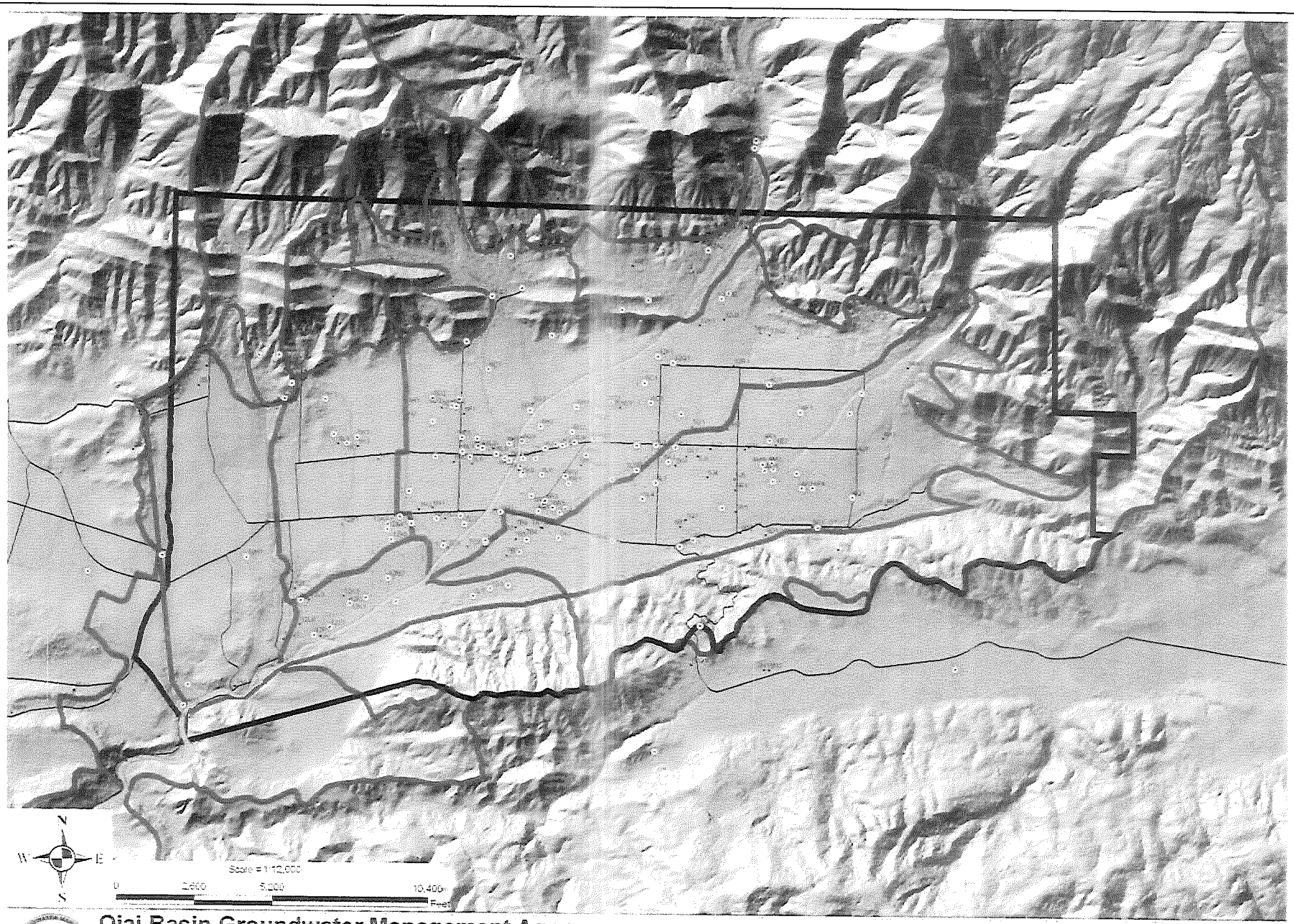
Monitoring results will be shared annually by the OBGMA with owners, water users, and the public.

3.1.2 Data Collection

Previous studies identified significant gaps in the current monitoring activities in the Ojai Basin. Specific areas identified for increased data collection are basin water level, water quality monitoring in stratified aquifers known to be present in the basin based on aquifer testing, and geophysical log correlations. In cooperation with the OBGMA, the Ventura County Watershed Protection District (VCWPD) may measure key wells routinely for water levels and water quality. OBGMA will obtain permission from the well owners prior to conducting monitoring not already being conducted by Ventura County. This data will be analyzed and reported annually by OBGMA to stakeholders via annual reports, the website, or other publications. Additional data collection actions, including surface water discharged from San Antonio Creek and surface water inflow into the basin, have been assessed and will be considered in greater detail in the future. This data will be analyzed and reported annually by the OBGMA. All results from each well measurement are to be shared with the respective well owner either through direct communication and/or provision of any OBGMA publication that contains such data.

3.1.3 Well Registration

The OBGMA adopted Ordinance No. 1, April 29, 1993 which required all wells in the basin be registered with the OBGMA. There are currently 145 registered wells in the Ojai basin, of which 125 are reported to be active and the remaining 20 are inactive. Approximately 60 additional wells are reported to have been destroyed, bringing the total number of historically known wells in the basin to over 200. OBGMA will continue seeking to have all wells in the basin registered under a formal agreement with Ventura County to ensure that their well records are made available to the OBGMA and that any new well permits are registered with the OBGMA. Such an agreement ensures that well permits in the OBGMA area of jurisdiction will not be issued by Ventura County without proof that the applicant has properly notified OBGMA and been advised of the requirements for well operators in the Ojai basin. Figure 2 presents a map of active wells and Figure 3 depicts wells that are registered as inactive and destroyed. The OBGMA is also planning to obtain delegated authority from the State Water Resources Control Board, Water Rights Division to handle groundwater production recordation within OBGMA area of jurisdiction.



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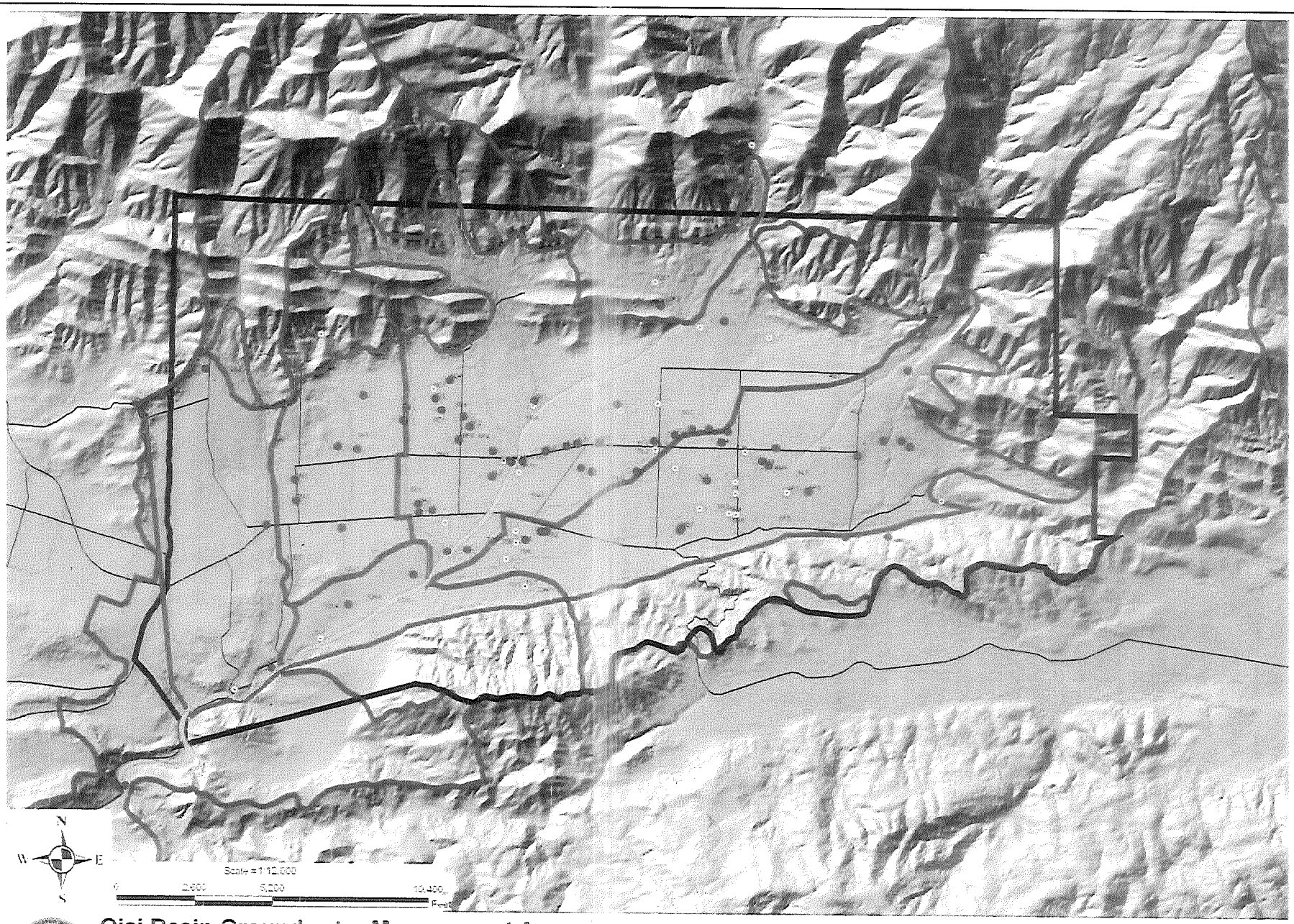
Legend

- San Antonio Watershed
- OBGMA Boundary
- Ojai Valley Groundwater Basin
- Active Wells

Figure 2: Active Well Location Map



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Legend

- San Antonio Watershed
- OBGMA Boundary
- Ojai Valley Groundwater Basin
- Ojai_inactive_wells
- Ojai_destroyed_wells

Figure 3: Inactive and Destroyed Well Location Map

3.1.4 Extraction Measurement

The OBGMA is mandated by its enabling Act to monitor groundwater extractions. Key parameters that allow the OBGMA to manage basin balance, prevent overdraft, and evaluate the amount of groundwater in storage include the amount of water extracted from the basin, precipitation, recharge data, and water level monitoring. OBGMA is also committed to implementing an effective, reliable method of monitoring well extractions. Currently, well owners are required to report, as precisely as possible, using meters or a variety of methods such as electrical power usage or crop factor, their annual water extractions. OBGMA will consider requiring metering of new wells and metering of all wells within a 3-year time frame. OBGMA will conduct an internal audit of its groundwater extraction reports to determine whether those reports accurately reflect actual extractions. In addition, OBGMA will institute steps, including assisting well operators with accurate reporting, to ensure the most efficient and effective ways to determine the actual withdrawals of water from the basin semi-annually.

3.2 Goal 2. Controlling Exports: Protecting and Managing the Basin

In order to preserve the groundwater in the Ojai Basin OBGMA will take direct management actions based on factual knowledge of the basin and the needs and concerns of water users and well owners in the basin. Table 2 describes selected Goal 2 elements that have been completed, are scheduled, or are planned.

3.2.1 Exports of Water from the Basin

OBGMA's enabling legislation mandates that no groundwater shall be exported from the basin except under permit issued by the OBGMA in full compliance with the policy and intent of the law. The law mandates the preservation of the groundwater for the common benefit of water users within the basin. Based on present hydrologic facts and circumstances, the OBGMA finds that there is no surplus water available for export. Under natural conditions, when surplus water is present in the basin, water flows under artesian pressure from wells and from exposed aquifers into San Antonio Creek along gaining reaches of the stream. Because this surplus has value to downstream stakeholders, and the surplus conditions are ephemeral (occurring only during years of heavy rainfall such as 1993, 1995, 1998, and 2005) and can change rapidly to conditions of deficiency, it is likely that surplus conditions will not exist in the foreseeable future.

Table 2. Selected Completed, Scheduled, and Planned Future Elements Goal 2, Controlling Exports: Protecting and Managing the Basin

Element	Description	Completion Date (Actual or Anticipated)
Completed Element		
Export controls	Reviewed Matilija Dam removal issues, attended stakeholder meetings and EIR certification	2005
Database creation	Established database	2004
Scheduled Element		
Establish triggers	Establish basin triggers such as the relationship between groundwater levels and drought conditions to generate and adopt a water conservation plan	2008
Managing the basin	Update Groundwater Management Plan	2012 (every five years)
Future Element		
Maintain thresholds	Quantify relationship between basin storage and outflow into San Antonio Creek	2009

Nevertheless, OBGMA will review the existence of surplus from time to time, as dictated by the receipt and review of its annual report or as new, reliable information becomes available. OBGMA will establish the conditions and criteria under which it would contemplate granting a permit for export, should a surplus be determined to exist. These conditions and criteria will include at least the following:

- The applicant for a permit will bear the full financial, regulatory, and legal burden of demonstrating that a surplus of water exists, which, if exported, would not cause harm to any existing groundwater user in the basin, now or in the future.

- The export permit will be suspended in the event of a declared water shortage, basin storage threshold level, or other pre-established condition.

- All export permits will contain conditions and criteria that will otherwise protect the in-basin users to the fullest extent allowable under the law.

3.2.2 *Establishment of Thresholds and Triggers*

Water levels in the basin fluctuate considerably in response to pumping and recharge from seasonal rainfall. The Ojai Basin is considered largely in balance. Review of precipitation, accumulative departure curves, and water level responses over time indicate that the basin has the hydrologic characteristics of quick discharge and quick recharge when precipitation occurs. Also, based on aquifer testing, there is a significant amount of overlap of cones of depression created in the potentiometric surface by pumping wells. These features must be considered when establishing action levels of groundwater elevations or streamflow.

Groundwater use between 1981 and 2005 averaged approximately 5,170 acre-feet, of which some 1,820 acre-feet was pumped by Golden State Water Company for municipal and domestic supply (35 percent). In addition, three mutual water companies and approximately 100 active private wells supply both agricultural and domestic water in the basin. There is a great variation in location and depth of the wells in the basin, and their relative access to groundwater at low points in the hydrologic cycle. There is also variation in water quality in different parts of the basin. Taking into account the needs of the water users in the basin, overlying landowners and well operators, and the existing conjunctive relationship between the groundwater used in the basin and the Casitas water imported into the basin, OBGMA will establish basin storage thresholds which will trigger special action by the OBGMA to ensure protection of groundwater supplies in the basin.

OBGMA will develop triggers and the conservation measures that must be implemented at those points, and will also develop the procedures and pass the ordinances needed to put the conservation measures into effect. This will be done with full communication with, involvement, and understanding of the basin well operators.

3.3 *Goal 3. Encouraging Supporting Activities*

With its limited resources, OBGMA must strive to achieve its goals in cooperation with and through the supporting activities of other agencies, and through the encouragement of supportive actions by water users. Table 3 describes selected Goal 3 elements that have been completed, are scheduled, or are planned.

Table 3. Selected Completed, Scheduled, and Planned Future Elements Goal 3, Encouraging Supporting Activities

Element	Description	Completion Date (Actual or Anticipated)
Completed Element		
Well inventories	Worked with well owners to increase number of Ventura County key wells in Ojai	1994
Joint meetings	Casitas, Ojai Water Conservation District (OWCD), and Ojai Basin Groundwater Management Agency explore interests in common	1995
Meetings	Participated with and followed progress of Ventura countywide Stormwater Quality Management Program	1996
Integrated regional watershed management planning (IRWMP) efforts	Participated in IRWMP, pursuit of Proposition 50 water bond funding	2006
Scheduled Element		
San Antonio Creek Spreading Grounds Rehabilitation Project	Rehabilitate abandoned spreading grounds in cooperation with OWCD, Ventura County Watershed Protection District (VCWPD)	2007-2010
Ventura River watershed planning	Study Ventura River watershed in cooperation with VCWPD	2007-2010
Future Element		
Grant funding pursuit	As available and targeted to basin issues	Annually

3.3.1 Data Collection and Storage

Ventura County already routinely collects information on water levels and quality from wells in the basin. In cooperation with OBGMA, this effort is planned to continue to meet the monitoring needs of the basin.

3.3.2 Water Conservation

OBGMA encourages water conservation practices by both agricultural users and urban users. Market forces, as well as good management practices, are moving most agricultural users in the basin toward implementation of water conservation measures. Likewise, Golden State Water Company, the largest municipal supplier in the basin, has initiated a conservation plan approved by the Public Utilities Commission and supported by the City of Ojai. OBGMA will encourage the development, publication, and sharing of information with these users that will encourage

the optimum use of water resources in the basin. Further, OBGMA will seek the assistance of various local, state, federal and private organizations to provide water conservation services and education programs for in-basin water users, including the pursuit of grant funds as available. OBGMA will encourage in-basin water users to incorporate conservation practices and will consider development of a conservation plan in anticipation of drought conditions. Water meters on all wells will be needed to effectively measure sharing of conservation efforts.

3.3.3 Abandoned Wells

Ventura County has a program to address abandoned wells as part of the water well ordinance. OBGMA encourages implementing a program in the Ojai Basin to identify all abandoned wells, to determine if they pose any hazard to the quantity or quality of groundwater in the basin, to identify the actions needed, and to help obtain the resources to rectify any problems. OBGMA supports evaluation of abandoned or idle wells to determine whether they can be converted to monitoring wells, rehabilitated, or properly destroyed in accordance with Ventura County standards. OBGMA will also seek to obtain grant funds to assist well owners in proper destruction of abandoned wells, or in conversion to monitoring wells if appropriate.

3.3.4 Artificial Recharge

The Ojai Water Conservation District (OWCD) was involved in importing water from Matilija Reservoir via gravity flow pipeline and a program of enhanced percolation of streamflow on San Antonio Creek until 1985. This involved the diversion of surface flows into a series of percolation basins and was highly successful. The program was discontinued after the emergency construction of a debris basin on San Antonio Creek by Ventura County using FEMA funds, following a major fire in the watershed. The result of that construction was the destruction of most of the percolation basins, which were never restored.

The artificial recharge of the basin from San Antonio Creek by the Ojai Water Conservation District is endorsed by the OBGMA. To rehabilitate these spreading grounds, the OBGMA supports the San Antonio Creek Spreading Grounds Rehabilitation Project (SASGRP), one of the key projects of the Watersheds Coalition of Ventura County (WCVC) suite of applications. Under its enabling legislation, OBGMA must regulate any groundwater storage, recapture, and/or replenishment project in the Ojai Basin, and, accordingly, will be processing a permit for the SACSGRP. Other partners in the SASGRP endeavor include the OWCD, the VCWPD,

Casitas Municipal Water District, and Golden State Water Company. This project will strive to augment basin storage by restoring the percolation basins and diversion and intake structures that were destroyed by the emergency construction. This was a key goal element on the OBGMA 1995 Plan.

The SASGRP may offset some of the losses associated with the proposed Matilija Dam decommissioning, known as the Matilija Dam Ecosystem Restoration Project (MDERP). The MDERP proposes to replace the water supply loss resulting from the dam's removal prior to its obsolescence date. The SASGRP, if successful, can only partially mitigate the loss of water supply resulting from the MDERP. Other measures should be evaluated and implemented to more completely mitigate the removal of the Matilija Dam and the elimination of its storage volume.

3.3.5 Watershed Management

OBGMA will work with other stakeholders in the Ventura River Watershed to effectively understand and manage the drainage area that includes Ojai. Such a project is also included in the suite of tasks applied for by the WCVC, under the Ventura River Watershed Protection Plan. OBGMA supports this endeavor and the understanding of the basin will be enhanced with additional monitoring wells in the basin provided under the project.

3.4 Goal 4. Effective Communication

The effectiveness of OBGMA will depend upon its ability, within its limited means, to meet the needs of the water users and well owners of the basin. This will depend on effective, two-way communication between OBGMA and the users it serves. Table 4 describes selected Goal 4 elements that have been completed, are scheduled, or are planned.

3.4.1 Advisory Committee

Ad hoc advisory committees with representatives of the well owners and water users in the basin have been periodically created by the OBGMA board and have been a means of developing a dialogue between users and OBGMA. The advisory committees are used by OBGMA board as a nucleus of interested and affected users to consider and develop the details of actions proposed under this groundwater management plan update.

Table 4. Selected Completed, Scheduled, and Planned Future Elements Goal 4, Effective Communication

Element	Description	Completion Date (Actual or Anticipated)
Completed Element		
Public workshops	Two workshops to hear and record well owner concerns	1994
Advisory committee	Explored basin issues	1994
Public workshop	Sponsored "Well Maintenance and Rehabilitation" Seminar	1998
Outreach	Displayed "Pollution Prevention House" on Ojai Day and at local elementary schools	1999
Website	To inform stakeholders of Agency operations and Basin issues	2007
Scheduled Element		
Maintain and update website	To inform stakeholders of Ojai Basin Groundwater Management Agency operations and basin issues	Ongoing
Future Element		
Awareness campaign	Increase public awareness of water issues in the basin through workshops, forums, newsletters, etc.	2008 and ongoing

3.4.2 Annual Report

OBGMA will prepare an annual report as required by law that it will self-publish at minimum expense. Technical contractors will only be used if required to perform technical analysis of data collected during the year.

3.4.3 Information Sharing

Information learned about the basin and water use in the basin will be shared by OBGMA with all well owners directly and with water users in the basin through the general news media and the publications of local water purveyors. Actions or items of special interest will be shared with well owners by direct mail newsletters, which will also include notice of OBGMA meetings and agendas. OBGMA board members will be available to meet with basin water users to address issues of concern and the ongoing management activities of OBGMA. OBGMA has established a website through which information is shared freely with the public. OBGMA's web address is www.obgma.com.

3.5 Goal 5. Efficient Administration

The resources available to OBGMA to carry out its mission and serve the water users of the basin are limited. Therefore, cost containment measures are essential. These measures will be developed and made part of this Plan update. Table 5 describes selected Goal 5 elements that have been completed, are scheduled, or are planned.

Table 5. Selected Completed, Scheduled, and Planned Future Elements Goal 1, Efficient Administration

Element	Description	Completion Date (Actual or Anticipated)
Completed Element		
Finance committee	Formed finance committee of board members and well owners, prepare fiscal budget	1994 (annually thereafter)
User fees	Established a system to fund Ojai Basin Groundwater Management Agency (OBGMA) based on well user fees	1995
Revenue evaluation	Evaluated expenses and revenue, to reach goal of operating on revenue from extraction fees only, grants of $3,500 from Casitas, Southern California Water Co. and the City of Ojai were encumbered as seed monies for OBGMA advancement.	1996
Scheduled Element		
Funding increase	Increase extraction charge ceiling to a reasonable amount through legislation.	2007
Administration	Hire a professional, qualified manager, on a part-time basis, to efficiently and effectively provide staff support for the agency.	2008
Future Element		
Donations	Solicitations of donations from stakeholders and other benefactors	Ongoing

3.5.1 Funding

OBGMA is funded by extraction charges levied on pumpers in the Ojai Basin. The present legislative ceiling on extraction charges is $7.50 per acre-foot. In a typical year with 5,000 acre-feet extracted, the OBGMA budget is roughly $37,500 per year. OBGMA operates from a one-room office, with one part-time office assistant who also acts in the capacity of secretary and treasurer. These expenses, along with regular audits and required insurance, consume the

majority of the funding. OBGMA should have one professional, technically qualified staff person as a manager at least part time. OBGMA should also participate in funding projects that are within its purview (such as the proposed SACSGRP, operation and maintenance, matching funds for grants, hiring consultants). OBGMA is seeking legislation in the 2007 session to amend its enabling Act to increase the extraction charge ceiling to $25. Any change in actual extraction charge will be voted upon by the OBGMA board, which consists of representatives of the stakeholders. The OBGMA board has estimated that an actual extraction charge of $15 per acre-foot would provide the funding needed to carry out their basic responsibilities and that an additional charge of $4 per acre-foot would be need to pay the OBGMA share of the operation and maintenance of the proposed SACSGRP.

With adequate funding, OBGMA will meet its responsibilities as required by law, will be able to carry out its mission to protect Ojai Basin groundwater in the interests of the water users in the basin, and will be able to achieve the goals of this management plan update.

3.5.2 Minimum Requirements

The OBGMA's enabling legislation requires the Plan to establish a minimum amount of extraction below which the requirements of the Act will not be applied. The OBGMA will establish these criteria.

Ojai Basin Groundwater Management Agency

2011 & 2012 Annual Report

Ojai Basin Groundwater Management Agency
PO Box 1779
Ojai, CA 93024

March 27, 2014

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1.0 Introduction

The Ojai Basin Groundwater Management Agency (OBGMA) issues this Annual Report representing the calendar years 2011 and 2012. Similar to many previous years, the annual report comprises two years of reporting as compilation of data on extractions and activities has been completed. As the OBGMA has streamlined its efforts, and importantly, enacted measures to ensure more accurate extraction reporting, future years' Annual Reports are anticipated to be issued mid-calendar year for the preceding year.

Mission Statement

It is the mission of the Ojai Basin Groundwater Management Agency to preserve the quantity and quality of groundwater in the Ojai Basin in order to protect and maintain the long-term water supply for the common benefit of the water users in the Basin.

The mission of the OBGMA is derived from its enabling legislation, the Ojai Basin Groundwater Management Agency Act, which became law in 1991. The act was approved as a response to the needs and concerns of local water agencies, water users, and well owners of the Ojai Basin. The Agency was established in the fifth year of a drought, amidst concerns for potential Basin overdraft.

The mission is in keeping with the history of the Basin and the circumstances existing when the Agency was formed. Since that time, although there have been some good water years and the Ojai Basin has continued to provide sufficient water for its well owners, competition for scarce water resources in Southern California and Ventura County is ever expanding, water resource planning is intensifying, and the importance of the OBGMA mission is even greater today.

Background

Based upon the studies conducted by and for the Agency, and due to a relatively wet period over the past 15 years, the water supplies and demands in the basin are largely in balance and capable of meeting the annual demands of overlying landowners and in-basin water users under present conditions. However, after a series of dry years, water levels in some wells in the basin decline to the point where an alternative water source must be used. In part, that is why water users presently import some 3,682 (1985 to 2012 average) acre feet of Casitas Municipal Water District (Casitas) water into the basin annually, mostly for irrigation.

If Casitas water was not available or not used in a series of dry years, considering the present understanding of the hydrology of the basin and the existing water uses, some shallower and peripheral wells would probably not produce water, pumping lift costs to pump groundwater would be excessive, some wells would produce excessive amounts of sand, water quality of pumped groundwater would likely be compromised, and other detrimental effects of a reduced amount of storage in the Basin.

Through the agency's efforts, many stakeholders better understand these conditions, and the importance of conjunctive use in action: using groundwater when available and relying on Casitas water when basin storage is minimized. This practice has a somewhat self-regulating effect on the basin, as the charges for purveyor water encourage conservation and good stewardship of the groundwater resource.

Therefore, the focus of the Agency's efforts is on protecting and preserving the basin groundwater resource for in-basin use; and guarding against export of water from the basin.

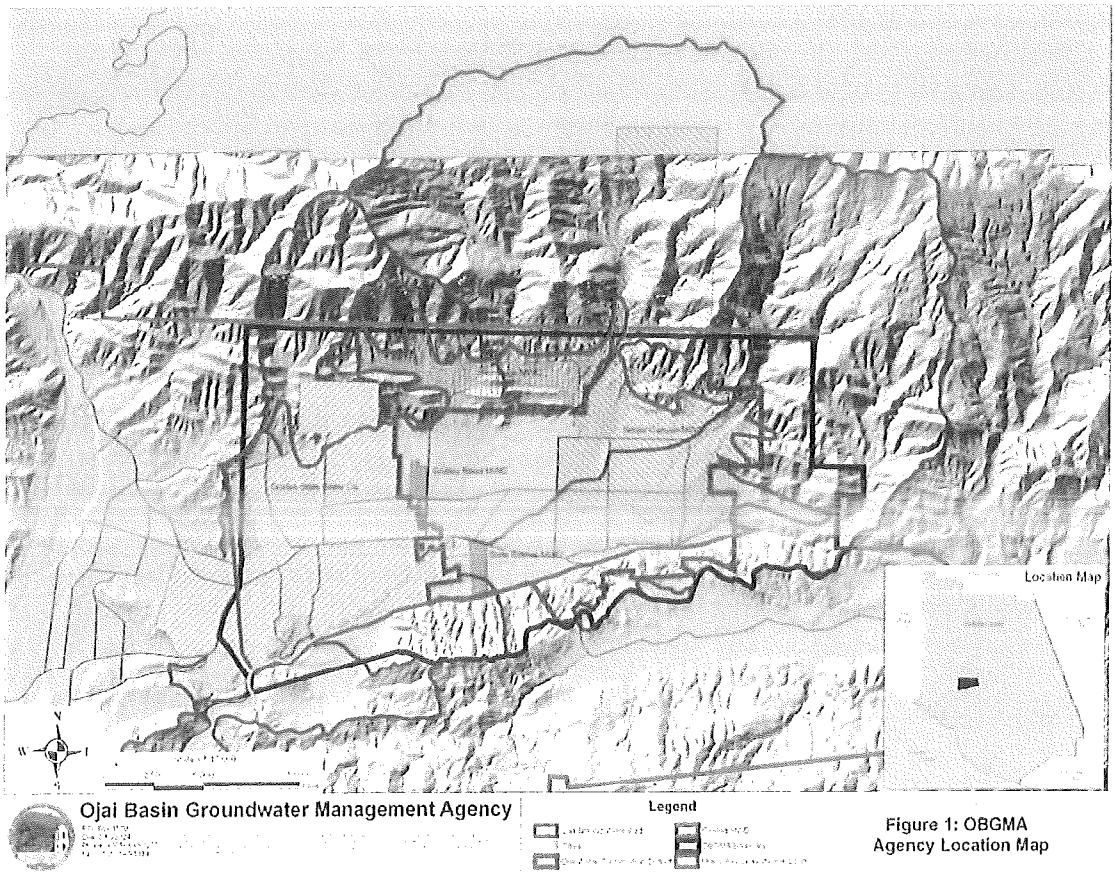


Figure 1 - OBGMA Agency Location Map

Two critical facts underline the importance of the Ojai Basin Groundwater Management Agency (OBGMA) and this Annual Report, which represents a summary of the basin conditions, the OBGMA activities and efforts to manage the basin in keeping with its Management Plan and enabling legislature .

> **Chronic drought is a climatic reality**. Over the last 100 years there were several serious droughts, and climate change may likely bring an increase in the number and intensity of years with below average rainfall. Local precipitation,

the only source of water in the Ventura River watershed, is predicted by several models to decrease in annual averages. Extended periods of drought are likely.

The Ventura River watershed is used by numerous interests. Most water available to the various water purveyors in the watershed is accounted for; it has been predicted that, in a long- term drought, the Lake Casitas could go dry. Existing wells already in the Ojai Basin are producing groundwater at a rate that is considered to be at or slightly below the safe yield of the basin, and it is predicted (with historical precedence) that in a long term drought a significant number of the existing wells will go dry. Stakeholders in the Ojai Basin can not expect an economically reasonable new source of water.

The OBGMA has been given the responsibility for managing the Ojai groundwater basin and, working with its constituents, the well operators in the basin, for conserving that groundwater. The intent of this plan is to avoid, where possible, and strive to minimize, the adverse economic and social impacts facing our valuable but limited water supply.

Board of Directors

The OBGMA Board consists of five members and their alternates. The five seats comprise representatives of each of the following entities:

- Ojai Water Conservation District
- City of Ojai
- Golden State Water Company
- Casitas Municipal Water District
- Mutual water companies

Regular attendance at each of the Board meetings is required to form a quorum and attend to board activities. During 2011 and 2012, the Board was comprised of the following personnel, with alternates occasionally representing and attending:

- Jerry Conrow, President (OWCD)
- Roger Essick (Mutual water companies)
- Russ Baggerly (CMWD)
- Ken Petersen (GSWC)
- Betsy Clapp (City of Ojai)

Summary of years' accomplishments

Over Calendar Years 2011 and 2012, OBGMA accomplished many activities in keeping with its enabling legislation and management planning, including:

- Held monthly board meetings with public participation to carry out the objectives of its enabling legislature and groundwater monitoring plan
- Supported recordation of water extractions for individual well owners
- Documented groundwater extraction from reported pumping
- Monitored water levels in the basin both automatically via a network of data loggers and manually

- Coordinated with County and private entities to monitor basin conditions
- Permitted the construction of four water wells in 2011 and four in 2012
- Successfully completed a groundwater model of the basin
- Supported the ongoing design and permitting of the San Antonio Spreading Grounds rehabilitation project (SACSGRP)
- Participated in outreach programs including presentations to the Groundwater Resources Association of California (GRAC)
- Drafted detailed plans for basin inflow and outflow monitoring and applied to the State for Local Groundwater Assistance Funding to implement the planned monitoring
- Compiled geologic and hydrogeologic data to further the understanding of the basin
- Participated in watershed, county, and state-wide meetings, conferences, and discussions to further the Agency's participation and exposure to affect policy
- Assisted individual stakeholders to understand their roles, rights, and responsibilities as overlying landowners of the groundwater basin.
- Developed, maintained and updated the website (www.obgma.com) to inform the public regarding the OBGMA activities and basin conditions.

2.0 Duties And Responsibilities

The OBGMA is required by law to have a Groundwater Management Plan (Plan) to guide its operations. The initial Plan was prepared and published in 1995. The 2007 Update provided additional information to the original Plan and has been developed based on studies done for the Agency by its hydrogeologists, engineering contractors, input from well owners and water users, recommendations made by the Agency's advisory committee and by the State of California Department of Water Resources. Figure 1 presents a map of the OBGMA area of purview and service areas of other local agencies.

In the ensuing years between the original Plan publication and the 2007 update, numerous studies and projects have been undertaken in the Basin within the purview of the OBGMA and have led to a better understanding of Basin hydrogeology, demands, and hydrologic fluctuations which affect the stakeholders. Continually improved understanding provides an additional level of detail to the goals and objectives of the Plan; as the understanding of the Basin improves over the years, updates to the Plan will be incorporated. It is anticipated that the Plan will be updated every five years.

The Plan consists of five broad goals. Each goal includes a number of action elements, and as described herein there are tables under each goal which demonstrate when various action elements were completed or are planned for completion. While the five broad goals will provide the structure to the Agency's management efforts for several years, the Agency anticipates that the detailed action elements will evolve as the Agency's efforts continue to progress. Approved plan elements will be implemented in the form of rules,

regulations or ordinances. Prior to implementation, additional criteria to guide these actions will be developed in a public process by the Board and added to this management plan. Some elements as noted herein require more study and public review before specific implementation actions are approved. Additions will be made to this Plan as actions to implement these elements are reviewed by the water users and well owners in the basin and approved by the Agency Board of Directors (Board). Revisions or updates to the approved Plan will be made only after full review, consideration of any advisory recommendation and formal approval by the Board.

The five goals are described in detail in the 2007 Groundwater Management Plan Update available at www.OBGMA.com, and are:

1) Understanding the Basin
2) Controlling Exports; protecting and managing the Basin
3) Encouraging Supporting Activities
4) Effective Communication
5) Efficient Administration

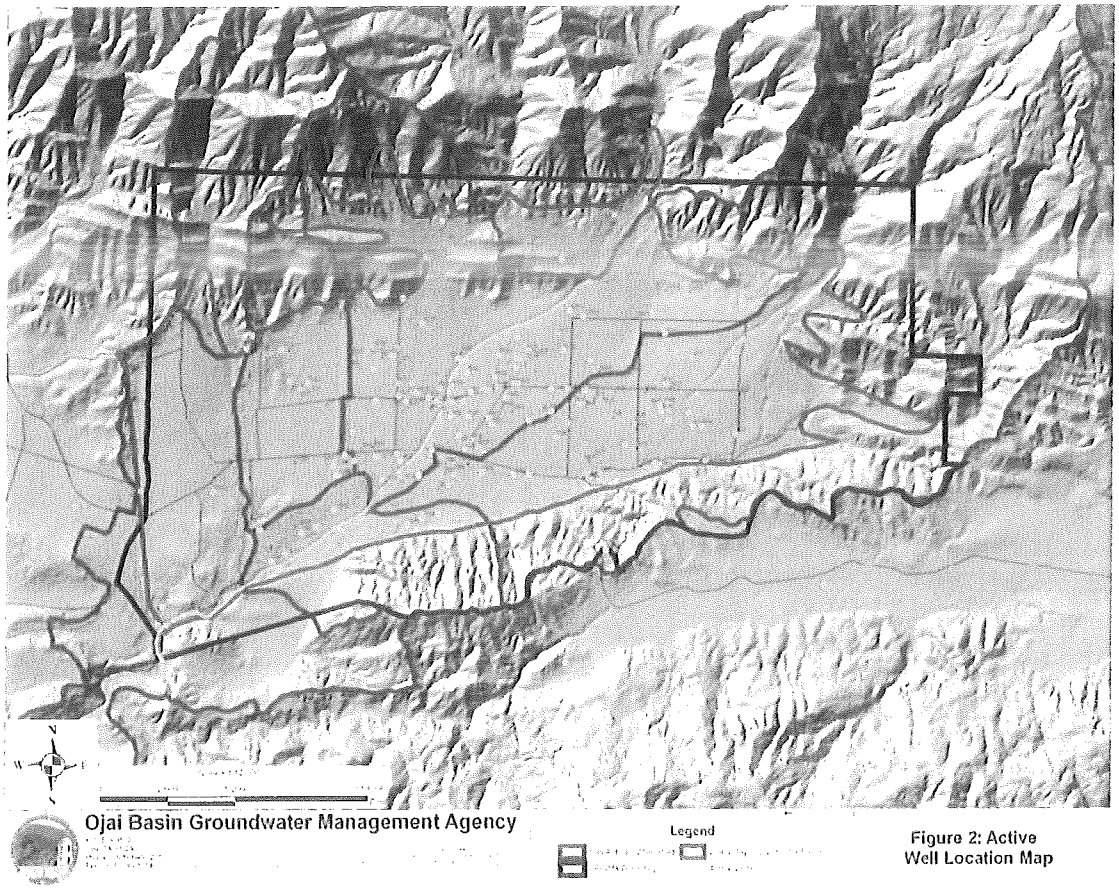


Figure 2- Active Well Location Map

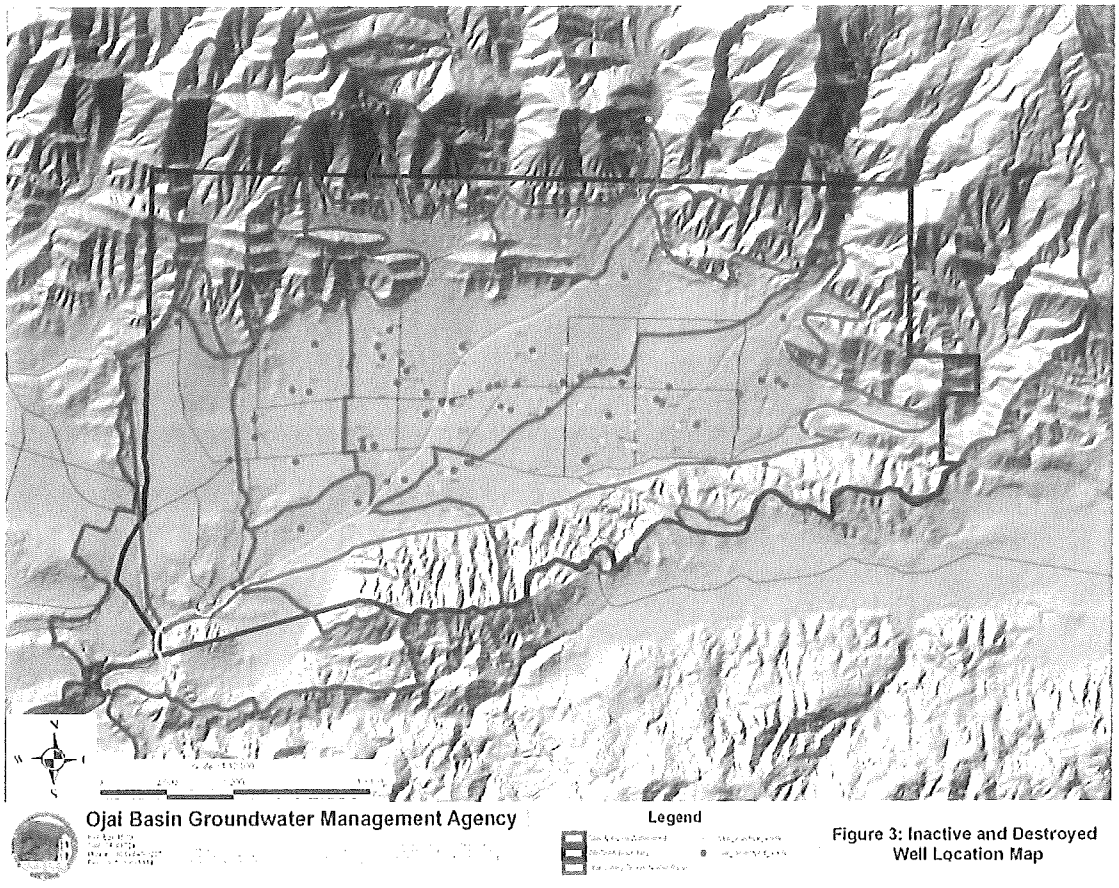


Figure 3- Inactive and destroyed Well Location Map

Ordinances

Many of these goals are met by enacting ordinances and resolutions. During the 2011 and 2012 Calendar Years, no new ordinances were adopted

Resolutions

During the 2011 and 2012 Calendar Years, the following Resolution was adopted and implemented:

Resolution 2011-1 (draft) and 2, adopted, signed, and approved June 30. 2011 approved an extraction charge of $15.00 per Acre Foot.

Projects

Two Major Projects were implemented with the OBGMA serving as major stakeholder.

The Groundwater Model

Importantly, the OBGMA completed the "Groundwater Model Development, Ojai Basin, Ventura County, California," in final form on November 15, 2011. This significant modeling effort was funded through the DWR Local Groundwater Assistance (LGA) Program and represented a leap in the technical understanding of the Basin and the capabilities of the OBGMA to model various scenarios related to natural and artificial recharge, groundwater extraction, and new well construction. Ongoing model updates, conducted at the discretion of the Board, allow the OBGMA to consider the effects of various scenarios including drought, recharge, additional well construction and groundwater extraction.

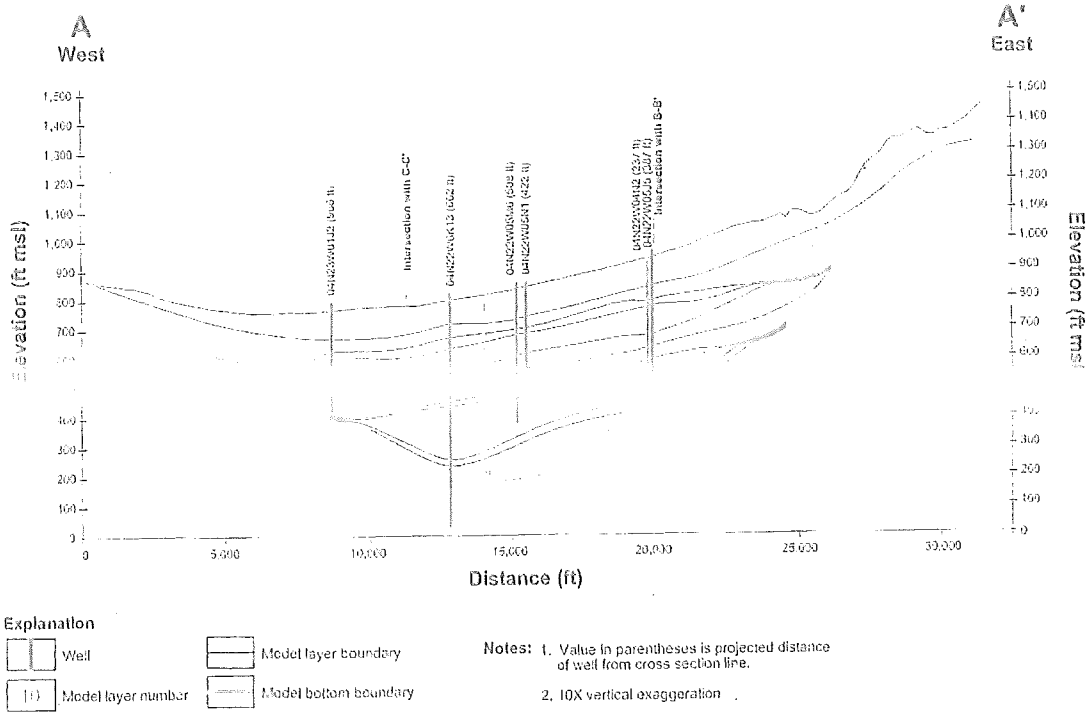


Figure 4 - West to east cross section showing 11 model layers

The SACSGRP

The San Antonio Creek Spreading Grounds Rehabilitation Project (SACSGRP) is intended to increase groundwater storage and recharge in the Ojai Valley Groundwater Basin by rebuilding an abandoned diversion works, rehabilitating existing relic infiltration basins, and constructing passive percolation recharge wells adjacent to San Antonio Creek. The project site is located on an 11.4 acre parcel of land owned by the Ventura County Watershed Protection District adjacent to San Antonio Creek, within the

unincorporated portion of Ventura County, approximately 0.9 miles northeast of the City of Ojai, California. The proposed project received $1,315,000 in grant funding from the State Water Resources Control Board through the Proposition 50 Integrated Regional Water Management Grant, which was awarded to the Watershed Coalition of Ventura County. A stakeholder group composed of the Ojai Basin Groundwater Management Agency, the Ojai Water Conservation District, the Golden State Water Company, the Casitas Municipal Water District and the Ventura County Watershed Protection District was formed in January 2008 to collaborate on the implementation and maintenance of the proposed project. The primary purpose of the project is to capture 25 cubic feet per second (cfs) of surface flow (when available) from San Antonio Creek to recharge the Ojai Valley Groundwater Basin and help augment the Ojai Valley's water supply.

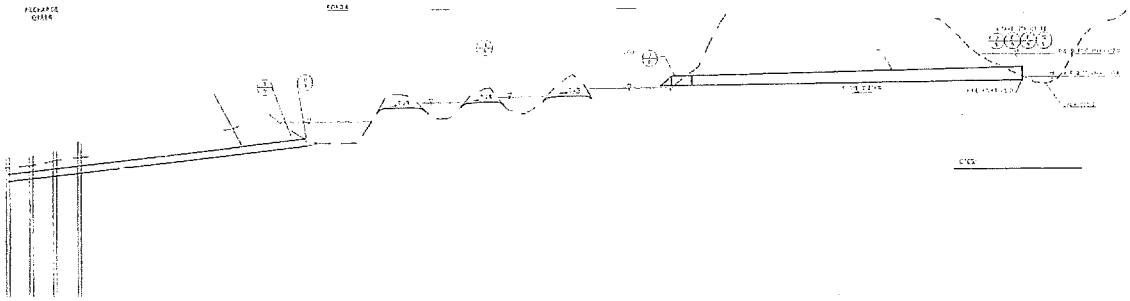


Figure 5 -Hydraulic profile for SACSGRP
from diversions through intake to recharge wells

The Ojai Groundwater Basin Inflow/Outflow Study
OBGMA Completed an application to the 2012 DWR LGA grant solicitation to implement the proposed project entitled "Ojai Groundwater Basin Inflow/Outflow Study," which has been abbreviated to the acronym of "IOS." As the name implies, the IOS strives to quantify the inflowing surface water that recharges the basin, the outflowing surface water that discharges from the basin, and quantify the surface water flowing through the central portion of the basin at the point of compliance for the SACSGRP.

Although the project was not initially funded through the highly competitive LGA process, the workplan presented in the application can serve for the OBGMA's implementation in a self-funded means or future grant applications.

The application components are found at:

http://www.water.ca.gov/lgagrant/docs/applications/Ojai%20Basin%20Groundwater%20Management%20Agency%20%28201209870016%29/

Inventory and Status of Wells

During 2011, 125 wells were actively reporting groundwater extraction from the Ojai Basin. During 2012, this number decreased by one, as a net decrease in well inventory was realized; four new wells were constructed each year, two wells were destroyed in 2012 and one was destroyed in 2011.

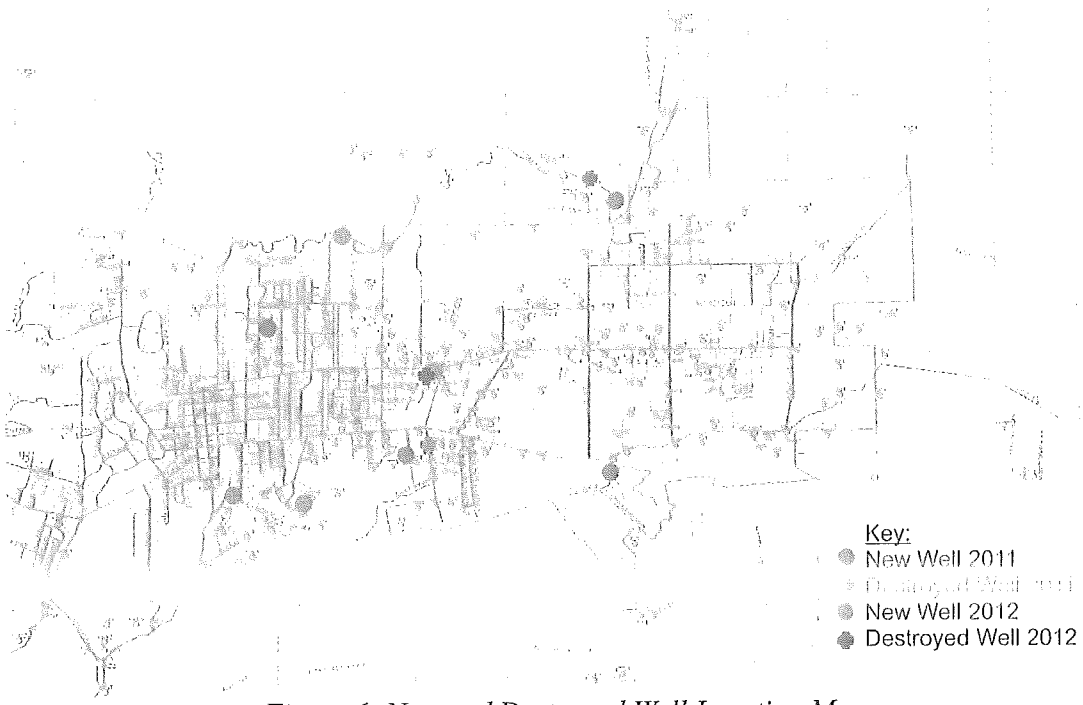


Figure 6- New and Destroyed Well Location Map

3.0 Precipitation

In the Ventura River Watershed, no significant water is imported for human uses including agricultural, irrigation, or municipal supplies. Virtually all water tributary to the Ojai Groundwater Basin derives from the hydrologic cycle as precipitation within the mountainous area surrounding the Ojai Basin and, to a lesser degree, precipitation on the valley floor itself.

An excellent proxy for recharge is precipitation as measured at the Ojai Fire Station. Long-term (1931-2012) average annual rainfall at that location is 21.21 inches; higher in the watershed, the average annual precipitation is nearly 36 inches.

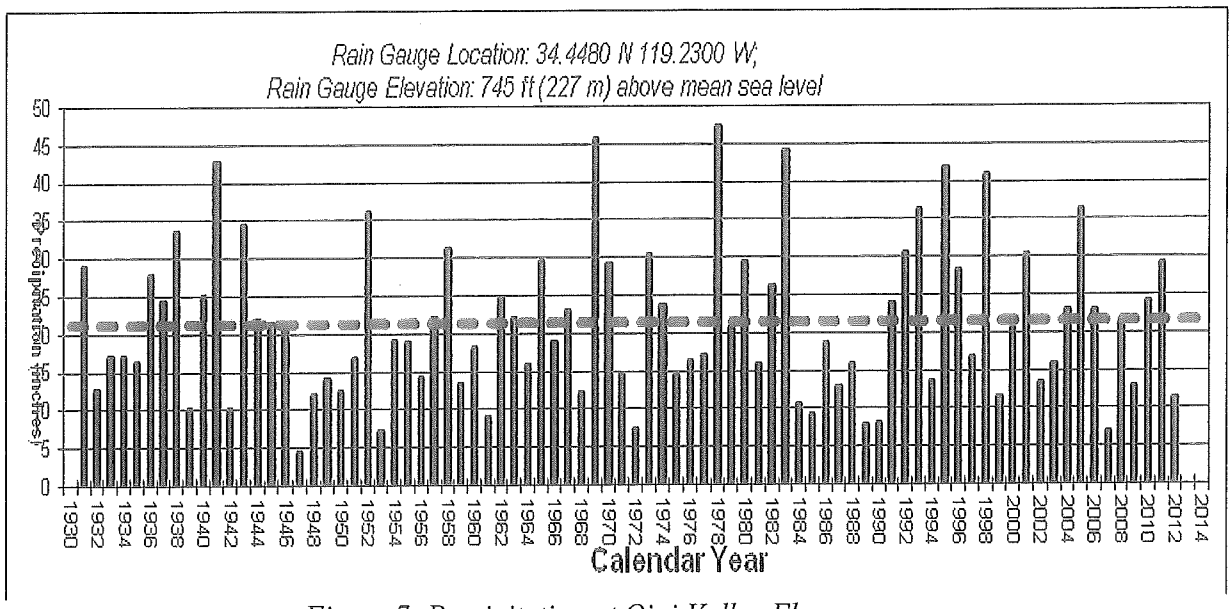


Figure 7- Precipitation at Ojai Valley Floor

In addition to the bar chart presented above, the accumulative departure from average annual precipitation is an indicator of drought periods versus periods of "normal" or "wet" periods. As the curve declines to the right, a period of drought is realized. Locally, it appears that a drought period began after the end of the 2010-2011 water year.

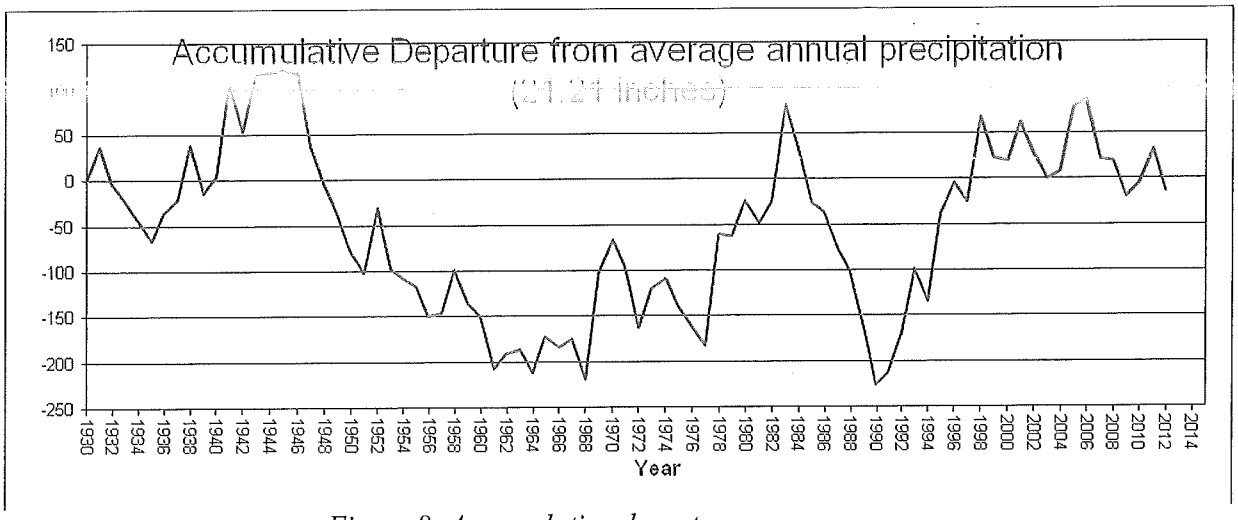


Figure 8- Accumulative departure curve

Based on the amount of precipitation measured within the watershed, and modeled recharge estimates, the OBGMA estimates that during water year ending 2011, 29.27 inches of rain fell on the valley floor and upwards of 10,000 acre-feet of water recharged to the basin. Similarly, during water year ending September 30, 2012, 11.35 inches of rain fell on the valley floor and about 2,000 acre feet of recharge was added to the basin storage.

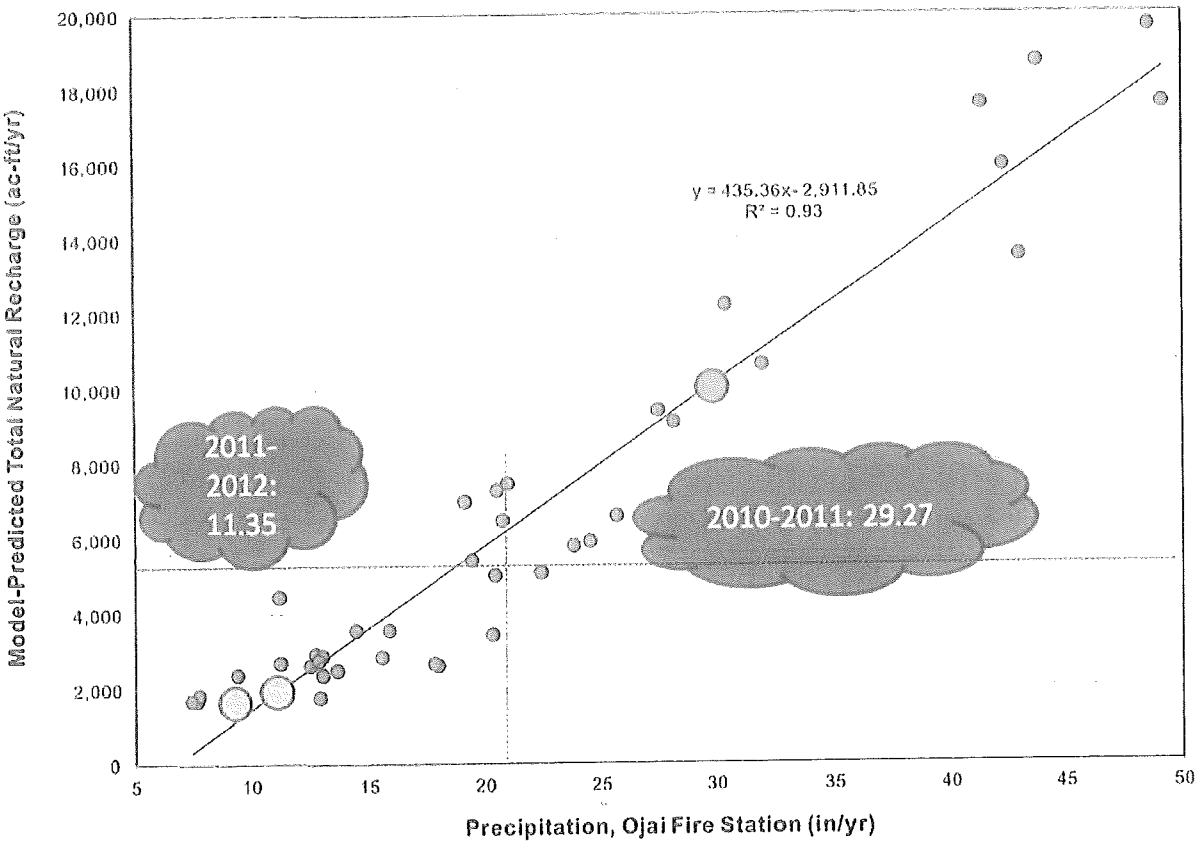


Figure 9- Relationship between precipitation and recharge

4.0 Groundwater Levels

Modeled and observed phenomena indicate that any precipitation less than 11 inches on the valley floor is taken up by evapotranspiration and soil storage, among other factors, and that significant recharge is limited to primarily subsurface flow during these drier years. The OBGMA's monitoring of the basal alluvial aquifer near the SACGRP Project indicate a favorable component of "recharge without rainfall" as discharges from adjacent bedrock aquifers contribute spring flow and subterranean contributions to the alluvial aquifers.

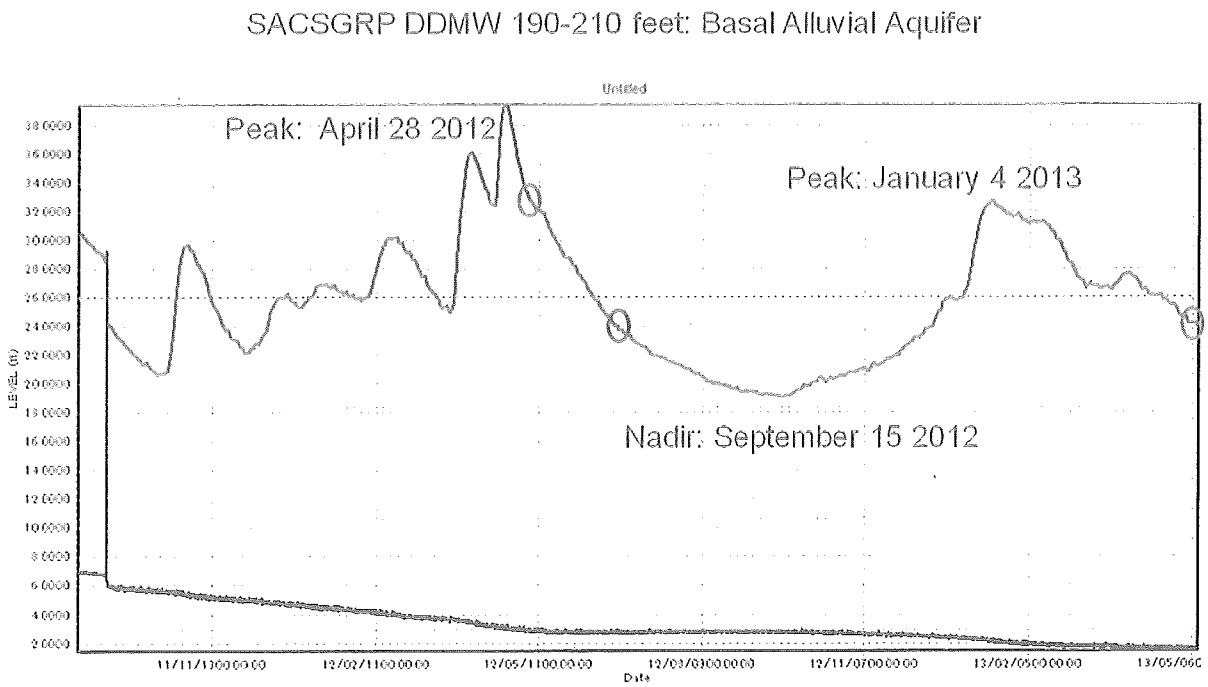


Figure 10- SACSGRP DDMW water levels October 2011 to May 2013

Monitoring of water levels by the County and OBGMA in several key wells provide a direct insight into basin storage and the effects of drought on portions of the basin. Generally, peripheral northern and eastern areas appear to be less affected by the droughts as they store the bedrock-derived recharge first as compared to central and southern portions of the basin. Additional storage capacity and extraction from the central portions of the basin compared to the peripheral areas also contribute to this phenomenon of discrepancy in water levels.

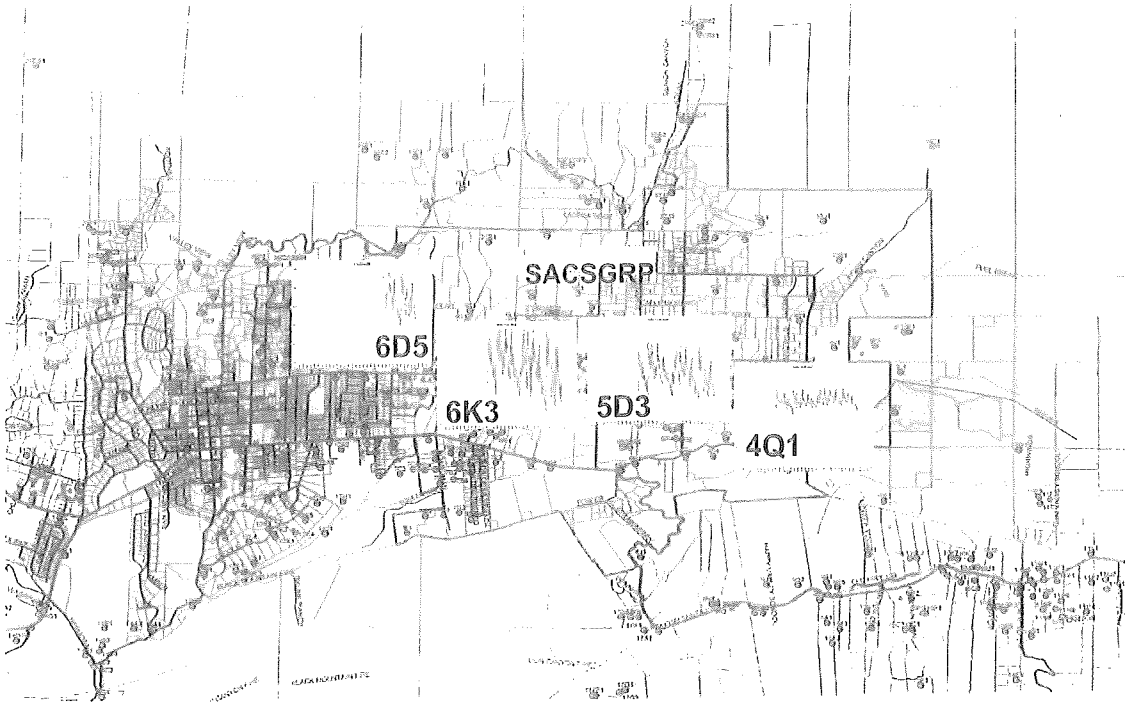
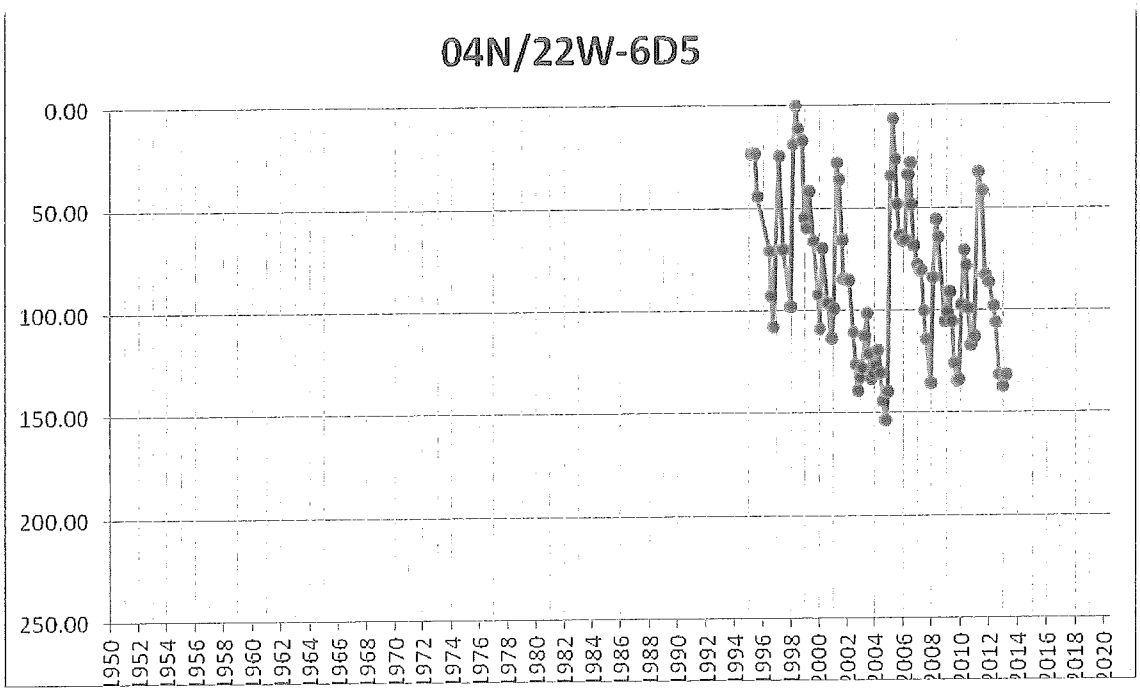
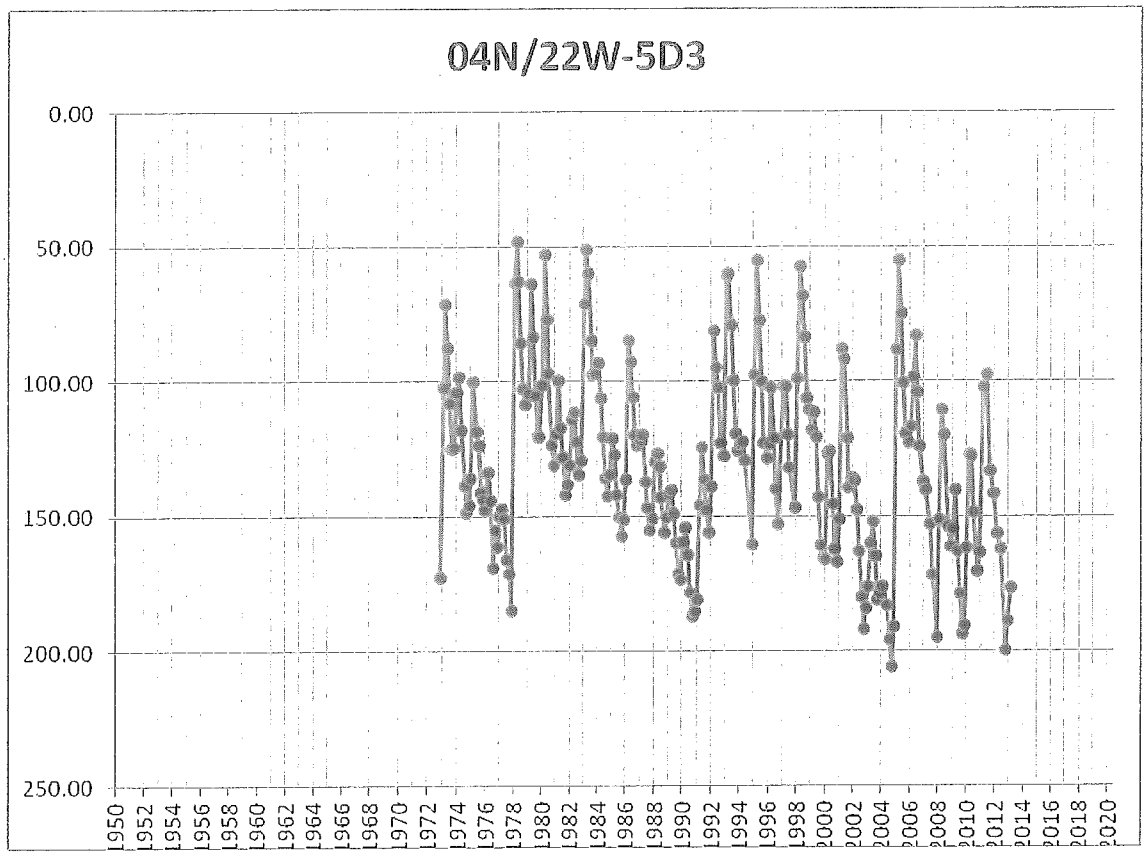


Figure 11 - Locations of Wells with hydrographs are shown above, including the SACSGRP DDMW basal alluvial aquifer, while details of the data are presented on the following graphs.




04N/22W-5D3
0.00
50.00
100.00
150.00
200.00
250.00
1950
1952
1954
1956
1958
1960
1962
1964
1966
1968
1970
1972
1974
1976
1978
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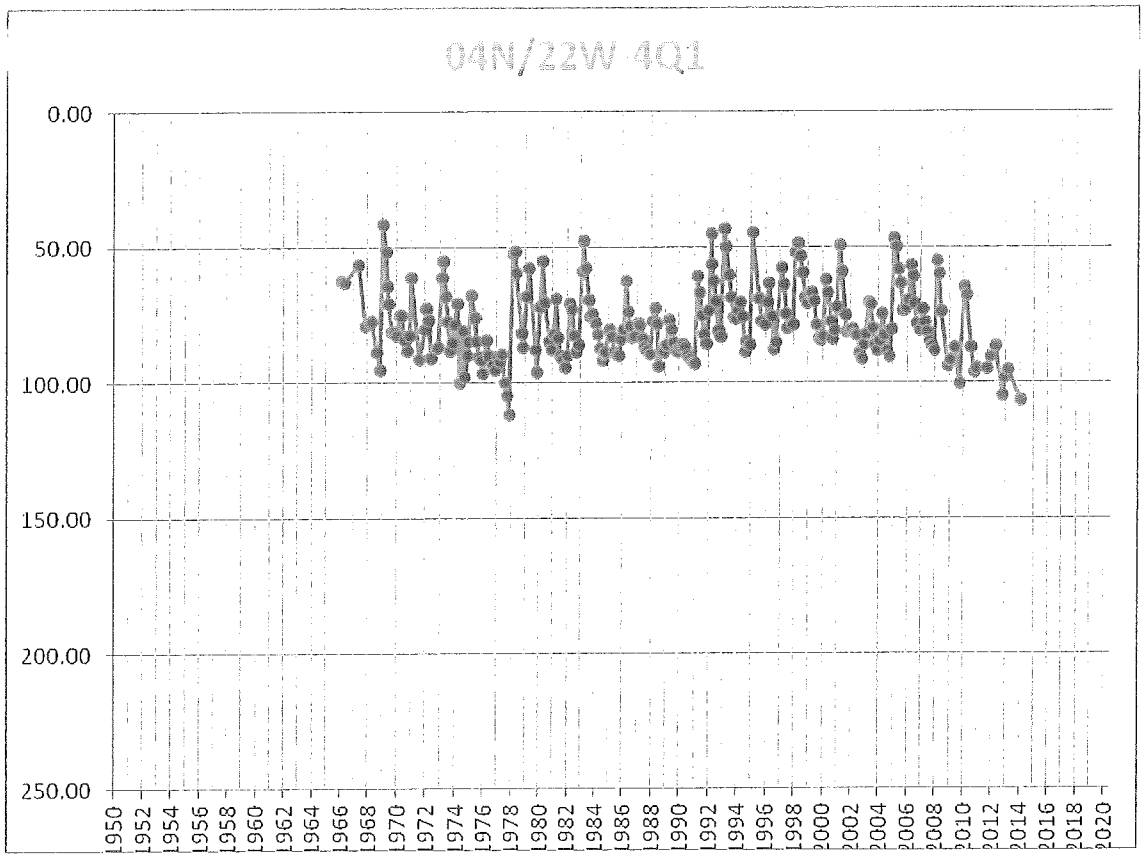
04N/22W-4Q1
0.00
50.00
100.00
150.00
200.00
250.00
1950
1952
1954
1956
1958
1960
1962
1964
1966
1968
1970
1972
1974
1976
1978
1980
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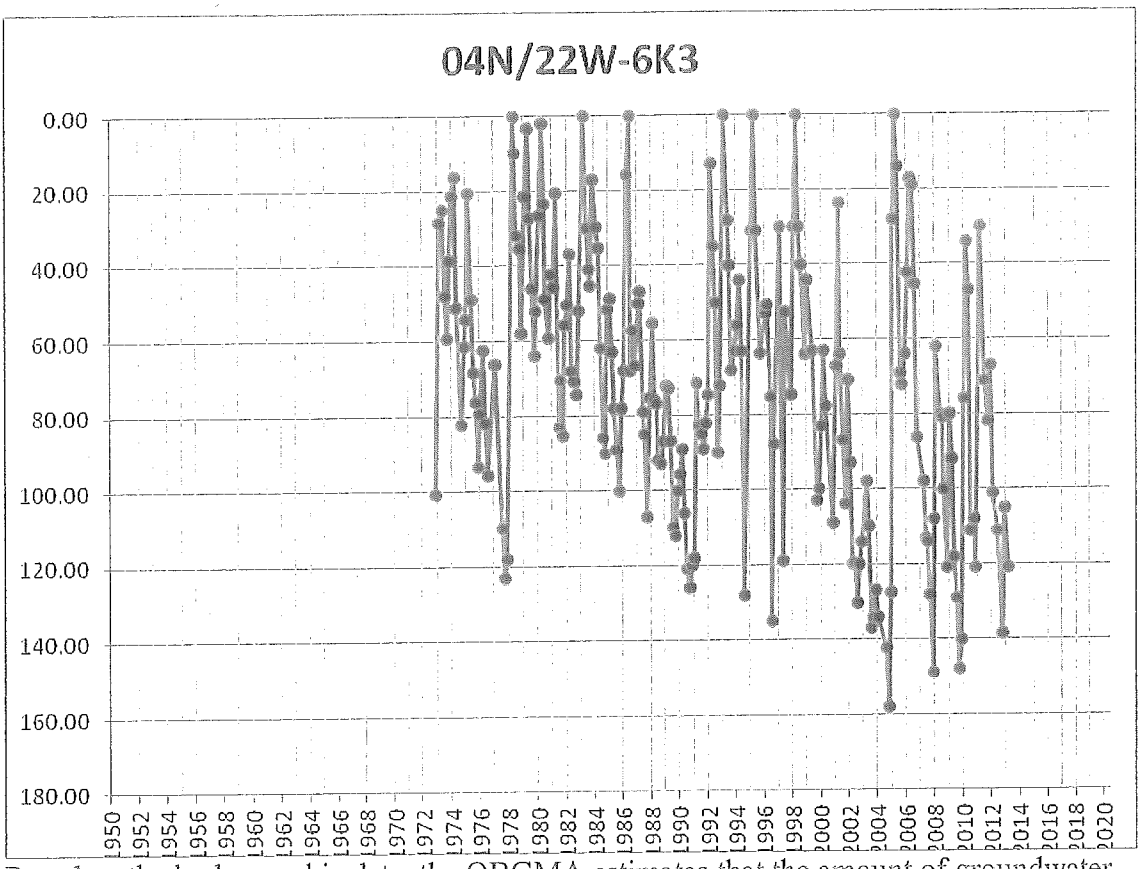
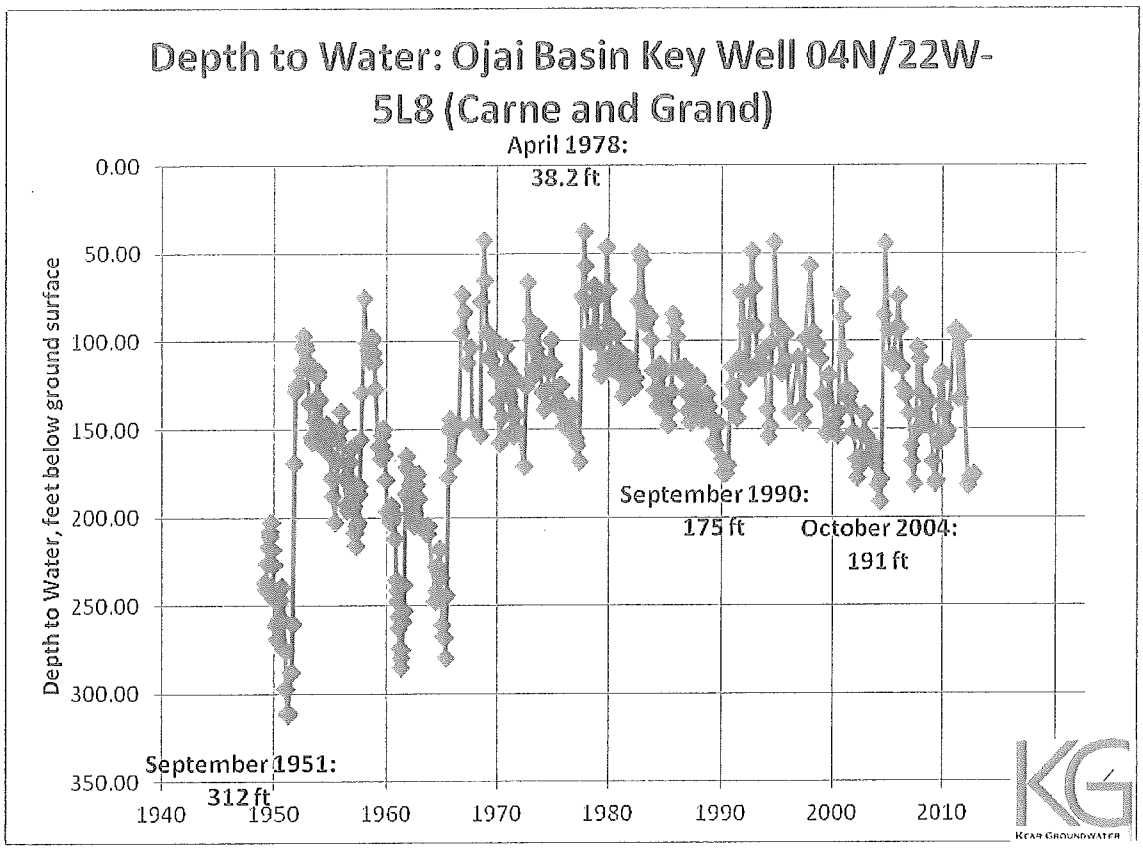


Based on the hydrographic data, the OBGMA estimates that the amount of groundwater in storage in the Basin at the spring high point is as follows:

The historic nadir in basin storage was in 1951 during a significant drought and before the current practice of conjunctive use including Casitas water imports was commonplace. At that time, in 1951, 43,741 acre feet are estimated to have been in storage in the Basin. This nadir is a significant threshold because the confined aquifer skeleton would have been maximally compacted at that time. Static water levels below that depth would increase compaction and potentially cause subsidence and cause irrecoverable storage capacity in the Ojai Basin.

YEAR	Springtime Basin storage (Acre Feet)
2002	62,567 AF
2003	57,087 AF
2004	55,094 AF
2005	80,000 AF *Artesian Flow Observed*
2006	62,810 AF *Artesian Flow Observed*
2007	49,750 AF
2008	59,000 AF
2009	50,000 AF
2010	54,627 AF
2011	63,944 AF *Artesian Flow Observed*
2012	62,402 AF


Depth to Water: Ojai Basin Key Well 04N/22W-5L8 (Carne and Grand)
Depth to Water, feet below ground surface
0.00
50.00
100.00
150.00
200.00
250.00
300.00
350.00
1940
1950
1960
1970
1980
1990
2000
2010
April 1978:
38.2 ft
September 1990:
175 ft
October 2004:
191 ft
September 1951:
312 ft
KG
Kear Groundwater

5.0 Groundwater Quality

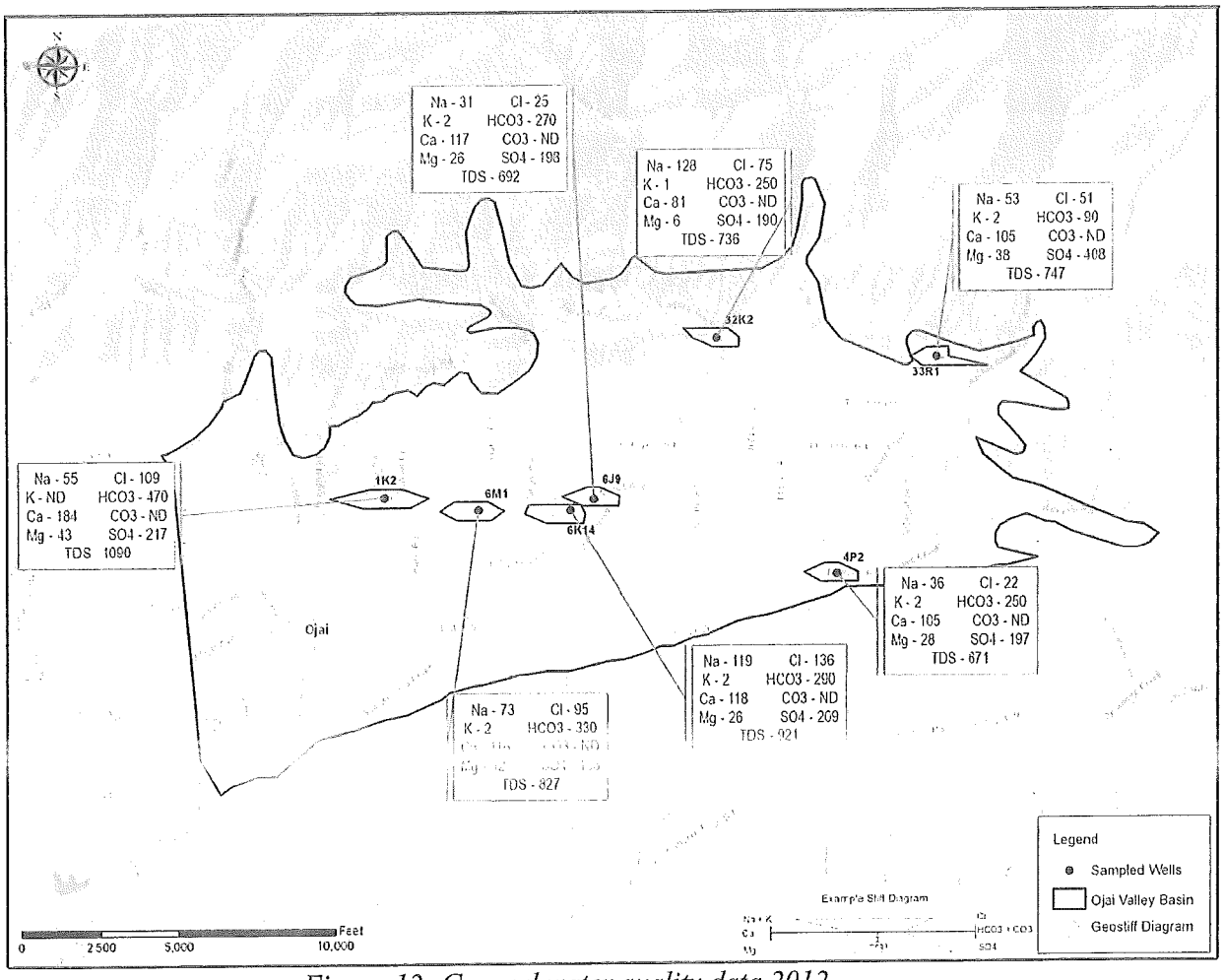


Figure 12- General water quality data 2012

The Ojai Valley Basin water quality is considered good for domestic and agricultural purposes. Average TDS is 812 mg/l and ranges from 671 to 1090 mg/l in county-sampled and reported wells. Depth-discrete information indicate a higher chloride concentration in deep aquifers in the central and southwestern portion of the basin. Two wells have iron (Fe) concentrations above the secondary MCL for drinking water. Water samples from three wells were analyzed for inorganic chemicals (Title 22 metals). No inorganic chemical was above the primary MCL for drinking water. Stiff water quality diagrams in the figure above show that Ojai Valley groundwater chemistry is quite variable. The above figure also shows approximate well locations and concentrations of total dissolved solids (TDS), sodium (Na^+), potassium (K^+), calcium (Ca^{2+}), magnesium (Mg^{2+}), chloride (Cl^-), bicarbonate (HCO_3^-), carbonate (CO_3^{2-}) and sulfate (SO_4^{2-}) for the wells sampled by the County of Ventura in the Ojai Valley basin in 2012.

6.0 Groundwater Extractions

Reported Extractions

Reported extractions from 125 wells in 2011 and 124 wells in 2012 indicate an extraction quantity of 5,125 acre-feet and 5,310 acre-feet, respectively.

These extraction totals are in-line with historical use and trends since the OBGMA has been monitoring extractions from the Basin. Graphical depiction of these extractions, compared to estimated irrigation demand, imported water, and municipal groundwater extraction, are presented and tabulated below. Notably absent from this calculation is the imported water from Lake Casitas that Golden State Water Company (GSWC) provided to its customers.

Since the passage of OBGMA Ordinance No. 7 requiring metering of extraction facilities, an increased accuracy is afforded to these calculations and reporting. Additionally, a general declining trend may be observed owing to the fact that crop factors, formerly used to estimate extraction, often overestimated the actual amount of groundwater extraction.

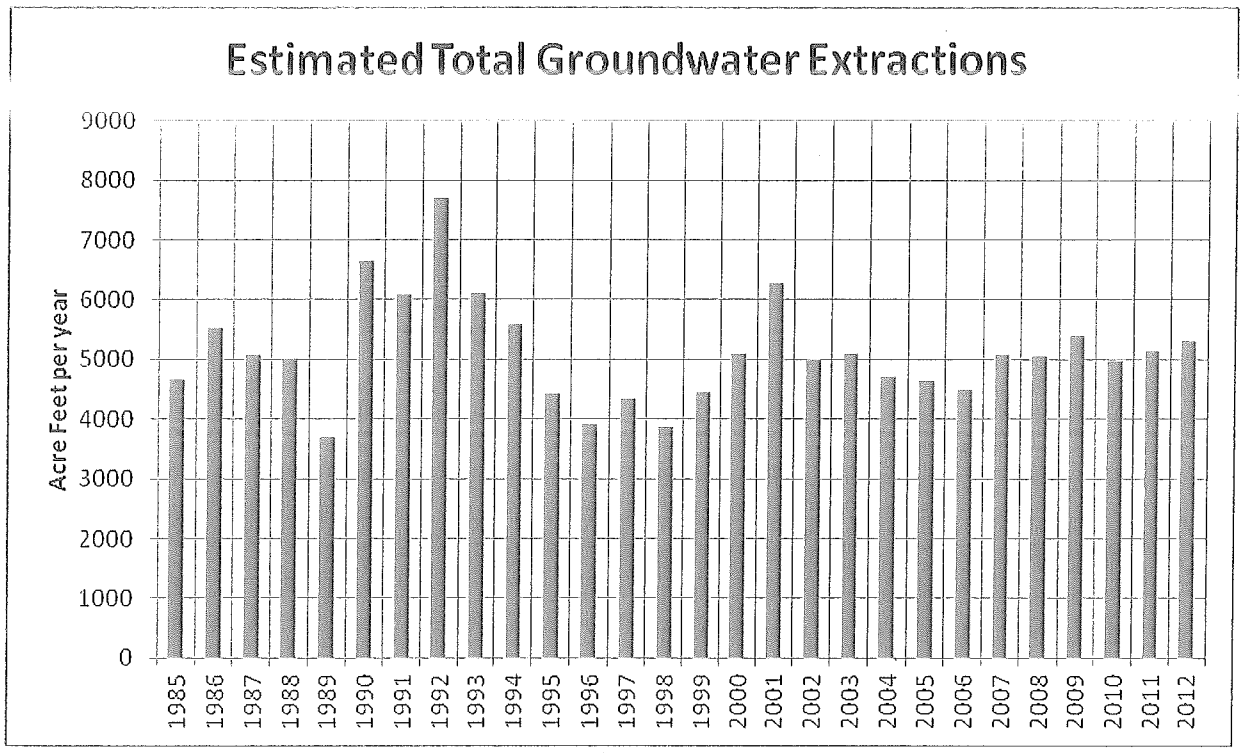


Figure 13 - Acre feet of groundwater extraction over time

Groundwater Extractions, Demands and Imports

Calendar Year	Estimated Irrigation Demand	Casitas Importation	Estimated Groundwater Extraction (Private Wells)	Groundwater Extraction (GSWC)	Estimated Total Groundwater Extractions
1985	7200	4181	3019	1638	4657
1986	7500	3633	3867	1663	5530
1987	7800	4473	3327	1744	5071
1988	7796	4635	3161	1839	5000
1989	7093	5169	1924	1766	3690
1990	9804	4961	4843	1804	6647
1991	7631	3377	4254	1819	6073
1992	8769	2744	6052	1645	7697
1993	6829	2800	4029	2070	6099
1994	7072	3433	3639	1946	5585
1995	6117	3530	2587	1846	4433
1996	6801	4468	2333	1569	3902
1997	8017	5272	2745	1583	4328
1998	5071	3115	1956	1913	3869
1999	6185	3922	2263	2181	4444
2000	7054	4044	3010	2080	5090
2001	7204	3195	4009	2258	6267
2002	7021	4249	2772	2220	4992
2003	6450	3428	3022	2066	5088
2004	7058	4185	2873	1824	4697
2005	5462	2768	2694	1955	4649
2006	5462	2796	2666	1818	4484
2007	6877	3770	3107	1963	5070
2008	6492	3176	3316	1736	5052
2009	7054	3411	3643	1751	5394
2010	5633	2404	3229	1742	4971
2011	5867	2990	3191	1934	5125
2012	6292	2986	3664	1646	5310

Natural Discharge

Natural discharge from the Basin occurs primarily via San Antonio Creek. Modeled discharge to surface streams is reported to average 2,282 Acre feet per year. Smaller components of discharge are to evapotranspiration (258 af/yr) and outflow to downgradient bedrock and alluvium (129 AF/yr).

In Water Year Ending 2011, a total of 10,597 acre feet are calculated to have discharged at San Antonio Creek beneath the Casitas Springs bridge at Highway 33. This compares to 906 Acre feet at the same point for water year ending 2012. The Ojai Basin comprises

approximately 70.3 percent of the surface water tributary area to this gage and is one of the only groundwater basins that provides perennial discharge to the creek system. Although no active gage is present to date near the discharge point from the Ojai Basin, monitoring of the San Antonio Creek at Creek Road is within the OBGMA Purview and a planned activity.

7.0 Conclusions

Outlook for coming year (2013 and 2014)

Local precipitation in 2011 and 2012 represented a drying trend with declining precipitation totals for each water year. Continued persistent drought is anticipated, with low precipitation anticipated for 2013 and 2014. Demand on the Basin is anticipated to be high and natural discharges low.

Agency Planned Activities

For 2013 the OBGMA is planning several key objectives:

- Continued involvement in the SACSGRP, slated for construction late 2013
- Installing and monitoring additional continuous water level monitoring devices in key stakeholders' wells
- Adding hydrographs to the website
- Permitting wells
- Running model updates to evaluate dynamic conditions and scenarios
- Holding monthly board meetings with public participation to carry out the objectives of its enabling legislature and groundwater monitoring plan
- Supporting recordation of water extractions for individual well owners
- Documenting groundwater extraction from reported pumping
- Coordinating with County and private entities to monitor basin conditions
- Participated in outreach programs
- Compiling geologic and hydrogeologic data to further the understanding of the basin
- Participating in watershed, county, and state-wide meetings, conferences, and discussions to further the agency's participation and exposure to affect policy
- Assisting individual stakeholders to understand their roles, rights, and responsibilities as overlying landowners of the groundwater basin.
- Maintaining and updating the website to inform the public regarding the OBGMA activities and basin conditions.
- Considering a Groundwater Management Plan Update
- Considering the ramifications of ownership transfer of GSWC on basin management, possibly revising the OBGMA Act
- Continue to explore and apply for grant funding opportunities to carry out the OBGMA responsibilities, goals and objectives.

OJAI BASIN
GROUNDWATER MANAGEMENT AGENCY
A STATE OF CALIFORNIA WATER AGENCY

MEMBER AGENCIES
Ojai Water Conservation District
Casitas Municipal Water District
City of Ojai
Golden State Water Company

OJAI BASIN MUTUAL WATER COMPANIES
Senior Canyon MWC
Siete Robles MWC
Hermitage MWC

January 19, 2015

Mark S. Nordberg, P.G. Senior Engineering Geologist
Sustainable Groundwater Management Section
California Department of Water Resources
Division of Integrated Regional Water Management
P.O. Box 942836
Sacramento, CA 94236-0001

Dear Mr. Nordberg:

The Ojai Basin Groundwater Management Agency (OBGMA) adopted resolution No. 2014-4 on December 4, 2014, in which the agency elected to become the exclusive Groundwater Sustainability Agency for the Ojai Basin pursuant to Section 10723 (c)(3). The holiday season interrupted our regular schedule of meetings, therefore, our next regularly scheduled meeting is January 29, 2015. OBGMA sends you this letter to complete the requirements listed in Sections 10723.2 and 10723.8.

The new law became effective January 1, 2015 and the Department posted OBGMA's notice as required 15 days after receiving our resolution and letter of intent becoming the Sustainable Groundwater Management Agency for the Ojai Basin.

In order to comply with the above mentioned Sections of the Sustainable Groundwater Management Act, OBGMA is submitting the required list of interested parties pursuant to Section 10723.2 and the required explanation of how their interests will be considered in the development and implementation of the agency's sustainability plan pursuant to Section 10723.8 (a)(4).

OBGMA, as a California Special District, implements the Groundwater Sustainability Act according to our 1991 initializing legislation (the Ojai Basin Groundwater Management Act), the new Sustainable Groundwater

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Management Act, our adopted ordinances, resolutions and the overall transparency of government business through rigorous compliance with the Ralph M. Brown Act.

All well owners overlying the basin are subject to management parameters outlined in law. The well owners will have direct representation on the Board of Directors for the agency and access to our website for all information pertinent to them and the overall transparency of government business through rigorous compliance with the Ralph M. Brown Act.

Golden State Water Company and Casitas Municipal Water District are the water purveyors within the agency boundaries. Both agencies are represented on the Board of Directors of the agency.

Ventura County Resource Management Agency and the City of Ojai are the land use regulators within our district boundaries and they would be consulted with in regard to development that would impact the groundwater sustainability of the basin. The City of Ojai is represented on the Board of Directors of the agency.

Golden State Water Company is the holder of an appropriative water right within our jurisdiction. Our initializing legislation as well as the California Water Code precludes any interference or change related to this water right.

Ventura County Watershed Protection District (WPD). OBGMA and WPD collaborate frequently on issues related to groundwater, water well management and flood control issues.

United States Forest Service – Ojai Ranger District - It is most unlikely that OBGMA would ever have a need to interface with this federal agency as their jurisdiction is outside our boundaries.

Ventura River Watershed Council. OBGMA is a member in good standing with this organization that is primarily interested in integrated water management in the Ventura River Watershed.

Watersheds Coalition of Ventura County. OBGMA is a member in good standing with this organization that is primarily interested in integrated water management in Ventura County.

Ojai Water Conservation District is represented on the Board of Directors of the agency.

All of the mutual water companies noted below are represented on the Board of Directors of the Agency.

Senior Canyon Mutual Water Company
Heritage Mutual Water Company
Gridley Canyon Mutual Water Company
Siete Robles Mutual Water Company

With this letter submission, OBGMA completes our requirement for being the exclusive Sustainable Groundwater Management Agency for the Ojai Basin.

Sincerely,
Jerry L. Conrow
Jerry L. Conrow
President, Ojai Basin Groundwater Management Agency