

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY



BOARD OF DIRECTORS

Eugene F. West, Chair, Director, Camrosa Water District
Kelly Long, Vice Chair, Supervisor, County of Ventura
Michael Craviotto, Farmer, Agricultural Representative
Lynn Maulhardt, Director, United Water Conservation District
Tony Trembley, Mayor, City of Camarillo

INTERIM EXECUTIVE OFFICER

Arne Anselm

NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the Fox Canyon Groundwater Management Agency (FCGMA) Board of Directors will hold a **Board Hybrid Meeting** at **12:30 P.M.** on **Wednesday, October 23, 2024**, in the **Board of Supervisor's Hearing Room and via Zoom**, at the Ventura County Government Center, Hall of Administration, Main Plaza Level at **800 South Victoria Avenue, Ventura, California**.

FCGMA BOARD REGULAR MEETING AGENDA

October 23, 2024
12:30 P.M.

Welcome to the Meeting of the Fox Canyon Groundwater Management Agency Board of Directors, also sitting as watermaster for the Las Posas Valley Basin and the groundwater sustainability agency for the Las Posas Valley Basin, the Pleasant Valley Basin, and the Oxnard Subbasin. For more information, full agenda packets, or past meeting information, visit www.fcgma.org.

In compliance with the Americans with Disabilities Act, all possible accommodations will be made for individuals with disabilities so they may attend and participate in meetings. If special assistance is needed, please call Agency staff at (805) 654-2014 at least 24 hours prior to the meeting so proper arrangements may be assured. If requested, and as possible, agendas will be provided in alternative formats.

Agenda items are numbered for identification purposes only and may not necessarily be considered in this order. Agenda items are grouped under Las Posas Valley Watermaster (LPV Watermaster) or under Fox Canyon Groundwater Management Agency (FCGMA), if the item directly applies only to that entity. The Board reserves the right to limit each speaker to five (5) minutes per subject or topic if necessary. The public portion of every public meeting of the Board of Directors is recorded. Please see the "STANDING NOTICES" section at the end of this Agenda for more information, including options for hybrid attendance and public participation.

OPENING

- 1. Call to Order** – The Board Chair will call the meeting to order.
- 2. Pledge of Allegiance** – A Board member will lead the Pledge of Allegiance.

3. **Roll Call** – Attending Board members, alternates, and staff will be recorded by the Board Clerk.
4. **Agenda Review** – Consider and approve by majority vote, any minor revisions to Board Agenda items and/or attachments and any item(s) added or removed from this Agenda.
5. **Public Comments** – Audience members may speak about FCGMA-related matters not on today's Agenda. California State law does not allow any response or action from the Board concerning non-agenda topics at this time; however, topics can be placed on future agendas or referred to staff. Please come to the podium and state your name and affiliation for the record before commenting on any particular subject.
6. **Executive Officer's Comments** – Brief announcements and administrative report on Agency workforce activities.
7. **Board Member Comments** – An opportunity for Board Members to make comments or to communicate with other directors, staff, and/or the public regarding non-agenda topics.

CONSENT AGENDA

Routine items are placed under the Consent portion of this Agenda and need only be reviewed and approved by one single motion. Consent Agenda items are grouped under Las Posas Valley Watermaster (LPV Watermaster) or under Fox Canyon Groundwater Management Agency (FCGMA), if the item directly applies only to that entity. Consent items generally require no discussion; however, they may be debated, or voted on by moving them to the "Regular Agenda" portion at the Board's discretion.

8. **Approval of Minutes – (New Item) RECOMMENDATION:** Approve Minutes of the September 25, 2024, Board Regular Meeting.

CONSENT AGENDA – FCGMA Items

9. **FCGMA Budget to Actual Report for September 2024 – (New Item)**
RECOMMENDATION: Receive and File the Monthly Report.
10. **Adoption of the 2024 FCGMA Conflict of Interest Code – (New Item)**
RECOMMENDATIONS: (1) Adopt the 2024 Conflict of Interest Code (COIC) for the Fox Canyon Groundwater Management Agency; and (2) Approve the Chair to sign the amended 2024 FCGMA COIC documents.
11. **Ratify Contract Change Orders Numbers 1 and 2 for Nested Multi-Depth and Shallow Single Completion Monitoring Wells Drilling, Construction and Development Project with WildRose Drilling, LLC dba WildHeron Drilling of Rocklin, California for Construction of the Project to Decrease Total Contract Amount From \$4,989,069.37 to \$2,725,019.37; Specification No. FOX24-01 –**

(Returning Item) **RECOMMENDATIONS: (1)** Ratify Contract Change Order No. 1 decreasing total contract amount by \$269,000, and **(2)** Ratify Contract Change Order No. 2 decreasing total contract amount by \$1,995,050.

CONSENT AGENDA – LPV Watermaster Items

- 12. LPV Watermaster Budget to Actual Report for September 2024 – (New Item)**
RECOMMENDATION: Receive and file the monthly report.

CONSENT AGENDA – LPV Watermaster Correspondence Items

Correspondence Agenda items are presented to the Board for information under the Consent Agenda. These items require no action or are not ready for Board consideration.

- 13. Receive and File Correspondence** from the Las Posas Valley Basin Technical Advisory Committee (TAC), Dated August 27, 2024, Regarding the Committee Consultation Schedule for the Draft LPV 5-Year Groundwater Sustainability Plan (GSP) Evaluation.
- 14. Receive and File Correspondence** from Eugene West, Chair of the Board of Directors, dated October 2, 2024, Regarding the LPV TAC Correspondence on the Committee Consultation Schedule for the Draft LPV 5-Year GSP Evaluation.
- 15. Receive and File Correspondence** from LPV TAC, Dated October 4, 2024, Regarding the Revised Draft Scope of Work to Prepare the 2025 Las Posas Valley Basin Optimization Yield Study.

CLOSED SESSION AGENDA

Discussions of Closed Session Agenda items are closed to the public. The Chair will announce when the Board is going into closed session. Closed session items may be heard at any time during the meeting.

- 16. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code, §54956.9) PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d), PARAGRAPH (1): NAME OF CASE:** Las Posas Valley Water Rights Coalition v. Fox Canyon Groundwater Management Agency, Santa Barbara County Superior Court Case No. VENC10059700
- 17. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code, §54956.9) PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d), PARAGRAPH (1): NAME OF CASE:** OPV Coalition et al v. Fox Canyon Groundwater Management Agency, Santa Barbara County Superior Court Case No. VENC100555357

18. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov. Code, §54956.9) PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d), PARAGRAPH (1): NAME OF CASE:** City of Oxnard v. Fox Canyon Groundwater Management Agency, Los Angeles County Superior Court Case No. 20STCP00929

REGULAR AGENDA

Regular Agenda items are heard at the Board's discretion and may be heard at any time during the meeting. Regular Agenda items are grouped under Las Posas Valley Watermaster (LPV Watermaster) or under Fox Canyon Groundwater Management Agency (FCGMA), if the item directly applies only to that entity.

REGULAR AGENDA – FCGMA Items

19. **Update on Groundwater Sustainability Plan Five-Year Evaluations, Workshops, and Timeline – (Returning Item) RECOMMENDATIONS:** (1) Receive an update and a presentation on Groundwater Sustainability Plan (GSP) Five-Year Evaluations, and (2) Provide input and direction if desired.
20. **Approve Proposal and Authorize the Interim Executive Officer to Execute a Professional Services Contract for Professional Auditing Services – (New Item) RECOMMENDATIONS:** (1) Approve the proposal for Professional Auditing Services from Rogers, Anderson, Malody & Scott (RAMS), LLP, for the two-year fiscal cycle (July 1, 2022 - June 30, 2023, and July 1, 2023 – June 30, 2024) at a fee of \$42,718; (2) Authorize the Interim Executive Officer to execute a Professional Services Contract with RAMS, and (3) Allocate \$22,718 of Contingency Funds from the Fiscal Year 2024-25 Budget for the Biennial Audit.
21. **Update on Implementation of Department of Water Resources (DWR) Sustainable Groundwater Management (SGM) Sustainable Groundwater Management Act (SGMA) Implementation Grant – (New Item) RECOMMENDATION:** Receive a presentation on the implementation of DWR's SGM Grant Program *SGMA Implementation Grant Round 1 Solicitation for Critically Overdrafted Basins*, which provided \$7.6 million each for the Oxnard Subbasin and Pleasant Valley Basin.
22. **Rescind Resolution 2005-08 and Adopt Resolution 2024-06 – (New Item) RECOMMENDATION:** Adopt Resolution 2024-06, rescinding Resolution 2005-08 and defining the function of the position of Agency Executive Officer.
23. **Agency Executive Officer Position Duties and Qualifications – (New Item) RECOMMENDATION:** Receive and discuss a draft position description of duties and qualifications of the Agency Executive Officer.

REGULAR AGENDA – LPV Watermaster Items

- 24. Approve and Authorize the Interim Executive Officer to Execute a Professional Services Contract with Dudek to Prepare the Las Posas Valley Basin 2025 Optimization Yield Study – (New Item) RECOMMENDATIONS: (1) Receive a presentation from Agency staff; and (2) Approve and authorize the Interim Executive Officer to execute a Professional Services Contract with Dudek for the development of the 2025 Las Posas Valley Basin Optimization Yield Study.**

- 25. Approve and Authorize the Interim Executive Officer to Execute a Professional Services Contract with United Water Conservation District to Perform Modeling with the Coastal Plain Model in Support of the 2025 Las Posas Basin Optimization Yield Study – (New Item) RECOMMENDATIONS: (1) Receive a presentation from Agency staff; and (2) Approve and authorize the Interim Executive Officer to execute a Professional Services Contract with United Water Conservation District to perform modeling with the Coastal Plain Model in support of the 2025 Las Posas Basin Optimization Yield Study.**

- 26. Policy Advisory Committee Request for Technical Advisory Committee Consultation on Del Norte Mutual Water Company (WMID 3500) Basin Assessment Protest – (New Item) RECOMMENDATIONS: (1) Receive a presentation from Agency staff on the LPV Watermaster Policy Advisory Committee (PAC) request for LPV Watermaster Technical Advisory Committee (TAC) consultation on Del Norte Mutual Water Company’s protest to payment of Water Year 2023 LPV Adjudication Basin Assessment; and (2) Deny the PAC request for TAC consultation and refer the matter back to PAC for deliberation and recommendation.**

- 27. Adjourn Board Meeting.**

STANDING NOTICES

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

Public Comments – Public comment is the opportunity for members of the public to participate in meetings by addressing the Fox Canyon Board of Directors in connection with one or more agenda or non-agenda items.

The following options allow for public participation:

1. Join the Zoom Meeting as an Attendee:

<https://us02web.zoom.us/j/86843617748?pwd=sXlm5bwbEiFhwoScKTxbTOwTWxmugD.1>

Webinar ID: 868 4361 7748

Passcode: 193518

With this option you will be able to raise your hand, and the Clerk of the Board will give you speaking abilities to make a public comment. If you experience technical difficulties that impact your ability to hear or see meeting proceedings, please contact the host via chat, or raise your hand for Q&A inside the Zoom Client. If you are unable to contact the host via the Zoom Client's chat or Q&A features, please call (805) 654-2014 and report the issue, then submit written comment according to option 4, below. Should the technical issue persist on Zoom, please consider option 2, below.

2. Observe the Board of Directors meeting streaming live by scrolling to the "Current and Upcoming Meetings" section of our website and clicking on the video button next to the meeting listing at: <https://fcgma.org/board-agendas-broadcasts-minutes/>

3. Call in to listen to the meeting:

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 408 638 0968 US (San Jose)

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 719 359 4580 US

+1 312 626 6799 US (Chicago)

+1 360 209 5623 US

Webinar ID: 868 4361 7748

Passcode: 193518

Options 2 and 3 will not allow you to make direct speaking comments. If you wish to make a written comment, please follow the steps below.

4. If you wish to make a written comment on a specific agenda item, please submit your comment via email by 5:00 p.m. on the Monday prior to the Board regular meeting. Please submit your comment to the Clerk of the Board at FCGMA@ventura.org. Please indicate in the subject line of your email the agenda item number (e.g., Item No. 9). Your email will be read by the Board of Directors and placed into the record.

5. If you are watching the live stream of the Board meeting and would like to make either a general public comment (Item 5) for items not on the day's agenda or to comment on a specific agenda item as it is being heard, please submit your comment via email, limited to 250 words or less, to the Clerk of the Board at FCGMA@ventura.org. Please indicate in the email subject line, the agenda item number (e.g., Item No. 9). Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations. Comments received after an agenda item will be made part of the record if received prior to the end of the meeting.

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

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

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

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

Electronic Information and Updates: Our website address is <https://fcgma.org/>. Information available online includes the Board's meeting schedule, a list of the Board members and staff, general information, and various Agency forms. If you would like to speak to a staff member, please contact the FCGMA Clerk of the Board at (805) 654-2014 or via email at FCGMA@ventura.org.