

STATE WATER RESOURCES CONTROL BOARD

RESOLUTION NO. 81-100

UPPER AQUIFER SYSTEM, OXNARD PLAIN - NEED FOR ADJUDICATION

WHEREAS:

1. The Oxnard Plain Groundwater Basin in Ventura County produces a major portion of the local water supply.
2. This local water supply supports an important agricultural economy.
3. Substantial amounts of groundwater are also pumped for municipal and industrial purposes.
4. The Oxnard Plain Groundwater Basin contains five aquifers. These are, from top to bottom, the Oxnard, Mugu, Hueneme, Fox Canyon and Grimes Canyon aquifers. The Oxnard and Mugu aquifers have been grouped as the Upper Aquifer System. The Hueneme, Fox Canyon and Grimes Canyon aquifers have been grouped as the Lower Aquifer System.
5. Due to extensive pumping of groundwater, seawater has intruded the Oxnard aquifer of the Oxnard Plain Groundwater Basin almost continuously over the past 30 years and now underlies more than 20 square miles of the basin rendering the groundwater unfit for most beneficial uses.
6. Since initial recognition of the seawater intrusion problem in 1951, local government entities have been unsuccessful in stopping seawater intrusion.
7. On June 15, 1978, the State Water Resources Control Board recognized that failure to take decisive action against the intrusion of seawater into the Oxnard Plain Basin will result in destruction of or irreparable injury to the quality of water contained therein and seriously impair the usefulness of the basin as a reservoir for storage of fresh water.
8. The Board has given notice to Upper Aquifer System users of a hearing in accordance with Water Code Section 2101(a) and Government Code Section 6060.
9. A hearing was held in Oxnard on October 11, 1979 to determine the need for Board action under Water Code Sections 2100-2102.
10. By Resolution 80-13, adopted on March 20, 1980, the Board continued the hearing through September 30, 1980, and on September 18, 1980, the Board again continued the hearing.
11. On August 20, 1981 the Board reconvened the hearing.
12. Testimony by local agencies did not show sufficient progress toward stopping seawater intrusion and was limited to showing of efforts to gain local funding approval.
13. Further delays will increase the intrusion area.

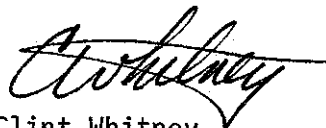
14. The hearing held under Water Code Section 2101(a) was closed on August 20, 1981.
15. Water Code Section 2101(b) provides that the Board will take no action to adjudicate the rights to groundwater (except that it may become a party to an action) if a local agency commenced an adjudication within 90 days of a decision by the Board that an adjudication is necessary to protect groundwater.

THEREFORE, BE IT RESOLVED that:

1. The Board finds the rights to the use of groundwater in the Upper Aquifer System of the Oxnard Plain Basin must be adjudicated in order to require the restriction of pumping or physical solution necessary to preserve it from destruction or irreparable injury to quality.
2. The Division of Water Rights is directed to advise local agencies of this resolution and to report to the Board at the March 1982 Workshop whether any local agency has commenced actions to adjudicate the groundwater of the Upper Aquifer System. For the purposes of this resolution, the commencement of an action to adjudicate shall mean that an action has been filed in the Superior Court of Ventura County by a local agency against those persons pumping water from the Upper Aquifer System.
3. If no local agency files a lawsuit in Ventura County Superior Court for the purpose of adjudicating groundwater rights in the Upper Aquifer System of the Oxnard Plain Basin, the Chief, Division of Water Rights, is directed to request the Attorney General to take appropriate action under Water Code Sections 2100-2102 including seeking preliminary and permanent injunction.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board on November 19, 1981.



Clint Whitney
Executive Director