Kessler, John

From:

Sent: Saturday, September 4, 2021 4:58 PM

To: Long, Kelly

Cc: Crestview Water; Kessler, John; Fogg, Mindy

Subject: Crestview Water Well

CAUTION: If this email looks suspicious, DO NOT click. Forward to Spam.Manager@ventura.org

Supervisor Long,

I am a Crestview Water shareholder. I'm copying Crestview Water as a courtesy. I moved to Camarillo about 2 years ago. In summary I support the building of Well #7 and think the building proposed well can supply us the most needed water but also make the neighborhood look better than a dirt lot. To be fair I don't live on that street but a few blocks away. We need this well to give us enough water to prevent buying from other companies.

Since the start of this calendar year I have been attending the monthly Crestview Water meetings. The subject of Well #7 consumes most of the meetings. Of the over 600 shareholders there are only a handful that attend these meetings, maybe like 5 people including me. It became obvious that I am the only shareholder that attends that is for building this well. It is sad that of the other 600 shareholders that appear to be for the well, none take the effort to attend the meetings. The other 4 shareholders at the meetings are there each month to do all that they can to stop this project. They ask the same questions each month and ask for all sorts of additional work to be done with no regard to the results, just doing whatever it takes to stall this project as long as they can. I might do the same if I was against it I suppose. Unfortunately these few have stalled this project costing our really small company hundreds of thousands of extra money chasing obtuse objections.

It also has become obvious that the Well is not the issue. These homeowners don't want anything built on this empty lot. As I listen to the objections they are comparing the final project to a empty lot. That is important to understand and in fact could be a question to ask. Would you all support the building of a full size home on this lot if the Well does not go forward? If the answer is no, then the arguments about the Well itself is a smoke screen. If the answer is yes, the question is what is the difference between a full size house and this project? Actually this "small house" should be less objectionable.

I ask you to listen to all the facts and not just those from the loudest and I hope we can have your support to approve the permit. As I write about the 5 out of over 600 shareholders I am reminded of a business truism. Good companies realize that one communication from a customer usually doesn't represent one customer, but about 100 (or more) customers. Only like 1 in 100 people will take the time to write. So I would like to think that my time writing this email in support actually represents hundreds of shareholder assuming someone else is writing for them.

Of course, I assume that all those handful apposed to the Well will emailing you and showing up at the hearing.

Note I put my website here so you can see who I am and know I'm not a "nut job". I wouldn't mind a reply just saying you received my email. Lately some of my emails are winding up in people's Spam folder.

Frank Mezzatesta
FrankMezzatesta.com
@FrankMezzatesta



Roger Chittum

September 7, 2021

Honorable Linda Parks, Chair
Honorable Kelly Long, Supervisor
Honorable Robert O. Huber, Supervisor
Honorable Carmen Ramirez, Supervisor
Honorable Matt LaVere, Supervisor
Board of Supervisors
County of Ventura
800 S. Victoria Avenue
Ventura, CA 93009-1740

RE: CASE NO. PL19-0039-Board of Supervisor Hearing, September 14, 2021, 3 p.m.

Dear Honorable Chair Parks and Supervisors:

I write to explain the high costs, risks, and reduction of property values that Well #7 would impose on nearby owners of private septic systems and to ask you to consider that as you make your decision.

This appeal is from a Planning Commission finding that the Applicant failed to carry its burden of proving compliance with four of the required standards of approval. One of the specific factual findings the Planning Commission was this:

Adjacent property owners with existing septic systems within 200 feet of the proposed Well No. 7 would be burdened with the preparation of additional technical studies subject to County review and determination at the time their affected septic systems would need future repair and or replacement. This issue was addressed in the hydrogeologic Review of Crestview Mutual Water Company's "Well No. 7" Camarillo Hills, Ventura County, California by Kear Groundwater, dated June 22, 2020 (Exhibit 35 of the Planning Commission staff report).

The purpose of the technical reviews would be to enable the County to make a discretionary decision whether to grant a simple permit to replace a seepage pit or to grant the permit only on condition that the applicant install and operate an "advanced treatment unit" ("ATU"). This memorandum explains what an ATU is, what it costs, and up to 30 homeowners near Well #7 would be affected. A new report by Kear Groundwater explains what technical studies are required and why Crestview's transit studies by Daniel B. Smith & Associates dated July 14, 2021 are inadequate.

What an ATU is and What it Costs.

An ATU is a stand-alone system to give tertiary treatment to the sewage from a single-family home. A typical ATU is a large plastic tank that filters the effluent and disinfects it with ultraviolet light. Most of an ATU goes underground between your septic tank and your seepage pit, which in the vicinity of Well #7 are usually in the front yard. A typical unit is pictured and described in **Exhibit A**. Above ground there are several vent pipes, a controller box, and a 4 feet x 8 feet above-grade hatch.

The Planning Commission was exposed to a number of ballpark estimates of the costs of installing an ATU, ranging from \$50,000 to \$100,000. Since Crestview is also proposing to install its Well #8 next door to me in the City of Camarillo, where up to 19 neighbors including me have septic systems, I decided last fall to solicit contractor bids for installing an ATU at my home. (Backup power is required if you want to continue using any water inside your home during a power outage.)

SUMMARY OF 2020 BIDS TO INSTALL AN
ALTERNATIVE TREATMENT UNIT FOR A PRIVATELYOWNED ONSITE WASTEWATER TREATMENT
SYSTEM ("OWTS") SERVICING A 4,000 SQUARE
FOOT RESIDENCE

TOOT RESIDENCE	
CAPITAL COSTS	
Permit application fee	2,354
Application services fee	2,800
ATU and installation	55,476
New electrical circuits	4,000
Emergency generator	12,850
TOTAL CAPITAL COSTS	77,480
ANNUAL OPERATING COSTS	
Preventive maintenance,	
sampling, lab-testing, and	
reporting services	3,500
Allowance for electricity and	
repairs	300
TOTAL ANNUAL COSTS	3,800

TOTAL COSTS OVER 25 YEARS

These costs do not include the costs of the technical studies mentioned in the Planning Commission Resolution. In prior estimates, I have included an additional \$20,000 for professional fees because that was the amount Crestview's board authorized in December 2020 for Daniel B. Smith & Associates to do such studies. It appears that change orders made that work considerably more expensive, but I have no access to the final numbers. The application

172,480

services fee would also be higher because of the increased complexity. Suffice it to say, it would be a big expense for any one homeowner to bear—and the process would take months.

To avoid the expense and delay of trying to avoid an ATU requirement, there would be a strong incentive for the applicant to capitulate and propose upfront an ATU in the permit application and not do the technical studies. This is what the vast majority of seepage pit replacement applicants do in the Los Angeles Regional Water Quality Control Board jurisdiction.

An ATU has high operating costs. The owner must enter into a services contract with a qualified professional to maintain the ATU, take and analyze effluent samples, and report the results. I got a bid of \$3,500 per year for such services. Over 25 years that would be \$87,500. In addition, there would be the cost of electricity, replacement components, and repairs, which I have ball-parked at \$300 per year.

It remains undecided whether the County can require ATUs only within 200 feet of a public water well or if the rules apply out to 600 feet.

If Well #7 is installed as proposed, homeowners within either 200 feet or 600 feet will immediately suffer impaired property values and the risk of having to incur on short notice large professional fees and/or ATU installation and operating costs sometime in the future. That will be true of every home within 600 feet until it is definitively and officially resolved that the legally correct setback is 200 feet. The fact that this situation exists, and must be disclosed to potential buyers and lenders, makes any home that **might** be affected less saleable and less valuable in the marketplace. There are only two homeowners within 200 feet, but there are about 30 within 600 feet.

This 200' vs. 600' question was not raised before the Planning Commission, but there is a real dispute about how to interpret the governing State and County regulations. The uncertainty is reflected in current Crestview documents. As recently as July 22, 2021, Crestview's board considered (but did not adopt) a resolution to reimburse property owners for certain expenses they might incur with their septic systems because of the presence of Well #7. A copy is attached as **Exhibit B**. By its express terms, this resolution would apply to all homeowners within 600 feet. Then, it appears, Crestview decided it did not want to indemnify any homeowners outside 200 feet and posted on its website a revised draft resolution. **Exhibit C**. This version, downloaded September 1, 2021, refers in the recitals to "the regulatory-established 600-foot radius of proposed Well #7" but would limit cost reimbursement to a radius of 200 feet.

In contrast, Crestview's general manager, Robert Eranio, reported at the same meeting that the County and Water Board are only concerned with seepage pits within 200 feet of a public water well. In response to a question, he said there are no writings to support that statement from either agency and that his statement was based on "conversations and Zoom meetings."

We got documents from the County and LARWQCB pursuant to the Public Records Act, and here is what Crestview does have in writing: The County twice refused Crestview's request to confirm that only 200 feet is relevant, and LARWQCB directly contradicted Crestview's request to confirm 200 feet as the only applicable setback.

To understand that correspondence in the Exhibits, it is helpful to know six things: (1) Heather O'Connell of Dreaming Tree Civil is acting for Crestview. (2) OWTS is an acronym for onsite wastewater treatment system, which is also called a private septic system. (3) The County adopted on August 7, 2018 a local agency management program ("LAMP") that LARWQCB had accepted as containing all the minimum requirements set forth in the State OWTS Policy. https://www.waterboards.ca.gov/water_issues/programs/owts/docs/owts_policy.pdf (4) The LAMP rearranged several of the of the State's minimum requirements to better fit into the County's existing Code. (5) Thus, Section 9.4.10.3 in the State OWTS Policy became verbatim Footnote 10(c) to VCBC Appendix Table H-1, whereas the OWTS Policy has no such table. (6) Crestview sought the views of LARWQCB on Crestview's proposed Well #8 because it is expected that the City of Camarillo will turn over to the County all OWTS permitting pursuant to a Memorandum of Understanding that is under discussion.

Heather O'Connell asked Sean Debley, the Manager of the County's Environmental Health Division in a November 2020 email to confirm that Footnote 10(c), which covers OWTSs between 200 feet and 600 feet, would not apply around the Well #7 site, and Debley refused to do so. **Exhibit D.** She tried again with another email in January 2021 and again Debley's reply refused to endorse her position. **Exhibit E.**

O'Connell and Crestview general manager Robert Eranio had a Zoom call with LARWQCB officials about the setback and related issues in December 2020 and followed that up with a long written presentation in January 2021 and another Zoom meeting on March 16, 2021. **Exhibit F.** Crestview requested "a determination from the Board" confirming that Section 9.4.10.3 of the State OWTS policy would not apply. LARWQCB circulated minutes of that meeting to all participants stating, in Paragraph 9, the exact opposite view. **Exhibit G.**

Despite this, Crestview is arguing to shareholders and homeowners that their OWTSs would be entirely unaffected if located more than 200 feet from Well #7. It is also arguing that homeowners within 200 feet can replace their seepage pits despite the fact that Footnote 10(c) states that "in no case shall the setback be less than 200 feet." I expect that Crestview may argue these points to this Board as well. So please be alert to the fact that these positions are contested, unresolved, and quite possibly wrong.

This information about the costly impact of Well #7 on neighbors is enough by itself to uphold the Planning Commission's findings and decisions. I urge you to vote to deny Crestview's appeal. Otherwise, up to 30 neighbors will have their property values immediately and permanently reduced because of the risk each would have to install an Advanced Treatment Unit at a cost of about \$77,000 and pay annual operating costs of about \$3,800 forever.

Sincerely yours,

Roge Chitt

AdvanTex® Treatment Systems

AX-RT

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814 Airway Avenue, Sutherlin, Oregon, USA 97479 Toll-Free: 800-348-9843 • +1-541-459-4449 • www.orenco.com

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- Nitrogen reduction, disinfection
- Surface discharge

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The AdvanTex® AX-RT Wastewater Treatment System is the latest residential (and small commercial) treatment system in Orenco's AdvanTex line.

AdvanTex systems consistently produce clear, high-quality effluent ... effluent that meets the most stringent permit limits and is ideal for subsurface irrigation and other water-saving uses. 1 That's one reason why AdvanTex won the Water Environment Federation's "2011 Innovative Technology Award." It also won for its low power costs and low operating & maintenance costs. Plus AdvanTex is easy to install, too. Here's why:

Pre-Plumbed Treatment System Saves On Excavation, Installation, O&M

The AX-RT is a compact, "plug and play" wastewater treatment system. It can be shallowly buried and installed right behind a septic tank, as easily as a septic tank.

The AX-RT unit includes the following functional areas of the treatment process:

- 1. Textile media for advanced treatment
- 2. Recirculation/blending chamber
- 3. Gravity or pump discharge to final dispersal
- 4. Optional Orenco UV unit when disinfection is required

This compact design fits on small lots and reduces costs for excavation and installation. That means property owners can buy AdvanTex quality at a competitive price.

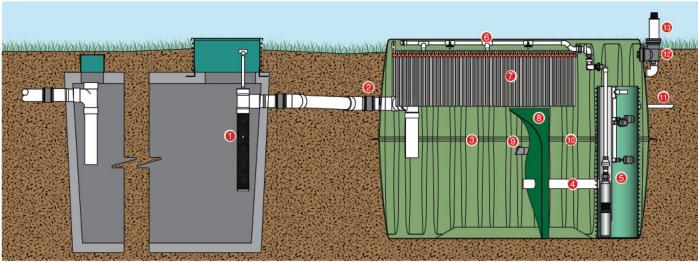


Since 2003, 116 AdvanTex Treatment Systems have been installed in Sunset Bay, a lakefront subdivision in northeast Tennessee, and 23 of these have been AX-RTs. According to Arthur Helms, Helms Construction, the RT's are "a lot easier to install. This one only has a few connections, so you can't hardly screw it up." Even better, Helms says that the RT "saves about 8 hours labor and saves on fittings ... I make more money with the RT. I can do it and go on to the next one."

Components

- Biotube® effluent filter
- Treatment tank recirc/blend chamber
- 4. Recirc transfer line
- 5. Recirc pumping system (discharge pumping system not visible)
- Manifold and spin nozzles
- Textile treatment media

- 8. Tank baffle
- 9. Recirc return valve
- 10. Treatment tank recirc/filtrate chamber
- 11. Outlet
- 12. Splice box
- 13. Passive air vent
- 14. Control panel (not shown)



The AX-RT is a completely prepackaged "plug & play" wastewater treatment system that can be quickly installed right behind an existing (or new) watertight septic tank.

AdvanTex® - AX-RT Treatment System

Low Power Costs, Low Maintenance Costs

No blowers! The AX-RT is passively vented and uses only \$2-\$3 per month in electricity.² Other products can use anywhere from two to five times more!³ AX-RT customers also have low lifetime costs. The AX-RT is designed to be easily maintained with an annual service call, thanks to its accessible, cleanable filters and media. And the AX-RT's high-quality, high-head pumps last 20 years or more!⁴

Homeowner Nancy Smith was the first person to receive a \$400 cash incentive from Energy Trust of Oregon for buying an energy-efficient wastewater system: an AX-RT. Smith's drainfield failed the day before Thanksgiving and she immediately started researching replacement systems. "My determining factor was the electric use," said Smith. "Incomes are going down, expenses are going up ... I have to know going forward what things are going to cost." Smith chose the AX-RT because the annual cost for electricity runs less than \$40; other systems can run as high as \$200 or more.

Consistent, Reliable Performance

Stringent testing programs consistently show that AdvanTex Treatment Systems produce effluent with BOD₆/TSS at or below 10 mg/L and nitrogen reduction of 60-70+%.⁶ In fact, the Maryland Department of the Environment has rated AdvanTex as tops among all "Best Available Technologies" for nitrogen-reduction.⁷





- 3 Maryland's "Bay Restoration Fund Ranking Documentation," http://www.mde.state.md.us/programs/Water/BayRestorationFund/OnsiteDisposalSystems/Documents/ BAT%20Ranking%20Document%202016.pdf
- 4 Elkton, Oregon
- Maryland's "Bay Restoration Fund Ranking Documentation," http://www.mde.state.md.us/programs/Water/BayRestorationFund/ OnsiteDisposalSystems/Documents/BAT%20Ranking%20Document%202016.pdf
- 6 NSF® International Standard 40 Evaluation Report, April 2002 (evaluation performed by NovaTec Consultants, Inc.)
- http://www.mde.state.md.us/programs/Water/BayRestorationFund/OnsiteDisposalSystems/Pages/water/cbwrf/osds/brf_bat.aspx

The AdvanTex Advantage:

- · Reliable, reputable
- · Clear, reusable effluent
- · No blower; minimal odor
- Complete "plug & play" package
- · Easy to install and maintain
- Energy-efficient
- Competitively priced
- For 1-6 bedroom homes



Textile Treatment Media

Spin nozzles microdose wastewater effluent onto highly absorbent textile filters at regular intervals, optimizing treatment.



Ultraviolet Disinfection

Adding our optional UV unit reduces bacteria by 99.999%, allowing wastewater reuse for irrigation, toilet flushing, etc. (subject to local regulations). It uses no chemicals and has no moving parts. The UV unit is protected in its own chamber inside the AX-RT and just needs a lamp replacement yearly.



Smart Controls

The AX-RT comes standard with Orenco's VeriComm™ remote telemetry control panel and monitoring system. That means service providers can oversee the system from office or home. (Non-telemetry "smart" controls also available.)

8 Report prepared by NSP® International, March 2015

AdvanTex® - AX-RT Treatment System

Carefully Engineered by Orenco

Orenco Systems has been researching, designing, manufacturing, and selling leading-edge products for decentralized wastewater treatment systems since 1981. The company has grown to become an industry leader, with about 300 employees and more than 300 points of distribution in North America, Australasia, Europe, Africa, and Southwest Asia. Our systems have been installed in about 70 countries around the world.



AdvanTex* Treatment System AXN Models meet the requirements of NSF-ANSI Standard 40 for Class I Systems.









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ABR-ATX-AXRT-1 Rev. 1.4, @ 04/17 Orenco Systems®, Inc.

Use the AX-RT for Applications Like These ...

Small Lots

In 2011, Mike Madson, a septic system installer in Oregon, replaced a failing system along the beautiful North Umpqua River with an AX-RT. "That particular situation was really, really confining," says Madson. "There was a high bank to the river about 25 feet away and roots everywhere; we had to get things in there in compact fashion. We even had to add a drainfield to the site; the old one was bootlegged in, cedar trees had grown into it, and the leach



line was plugged up." The AX-RT incorporates the recirc and discharge processes right within the RT unit, so its smaller footprint made this installation possible.

Nitrogen Reduction

Bob Johnson of Atlantic Solutions has sold (and services) more than 325 AX-RTs, mostly for Maryland's aggressive nutrient-reduction program. The state requires Total Nitrogen of less than 20 mg/L to protect the Chesapeake Bay. After a year of testing 12 RTs under Maryland's BAT (Best Available Technologies) Program, Johnson reports that TN averaged just



14.6 mg/L, while BOD₅/TSS averaged <5 mg/L.9 Says Johnson, "When you look at life cycle costs and percent of nitrogen reduction, the AX-RT costs less than other technologies for every pound of nitrogen removed."

Strict Permit Limits

A North Carolina homeowner had a conventional septic system with a drainfield that dispersed into poor soils. When the drainfield failed, the lot was too small to put in a new one, and sewer service wasn't available. The concerned homeowner contacted Kevin Davidson, an engineer with Agri-Waste Technology. He suggested the installation of an AdvanTex



Photo courtesy of Kevin Davidsor

AX20-RT unit with UV disinfection. This treatment combination was designed to meet permit limits (< 30 mg/L BOD₅ and TSS; < 200 cfu/mL fecal coliform) without requiring a new drainfield.

Davidson was able to use the existing septic tank, and the RT's configuration further reduced costs by eliminating the need for a discharge tank, separate UV basin, and several risers and lids. On the O&M side, he appreciated having the UV sensors integrated into the control panel, especially the one that allows service providers to know the bulb is working without having to pull it out. Said Davidson, "I think the RT is the best unit when you look at aesthetics, installation cost, ability to treat waste, and support from Orenco. Compared to other technologies, I would grade Orenco at the top."

http://www.mde.state.md.us/programs/Water/BayRestorationFund/OnsiteDisposalSystems/Pages/water/cbwrf/osds/brf_bat.aspx

Distributed by:

RESOLUTION 2021 – 0_ OF THE BOARD OF DIRECTORS OF CRESTVIEW MUTUAL WATER COMPANY TO REIMBURSE QUALIFYING PROPERTY OWNERS FOR QUALIFYING COSTS AND EXPENSES

WHEREAS, the Company is a mutual, non-profit water company, and

WHEREAS, Crestview Mutual Water Company (Crestview) is responsible for providing reliable water supply to our shareholders, and

WHEREAS, proposed replacement Well #7 has significant community support, and would provide essential, reliable water at a reasonable cost, without causing noise in excess of applicable noise regulations, and having the same design and appearance as the surrounding homes; and

WHEREAS, Crestview has exhaustively investigated alternative sites in response to the limited but still relevant community opposition to the proposed location of Well #7, and has not identified any alternative site or water delivery solution that can provide essential, reliable water at a reasonable cost; and

WHEREAS, Crestview has commissioned and accepted studies from experts, and has made those studies available to the public, that conclude that there is no expectation that groundwater nitrates or pathogens will be increased or will approach regulatory thresholds as a result of the installation of Well #7 at the proposed 191 Alviso Drive location; and

WHEREAS, Crestview nonetheless wishes to ensure and confirm that the neighbors whose septic systems are located within the regulatory-established 600-foot radius of proposed Well #7 at 191 Alviso Drive will not face any costs or expenses to their septic systems as a result of the location and operation of proposed Well #7.

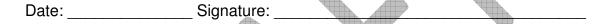
NOW THEREFORE, BE IT RESOLVED, that if Crestview installs and operates proposed Well #7 at 191 Alviso Drive, the Board of Directors will reimburse the property owners whose septic systems are located within a 600-foot radius of Well #7 from any costs and expenses of providing advanced treatment, and/or such similar septic system treatment costs and expenses that future regulations may require, where those septic system treatment costs and expenses are caused by the location or operation of Well #7.

NOW THEREFORE, BE IT FURTHER RESOLVED, that any property owner who meets the terms of Crestview's reimbursement commitment shall obtain reimbursement by providing Crestview with: (a) a copy of all invoices for reimbursable septic system treatment costs and expenses; (b) a copy of all documents that demonstrate that each such cost and expense was incurred to

satisfy a regulatory requirement; and (c) a copy of all documents that demonstrate that each such cost and expense was caused by the location or operation of Well #7.

NOW THEREFORE, BE IT ADDITIONALLY RESOLVED, that any
dispute that arises hereunder regarding whether or not a property owner qualifies
for or is entitled to reimbursement from Crestview shall be submitted by
Crestview and the property owner to binding arbitration to a mutually agreeable
arbitrator pursuant to the arbitration rules of the American Arbitration Association,
and that this arbitration shall be the sole and exclusive remedy.
I,, hereby certify that I am the Secretary of Crestview
Mutual Water Company, a California Corporation, and that the above resolution
was duly and regularly passed at a regularly scheduled meeting of the Board of

Directors of said corporation at which time a quorum of said Board was present and voting and which meeting was held on the ____ day of _______, 2021.



RESOLUTION 2021 – 0_ OF THE BOARD OF DIRECTORS OF CRESTVIEW MUTUAL WATER COMPANY TO REIMBURSE QUALIFYING PROPERTY OWNERS FOR QUALIFYING COSTS AND EXPENSES

WHEREAS, the Company is a mutual, non-profit water company, and

WHEREAS, Crestview Mutual Water Company (Crestview) is responsible for providing reliable water supply to our shareholders, and

WHEREAS, proposed replacement Well #7 has significant community support, and would provide essential, reliable water at a reasonable cost, without causing noise in excess of applicable noise regulations, and having the same design and appearance as the surrounding homes; and

WHEREAS, Crestview has exhaustively investigated alternative sites in response to the limited but still relevant community opposition to the proposed location of Well #7, and has not identified any alternative site or water delivery solution that can provide essential, reliable water at a reasonable cost; and

WHEREAS, Crestview has commissioned and accepted studies from experts, and has made those studies available to the public, that conclude that there is no expectation that groundwater nitrates or pathogens will be increased or will approach regulatory thresholds as a result of the installation of Well #7 at the proposed 191 Alviso Drive location; and

WHEREAS, Crestview nonetheless wishes to ensure and confirm that the neighbors whose septic systems are located within the regulatory-established 600-foot radius of proposed Well #7 at 191 Alviso Drive will not face any costs or expenses to their septic systems as a result of the location and operation of proposed Well #7.

NOW THEREFORE, BE IT RESOLVED, that if Crestview installs and operates proposed Well #7 at 191 Alviso Drive, then Crestview will reimburse the property owners whose septic systems are located within a 200-foot radius of Well #7 from any costs and expenses incurred in: (a) responding to a regulatory agency required for advanced treatment, (b) providing any regulatory agency-required advanced treatment, and/or (c) such similar septic system treatment costs and expenses that future regulations and regulatory agencies may require; where those septic system treatment costs and expenses are caused by the location or operation of Well #7.

NOW THEREFORE, BE IT FURTHER RESOLVED, that any property owner who meets the terms of Crestview's reimbursement commitment shall obtain reimbursement by providing Crestview with: (a) a copy of all invoices for

reimbursable septic system treatment costs and expenses; (b) a copy of all documents that demonstrate that each such cost and expense was incurred to satisfy a regulatory requirement; and (c) a copy of all documents that demonstrate that each such cost and expense was caused by the location or operation of Well #7.

dispute that arise for or is entitled Crestview and the arbitrator pursuar	s hereunder regard d to reimbursement e property owner to to the arbitration r	ing whether or not a nt from Crestview o binding arbitration rules of the America cole and exclusive re	property owne shall be sub to a mutually n Arbitration As	r qualifies mitted by agreeable
Mutual Water Co was duly and reg Directors of said	mpany, a California ularly passed at a corporation at whic	certify that I am the Corporation, and regularly scheduled h time a quorum of eld on the day of	that the above meeting of the said Board wa	resolutior Board of s presen
Date:	Signature: _			130

From: Debley, Sean
To: Kessler, John

 Cc:
 Fogg, Mindy; Lustig, Rebecca

 Subject:
 FW: Crestview Well #7 Information

Date: Wednesday, November 25, 2020 12:04:02 PM

Attachments: image001.png

image004.png

Hi John.

I'm forwarding the attached email correspondence that EHD has had with Crestview's consultant. The applicant is still trying to leverage EHD's position to support the project, however, I don't believe that EHD has standing in this matter other than the observations that we have already made.

Please feel free to contact me if you'd like to discuss the matter.

Sean Debley, Manager
Technical Services Section
Ventura County Environmental Health Division
800 S. Victoria Ave.
Ventura, CA 93009-1730
(805) 648-9248 Office
(805) 654-2480 Fax

https://vcrma.org/divisions/environmental-health



From: Debley, Sean

Sent: Wednesday, November 25, 2020 11:59 AM

To: Heather O'connell <heather@dreamingtreecivil.com>

Cc: Lustig, Rebecca <Rebecca.Lustig@ventura.org>; Genkel, Charles <Charles.Genkel@ventura.org>

Subject: RE: Crestview Well #7 Information

Hi Heather.

Please take a look at the language in the OWTS Policy under section 9.4.10 that describes the exception for replacement systems.

https://www.waterboards.ca.gov/water_issues/programs/owts/docs/owts_policy.pdf

In regards to the special study, EHD will not be rendering an opinion for the purposes of seeking Board approval for the project, however, when the adjacent properties need to repair or replace their OWTS, the report, (depending on the findings), may be used to support the engineer's finding that supplemental treatment is not required.

I hope this helps clarify my previous email.

Best regards.

Sean Debley, Manager
Technical Services Section
Ventura County Environmental Health Division
800 S. Victoria Ave.
Ventura, CA 93009-1730
(805) 648-9248 Office
(805) 654-2480 Fax
https://vcrma.org/divisions/environmental-health



From: Heather O'connell

Sent: Tuesday, November 24, 2020 5:00 PM **To:** Debley, Sean <<u>Sean.Debley@ventura.org</u>>

Cc: Lustig, Rebecca < Rebecca.Lustig@ventura.org>; Genkel, Charles < Charles.Genkel@ventura.org>

Subject: Re: Crestview Well #7 Information

CAUTION: If this email looks suspicious, DO NOT click. Forward to Spam.Manager@ventura.org

Hi Sean,

Thank you for the clarification. If I am understanding correctly:

- 1. The 600' radius is irrelevant because the County is referencing footnote 10(f), and
- 2. EHD would defer to PW since they are the Agency evaluating and concurring that the findings of a special study is correct that the well seal is equivalent or greater than the horizontal distance requirement. Would this then release the homeowners as potentially responsible based on the assessment Crestview is proposing to pay for?

Thanks again, and Happy Thanksgiving!

Heather

On Tue, Nov 24, 2020, 4:23 PM Debley, Sean < Sean. Debley@ventura.org > wrote:

Hi Heather,

After reviewing the VCBC Table H-1 and footnotes, there is some confusion related to the 200 and 600 foot setback requirements. For the purposes of the Crestview project, EHD is applying footnote (10(f)) which indirectly references the OWTS Policy and reads:

9.4.11 For replacement OWTS that do not meet the above horizontal separation

requirements, the replacement OWTS shall meet the horizontal separation to the greatest extent practicable. In such case, the replacement OWTS shall utilize supplemental treatment and other mitigation measures, unless the permitting authority finds that there is no indication that the previous system is adversely affecting the public water source, and there is limited potential that the replacement system could impact the water source based on topography, soil depth, soil texture, and groundwater separation.

Since the non-conforming issue is only created for the existing systems, the term "replacement" in the policy would be applicable. Hypothetically, if the lots adjacent to the proposed well site were undeveloped but legally created through the Subdivision Map Act, then EHD would use the >200' but <600' foot distance for evaluating the two year the lots when developed. (I hope this makes sense). In addition, this condition does not preclude the system from remaining in Tier 2. Only if there was documentation that indicated an impaired condition would the system change to Tier 4.

In regards to authority, EHD is responsible for enforcing and maintaining the LAMP for Ventura County, and the SWRCB is responsible for maintaining and updating the OWTS Policy. Section 12 of the Policy also states that the conditional waiver of WDR's applies to systems that comply with the Policy and our LAMP and local ordinance(s). Furthermore, I don't believe that EHD would render a finding of equivalency or an opinion that the well design, including special studies, is acceptable and it would be PWA's prerogative to opine to such findings.

We have just started the conversation with Camarillo regarding the development of an MOU for OWTS's in the city; I would imagine that we're ~6-12 months away from formalizing an agreement since it may involve the City amending their Building Code.

Have a happy Thanksgiving!

~S

Sean Debley, Manager Technical Services Section Ventura County Environmental Health Division 800 S. Victoria Ave. Ventura, CA 93009-1730 (805) 648-9248 Office (805) 654-2480 Fax

https://vcrma.org/divisions/environmental-health



From: Heather O'connell

Sent: Monday, November 23, 2020 11:07 AM **To:** Debley, Sean <<u>Sean.Debley@ventura.org</u>>

Subject: Crestview Well #7 Information

CAUTION: If this email looks suspicious, DO NOT click. Forward to Spam.Manager@ventura.org

Good Morning, Sean.

Roct

I thought I'd reach out again to see if you've had a chance to discuss any further with Charles? Robert/Crestview has a board meeting tomorrow and I'd like to be able to provide some further clarification and feedback to the Board.

Are you able to confirm for me that the County is the Agency having jurisdiction on the LAMP Tier 2 for each situation in regards to the horizontal proximity to the well, whether that be the 200' radius or the 600' radius?

Additionally, Crestview is in progress of approving some groundwater modeling to evaluate the pathogenic 2-year travel time at the 200' and accounting for the 900+' sanitary seal (more restrictive radius). Will this be something EHD can utilize along with PW to further evaluate the seal to come to some sort of resolution on this?

Also, per our discussion, is there some sort of timeline on the City of Camarillo's MOU for the County to oversee the Tier 2 Lamp implementation for the City?

Thanks very much. Any information you can provide via an update will be most helpful.

Heather
Heather O'Connell, PE, CFM, QSD President/Principal Engineer Dreaming Tree Civil, A CA Professional Corporation
<u>Dreamingtreecivil.com</u>
?

From: <u>Debley, Sean</u>
To: <u>Heather O"connell</u>

Cc: Eranio, Robert; Lustig, Rebecca; Genkel, Charles; Kessler, John

Subject: RE: Crestview Well 7 Clarifications

Date: Wednesday, January 20, 2021 12:39:44 PM

Attachments: <u>image003.png</u>

Hi Heather,

Thank you for the email. By way of this correspondence, I believe that the emails I wrote on November 24 and 25, 2020, provide adequate clarification for the purposes of the project. It is not appropriate for me to affirm your paraphrasing of my comments.

EHD does not currently oversee OWTS / septic systems in the City of Camarillo and any code questions should be directed to Lucia McGovern, Building Official.

Best regards.

Sean Debley, Manager

Ventura County Resource Management Agency Environmental Health Division 800 S. Victoria Ave. Ventura, CA 93009-1730 P. (805) 648-9248 | F. (805) 654-2480

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From: Heather O'connell

Sent: Tuesday, January 19, 2021 6:49 PM **To:** Debley, Sean <Sean.Debley@ventura.org>

Cc: Eranio, Robert < reranio.crestview@live.com>; Lustig, Rebecca < Rebecca.Lustig@ventura.org>;

Genkel, Charles < Charles. Genkel@ventura.org>

Subject: Crestview Well 7 Clarifications

CAUTION: If this email looks suspicious, DO NOT click. Forward to

Spam.Manager@ventura.org

Hello Sean,

Thank you for your email clarifications on November 24, 2020. Can you help us make certain that we understand EHD's position regarding the sections in the Building Code (VCBC, 2019), the State's OWTS policy, and the County's

regulations for the Crestview Well #7 project? We don't want to misstate anything while presenting our project to the Board of Supervisors.

It would be ideal if you could respond yes to each of the following bulleted line items to confirm that we correctly understand each one, or, if we are incorrect, please explain briefly the correct information for that bulleted line item:

- For purposes of evaluating the Well 7 project and its neighboring sites, the County will apply Ventura County Building Code 2019 Code Appendix H, Table H-1, footnote 10(f), which sets forth the same language as is contained in the State's OWTS policy Section 9.4.11.
- This means that the County will evaluate the future repair or replacement of existing septic systems within a 200-foot radius of Well 7. Section 9.4.10.3 of the OWTS policy and VCBC Appendix H, Table H-1, footnote 10(c), which pertains to potential but not existing septic systems within a 600-foot radius of a well, do not apply to Well 7 project since the neighboring septic systems are built (no vacant land).
- Therefore, if/when a neighbor within the 200-foot radius of Well 7 might apply to EHD in the future to replace or repair their currently existing septic system, advanced treatment or other mitigations will not be required unless it is established that the septic system is adversely impacting Well 7 water quality and that the repair or replacement system also has a real potential to be a source of adverse impact.
- Any proposed repair or replacement system for those properties with septic systems inside the 200-foot radius of Well 7 will not require advanced treatment or other mitigations as long as the proposed replacement system is designed per code and will not impair Well 7 water quality.
- The County of Ventura EHD is the governing body that currently evaluates the issues of LAMP Tier 2 and below existing septic system replacement and repair. The County of Ventura is currently in discussions with the City of Camarillo to establish a Memorandum of Understanding regarding responsibility for OWTS evaluation.

Thank you so very much for your time, and your response. It's most appreciated as we need to completely understand EHD's positions on this matter.

Best, Heather

--

Heather O'Connell, PE, CFM, QSD

President/Principal Engineer
Dreaming Tree Civil, A CA Professional Corporation

Dreamingtreecivil.com



Memorandum

Re: Crestview Mutual Water Company - Calleguas Municipal Water District Well #8

To: Ms. Milasol Gaslan, PE, Supervising Water Resource Control Engineer, LARWQCB

Mr. Jim Kang, Water Resource Control Engineer, LARWQCB

Mr. Peter Raftery, PG, CEG, Engineering Geologist, LARWQCB

From: Heather O'Connell, Dreaming Tree Civil

CC: Mr. Rober Eranio, Consulting General Manager, CMWC

Date: 01-19-2021

Dear Ms. Gaslan, Mr. Kang and Mr. Raftery,

Pursuant to the conference call with you on December 10, 2020, Crestview Mutual Water Company (CMWC) has prepared the following memo regarding a code interpretation regarding CMWC Well #8 (herein referred to as Project). Included for your use and review is the following documentation:

- Attachment 1: Well #8 Project Description
- Attachment 2: Well #8 FAQ's
- Attachment 3: Well #8 Site Plan, as currently envisioned
- Attachment 4: Well #8 Exhibit of well head with proximity to neighboring septic systems (200-ft and 600-ft radius)
- Attachment 5: Well #8 Well Site Review and Preliminary Design Report, Hopkins Groundwater Consultants, Inc. (CMWC hydrogeologist/geologist for Project), which includes water quality data for Well #6. Additional Well 6 Water Quality Data is also attached herein.
- Attachment 6: Well #3 and Well #4 Water Quality Data
- Attachment 7: Crestview Mutual Water Company Overall Service Area Map and Facility Schematic showing all CMWC well locations for reference.

Crestview is requesting a determination from the Board regarding interpretation of the State's Onsite Wastewater Treatment System (OWTS) policy.

The proposed location of Well #8 is in proximity to surrounding existing septic/seepage pit systems. CMWC is requesting that the Board provide clarification of Section 9.4 of the OWTS. Section 9.4.10 of the policy states:

- 9.4.10 Except as provided for in sections 9.4.11 and 9.4.12, new or replacement OWTS with minimum horizontal setbacks less than any of the following:
 - 9.4.10.1 150 feet from a public water well where the depth of the effluent dispersal system does not exceed 10 feet in depth.
 - 9.4.10.2 200 feet from a public water well where the depth of the effluent dispersal system exceeds 10 feet in depth.
 - 9.4.10.3 Where the effluent dispersal system is within 600 feet of a public water well and exceeds 20 feet in depth the horizontal setback required to achieve a two-year travel time for microbiological contaminants shall be evaluated. A qualified professional shall conduct this evaluation. However in no case shall the setback be less than 200 feet.

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Section 9.4.10 states *"Except as provided for in Section 9.4.11 and 9.4.12"*, therefore in following these sections state:

- 9.4.11 For replacement OWTS that do not meet the above horizontal separation requirements, the replacement OWTS shall meet the horizontal separation to the greatest extent practicable. In such case, the replacement OWTS shall utilize supplemental treatment and other mitigation measures, unless the permitting authority finds that there is no indication that the previous system is adversely affecting the public water source, and there is limited potential that the replacement system could impact the water source based on topography, soil depth, soil texture, and groundwater separation.
- 9.4.12 For new OWTS, installed on parcels of record existing at the time of the effective date of this Policy, that cannot meet the above horizontal separation requirements, the OWTS shall meet the horizontal separation to the greatest extent practicable and shall utilize supplemental treatment for pathogens as specified in section 10.8 and any other mitigation measures prescribed by the permitting authority.

2

At the Project (Well #8) site, there are no septic systems within a 200-ft radius of the proposed well. There are however numerous *existing* septic systems within a 600-ft radius of the proposed well, and all seepage pits are over 20-ft in depth.

CMWC interprets these OWTS policy sections to mean that since the systems surrounding the Well 8 site are all existing and if an application for a replacement system was to be requested by one of the properties within the 600' setback, then Section 9.4.11 *only* would apply.

Section 9.4.11 states that only IF the subject septic systems were proven to have become a source of contamination to Well 8, then further treatment would be required for those systems. IF however, there are no indications of contamination or instances of water quality impairment (based on standard well water quality testing at Well 8, as required by the State Division of Drinking Water), then no advanced treatment would be required for those septic systems. *Please verify this is a correct interpretation of the OWTS policy.* It's worth noting here, that CMWC has voluntarily also integrated into the design of Well #8 a 555' deep cement grout sanitary seal (see Well #8 Preliminary Design Report by Hopkins Groundwater Consultants, dated August 7, 2019). As further documentation, CMWC's existing well water quality data are attached (Well 6 data [included in Attachment 5], near the proposed Well 8 site, has pumped since 2006, on average 500 ac-ft/year, for 14 years and has not drawn NO₂ or NO₃.

Furthermore, since 9.4.11 is the correct section to reference, then Section 9.4.10.3 is precluded and does not apply. *Therefore, modeling of the 2-year microbiological travel time evaluation would not be required.*

Please advise CMWC if these policy interpretations are supported by the Board.

Feel free to contact me at _____ if you have any questions regarding the included content. Thank you in advance for your time.

Respectfully Submitted,

Heather O'Connell, RCE #C73119

To: Robert Eranio - Crestview Mutual Water Company (CMWC)
Heather O'Connell - Dreaming Tree Civil

From: James Kang - Los Angeles Regional Water Quality Control Board

CC: Milasol Gaslan - Los Angeles Regional Water Quality Control Board

Date: April 12, 2021

Subject: March 16, 2021 Meeting Minutes Regarding OWTS Policy on Proposed Well #8 Location with Crestview Mutual Water Company

The following is a summary of the Microsoft Teams meeting minutes on March 16, 2021. The attendees are as follows:

 Robert Eranio - Consulting General Manager, Crestview Mutual Water Company (CMWC)

- Heather O'Connell - President/Principal Engineer, Dreaming Tree Civil

 Milasol Gaslan – Chief of Land Disposal and Groundwater Permitting Section, Los Angeles Regional Water Quality Control Board

 James Kang – Chief of Groundwater Permitting Unit, Los Angeles Regional Water Quality Control Board

Background

CMWC proposes to install a new drinking water well #8 on a parcel in Camarillo, California (Tract No. 5920; APN: 152-0-380-185) owned by CMWC within a residential neighborhood surrounding by existing septic/seepage pit systems. At the Project (Well #8) site, there are no onsite wastewater treatment systems (OWTSs) within a 200-ft radius of the proposed well. However, there are numerous existing OWTSs within a 600-ft radius of the proposed well, and all seepage pits are over 20-ft in depth. The City of Camarillo does not currently have an approved LAMP, hence the existing OWTS are not currently covered under an approved LAMP. The city is evaluating entering into an MOU with Ventura County (County).

In response to your Memorandum (Memo) on this subject, prepared by Dreaming Tree Civil and dated January 19, 2021, the Regional Water Board has the following comments:

1. The OWTS Sections cited in the Memo regarding OWTS Policy section 9.4 are incorrect to use for existing OWTSs because Section 9.4 (Tier 2 – Local Agency OWTS Management Program) are applicable to new or replacement OWTS only. Tier 0 applies to existing OWTSs that are functioning properly. The proposed Well #8 is within 200' and 600' of existing OWTSs.

- For existing OWTSs, the correct section to follow is Tier 0 in Section 6 of the OWTS
 Policy (Page 19). These are for OWTSs predating the policy (prior to 2013). Tier 0
 existing systems do not require reporting unless already doing so.
- 3. We recommend checking with the City to make sure that all OWTSs within the proposed setback are all preexisting. If there are any OWTSs under Ventura County Local Agency Management Plan (LAMP) in this area, they may be required to upgrade to advanced OWTSs if they cause groundwater contamination based on Well testing results. Similarly, any existing OWTS that failed may be required to upgrade consistent with required correction for OWTSs in Section 11.4 of the OWTS Policy.
- 4. For any OWTS under the LAMP, use the Figure 3a (Page 13) in Ventura County LAMP for setbacks and protocol, if well monitoring indicates system upgrades are necessary due to groundwater contamination caused by septic tanks/seepage pits.
- 5. The proposed Well #8 can be placed with the proposed setback ranges (200' and 600') of OWTS.
- If no OWTSs are under the county LAMP, they may be preexisting. For preexisting (Tier 0), OWTSs do not require monitoring or upgraded systems and do not specify setbacks.
- 7. However, Tier 0 OWTSs become Tier 4 OWTS if the well shows unsafe levels and are required to replace or repair (e.g., upgrade to advanced treatment). This is in Section 11.4 of the OWTS Policy (Page 41). Ground waters shall not exceed 10 mg/L nitrogen as nitrate-nitrogen plus nitrite-nitrogen (NO₃-N + NO₂-N), 45 mg/L as nitrate (NO₃), 10 mg/L as nitrate-nitrogen (NO₃-N), or 1 mg/L as nitrite-nitrogen (NO₂-N).
- 8. At the time of needed repair, the County may oversee and enroll that OWTS under the LAMP for regular monitoring under an MOU with the City. Absent the MOU, the City may permit OWTS that meet Tier 1 requirements.
- 9. Since the existing OWTS effluent dispersal system is within 600 feet of Well #8 (a public well) and exceeds 20 feet in depth, CMWC might want to consider performing a microbiological contaminant fate and transport study to estimate their travel times from nearby existing OWTSs to Well #8 to determine the appropriate horizontal setback consistent with Section 9.4.10.3 of the OWTS Policy for current new or replacement systems.

Kessler, John

From: ClerkoftheBoard

Sent: Wednesday, September 8, 2021 3:35 PM

To: Kessler, John

Subject: FW: Crestview Mutual Water Co. proposal to install Well #7 in residential neighborhood

Attached is an email received by the Clerk of the Board. Please add this to your SIRE item as public comments.

Thank you,

Lori

From: Roger Chittum

Sent: Wednesday, September 8, 2021 3:27 PM **To:** Long, Kelly <Kelly.Long@ventura.org>

Cc: ClerkoftheBoard < ClerkoftheBoard@ventura.org>

Subject: Crestview Mutual Water Co. proposal to install Well #7 in residential neighborhood

Dear Supervisor Long,

Next Tuesday, this matter is coming up for hearing before to the Board of Supervisors on appeal from a unanimous decision against the project by the Planning Commission. I urge you to vote to uphold the decision of the Planning Commission and reject this ill-conceived project.

The Planning Commission thoroughly reviewed the Well #7 project and found that it does not meet four requirements that must be met before a conditional use permit can legally be granted. New information in the appeal file makes even clearer that the project still fails to meet those requirements.

Crestview needs to move on to the better options that have always been available. For example, Crestview is stalling necessary maintenance and rehabilitation of existing Well #4 and has shut it down prematurely just to make the water supply problem seem more severe than it is. According to Crestview's internal estimates, that project can be done for less than 10% of the cost of Well #7 and would solve the current problem for many years. It would be a really good investment that would pay out in a few months of not buying water from Calleguas. Well #7 is a bad business decision. Crestview is concealing this information from shareholders.

Please vote to reject Crestview's appeal.

Sincerely,



LAW OFFICES OF

NANCY KIERSTYN SCHREINER



September 7, 2021

Honorable Linda Parks, Chair
Honorable Kelly Long, Supervisor
Honorable Robert O. Huber, Supervisor
Honorable Carmen Ramirez, Supervisor
Honorable Matt LaVere, Supervisor
Board of Supervisors
County of Ventura
800 S. Victoria Avenue
Ventura, CA 93009-1740

RE: CASE NO. PL19-0039-Board of Supervisor Hearing, September 14, 2021, 3 p.m.

Dear Honorable Chair Parks and Supervisors:

This Letter and its attachments are being submitted on behalf of Schreiner Trust dated February 19, 1993, which is the legal owner of Lot 37 of Tract 2706. As an owner, the proposed Crestview Project Case No. PL19-0039 and commonly known as proposed Well #7 and its associated improvements cannot be approved due to the grounds set for in this letter. My prior letters dated March 5, 2020 and June 22, 2020 are incorporated herein by reference with all attachments as set forth in full. These prior letters are already part of the Administrative Record for this Project. I urge each individual Supervisor on their own to drive by this property and walk up the equestrian trail to the rear of the lot, which is accessible from Avocado and see this lot and the neighboring homes and community.

RECOMMENDATON:

The Planning Commission unanimously on a 5-0 vote denied the Project. The Planning Commission did an extensive and detailed hearing. The Board of Supervisors (BOS) must also deny the Appeal and the Project. Staff is supporting to the same action.

REAL PROPERTY LAW ISSUES

LOS POSAS ESTATES OWNER ASSOCIATION AND ENFORCEMENT OF CC&Rs

The Project is proposed within a County approved single-family tract. The Tract 2706 was approved by the County in approximately 1978. All the homes are custom homes. There are several homes on Alviso, which were designed by award winning architect Bob Lee. The homes range in size from 2500 sq. ft. to over 7000 sq. ft. The custom home values range from \$1.2 to just under \$3 million based upon currently realtor websites. The homes in the tract have ocean views and views of Boney Mountain. The tract and homes are governed by the Las Posas Hills Owners Association (HOA). There are Conditions Covenants and Restrictions (CC&Rs). There is also a required Architectural Committee that governs improvements proposed on the lots. The criteria for the architectural committee in Article IX, section 4, page 45, states approval may be withheld because of noncompliance with any of the specific covenants, conditions, and restrictions contained in the CC&Rs. In addition the CC&Rs contain view protection, which is mandated. It should also be noted Crestview and owners within Tract 2706 owe each other a duty of good faith and fair dealing. The Project is within an HOA with recorded CC&Rs. Crestview purchased the lot 16 in Tract 2706 on October 28, 2015. Crestview purchased a lot in the tract and agreed legally to be bound and governed by the CC&Rs. Crestview when buying the lot fully knew and was aware of all the provisions of the CC&Rs. The CC&Rs are contractual obligations and the proposed Project is in complete violation of the CC&Rs and Crestview in proposing the Project is in complete breach of contract.

Most recently on or about July 19, 2021, Crestview submitted a second time to the Architectural Committee for review of the re-designed building, 5000gal above-ground water storage and overflow tank and generator building. The Architectural Committee met with representative of Crestivew on July 26, 2021. The proposed project was denied for numerous grounds that violate the CC&Rs. Attached as Exhibit 1 is copy of the denial by the Architectural Committee, which is incorporated herein by references as set forth in full. It must be noted that there is a 30-day appeal period to the full Board and Crestview failed to appeal so the denial is final.

The Board of Supervisors should be made aware that the HOA Board has a mandatory duty to follow the CC&Rs and individual members of the Board could be held individually and financially liable for not following the language and provisions of the CC&Rs. This creates a legally mandated enforcement of the CC&Rs by the HOA and its Board.

Since Tract 2706 was approved by the County in about 1978 the conditions for the tract require enforcement of the CC&Rs. My prior correspondence set forth the actual tract conditions and why in this case there is a County obligation to enforce such. Due to the old language of the approved tract conditions this is not the current situation like most recent tract approval. This tract is different due to the tract conditions upon approval. I respectfully disagree that the County is not enforcing the CC&Rs based upon the County existing approved tract conditions.

FLOWAGE EASEMENT

As required by County approved tract conditions and the original developer, the flowage easements were deeded and conveyed to the HOA. A copy of the 1982 Grant Deed is attached as Exhibit 2 and incorporated herein by reference as set forth in full. The HOA is the sole owner and legally responsible for maintaining and insuring the flowage easements. On Lot 16 (Crestview lot) there is a 42 foot wide flowage easement as the rear portion of Lot 16. Beyond the flowage easement is a County designated and noted blueline stream. Lot 16 also has a slope of 23% grade going downhill to the rear of the lot. The HOA has the legal right to fully control and approve what is to occur within, be placed within and what is received in the flowage easement. The HOA owns the "flowage easement" over which the development and testing waters would be discharged during well construction. Per testimony delivered in the Planning Commission hearing of June 25, 2020, Mr. Eranio stated this volume would be on the order of 3 million gallons. In addition to the erosion control issues and floral/faunal issues induced by generating such a flow, Crestview has not been given permission to discharge into the flowage easement by the HOA, who owns the easement especially at these volumes or any volumes.

The Project also has an outlet wherein the riprap is reflected on the new grading design for the permanent buildings for water going into the flowage easement. The HOA has not approved any water or drainage into the flowage easement. The Project now has relocated the above-ground approximately 5000 gallon storage tank off the slope and the flowage easement (Storage tank). The Storage Tank will have non-potable water in it. The problem is should the Storage Tank fail. The existence of the proposed 5000 gallon above-ground storage tank creates liability and increased costs to the HOA. If there is failure of the Storage Tank, there will be damage to the sloping hillside, potential slope failure, damage to the flowage easement, soil, mud and silt going into the blueline stream, damaging impacts to the numerous County designated Landmark Trees, which are on Lot 16 and others lots in the Tract, potential harm to persons and animals on the equestrian trail, which also runs through the portions of the flowage easement, damage to the HOA maintained equestrian easement and increased costs of HOA insurance. Also, under the CC&Rs storage tanks are not permitted. The HOA has a legal right not to allow any impacts on the flowage easement. This is now a legal easement matter.

CEQA

CEQA embodies a central state policy requiring state and local governmental entities to perform their duties so that major consideration is given to preventing environmental damage. *Friends of the Eel River v. North Coast Railroad Authority* 3 Cal. 5th 677,711 (2017). Accordingly, CEQA described how governmental decision will be made whenever an agency undertakes, approves, or funds a project. *Union of Medical Marijuana Patients, Inc. v. City of San Diego* 7 Cal 5th 1171, 1185 (2019). A project is discretionary when an agency is required to exercise judgment or deliberation in deciding whether to approve an activity. CEQA Guidelines Sec. 15357. The CUP for this Project is a discretionary permit.

The Project is not exempt from CEQA under sections 15301, 15302, 15303 and 15304 of Title 22 of the Code of Regulations or as commonly referred to as Class 1, 2 3 or 4 exemptions as detailed in prior correspondence and the existing administrative record.

Further, as set forth in 14 Cal. Code Regs § 15300.2 (c) "Significant Effect. A categorical exemption **shall not be used** for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances." There evidence of a reasonable possibility of a significant impact due to the unusual circumstances and proposed Project development.

Staff has only selectively quoted portions of the CEQA Exemptions and has clearly misapplied and represented the CEQA exemption language. The Well No. 7 component of this Application is not categorically exempt whatsoever.

This Project as outlined by myself in prior correspondence in the administrative record and others is not categorically exempt. The County must do a ND, MND or EIR not categorically exempt this Project. The Administrative Record has been made by the opponents why this Project is not exempt. These are unusual circumstances that prohibit the use of exemptions and there is a likelihood of significant environmental impacts. This prohibits the use of such exemption CEQA Regs 15300.2. Courts have held a reasonably possibility of a significant effect on the environment due to unusual circumstances and the CEQA exemption cannot be used.

The Project under CEQA must disclose all of the components of the Project. The Project for Well # 7 fails to describe: 1) fails to describe how soil removed from the well will be dried onsite. 2) fails to provide the height of the soil piles will be for sludge/tailing drying operations pertaining to the material removed from the 1400 foot well, 3) fails to address County grading ordinance that prohibits drying soil within 20' of property lines; 3) fails to address smell and odors from organic matter in drying soil; 4) fails to address any drying soil on the 23% slope and flowage easement owned by the HOA; 5) fails to describe the surrounding Heritage Trees on Lots 15, 17 and 18; 6) fails to address the actual construction sound walls in height of 24 feet; 7) fails to address noise from the Storage Tank; 8) fails to address the outlet wherein the riprap is reflected on the new grading plan and its impact on the HOA owned 42 foot' wide flowage

easements; 9) failed to describe the discharge chambers of 50 sq. ft. with a depth of 4 ½'and potential failure; 10) fails to describe any fencing and access gates. Post 911, fencing is required for all water wells. All access gates must have required setback for trucks and vehicles so they are not in the public street. All of these are physical changes to the environment and have not been fully addressed or reduced to levels of insignificance.

The potential of a catastrophic failure of well and chlorine and its impact on the blueline stream, Heritage/landmark trees, flowage easement and safety of persons and horses on the equestrian trail all can have significant environmental impacts.

Numerous studies and information from consultants has been or will be provided before the Board hearing that provide substantial evidence of significant environmental impacts that have not been addressed or reduced to insignificant impacts. On a side note another reason categorical exemptions cannot be used.

I am going to highlight a number of the major significant impacts that have not been address.

The Board should note that data in the Individual Sewage Disposal Systems Data Base (ISDS), which is owned and maintained by the County for septic systems and pits, contains information for when septic pits are constructed and data of observations from soil. It appears that neither the County staff looked at this information and neither has Crestview or its consultants Daniel B. Stephens & Associates, Inc. It should also be noted that Daniel B. Stephens & Associates, Inc. per its report only "reviewed all available literature." It failed to conducted any further investigation or review.

Kear Groundwater conducted a peer review and in its correspondence detailed significantly this information. This information was provided by Gorian & Associates and Gorian is a well-known consulting firm and well respected when septic pits were constructed. Gorian provides its actual observations for boring of a septic pit when it was constructed. These septic pits are within 200 feet of the proposed well. Gorian observations noted in the IDSD observation information were that there are rust-stained fractures in the San Pedro bedrock formation.

Simply put this means there are fractures within 200 feet of the proposed well. Rust stain means there is a mineral content. This not just a theoretical fracture system, but a tectonic reality associated with a growing anticline corroborated by down-hole logged data collected over the last 40 years. The existence of fractures means that the concrete casing and liner of the well cannot be approved. The existence of fractures absolutely prohibits the LARWQCB from approving such. It is vital that the Board read in full the Kear Groundwater information.

Roger Chittum study provides substantial evidence of significant effects on the environment due to septic pit failures after the well has been constructed. It is vital that the Board read in full Mr. Chittum's letter and information contained therein. His correspondence outlines the costs of around a \$100,000 plus, new equipment, required 24 generator should power fail etc. The placement of the Project well creates a public and private nuisance. Should a septic pit fail

without a well existing the property owner can just drill a new pit. If the well is installed, there are 27 parcels with 4- to 6-ft-diameter by 30- to 50-ft depths seepage pits that are within 600 lateral ft. Per County and State guidelines, where effluent dispersal systems are within 600 ft and exceed 20 ft in depth, the horizontal setback required to achieve a two-year travel time for microbiological contaminants shall be evaluated by a qualified professional and in no case shall the setback be less than 200 ft. The documented presence of fractures (both naturally occurring faults/anticline flower structures and potentially from cracked annular seals) underscores the fundamental flaw of this model: pathogens could still find preferential pathways. This means 27 homeowners have to pay hundreds of thousands of dollars for a new septic pit and system. In addition, these new advanced treatment plants also require stack pipe and generators, which again may not be approved under the CC&Rs. Crestview has created a Resolution which is vague and totally unenforceable to allegedly reimburse property owners only within 200 feet. The Resolutions in its Whereas clauses states "WHEREAS, Crestview nonetheless wishes to ensure and confirm that the neighbors whose septic systems are located within the regulatoryestablished 600-foot radius of proposed Well #7 at 191 Alviso Drive will not face any costs or expenses to their septic systems as a result of the location and operation of proposed Well #7." This is actually a false statement. The Crestview Board owes a fiduciary duty to its shareholders. Approval of this Project takes away the existing legal property rights and ownership of their property, decreases property values and places a huge financial cost on the homeowners within the sphere. There are significant environmental impacts that have not been reduced to insignificance and there is a tremendous chance the water supply will be contaminated. This will be a public nuisance for contaminated water supply and private nuisance to nearby homeowners.

The noise study performed for Crestview makes assumptions and did not conduct real noise testing. Z Consulting Company, Crestview's expert, holds a chemical engineering license per page 18 and 24 of prior staff report not an acoustical engineer. Credibility and experience questions to perform noise studies. There was no actual noise testing by Crestview's consultant. The report from Noise Monitoring Services clearly has tested noise from drilling rigs and they will have a 55 db level. The noise must be reduced to 45 db and there is no evidence in the administrative record that this additional increase of 10 db can be mitigated by the sound walls to a level of 45 db. In addition the sound walls must be constructed 8 feet from the property lines.

There has been no analysis of noise for the new location of the Storage Tank. The Storage Tank is now placed close to the existing homes.

County ordinances require a grading permit for any earth moving operation greater than 50 cubic yards. Crestview has not provided a detailed grading plan nor secured a grading permit to render such a small, topographically challenged property as 191 Alviso feasible for well construction. Details of the grading permit are critical part of this Project and it is illegal piecemealing under CEQA which is prohibited by law. Grading quantities are finally provided and exceed 550 cubic yards which equates to 55 standard dump truck of 10 cubic yards. Movement of 550 cubic yards of soil is not minor. No condition except obtain grading permit no opportunity to comment on

such conditions. All we know that they are not trucking the dirt off to avoid CEQA and want to dry the soil onsite.

Staff has confirmed there has been no odor or smell analysis for the drying organic soil. Crestview intends to take sludge/tailing matter and dry it on the lot. It cannot be dried on the 23% slope or within the flowage easement. This is again another physical change in the environment.

Furthermore, it appears that Staff has now created a new initial study dated May 2020. See Exhibit 22 to the Planning Commission Staff Report. CEQA requires a Notice of an Initial Study and the opportunity to comment upon it. To my knowledge, there has been no prior Notice provided for this new initial study which violates CEQA provisions. Staff has added two new categorical exemptions, which were not set forth in the staff report for the Planning Director hearing. As explained further herein these exemptions are not applicable to the entirely new Well No. 7. In addition there is a new revised grading which has dramatically changed the location of a number of the facility improvements and components. The revised grading plan fails to identify the buildings and components whatsoever. It fails to reflect the above-ground storage tank and only reflects the main building and generator building not the rip rap etc.

The Planning Commission made the following findings:

Following are the facts upon which the Planning Commission based its findings for denial, as set forth in the Planning Commission Resolution Case Number PL19-0039:

- 1. The proposed land use and structures for Well No. 7 are inconsistent with established covenants, conditions, and restrictions of the Las Posas Hills Homeowner's Association.
- 2. Adjacent property owners with existing septic systems within 200 feet of the proposed Well No. 7 would be burdened with the preparation of additional technical studies subject to County review and determination at the time their affected septic systems would need future repair and or replacement. This issue was addressed in the hydrogeologic Review of Crestview Mutual Water Company's "Well No. 7" Camarillo Hills, Ventura County, California by Kear Groundwater, dated June 22, 2020 (Exhibit 35 of the Planning Commission staff report).
- 3. Temporary 24-hour construction and ongoing operational noise of Well No. 7 would be a nuisance to neighboring properties.
- 4. The proposed periodic delivery and indoor storage of chlorine for Well No. 7 lacks technical information from the Applicant, including information regarding chemical delivery and operational odors to ensure compatibility with the surrounding existing residential development.
- 5. Nuisance to the community for the proposed grading activities, volume, and truck trips for construction of Well No. 7.

(I apologize for the format issue here since I was cut and pasting from a PDF document.)

All of these finding are accurate and there are many more findings that can be made to support denial of the Appeal and the Project.

AESTHETIC ISSUES

The proposed development is not compatible with existing and potential land uses in the general area where the development is to be located [Section8111-1.2.1.1a.e]. The proposed buildings are not residential structures with 2500 minimum square feet. The proposed buildings look like a mobile or manufactured home, which is totally out of character with the architectural unique custom homes in Tract 2706. The homes range in size from 2500 sq. ft. to over 7000 sq. ft. The custom home values range from \$1.2 to just under \$3 million. The homes all have extensive detailed architectural features. The aesthetics of the building do not conform to the surrounding homes. As noted there are several homes on Alviso, which were designed by award winning architect Bob Lee. The Crestview proposed buildings are totally substandard. The 5000 gal Storage Tank has been moved up slope and in plain view of the neighboring homes and their windows. The CC&Rs have view protection restrictions. Most of the drawing or designs fail to reflect the existence of the above ground 5000 gallon Storage Tank. This is also an eyesore.

HEALTH AND SAFETY ISSUES

Failure of water well and its systems, pumping system and irrigation/overflow tank (Storage Tank) has not been fully reviewed or address by the County. There is no mention of the potential hazards to people and horses using the equestrian trail in the event of a failure of the well, tanks or other systems. The equestrian trial is a public trail based upon the License Agreement with Pleasant Valley Recreation and Park District. Failure of any one of these systems placed increased liability and costs to the HOA, who is mandated to maintain the equestrian easement and flowage easements. This proposed Project is being placed in the wrong location and creates unnecessary legal and financial costs to third parties.

BLUELINE STREAM

In rainy years flows bank to bank 20-25' and even over the banks as in March/April 1998 Flood event. I have personally observed these events. If Dave Magney was here he would be having a fit. The blueline stream also provides habitat for multiple animals and wildlife. This has been established in the administrative record. Since the Planning Commission hearing, there have been two recorded incidents of mountain lions in our area. We know they exist and there has no analysis of the impacts on the mountain lions for this Project especially if there is a failure of the systems, *etc*.

HERITAGE AND LANDMARK TREES

These trees are protected under County codes and ordinances. There are at edge of blueline stream so within 42' wide flowage easement owned by HOA there are such trees. They were not even noted in the reports until I raised this issue and now County staff has identified some but not all of the trees.

Only surveyed the site not the even larger landmark tree behind lot 18 and another on lot 18 and tree on lot 17 all downstream from lot 16. There is also a tree on Lot 15 but water generally does not run uphill. There are more protected trees on the other side of the blueline stream. If there is a failure these protected trees will be impacted.

GENERAL PLAN INSCONSISTENCY

The County when it approved the tract and the EIR for the tract 2706 was only for a residential subdivision not anything else.

The proposed development is obnoxious or harmful, or impair the utility of neighboring property or uses [Section 8111-1.2.1.1a.c]. As noted for numerous reasons in this letter there is no general plan consistency.

The proposed development is detrimental to the public interest, health, safety, convenience, or welfare [Section 8111-1.2.1.1a.d]. As noted in this letter and other reports and evidence in the administrative record this Project is detrimental to the public interest, health, safety, convenience, or welfare due to well fracture existing and failure, chlorine tank failure close to homes, impacts upon blueline stream, heritage and landmark trees, noise, vibration to name a few.

The proposed development is compatible with existing and potential land uses in the general area where the development is to be located [Section 8111-1.2.1.1a.e]. The proposed well is not compatible. It is clearly in full violation of the CC&Rs provisions, causes nearby homeowners to install advanced treatment systems at huge costs and expenses, noise, vibration and will cause impacts upon equestrian trials, flowage easements, and heritage and landmark trees to name a few.

ILLEGAL LAND DIVISION PROHBITS CUP

I still have not had an answer to the illegal land division as outlined in my prior letters. The existence of this illegal land division prohibits any amendment of the CUP until corrected. However, answers have not been provided. Based upon my prior correspondence Parcel A is not reflected or approved in the County approval of Tract 2706. Parcel A subsequently appears when not approved by the County Board of Supervisors. All of Lot wherein Parcel A is a part thereof was annexed into the HOA. The CC&Rs prohibit subdivision.

SUMMARY

Crestview and the County are trying to put a square peg in a round hole. This project creates a public and private nuisance. The Project cannot be approved as detailed it this letter and my prior letter and the attachments and based upon the administrative record:

- 1. The Original Application was not complete it failed to provide the CC&Rs which Lot 16 of Tract 2706 is bound to adhere to.
- Lack of Notice to Pleasant Valley Recreation and Park District and the Las Posas
 Agricultural Cooperative Association, which hold recorded Licenses and easements over
 Lot 16. I have not seen evidence of compliance.
- 3. Parcel A of Tract 2706 was not a legal land division and appears to be part of Lot 83. Well #4 is being operated on a Parcel that is not a legal parcel and as such under long standing County rules, regulations and policies any changes or modification of a CUP cannot be granted if there are open violations. A code enforcement complaint has been filed. Staff was advised of this issue before the Planning Director hearing and at the Planning Director hearing.
- 4. The Project fails to describe all the components of the Project, especially all the changes of locations of key components of the Project per the revised grading plan including but not limited to the changed location of the discharge chamber, new location of the 5000 gal. tank, noise, grading, soil drying etc.
- 5. The Proposed Project is not exempt from CEQA under Class 1, 2 3 or 4 exemptions as detailed herein and further the exception to use of categorical exemptions set forth in 14 Cal. Code Regs § 15300.2(c) because the a project presents unusual circumstances, and there evidence of a reasonable possibility of a significant effect due to the unusual circumstances that are not mitigated to a level of insignificance. Unusual circumstances are the existence of a Heritage Tree on Lot 16, Heritage Trees on Lots 15, 17 and 18 and across the blueline stream and the County Building/Plumbing Code Appendix H that specifically prohibits water well within 200' of septic seepage pits. Appendix H cannot be waived by the County except if an existing structure is destroyed by fire or other natural disaster only. Thus, the County is prohibited from issuance of a Well No. 7 Permit. Appendix H-1 Footnote 10 is also not applicable as discussed herein.
- 6. Project violates the approved Tract Conditions for 2706 and impairs legal easements and those required by the Tract Condition. The Project violates numerous provisions of the recorded CCR&s which the County required and approved per Tract Conditions. In addition, per the approved CC&Rs the County mandated has the right to enforce the CC&Rs. It should also be noted Crestview and owners within Tract 2706 owe each other a duty of good faith and fair dealing. The Project is within an HOA with recorded CC&Rs. Crestview purchased the lot 16 in Tract 2706 on October 28, 2015. It should be noted that Steve Gill, was the President of Crestview owns Lot 83 of Tract 2706. Mr. Gil has been a Boardmember of Crestview since 2010 until recently after this issue was

raised and he resigned. Doug Off is a current Boardmember of Crestview and has been a boardmember since 1996. Mr. Off was a Boardmember and President of the HOA for Tract 2706 for many years. He ceased being President and member of the HOA in 2010, when he sold his home in Tract 2706. At the time of acquisition by Crestview of Lot 16, in 2015, there were two Crestview Boardmembers, who were well versed in the language contained in the CC&Rs. Since the CC&Rs are a contractual obligation members of the HOA owe a duty of good faith and fair dealing like any other contract. Crestview's Project is a fully and complete breach of contract of the CC&Rs.

- 7. The Applicant and County have not fully evaluated for CEQA purposes biological impacts including the blueline stream, Heritage/Landmark Trees, wildlife and corridors, the aesthetics of the immediate neighborhood, grading and soil impacts, signage, lighting, parking, trash, and hazards, as noted herein.
- 8. Specific Conditions violate current existing County Codes and need further revisions.

Based upon the foregoing the amendments to the CUP cannot be granted nor the construction of Well No. 7. The Appeal of the Planning Commission decision must be denied and the entire Project denied.

Very truly yours,

Nancy Kierstyn Schreiner

Attachments: Exhibit 1-Architectural Committee denial of Well Project Exhibit 2-Grant Deed to HOA for flowage and other easements

Las Posas Hills Homeowners Association ARCHITECTURAL MODIFICATION REQUEST FORM

(Submit requests by the 5th of the month to be considered by Committee the 3rd Monday of the month)

I.	NAME OF OWNER CRESTURE MUTURE WITTER COMPANY DATE JULY 19.202
II.	PROPERTY ADDRESS: 191 AUISO (Las Posas Hills), Camarillo, CA
111.	DAY/CELL PHONE 805 482-2001 HOME PHONE N/A
IV.	E-mail: CRESTVIEW WATE @ LINE, COM
V.	PROPOSED IMPROVEMENT: Project submittals need to be complete before committee can consider the project and send notices out to neighbors. A. New construction, additions, or exterior renovations must provide: 2 sets of detailed Blueprints for the project at ¼" scale, one set of material samples of all finishes and/or color brochures for all exterior finishes, any fixtures, materials, roofing, etc. B. Landscape projects: 2 sets of Blueprints at ¼" scale for major projects or new construction. Any hardscape, fencing and plants shall be called out and shown. Provide a color sample/chip/brochure for stucco, cement, walls or fencing. C. Minor exterior changes: If changing color of exterior, material finishes, roofing, etc. please provide color chips, brochures and/or sample of material. NOTICE: If an owner installs something other than what is approved; the owner will be responsible for all costs for bringing improvement into compliance.
I plan to:	Construct ~ 1,100 FT pump house and numicipal water well and
Natura	Las Emergency Generator
Subrill and color, district the formula of the formula of the firmula of the firm	ED START DATE
3. Provide Owners' S	two (2) complete sets of application and materials. One will be returned. Signature Robert Enance: Seneral Manager Date 19-JUL-21
	Ex hihit 11

NOTE: PLEASE TAKE THE TIME TO INCLUDE ALL THE REQUIRED INFORMATION. PARTIALLY COMPLETED REQUESTS WILL NOT BE FORWARDED TO THE COMMITTEE, CAUSING DELAYS IN PROCESSING.

Neighbor Advisement: The Architectural Committee has determined that it is in your best interest to advise your neighbors of any proposed improvements to your property and require that your adjacent neighbors sign where indicated below. Neighbors having objection to the proposed improvement shall notify the Board of Directors. Disapproval by the neighbor does not necessarily mean that the improvement will be rejected.

Address:	Name: MIKE ROLLS	Objection? YES
Address:	Name: DAVID SILKEY	_Objection?_ <i>YES</i>
Address: _4	Name: CHRISTINE COHEN	_Objection?_YES
Address:	Name: Buardo TRONCOSO	_Objection?_\XES
For HOA use only below		
Review by Architectural Co	ommittee: Date:	
Recommended for approval? YES:	NO:	
Meeting Date: 7-26-	2021	With owner necessary?
Notes: $5\epsilon + A + C$	tachment #	/
Have all the affected Neighbors been	contacted? YES: NO:	
Date: Signature by Com	Justee Sehn, Chi	January 1
Mail requests to: Concord Consu 888 West Ventura Blvd. #C, Camari	Iting & Association Services	concordconsulting.net
Form revised September 2015		

EXHIBIT "1"

Crestview Mutual Water District Architectural Committee Grounds for Denial:

- Article VIII, Section 1, page 36- Each Lot shall be used <u>exclusively</u> as a private single-family residence.
 No owner shall use or cause his Lot to be used for any commercial, industrial, storing or other non-residential purposes except citrus or avocado farming.
- Article VIII, Section 5 page 37-Hazardous Activity-No Owners shall permit or suffer anything to be done or kept on his Lot or in the Common Area which will result in cancellation of insurance on the common areas.
- Article VIII, Section 6, page 38- Nuisance. No owner shall permit or do anything on his Lot which will
 obstruct interfere with the rights of other owners or annoy them by unreasonable noises or otherwise,
 nor permit any nuisance.
- Article VIII, Section 12, page 40- No derrick or other structure designed for use in boring for water shall be erected, maintained or permitted on any Lot.
- Well within 150' to 300' of septic systems.
- Chemical storage especially chlorine close to habitable dwellings.
- Buildings do not conform to the aesthetics of the custom homes in the HOA. The proposed buildings do
 not completely look like single family homes. Proposed buildings are inharmonious or out of keeping
 with the general plan of improvements for the Project or with Improvements erected on neighboring lots.
- Proposed landscaping trees will or could block views of adjoining homes.
- Proposed Structure does not meet Residence Standards-page 50 set forth in IX section 9
- Sound fencing will block views, which is not permitted by the CC&Rs.
- Based upon proposed driveway it appears will need to go into the slope and retaining wall will be required and not proposed. No new information was presented on July 26, 2021 committee meeting
- Potential over-flowage from the irrigation and overflow tank which is to be used if need overflow from the well will exceed the designed flowage from the lot onto the HOA flowage, drainage and equestrian easements.
- Criteria for architectural committee in Article IX section 4, page 45, states approval may be withheld because of noncompliance with any of the specific covenants, conditions and restrictions contained in the CC&Rs as noted above the proposed plans do not conform to the covenants, conditions and restrictions

RECORDING REQUESTED BY

Title Insurance & Trust Co. -#71

AND WHEN RECORDED MAIL TO

Las Posas Hills Owners Association c/o Griffin Homes P. O. Box 827

Tarzana, California 91356 LAttn: Mr. Richard A. Niec

MAL TAX STATEMENTS TO

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Not Applicable

098737

OF FICIAL RECORDS SOPERT L. HAMM

Oet 20 8 oo AM '82



SPACE ABOVE THIS LINE FOR RECORDER'S USE-**Corporation Grant Deed**

THIS FORM FURNISHED BY TICOR TITLE INSURERS The undersigned grantor(s) declare(s):
Documentary transfer tax is 8 NO TAX DUE

Computed on full value of property conveyed, or

() computed on full value less value of liens and encumbrances remaining at time of sale.

(x) Unincorporated aren: () City of . FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged.

GRIFFIN DEVELOPMENT CO.,

a corporation organized under the laws of the State of California LAS POSAS HILLS OWNERS ASSOCIATION, a California nonprofit mutual benefit corporation

the following described real property in the County of Ventura

, State of California:

See Exhibit "A" attached hereto and made a part hereof consisting of

This conveyance is made and accepted and said realty is hereby granted upon, and is subject to, the covenants, conditions, restrictions and other matters set forth in that certain Declaration of Restrictions for Las Posas Hills recorded on November 23, 1981 in book 1981 page 111366, the First Amendment to said Declaration recorded on October 8, 1982 in book 1982 page 95502, both of Official Records of Ventura County, California, and any further Amendments and/or Modifications thereto that may be hereinafter recorded, all of which by this direct reference thereto are incorporated in this conveyance and made a part hereof as though set out herein in full. hereof as though set out herein in full.

In Witness Whereof, said corporation has caused its corporate name saids to be affixed hereto and this instrument to be executed by its. President and

thereunto duly authorized.

STATE OF CALIFORNIA

fee 7 1982 before me. the under-Notary Public in and for said State, personally appeared

President, and _ known to me to be

within Instrument, known to me to be the persons who executed the within Instrument on behalf of the Corporation therein named, and acknowledged to me that such Carporation executed the think Instrument on behalf of the Corporation therein named, and acknowledged to me that such Carporation executed the within Instrument pursuant to its by-laws or a resolution of its board of directors.

Title Order No.

GRIFFIN DEVELOPMENT CO.

President Secretary

> OFFICIAL SEAL JACKIE F. SWEET HOTARY PUBLIC - CALIFORNIA PRINCIPAL OFFICE IN SAN DIEGO COUNTY My Commission Expires SEPT. 30, 1983

(Thin sees for official notarial seal)

Escrow or Loan No.

MAIL TAX STATEMENTS AS DIRECTED ABOVE

Exhibit "2

DARCEL 1:

AN EASEMENT FOR FLOWAGE AND PURPOSES INCIDENTAL THERETO OVER THAT PORTION OF LOT 1 OF TRACT NO. 2706, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 84 PAGES 30 TO 54 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESIGNATED AND DELINEATED ON THE MAP OF SAID TRACT AS "FLOWAGE ESMI."

PARCEL 2:

AN EASEMENT FOR EQUESTRIAN, FLOWAGE AND PURPOSES INCIDENTAL THERETO OVER THOSE PORTIONS OF LOTS 2 TO 7 INCLUSIVE, 12 TO 1 INCLUSIVE AND 77 TO 63 INCLUSIVE OF TRACT NO. 2706, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 54 PAGES 50 TO 54 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESIGNATED AND DELINEATED ON THE MAP OF SAID TRACT AS "EQUESTRIAN & FLOWAGE EASEMENT".

AN EASEMENT FOR EQUESTRIAN AND PURPOSES INCIDENTAL THERETO OVER THOSE PORTIONS OF LOTS 8, 23, 71, 74, 75 AND 75 OF TRACT NO. 2706, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 84 PAGES 50 TO 54 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESIGNATED AND DELINEATED ON THE MAP OF SAID TRACT AS "EQUESTRIAN EASEMENT".

AN EASEMENT FOR EQUESTRIAN, FLOWAGE AND PURPOSES INCIDENTAL THERETO OVER THOSE PORTIONS OF LOTS 1C AND 20 OF TRACT NO. 2706, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN 800K 84 PAGES 50 TO 54 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESIGNATED AND DELINEATED ON THE MAP OF SAID TRACT AS "EQUESTRIAN & FLOWAGE ESMT.".

PARCEL 5:

AN EASEMENT FOR EQUESTRIAN AND PURPOSES INCIDENTAL THERETO OVER THAT PORTION OF LOT 15 OF TRACT NO. 2706, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA. AS PER MAP RECORDED IN BOOK 84 PAGES 50 TO 4 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESIGNATED AND DELINEATED ON THE MAP OF SAID TRACT AS "STORM DRAINAGE & EQUESTRIAN EASEMENT "B".

PARCEL 5:

AN EASEMENT FOR EQUESTRIAN AND PURPOSES INCIDENTAL THERETO OVER THOSE PORTIONS OF LOTS 19, 71 AND 79 OF TRACT NO. 2706, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 84 PAGES 50 TO 54 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESIGNATED AND DELINEATED ON THE MAP OF SAID TRACT AS "EQUESTRIAN ESMT.".

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Fogg, Mindy

From: Christine Cohen <

Sent: Wednesday, September 8, 2021 4:54 PM
To: Ward, Dave; ClerkoftheBoard; Long, Kelly

Cc: Fogg, Mindy; Kessler, John

Subject: Objection to Crestview Mutual Water Company Proposed Well #7

Please add the attached letter to the public record for Hearing of September 14, 2021 Thank you kindly, Christine Cohen

Delivered via email

Derr Cohen Trust

September 8, 2021

Honorable Linda Parks, Chair
Honorable Kelly Long, Supervisor
Honorable Robert O. Huber, Supervisor
Honorable Carmen Ramirez, Supervisor
Honorable Matt LaVere, Supervisor
Board of Supervisors
County of Ventura
800 S. Victoria Ave.
Ventura, CA 93009-1740

RE: CASE NO. PL19-0039 - Board of Supervisors Hearing, September 14, 2021, 3 p.m.

Dear Honorable Chair Parks and Supervisors:

We respectfully request that your Board <u>deny</u> Crestview Mutual Water Company's (Crestview) appeal of the June 25, 2020 Planning Commission 5-0 decision to deny this application. This request is based on comprehensive information researched and documented by surrounding homeowners of proposed Well #7 and includes information NOT made available by Crestview to all their shareholders of this water company.

- It is requested that your Board uphold the regulations the Board of Supervisors has itself
 approved and made available in your LAMP program; regulations that concern setback
 requirements of a public water well from septic systems with seepage pits deeper than
 20 ft.
 - a. The septic setback requirements are minimum State standards that must be in every LAMP, and the County is not at liberty to ignore them.
 - Ignoring such requirements will place a large financial burden on those
 properties within such setback requirements and may render their homes
 <u>unlivable</u> if future repairs/maintenance of existing septic systems are not
 permitted (discretionary permits) by your Environmental Health Division.
 - c. Future repairs/maintenance of existing septic systems may be required to install expensive Alternative Treatment Units (personal wastewater/sewer treatment systems) which can run approximately \$100,000 in addition to yearly maintenance costs.
 - d. Crestview did not perform their due diligence <u>before</u> purchasing the property at 191 Alviso Dr. Why should your Board be placed in the untenable position of

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- ignoring your own regulations to meet Crestview's needs for this ill-conceived project?
- e. Crestview appears to recognize the error of their ways by drafting (and redrafting) a Resolution which <u>appears</u> to indemnify the surrounding homeowners. Don't be fooled. This is not indemnification by any stretch of the imagination.
- f. New peer review studies reinforce the wisdom of the 5-0 Planning Commission vote. Neighbors of the proposed well have engaged peer review experts to show Crestview the error of their ways. There is new information that show <u>fractured bedrock</u> in the area surrounding the 191 Alviso site. This information has been uncovered from the seepage pit borings of surrounding septic systems, with boring logs documentation going back to the mid 1980's. This should have been discovered by Crestview if they had performed a comprehensive well siting study <u>before</u> purchasing the property. These documented fractures directly contradict Crestview's position that there is no public health and safety risk by drilling a public water well amid seepage pits. It also contradicts Crestview's argument that the proposed 940 ft sanitary seal will not crack and decimates Crestview's pathogen/ nitrate studies.
- It is requested that your Board recognize the CC&R's of the Las Posas Hills Owners Association (HOA).
 - a. Since Tract 2706 was approved by the County with conditions that require enforcement of the CC&R's (ca. 1978) the County is obligated to recognize such conditions. We recognize that the Planning Department of the County does not want to be placed in the position of enforcing the CC&R's of a tract condition, but especially in this case, the Board should attach importance to these restrictions and deny the proposed Well #7 project. The Planning Commission understood that this proposed well project is
 - incompatible with the character of the surrounding, legally established development,
 - ii. would be obnoxious or harmful or impair the utility of neighboring property uses,
 - would be detrimental to the public interest, health, safety, convenience, or welfare, and
 - iv. is not compatible with the existing and potential land uses in the general area where the development is proposed.
 - b. When asked at the Planning Commission as to how do you expect to resolve the issue of the CC&R requirement that that lot be only built with a home, Mr. Eranio stated: "I aint gonna lie. I hope I get a good decision today. I hope you vote in favor of this and allow this project to go forward. I think that puts another nail in the coffin. And allows me to have the ability to go sit with these individuals and say 'look, this project is going to go forward, we need to come to some agreement. Are you willing to talk to us now? Here's what the design is."
 Mr. Eranio was basically demanding the Planning Commission grant his permit

- before he negotiates with the HOA members. As an owner of the lot at 191 Alviso Dr., Crestview also has the duty to uphold their contractual obligation to the HOA, a commitment made when this property was purchased by Crestview.
- c. The HOA Architectural Committee has twice turned down Crestview's request of this proposed Well #7 project on multiple grounds. Crestview's presentations have solely been focused on the aesthetics of the proposed project and ignored all the other restrictions in the CC&R's.
- d. Crestview has ignored the HOA, and the CC&R's and has gone so far as to threaten the existence of such in their letter to Mr. Dave Ward of August 25, 2021, specifically noting it has the power of eminent domain. If the CUP modification is granted, Crestview will have to come to the Board of Supervisors again for permission to exercise eminent domain, and four votes would be required.
- It is requested that your Board deny this appeal because Crestview cannot meet the County's noise limits.
 - a. The noise studies conducted by Crestview's consultant before the Planning Commission hearing have been found to be erroneous.
 - b. Peer review studies performed by Noise Monitoring Services have found that the original noise studies done for Crestview showed multiple errors that led to misleading statements on project's construction and operational noise and vibration impacts.
 - i. Unrealistic assumptions concerning the equipment usage
 - ii. Incomplete construction vibration analysis
 - iii. Lack of acoustical requirements for the project's pump house
 - c. Crestview has "off-loaded" the inability to meet the County's noise standards to the drilling bidder, together with a "steep" daily penalty and construction shutdown in the event of non-compliance. \$500/day is NOT a "steep" penalty and has surely been integrated into the bid for this project.
 - d. Crestview states in its August 25, 2021 letter to Planning Director Dave Ward that it has offered hotel lodging to house immediate neighbors that so desire during construction; the very definition of "nuisance". This is an apparent ruse that has been offered by Crestview twice. If Crestview cannot meet the County's noise standards, they punt (to the driller) and deny (to the neighbors).
- 4. The push poll Crestview spent ratepayer money on was solely done to show that this well and additional water was needed, with no regard for other steps that could be taken, and with deliberate misleading information and fearmongering to sway the shareholders. Well #4 is not running dry and can be rehabilitated for \$250,000, according to Crestview's internal estimate. Meanwhile, the cost estimate for Well #7 has ballooned from \$1.2 million to \$3.5 to \$4 million and will produce water that is of much poorer quality than Well #4 produced. Crestview has also carefully concealed from shareholders the fact that the Planning Commission denied the application and the reasons it did so, the fact that Crestview cannot comply with the noise ordinance, that

the project violates the CC&R's, and that the project would impose costs of about \$100,000 each on about 30 homeowners with private septic systems. a fraction of the cost of drilling a new well.

The choices that Crestview has faced to make its case are false and misleading. They continue to push a binary choice of Well #7 at this location or higher costs of imported water. They are looking to put in a well into Grimes Canyon Aquifer, known for poorer quality water that they already experienced at Well #3, Well #5 and by drilling Well #4 to a deeper level but only pumping the upper level. They are looking to your Board to waive regulations that they cannot meet.

Please DENY this appeal.

Respectfully yours,

Christine L. Cohen TTE

Cc: Dave Ward, Planning Director Mindy Fogg, Planning Manager

John Kessler, Planner II

Michael F. Derr TTE

PACHOWICZ | GOLDENRING

A Professional Law Corporation

Mailing Address:	T:	•
	F:	: -

September 8, 2021

Via Email clerkoftheboard@ventura.org

Hon. Linda Parks, Chair

Hon. Carmen Ramirez, Vice Chair

Hon. Matt LaVere, Supervisor

Hon. Kelly Long, Supervisor

Hon. Robert Huber, Supervisor

800 South Victoria Avenue

Ventura, California 93009

Re:

Board of Supervisors Hearing September 14, 2021

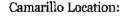
Time: 3:00 p.m. Case No.: PL19-0039

Appeal From Planning Commission Hearing

Dear Chair Parks, Vice Chair Ramirez and Supervisors LaVere, Long and Huber:

In furtherance of the above referenced and on behalf of many in the community under the umbrella of the Crestview Mutual Water Alliance ("Alliance"), we respectfully submit the attached report from Jensen Design. When you review this report, you will see that it is focused on the County of Ventura Public Works requirements as pertain to septic systems of any type. The County of Ventura, along with the Regional Water Quality Board and a number of other public agencies, have a public policy to, over time, eliminate septic systems of all sorts and require properties to connect to public sewer systems. Thus, the Ventura County rules in this regard.

Since all of the affected properties whether measured by 200 feet or 600 feet are in the County of Ventura, they are subject to these rules. Septic systems have a limited useful life as set forth in the attached analysis. All of the homes whether calculated within 200 feet or 600 feet have reached that useful life and therefore replacement can be expected on a rolling basis in the near future. At the time of failure, the County of Ventura's regulations as described in the attached analysis will apply. As a "house by house" matter, the County at that time could decide that the cost of requiring a singular homeowner to connect to the sewer is too burdensome, thus infeasible, and grant a waiver from this mandatory policy. But, should the County view this to be a cluster of homes much like a developer building a small subdivision, then the County policy could require the imposition of the policy and thus connection to the public sewer system. At that point in time, the cost would be required to be borne by the homeowners. They would have to





Hon. Linda Parks, Chair; Hon. Carmen Ramirez, Vice Chair; Hon. Matt LaVere, Supervisor; Hon. Kelly Long, Supervisor; Hon. Robert Huber, Supervisor September 8, 2021 Page 2

write the check. Over time, as other homes were required to connect to the sewer the homeowner(s) that was forced to "advance the costs" would then receive prorata reimbursement. Obviously, this could constitute a huge economic burden.

Alternatively, the County, at the time, could decide that the connection cost makes such a connection "infeasible" but could then impose additional requirements on any septic system design, in addition to any other requirements imposed by the County's Environmental Health Department or other agencies. There are simply no guarantees nor clarity to the future.

None of this was considered by staff prior to the Planning Commission and none of this has been addressed by Crestview Mutual Water Company though it has been brought to their attention. The "indemnity resolution" they present does not cover this issue and the Water Company is declining any bond or security for its obligations to affected homeowners should those obligations be imposed as a condition to the project. That makes the promise enforceable only through litigation at significant cost, and then only recoverable if there is money to be recovered - right now the Water Company does not have the economic reserves to cover any of this.

Thank you for your continuing attention to this matter.

Very truly yours,

PACHÓWICZ | GOLDENRING A Professional Law Corporation

By:

PETER A. GOLDENRING

PAG/sah

cc: Mindy Fogg, Planning Manager (via email: mindy.fogg@ventura.org)

5021.200Board09-08-21



1672 Donlon Street Ventura, CA 93003 Local 805 654-6977 Fax 805 654-6979 www.jdscivil.com

July 30, 2021

Honorable Supervisors of the County of Ventura 800 S. Victoria Avenue Ventura, CA. 93009

SUBJECT:

VENTURA COUNTY SEWER POLICY

Dear Members of the Ventura County Board of Supervisors:

We have been requested to provide information and analysis concerning the Crestview Mutual Water Company's proposed project and the impact of the Ventura County Sewer Policy.

Relevant portions of the Ventura County Sewer Policy are attached to this letter. The Ventura County Sewer Policy requires connection to the public sewer for all subdivisions and discretionary projects requiring new Onsite Wastewater Treatment Systems (OWTS) such as a septic system. While the proposed installation of Well #7 by Crestview Mutual Water Company (Crestview) at 191 Alviso Drive does not require the installation of a new OWTS, it will impact the septic systems of approximately 30 - 35 neighboring residents within 600 feet.

All septic systems will eventually fail and will need to be replaced. Septic tanks typically last 20 to 30 years while a typical leach line has a lifespan of 15 – 25 years. Because of State Drinking Water Standards imposed if the Crestview Well #7 is constructed at 191 Alviso Drive, when these existing septic systems fail, they will need to be replaced by alternative systems that provide additional treatment of effluent before entering the leach lines. If the County views the replacement of any of the septic systems for these residences as one community project as a whole and does not process each individual system separately, then the County Sewer Policy should apply.

The County Sewer Policy does provide for an exception for projects where public sewer connection is infeasible. As you can see on the attached exhibit of the City of Camarillo Sanitation District service area, sewer service is currently provided outside of the city limits in this area, on Calle Aurora, so City sewer service is available. That current sewer service is located approximately 1,150 linear feet from 191 Alviso Drive. The County Sewer Policy requires certain projects within a ½ mile to connect to sewer service if it is available and the cost for providing an alternative septic system is less than the total cost of connecting to the public sewer and at least twice the total cost of a conventional septic system for the site.

When the septic systems for any of these residences eventually fails, and if the County imposes the County sewer policy, then any or all effected residents will be required to pay for the permitting and installation of sewer service.

Let me know if you have any questions regarding this letter.

Sincerely,

Lisa Woodburn, Vice President, Planning Services

Cloa Wardhin

attachments

VENTURA COUNTY SEWER POLICY

Adopted by the Board of Supervisors June 6, 1995

Any subdivision or change in land use requiring land use permits and having a direct effect upon the volume of sewage, filed after the adoptive date of this policy, will require the installation of a public sewer system. This policy does not apply to land use actions which do not require discretionary land use permits nor to Planned Development Permits for the construction or modification of one single-family or two-family dwelling on an existing legal lot.

Exception:

Subdivisions or changes in land use having a direct effect upon the volume of sewage will be exempted from this requirement if approval is made subject to all of the following three conditions:

- 1. That the maximum density of private sewage disposal systems (septic systems), as defined in the Ventura County Building Code, shall be as follows:
 - a. In cases where the subdivision or change in land use is for residential purposes, each affected lot shall contain at least 20,000 square feet of gross area for each dwelling unit located or to be located thereon; and
 - b. In cases where the subdivision or change in land use is for non-residential purposes, each affected lot shall contain at least 20,000 square feet gross area and, further, shall be sized so that the ratio of aggregate private sewage disposal system capacity in gallons (determined in conformance with the Ventura County Building Code) to the gross area of the lot in square feet does not exceed 1,500 to 20,000.
- 2. That the character of the soil, geology and hydrology are such that a private sewage disposal system can be expected to function properly and have no adverse effects on soil stability or underground water supplies. Such determination shall be made by a qualified engineering geologist and/or soils engineer at no expense to the county. The findings of the geologist and soils engineer shall be subject to review and approval by the Division of Environmental Health, the Division of Building and Safety, and the Public Works Agency.

When it has been adequately demonstrated that the character of the soil, geology or hydrology is such that neither a septic tank-leach line nor a seepage pit nor a seepage bed ("conventional") private sewage disposal system can be expected to function properly, then and only then other ("alternate") private sewage disposal systems may be considered provided they conform with applicable county codes and standards, if any, and provided further that the Division of Environmental Health is satisfied such alternate systems will function properly.

- 3. That a public sewer system with capacity for additional wastewater load is not available within one-half mile, <u>unless</u> it can be demonstrated to the satisfaction of the Public Works Agency, that --
 - (a) in cases where a conventional private sewage disposal system is proposed for the site, the total cost of such conventional private system could be no more than one-half the total cost of connecting to the public sewer system, or
 - (b) in cases where an alternate private sewage disposal system is proposed for the site, the total cost of such alternate private system would be both --
 - (i) less that the total cost of connecting to the public sewer system, and
 - (ii) at least twice the total cost of a conventional private sewage disposal system for the site.

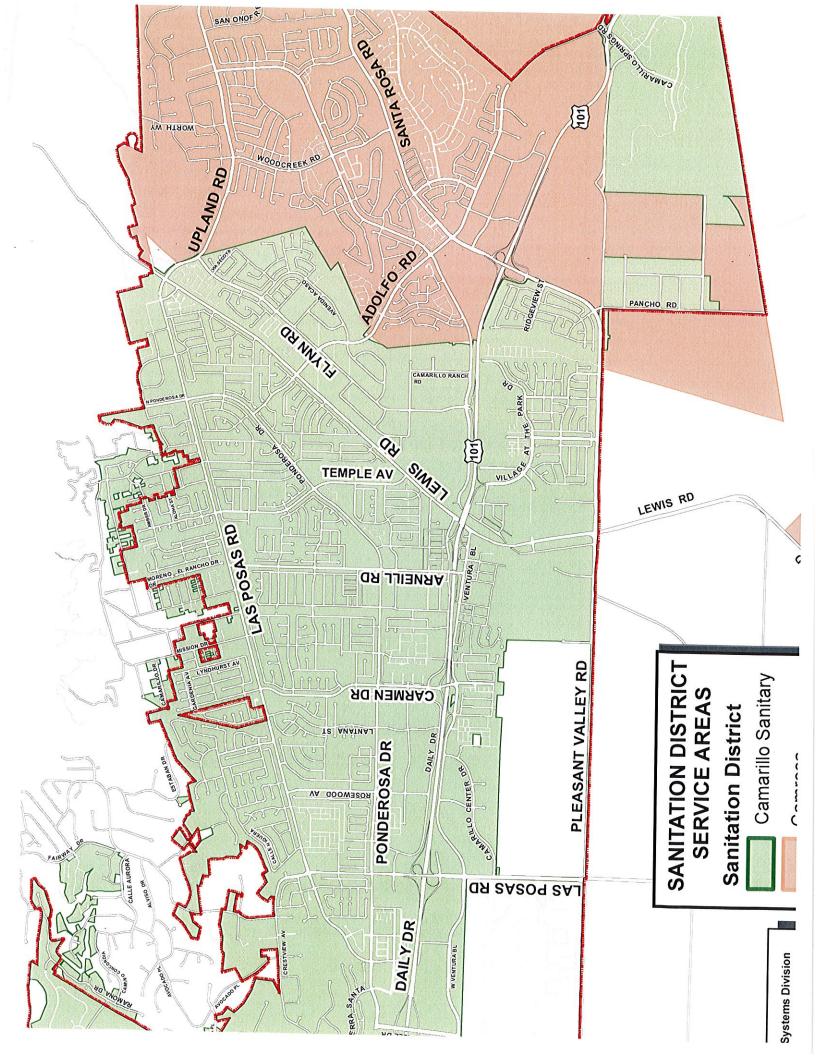
All data and feasibility studies shall be submitted at the time of application for the subdivision or change in land use having a direct effect upon the volume of sewage. Determination of conformance with this policy or waiver of this policy must be obtained before the application will be approved.

Waivers of this policy may be considered by the Board of Supervisors on a case-by-case basis. Requests for waivers of this policy shall be processed through the Environmental Health Division.

The Environmental Health Division is responsible for the administration of the Ventura County Sewer Policy, on behalf of the Board of Supervisors.

History:

Recommended by the Health Officer in 1952 Adopted by the Board of Supervisors in 1957 Revised by the Board of Supervisors in 1961 (twice), 1962, 1965, 1968, 1972, 1982, 1984, and 1995 (this revision).



PACHOWICZ | GOLDENRING

A Professional Law Corporation

Mailing Address:

September 8, 2021

Via Email clerkoftheboard@ventura.org

Hon. Linda Parks, Chair

Hon. Carmen Ramirez, Vice Chair

Hon. Matt LaVere, Supervisor

Hon. Kelly Long, Supervisor

Hon. Robert Huber, Supervisor

800 South Victoria Avenue

Ventura, California 93009

Re:

Board of Supervisors Hearing September 14, 2021

Time: 3:00 p.m.

Case No.: PL19-0039

Appeal From Planning Commission Hearing

Dear Chair Parks, Vice Chair Ramirez and Supervisors LaVere, Long and Huber:

The underlying Administrative Record reflects that this office is counsel for the Crestview Mutual Water Alliance ("Alliance"). The Alliance consists of a number of property owners that are stakeholders in the Crestview Mutual Water Company and are also members of the Las Posas Hills Homeowners Association. The Alliance strongly opposes the application before you as ill conceived, not supported by best evidence, in violation of land use regulations and limitations, and contrary to the Ventura County Public Health & Safety Rules and Regulations.

The Alliance in an effort to present to the County objective and proper scientific analysis retained the services of Kear Groundwater. Kear Groundwater presented its initial report dated June 22, 2020 to the Planning Commission and provided testimony at the Planning Commission Hearing. That original report is in the Administrative Record.

Subsequent, Crestview Mutual Water Company presented to staff further reports. The Alliance, consistent with good peer review practice, directed Kear Groundwater to peer review the additional materials and prepare a Supplemental Analysis for the benefit of the Board. Kear Groundwater performed that task as requested. With this letter, on behalf of the Alliance, we submit the September 8, 2021, Kear Groundwater Supplemental Analysis and Review of New CMWC Reports. For your ease of reference, and as referred to in the Supplemental Analysis, the original report of June 22, 2020 is also provided.





Hon. Linda Parks, Chair; Hon. Carmen Ramirez, Vice Chair; Hon. Matt LaVere, Supervisor; Hon. Kelly Long, Supervisor; Hon. Robert Huber, Supervisor September 8, 2021
Page 2

As you will see from reviewing the scientific and technical analysis, the proposed project remains contrary to good science and the presentation by Crestview Mutual Water Company is simply not consistent with the technical scientific data.

On behalf of the Alliance and its many directly and indirectly affected members, please accept our thanks for your careful consideration of this important scientific data. The Alliance respectfully urges the appeal be denied as contrary to both law and fact.

Very truly yours,

PACHOWICZ | GOLDENRING A Professional Law Corporation

By: PETER A. GOLDENRING

PAG/sah

cc: Mindy Fogg, Planning Manager (via email: mindy.fogg@ventura.org) 5021.200Board09-08-21

SUPPLEMENTAL ANALYSIS AND REVIEW OF NEW CMWC REPORTS

submitted to:
Board of Supervisors
County of Ventura

submitted by: *Kear Groundwater*

September 8, 2021

EXECUTIVE SUMMARY

Kear Groundwater (KG) previously issued our "Hydrogeologic Review of Crestview Mutual Water Company's [CMWC] 'Well No. 7'" to the Ventura County Planning Commission (PC), attached as Exhibit A, and provided testimony during the June 25, 2020 hearing.

CMWC recently provided its Letter to the Planning Director (2021) with additional new reports by a range of consultants (Daniel B. Stephens & Associates [DBS&A], 2021a, 2021b, 2021c, 2021d; Dreaming Tree Civil [DTC], 2021; Meridian Consultants, 2021; Rincon Strategies, 2021).

We have carefully reviewed the further submissions by CMWC and performed further analysis. The supplemental materials do not change the significant and material flaws in this project. Our additional analysis only reaffirms the potential issues to the community, environment, and human health for the 191 Alviso Drive project that lacks appropriate justification and well feasibility analyses.

KG19-0485



TO: Board of Supervisors

County of Ventura

FROM: Kear Groundwater

P.O. Box 2601

Santa Barbara, CA 93120-2601

DATE: September 8, 2021

SUBJECT: Supplemental Analysis and Review of Additional CMWC Reports

Crestview Mutual Water Company Proposed Well No. 7, Ventura County, CA

INTRODUCTION

Kear Groundwater (KG) has reviewed the further information applicable to our expertise within the additional documents recently provided by CMWC (2021, Letter to the Planning Director) and its consultants (the environmental firm DBS&A, 2021a, 2021b, 2021c, 2021d; the engineering firm DTC, 2021; the environmental planning compliance firm Meridian Consultants, 2021; and the strategic public affairs firm Rincon Strategies, 2021). We have performed additional evaluation of that data.

We strongly disagree with the CMWC (2021) claim that these new reports yield "a completely different result and set of findings." The myriad of issues with CMWC's proposed Well No. 7 location at the 191 Alviso Drive property remain exactly as before, including: adjacent property owners with existing septic systems that are in close proximity to the proposed water supply well, in violation of State and County horizontal setback standards (i.e., regulatory infeasibility), the community nuisances related to the large-scale, 24-hour-a-day, 4-month-duration well construction on a small and sloping parcel in close proximity to a bluelined creek (i.e., logistical infeasibility), and the well location near the top of the Camarillo Anticline with known associated fractures, which are open conduits for contamination, into an aquifer of known poor overall quality (i.e., hydrogeologic infeasibility).



Well No. 4 Will Not "Go Dry"

CMWC states that Well No. 7 is needed because production from Well No. 4 "has decreased approximately 80% due to declining groundwater levels" and that the well shortly "go 'dry' this summer." Per DTC (2021), the pump in Well No. 4 was lowered 40 feet to 620 ft below ground surface (bgs) in 2015 due to decreasing water levels, exposing the uppermost perforations and increasing potential for cascading water, air intake, pump cavitation, and that the pump will have to be taken offline to prevent breaking suction and damaging its assembly. Therefore, *Well No. 4 itself will not go dry*, its top of perforations are simply too shallow and the pump may be negatively impacted. The current pump setting is still more than 280 ft above the bottom of the well casing at 903 ft bgs, despite the fact that the original exploratory bore for that well extended all the way to 1350 ft bgs. The lower nearly 450 ft were not included in the final well design, likely due to the poor quality at depth, as demonstrated in the electric log and at Well Nos. 3 and 5.

CMWC now intends to drill an entirely new well in close proximity and identical geologic structure that would produce groundwater exclusively from this strata abandoned in Well No. 4, at a location with four known active seepage pits within the mandated 200-ft buffer for a public supply well, without first addressing the wide range of industry-standard approaches that would resolve the actual issues impacting Well No. 4 or other more feasible groundwater development alternatives. As designed, a deep well at 191 Alviso Drive will extract only water of such poor quality that it was abandoned in the Well No. 4 construction.



Response to Meridian Consultants (2021) and Rincon Strategies (2021)

CMWC states that "two of [its] most compelling studies" are the water rate comparison by Meridian Consultants (2021) and the shareholder survey by Rincon Strategies (2021). Per Meridian (2021), the "basis of [its] review is the comparison of the development of a new water well to replace an offline well and to supplement an existing well that may be at risk of going dry, versus the purchase of water from Calleguas Municipal Water District (Calleguas) to meet the future water demands."

- *KG Response*: Well No. 4 is not at risk of going dry, its pump is now situated at a depth of 620 ft but the casing extends to 903 ft. There are a myriad of rehabilitation (to address plugging or biofouling inside the casing, etc.) or casing/pump modification steps that can/could be undertaken to address this concern, none of which involve drilling any entirely new well at a new location.
- Cost rate analysis by Meridian (2021) presents little practicable value, when one scenario removes all production from Well No. 4 without addressing the alternative more cost-effective approaches to maintain its use.
- CMWC's Staff Report (2019) provide as "Option #1" the installation of a liner and subsequent lowering of the pump intake at Well No. 4 with an estimated cost of \$250,000. This is considerably less than \$1,200,000 originally estimated cost (DBS&A [2021a] summary Table 2) just to construct the new well (which does not include the additional \$505,000 already invested for the 191 Alviso Drive property). CMWC has previously reported an estimated cost of \$2,200,000 for Well No. 7. Staff refer to the liner option as a "temporary" fix, ignoring other industry-standard approaches that offer permanent and less impactful fixes under a similar estimated cost (swedge liner, intermediate sealing or casing modifications, etc.).
- There is not a binary choice to either drill a new well or purchase entirely imported water.
- The survey by Rincon (2021) also presents little practicable value when those surveyed were not provided the full range of available options.



Response to DBS&A (2021a) Feasibility Report

DBS&A (2021a) argue for the overall superior feasibility of a new well at 191 Alviso Drive vs. one of the alternative sites previously suggested by KG near the Las Posas Country Club. To be clear, KG originally presented the LPCC alterative well site as one of many other available options not involving a new well at 191 Alviso Drive. KG is/was not contracted to site a new well for CMWC or conduct a comprehensible feasibility study. LPCC privately drilled its own irrigation supply well in 2021 in a similar general vicinity.

A hydrogeologic cross section across the Las Posas Valley and into the Camarillo Hills is attached as Figure 1, and includes the proposed Well No. 7 design vs. the new LPCC well. The primary aquifer ('Fox Canyon') dips and becomes increasingly saturated to the north/into the valley and is available for development under LPCC. At the 191 Alviso Drive property, only the underlying poorer-quality aquifer ('Grimes Canyon') is sufficiently saturated for development.

DBS&A (2021a) conclude that 191 Alviso Drive is the superior well site because:

- (1) groundwater levels should remain relatively stable
 - *KG Response*: the proposed No. 7 site is just 0.3 miles from the existing No. 4 site, which CMWC argue is "going dry."
- (2) the target groundwater production rate of 1,000 gpm is consistent with other CMWC wells
 - Response: Similar (or better) production rates can be attained with appropriate designed wells located elsewhere across the Las Posas Basin, including areas with known superior water quality.
- (3) there is no material difference in seismic risk or advantage
 - Response: DBS&A state the Camarillo Hills "uplift at an average rate of 0.8 to 1.4 mm//year ... [as] the result of occasional abrupt seismic events." DBS&A also concedes that "fracturing of the cement annular seal due to seismic activity is a possibility for all wells in California." At 191 Alviso, there is an additional susceptibility (greater than the flat-lying LPCC area on the valley floor) particularly for the possibility of flower structures radiating from deep within the core of the Camarillo Hills anticline.



- (4) the water quality at the LPCC location is anticipated to be similar
 - Response: Superior quality at LPCC is now proved: the early (not yet fully developed) produced groundwater at LPCC's new irrigation well has an electrical conductivity of 915 µS/cm vs. an electrical conductivity of 1280 µS/cm for recent samples at Well No. 4 (Stiff quality comparison diagrams are included on the cross section). This is in agreement with the well-established superior quality of the Fox Canyon Aquifer vs. that of the deeper Grimes Canyon Aquifer.
- (5) Nitrates are known not to exceed the MCL (and are rarely detected) but are commonly detected in groundwater at wells near the LPCC well site
 - Response: Nitrate was not detected at the new LPCC irrigation well.
- (6) Modeling of potential nitrate loading to the aquifer from the septic systems near the Alviso Drive location indicates that nitrate concentrations in pumped groundwater will not exceed the MCL and likely continue to be non-detect
 - Response: Nitrate is one of many known contaminants, including those of emerging concern that do not as readily attenuate in the subsurface, that may impact human health at a public supply well. Moreover, the presence of naturally occurring bedrock fractures or potentially occurring cement annular seal cracks can create preferential pathways for contaminated water migration. Additional analysis of DBS&A modeling reports are provided below.

Remaining Logistical Infeasibility

- *KG Response*: In practice, few drillers would find the 100 ft x 200 ft footprint provides "adequate space," especially given the steep slope/non-usability of the northern ~two-thirds of the parcel, and certainly not without a separate storage/staging area.
- Discharged water (reportedly as high as 3 million gallons total) must also meet the streambed scour erosion control measures of a bluelined creek established by the NPDES permit.
- Noise/light attenuation barriers provide some degree of sound muffling for operations



within its walls, but not for the frequent arrivals and departures of often heavy machinery/support components to and from the site itself, with construction require to occur on a continuous 24-hour basis for its duration. These barriers reduce the potential size of the drilling pad even further from its already-compromised logistical state.

Site grading of 500 cubic yards does not overcome the fundamental infeasibility of a
large-scale drilling operation on such a small parcel. County ordinances require a
grading permit for any earth moving operation greater than 50 cubic yards. CMWC has
provided no detailed grading plan nor secured a grading permit to render such a small,
topographically challenged property as 191 Alviso feasible for well construction.

Remaining Regulatory Infeasibility

- *KG Response*: The protection of drinking water sources from human impacts should become all the more important as development increases.
- Horizontal setbacks exist for the very reason that vertical conduits for contaminated water can occur, even to depth.

Remaining Hydrogeologic Infeasibility

- *KG Response*: Superior quality at LPCC site and within the Fox Canyon Aquifer (vs. the Grimes Canyon Aquifer targeted by Well No. 7) is proved.
- Groundwater levels in the CMWC wells not indicating significant long-term declines should alleviate the concerns about Well No. 4 "going dry."
- The need for new pipelines to locations that are not impacted by septic systems does not justify the presence a public supply well within mandated horizontal setback buffers. New pipeline will also likely be needed at 191 Alviso Drive according to CMWC.



Response to DBS&A Pathogen (2021b) and Nitrate (2021c) Modeling Reports

CMWC claims that its recent technical studies show that Well No. 7 "can be safely installed and operated with no groundwater quality concerns for neighboring lot septic systems. There is simply no known pathway that pathogens travel that might cause a groundwater quality impact." In lieu of the appropriate horizontal separation, CMWC intends to construct a deep (940 ft) cement sanitary seal around Well No. 7. DBS&A (2021a) conclude there is "insignificant risk" of pathogen contamination to the future well.

- KG Response: Cement annular seals, regardless of depth, will crack.
- The DBS&A (2021b) model involves pathogen transport in the vadose zone, and thus entirely assumes (unsaturated) flow through a porous media.
- Fractures (both naturally occurring faults/anticline flower structures and potentially from cracked annular seals) can open preferential pathways for rapid migration of pathogens or other contaminants. An open fracture has only air as a medium with no sediment for sorption and other natural attenuation processes to occur.
- Particular vulnerability of the well location along the growing Camarillo Hills anticline,
 where natural fractures in bedrock formations also occur.

Ventura County maintains its Individual Sewage Disposal Systems (ISDS) database for public accessibility of site plan details for the majority of local septic systems. Review of that database suggests that there are no less than 27 parcels with 4- to 6-ft-diameter by 30- to 50-ft-depths seepage pits that are within 600 lateral ft. Per County and State guidelines, where effluent dispersal systems are within 600 ft and exceed 20 ft in depth, the horizontal setback required to achieve a two-year travel time for microbiological contaminants shall be evaluated by a qualified professional and *in no case shall the setback be less than 200 ft*. There are two parcels with four total seepage pits extending to 40- to 50-ft-depths that violate this requirement.

Figure 2 presents the approximate septic system locations where known at parcels within 600 lateral ft of the proposed Well No. 7.



The ISDS database also frequently includes geologic descriptions from down-hole test pit logs of the subsurface, largely drilled in the 1980s associated with home construction and septic system permitting. In the immediate vicinity of the Well No. 7 location, the geologist firm Gorian and Associates, Inc. logged the San Pedro bedrock formation to be *fractured* (shown below).

Exhibit B includes the full boring geologic log.

This not just a theoretical fracture system, but a tectonic reality associated with a growing anticline corroborated by down-hole logged data collected over the last 40 years.

Response to DBS&A (2021d) Pipeline Report

The pipeline comparison for DBS&A (2021d) finds the cost to connect to "existing nearby water pipeline" at 191 Alviso Drive is approximately \$47,500 based on a letter from Travis Agricultural Construction.

- KG Response: CMWC's Board of Directors White Paper (2018) describes that "1,600 ft of 10 [inch] Transfermain should be installed to tie Well #7 to the existing Well #4 Transfermain to the Treatment Plant to ensure the best chance for good water quality." That effort alone would cost considerably more than \$47,500 (reportedly listed at \$145,000 in the CMWC budget for Well No. 7), not including any additional capital improvement costs to the Plant itself.
- The LPCC alterative well site is one of the many other available options not involving a
 new well at 191 Alviso Drive. Properly rehabilitating No. 4 involves no new pipelines.



Response to DTC (2021) Alternatives Siting Study

No comprehensive water well feasibility study has been conducted for CMWC Well No. 7. The "Site Suitability Matrix" by DTC (2021) evaluates 8 other parcels alongside 191 Alviso Drive based on 9 total siting criteria. DTC (2021) finds that 191 Alviso Drive has "Reasonable Assurance of Regulatory Approval," "Reasonable Assurance of Water Quality," and "Discharge Location for Well Development Water," with "Minimal" infrastructure improvements.

A proper water well feasibility study evaluates all potential properties where a water well could be constructed within a proximal region to the purveyors service area; timing of such as study should precede purchase of, lease of, or creation of an easement on a target property.

An industry standard feasibility study should include components outlined in Exhibit C.

- KG Response: Overly generalized/weak qualifications to quantify feasibility.
- 191 Alviso Drive has the second smallest usable square footage of the evaluated properties and is the fourth-worst sloping.
- 191 Alviso Drive is listed as "CMWC owned" under "Construction & Operational Affordability to Shareholders" without mentioning the \$500,000+ required to do so.
- 640 Fairway Drive is proximal to existing sewer line that could serve as a discharge location for development water, particularly as recycled water is increasing viewed as a resource. Temporary piping is also commonly used to transmit water to appropriate receiving channels.
- 640 Fairway Drive's proximity to sewer lines provides a more cost-effective alternative to advanced treatment units (ATUs) that may become needed at nearby septic systems.
- No discussion of known superior quality of Fox Canyon Aquifer, which dips and becomes increasingly saturated to the north (such as under LPCC), as demonstrated in the cross section of Figure 1.



Following supplemental review of the new CMWC reports, our conclusions about the proposed Well No. 7 project at 191 Alviso Drive and its continuing defeciences remain the same. The proposed well location still lacks adequate horizontal setbacks from nearby septic systems and presents significant community nuisance concerns related to the 24-hour-a-day, 4-month-duration construction, particularly on such a small and sloping parcel in close proximity to a bluelined creek. Alternative rehabilitation measures at Well No. 4 or site locations for a new Well No. 7 remain as more viable options to maintain adequate groundwater supply at CMWC. In sum, CMWC proposed Well No. 7 at 191 Alviso Drive lacks the appropriate justification and well feasibility analyses for a project replete with potential issues to the community, environment, and human health.

Best Regards,

Jordan Kear Principal Hydrogeologist Professional Geologist No. 6960 California Certified Hydrogeologist No. 749 Timothy Becker Professional Geologist No. 9589



References

State Water Resources Control Board, 2012. Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems.

Ventura County Environmental Health Division, 2015. Onsite Wastewater Treatment System Technical Manual.

Crestview Mutual Water Company, 2018. Board of Directors White Paper – Well #7 Capital Project.

Crestview Mutual Water Company, 2019. Board of Directors Staff Report – Well #4 Options.

Crestview Mutual Water Company, 2021. SUMMARY of CMWC Reponses to Findings of Planning Commission / PL19-0039, Minor Modification of Conditional Use Permit 4858.

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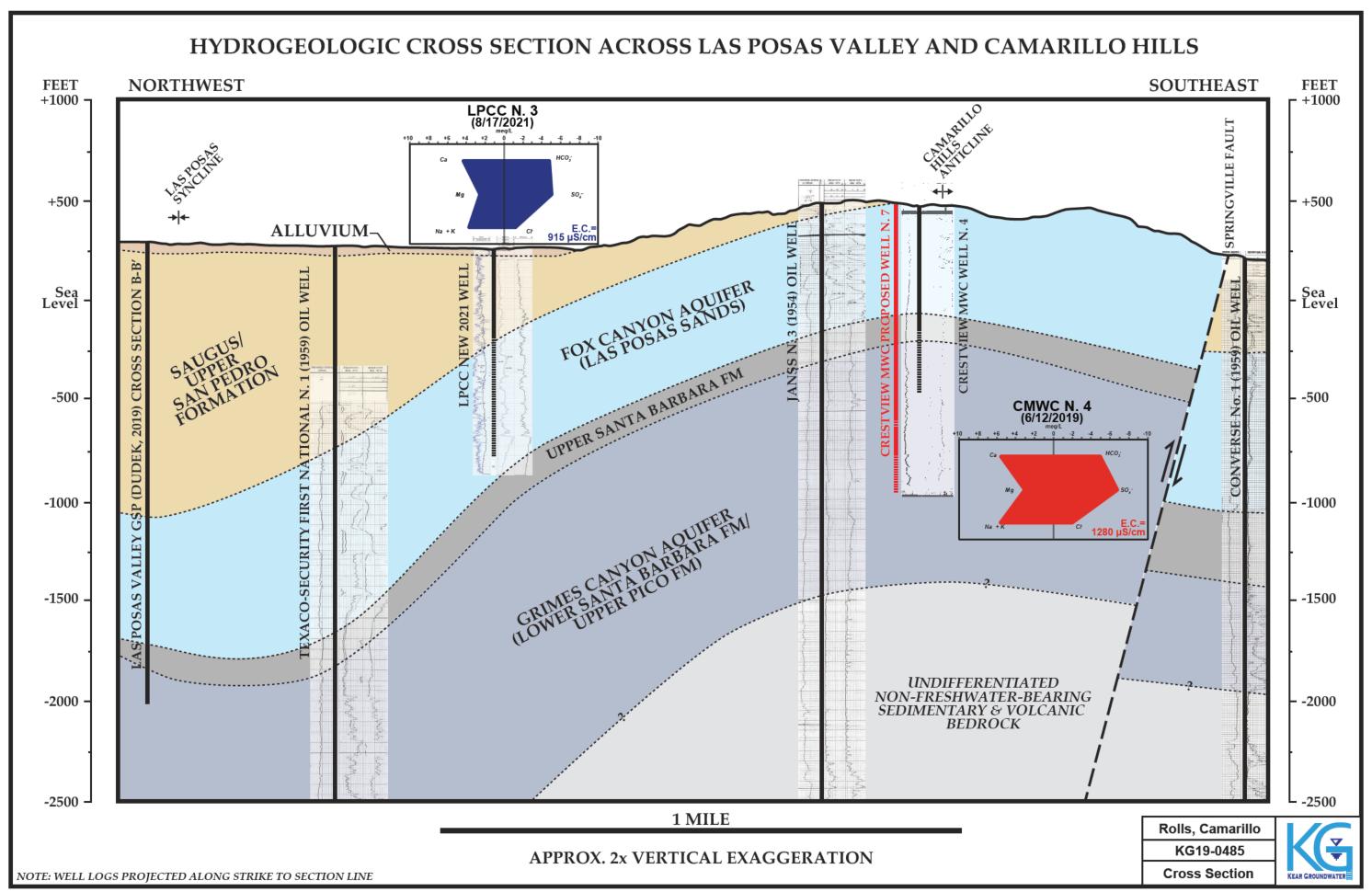
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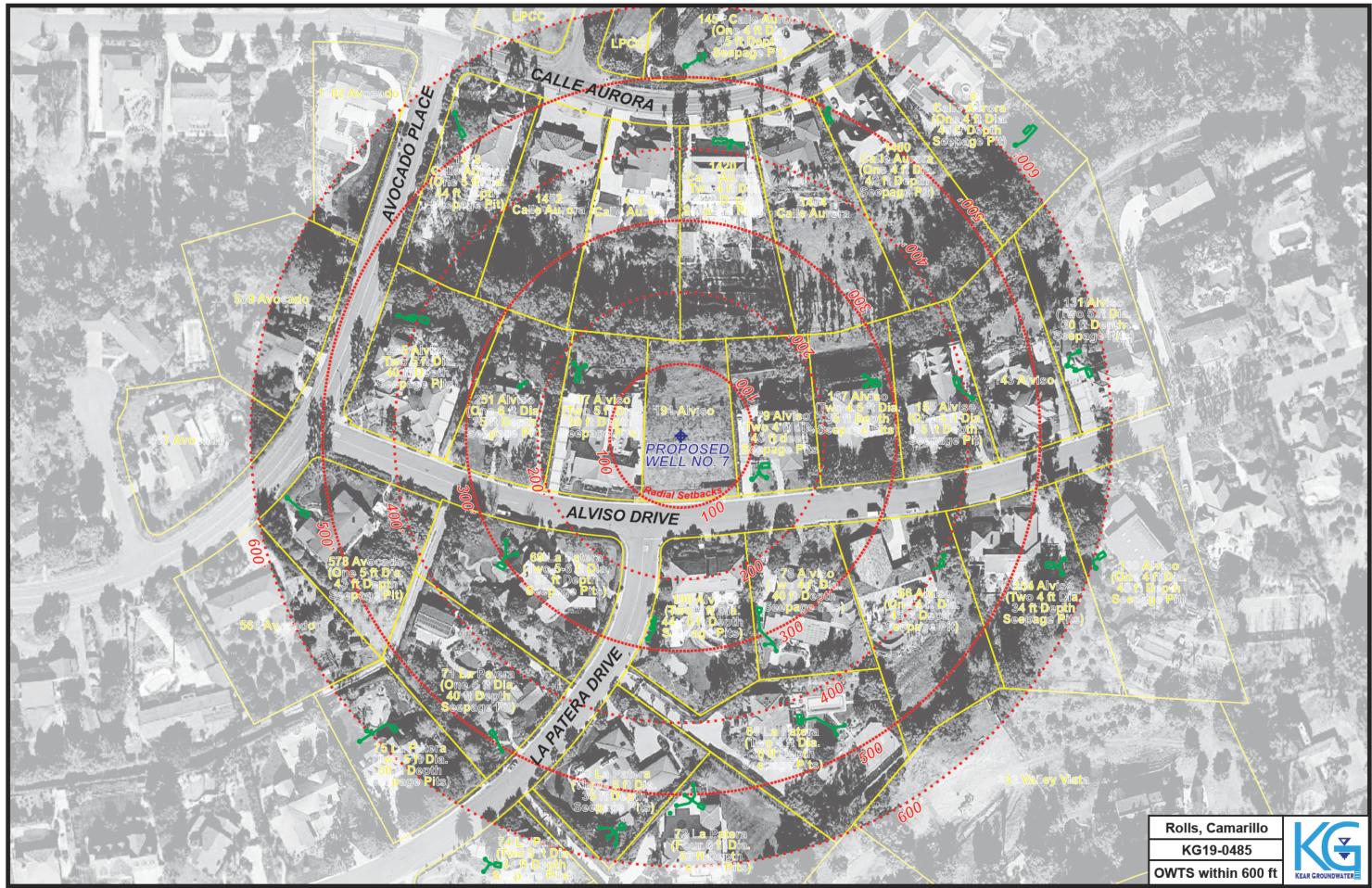


EXHIBIT A



TO: Ventura County Planning Commission

Attn: Phil White, Chair

FROM: Kear Groundwater

P.O. Box 2601

Santa Barbara, CA 93120-2601

DATE: June 22, 2020

SUBJECT: Hydrogeologic Review of Crestview Mutual Water Company's "Well No. 7"

Camarillo Hills, Ventura County, California

Dear Mr. White,

This memorandum provides a summary of Kear Groundwater's (KG) hydrogeologic evaluation, including logistical considerations and regulatory setbacks review of Crestview Mutual Water Company's (CMWC or "the Company") planned new potable supply "Well No. 7," proposed to be located at 191 Alviso Drive (APN 152 -0-341-065) in the Camarillo Hills of Ventura County, California (Figures 1, 2). This analysis has been prepared at the request of the Crestview Mutual Water Alliance (CMWA, Alliance).

Executive Summary

KG has reviewed available information on the drilling of the planned Crestview Well No. 7 at 191 Alviso Drive, Camarillo, for its logistical feasibility, regulatory feasibility, and hydrogeologic feasibility. We present the following points that clearly and fundamentally demonstrate a conflict with standards, precedents, and prudent science in siting Well No. 7 at the planned location.

Logistical Infeasibility

The proposed location of Crestview Well No. 7 presents clear issues to achieve standards compliance for well construction logistics. These issues include: the small and narrow size of the parcel, which will require a minimum two-story high noise attenuation and light blocking barriers and allow little footprint for a drilling rig; the proposed drill site topography, which will require significant (greater than 50 cubic yards) grading; and its proximity to sensitive habitat receptors, which will require appropriate discharge permits, potential mitigation measures, and



on-going reporting compliance. The parcel is also intended for residential use only, under a Home Owners' Association that expressly prohibits well construction.

Regulatory Infeasibility

The selected Well No. 7 site is completely enveloped within long-established State water well standard mandated setbacks from individual sewage disposal systems (including two >20-ft-deep seepage pits within 150 feet of the proposed well site). To date no source vulnerability assessment has been provided to highlight potential contaminating activities, as is typically conducted as part of drinking water source assessment protection program. Crestview seeks to scofflaw at these setback requirements, which would be unprecedented by State/County agencies in recent decades for public supply wells. Internal e-mails between County Environmental Health Division personnel reflect Crestview's desire to ignore even the advisory language detailing these setback concerns from public disclosure statements. Recent communication also indicates the intent to shift the onus of compliance to the owners of the ISDS within an affected envelope, placing an excessive burden to comply with a higher set of standards due to the proximity of the new well. If the ISDS is in need of repair or replacement more complete (secondary or tertiary) treatment would be required or a property owner would need to annex to a sanitary district that does not exist and would require many years and many millions of dollars to create. In an age when public health regulations continually increase to protect public health, Crestview seeks to ignore regulations and the infeasibility of compliance therewith.

Hydrogeologic Infeasibility

The proposed location of Crestview Well No. 7 is poorly-planned from a hydrogeologic standpoint and lacks a thorough water well feasibility study to evaluate alternatives. The proposed well is to be located over a geologic structure (near the axis of Camarillo Hills Anticline, on the north-dipping limb) and stratigraphic location, depth, and design that are very similar to those of the failed Crestview wells (Nos. 3, 4, 5, which suffer from either declining water levels/pumping rates and/or poor quality). An alternative well site should be selected that will both comply with local standards and ultimately prove to be more successful, with superior anticipated groundwater quality, sustainability, and production rates.



Our objective was to perform an independent review of: 1) fundamental logistical issues associated with the well construction scope as presented in CMWC's conditional use permit application; 2) fundamental regulatory and sanitary issues associated with locating the well in violating proximity to nearby individual sewage disposal systems; and 3) available geologic and hydrogeologic information and other applicable information that apply to the location and design of the proposed new well. KG understands that your client is among several shareholders of CMWC that are concerned about the well's drilling and construction, in addition to its safe and healthy operations for decades to come.

Ultimately, KG has found that CMWC's selection of the 191 Alviso Drive property appears to be poorly-planned from both a regulatory, constructability, and hydrogeologic perspective, and lacks a thorough water well feasibility study. In keeping with a standard of water supply purveyors statewide, the CMWC general manager and its board, working on behalf of the shareholders who will consume the delivered water from Well No. 7 should conduct a thorough feasibility study to select an optimum well site that will both comply with established State water well standards and be more successful than the failed well that it intends to replace with Well No. 7. Herein, KG presents a brief review of potential superior alternative locations for a proposed new supply well for the Company and its shareholders.

A summary of our efforts, findings, conclusions, and more detailed recommendations follows.



Crestview Mutual Water Company

CMWC has been incorporated since 1950 and currently serves about 300 million gallons annually (920 acre-feet) of potable water to 625 residential/domestic service connections, of which about 70% is used for outdoor irrigation. The Company also has one municipal/industrial connection to the Las Posas Country Club (LPCC) for an emergency basis with typically no more than 1 acre-ft per year delivered to LPCC (Numeric Solutions, 2013).

CMWC sources water from a small network of existing groundwater wells (76.5% of supply on average since 1991) that is also augmented by deliveries from the Calleguas Municipal Water District (Calleguas; 23.5% of the supply on average since 1991), and delivers a total of about 946 acre-ft per year on average. Extraction data are compiled from Numeric Solutions (2013) for 1991 through 2012 and from the January 2020 monthly General Manager's report (CMWC, 2020) for 2006 through 2019. Calleguas is the local wholesale purveyor of the Metropolitan Water District of Southern California, which delivers imported surface water via the State Water Project from northern California; Calleguas also pumps groundwater via its Las Posas Well Field. In a typical year, Crestview imports water from Metropolitan via Calleguas from December through March, and then relies upon its own well system to meet demands from April through November.

CMWC currently pumps groundwater from three wells: the Company's Well No. 4 (*State Well Number [SWN] 02N/21W-22G01S*, located at 14 Alviso Drive), Well No. 5 (*SWN 02N/21W-22A01S*, located at 602 Valley Vista Drive), and Well No. 6 (*SWN 02N/21W-28A01S*, located at 241 Crestview Avenue). CMWC also operates a chlorination treatment plant located adjacent to Well No. 5 at 602 Valley Vista Drive (per its website). CMWC Well No. 5 is proposed to be replaced by Well No. 7; Well No. 5 has been largely inactive (<3 acre-ft per year) since 2008 and fully inactive since 2015, per Company extraction records (Numeric Solutions, 2013; CMWC, 2020). CMWC also destroyed its No. 3 (*SWN* 02N/21W-22E01S) in 2006 per its destruction record.

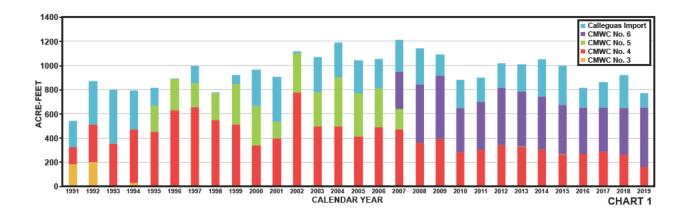
As of the January 2020 monthly General Manager's report (CMWC, 2020), CMWC No. 4 currently produces about 900 gallons per minute (gpm) and No. 6 produces about 1150 gpm. The



extraction from No. 4 has declined in recent years, from a peak of about 780 acre-ft in 2002 to about 164 acre-ft in 2019; as such, the Company's website reports that production from the well "has decreased approximately 80% due to declining groundwater levels" and that the well shortly "go 'dry." The average annual production from No. 4 over the 1991-2019 available record is about 397 acre-ft.

With relatively consistent deliveries of imported water from Calleguas (about 223 acre-ft in an the average year, with range between 0.675 acre-ft in 1996 to 444.418 acre-ft in 1993), the extraction losses from No. 4 and No. 5 have been largely supplanted by No. 6 (about 420 acre-ft in the average year, with range between about 525 acre-ft in 2009 to about 307 acre-ft when first equipped in 2007). The Company's total water usage has also reportedly fallen from a high of about 1214 acre-ft in 2007 to 771 acre-ft in 2019 (Numeric Solutions, 2013; CMWC, 2020). As a benchmark, the Company averaged about 823 acre-ft per year in the 1990s.

Table 1 and Chart 1 summarize the Company's water supply by source.





		PPLY BY SOUR	TOTAL (AF)				
YEAR	CMWC NO. 3	GROUNDWATER (AF) CMWC NO. 3 CMWC NO. 4 CMWC NO. 5 CMWC NO.					
1991	186.969	139.005 -		-	218.425	544.399	
1992	203.513	310.387	-	-	354.527	868.427	
1993	0.000	355.362	-	-	444.418	799.780	
1994	30.161	440.778	-	-	320.306	791.245	
1995	-	453.529	219.011	-	141.046	813.586	
1996	-	630.230	259.861	-	0.675	890.766	
1997	-	656.199	198.480	-	140.098	994.777	
1998	-	548.287	227.782	-	1.409	777.478	
1999	-	514.214	333.646	-	75.062	922.922	
2000	-	341.718	325.799	-	299.272	966.789	
2001	-	399.376	136.673	-	372.310	908.359	
2002	-	779.381	322.509	-	13.472	1115.362	
2003	-	498.350	282.691	-	289.614	1070.655	
2004	-	497.740	403.930	-	290.166	1191.836	
2005	-	415.208	355.880	-	271.167	1042.255	
2006	-	490.414	321.033	-	243.034	1054.481	
2007	-	473.977	167.574	306.606	265.680	1213.837	
2008	-	361.423	0.215	482.776	297.016	1141.430	
2009	-	392.345	0.104	524.860	172.662	1089.971	
2010	-	283.636	0.101	366.201	230.010	879.948	
2011	-	302.706	0.000	396.856	201.067	900.629	
2012	-	343.814	1.719	470.755	199.760	1016.048	
2013	-	329.823	2.418	452.986	226.030	1011.257	
2014	-	307.199	0.350	436.043	308.003	1051.594	
2015	-	267.981	0.816	404.906	323.964	997.668	
2016	-	270.937	-	380.763	162.313	814.013	
2017	-	287.978	-	363.718	211.437	863.134	
2018	-	264.418	-	386.536	272.318	923.272	
2019	_	164.069	_	487.806	118.815	770.690	



Per its Well Completion Report, Midway Drilling & Pump Co. (Midway) drilled CMWC Well No. 3 (-22E01S) in early 1966. Following a pilot borehole drilled to 1456 ft, Midway reamed the final borehole out to 30-inches-diameter to 1393 ft. Midway equipped the well with a 16-inch-diameter blank mild steel casing from ground surface to 594 ft, which then reduced to a 14-inch-diameter casing to its total depth. The lower casing includes perforations from 1000 to 1046 ft and 1190 to 1370 ft. Midway filled the annular space between the casing and borehole walls with gravel pack from 1393 ft up to 75 ft, and then poured the cement sanitary seal from 75 ft up to ground surface. The Well Completion Report includes a note dated 25 June 1997 that states, "a 10-inch liner may have been installed in this well. It is still possible to hear cascading water."

Following its construction, CMWC Well No. 3 reportedly produced 2000 gpm during a pumping test, wherein the static water level of 374 ft was pumped down to 894 ft (possibly only 520 ft, which is the value listed as drawdown but may have referred to pumping level). The driller's well log includes "blue sand, rock & sea shell" from 247 to 370 ft and from 474 to 560 ft, which were apparently mostly unsaturated and the well casing not directly perforated adjacent; the primary aquifer is described as "hard sand & rocks" from 1012 to 1323 ft, which is underlain by blue clay.

CMWC abandoned its Well No. 3 to County standards on September 15, 2006, which can potentially maintain a conduit for vertical fluid (including contaminant) migration. CMWC Well No. 3 is also situated about 250 horizontal ft, across a local drainage, from a 1950s-era oil exploration well (10,170 ft drilled depth) that did not encounter commercial oil or gas shows and was subsequently plugged at 800 ft and converted to a water well (*SWN 02N/21W-22E02S*). The *-22E02S* well was abandoned in April 2004 per its destruction record.

CMWC Well No. 4

Per its Well Completion Report, Midway drilled CMWC Well No. 4 (-22G01S) in the summer of 1985. Following a pilot borehole drilled to 1350 ft, Midway reamed the final borehole out to 28-inches-diameter to 903 ft. Midway equipped the well with a 16-inch-diameter blank steel casing from ground surface to 600 ft (mild steel to 560 ft, then stainless steel), which then reduced to a



12-inch-diameter perforated (0.070-inch slots) stainless steel casing to the total depth of 903 ft. Midway filled the annular space with gravel pack from 903 ft up to 575 ft; while the cement sanitary seal depth is listed at 35 ft, the well is noted to be sealed against pollution to 575 ft (top of gravel pack) which could indicate a deeper cement seal.

Following its construction, CMWC Well No. 4 reportedly produced 1800 gpm over a 40-hour pumping test, wherein the static water level of 494 ft was pumped down to 558 ft. The driller's well log includes "sand, gravel & shells" from 338 ft to 530 ft, which were apparently mostly unsaturated and the well casing not directly perforated adjacent; the primary aquifer is listed as "sand & gravel" from 597 to 890 ft, which is underlain by dominantly blue clayey strata.

CMWC Well No. 5

Per its Well Completion Report, Midway drilled CMWC Well No. 5 (-22A01S) in the summer of 1993. Following a pilot borehole drilled to 1721 ft, Midway reamed the final borehole out to 28-inches-diameter to 1400 ft. Midway equipped the well with a nominally 16-inch-diameter blank mild steel casing from ground surface to 720 ft, which then reduced to a nominally 14-inch-diameter stainless steel casing, with perforations (0.055-inch slots) from 780 ft to 900 ft, and then a nominally 12-inch-diameter perforated (0.055-inch slots) stainless steel casing from 900 ft to the total depth of 1400 ft. Midway filled the annular space with gravel pack from 1400 ft up to 740 ft, and then poured the cement sanitary seal from 740 ft up to ground surface.

Following its construction, CMWC Well No. 5 reportedly produced 1200 gpm over a 43-hour pumping test, wherein the static water level of 674 ft was pumped down to 785 ft. The driller's well log indicates some mixture of sand, gravel, and sea shells from at least 316 ft to 599 ft, which were apparently mostly unsaturated and the well casing not directly perforated adjacent; the well appears to produce groundwater from a 780 to 1400-foot-deep stratified network of sand/gravel aquifers that are separated by clayey aquitards, which are underlain by dominantly dark gray oily sands/shale at depth.

Numeric Solutions (2013) notes that Well No. 5 is a replacement for Well No. 3, "which had historically delivered poorer quality water and was subsequently destroyed;" however, Well No.



5 also has elevated TDS (>1200 mg/L) compared to Well Nos. 4 and 6 (<900 mg/L) (Numeric Solutions, 2013).

CMWC Well No. 6

Per its Well Completion Report, Barbour Well Surveying Corporation (Barbour) drilled CMWC Well No. 6 (-28A02S) in the fall of 2005. Following a pilot borehole drilled to 1300 ft, Barbour reamed the final borehole out to 27-inches-diameter to 810 ft. Barbour equipped the well with a nominally 16-inch-diameter blank mild steel casing from ground surface to 250 ft, and then stainless steel to the total casing depth of 810 ft. The stainless steel casing includes perforations (0.060-inch slots) from 550 to 800 ft. Barbour filled the annular space with gravel pack from 810 ft up to 505 ft, and then poured the cement sanitary seal from 505 ft up to ground surface.

Following its construction, CMWC Well No. 6 reportedly produced 2500 gpm over a 12 hour pumping test, wherein the static water level fell of 313 ft was pumped to reveal a pumping water level of 358 ft. Per the driller's well log, the well appears to produce groundwater from a stratified network of sand/gravel aquifers that are separated by silty and clayey aquitards, apparently becoming increasingly finer-grained with depth. Sea shells are noted from 85 to 145 ft and 205 to 360 ft.

Numeric Solutions (2013) notes that because Well No. 6 has "consistently delivered higher quality water than CMWC's other wells ... an increasing share of CMWC's extraction has been drawn" from the well.



CMWC Well No. 7 is the proposed replacement for Well No. 5, per the Well Permit Application submitted to Ventura County Watershed Protection District (additional permit also submitted to Fox Canyon Groundwater Management Agency). The Company's website states that its "currently lacks water capacity to meet peak demands with Well [No.] 6 alone" and as such its "ability to provide a safe, secure, dependable, affordable and lifesaving water source for shareholders is in jeopardy" without "two wells in different zones to meet all demands," thus saving the shareholders significant costs by supplying cheaper local groundwater versus expensive imported Calleguas water. CMWC apparently views Well No. 6 within one (lower) service area zone and all other wells (the destroyed Well No. 3, the still-active but declining Well No. 4, the inactive Well No. 5 and its proposed replacement Well No. 7) in another (upper) service area pressure zone.

Despite the reported declining water levels and production from the nearby Well No. 4, and in addition to the poor quality of Well Nos. 3 and 5, all of which situated over similar geologic strata/structure, CMWC moved forward and purchased the vacant lot at 191 Alviso in October 2015 for \$505,000 for the proposed Well No. 7.

The preliminary design of Well No. 7, as listed under the permit application and apparently based on the original electric log of the nearby No. 3, includes a 16-inch-diameter steel well casing with perforations from 1040 to 1080 ft and 1230 to 1420 ft (Hopkins, 2019). Both FCGMA and County permit applications list the anticipated annual production from the well to be 1000 acre-ft, implying the well would meet the entirety CMWC's typical demand. Further, the proposed location lacks the State- and County-required horizontal setbacks from existing onsite wastewater treatment systems (OWTS) that include seepage pits, and therefore poses a potential harm to the public health of the Company's shareholders.



CMWC has separately entered into an agreement with Calleguas for a new "CMWC No. 8," reportedly to be located in vacant lot across from intersection of Crestview Avenue and Ashdale Court, as part of an emergency water supply reliability project (e.g., Calleguas. 2018) The agreement requires Crestview to design, acquire the right-of-way for, permit, construct, own, operate, maintain, and repair Well No. 8, the pipe connecting the well to the Crestview system, and all associated facilities. Calleguas will reimburse Crestview for the cost subject to a total cap of \$2.1 million.

Upon request, Crestview is required to deliver 3 cubic ft per second (cfs, or about 6 acre-ft per day [1500 gpm]) to Calleguas for up to 6 months through the planned Crestview-Calleguas Interconnection or existing interconnections. For every acre-ft of water delivered from Crestview to Calleguas, Calleguas will deliver to Crestview one acre-ft of water at a later date (free of charge between October 1 and April 30; subject to capacity charge between May 1 and September 30). In addition, Calleguas will pay \$316 per acre-ft for water delivered from Crestview. If Crestview is unable to produce a combined total of 3 cfs, Crestview will pay a penalty of \$316 per acre-ft.



Hydrogeologic Overview

CMWC's service area is situated entirely within the Las Posas Valley Groundwater Basin ("Las Posas Basin," Department of Water Resources [DWR], Bulletin 118, Basin Number 4-8). The Las Posas Basin is bounded between the uplifted South Mountain/Oak Ridge to the north, the Camarillo Hills to the southwest and Las Posas Hills to the southeast, and the Santa Susana Mountains to the east; the basin is bounded by the Oxnard Subbasin of the Santa Clara River Valley Groundwater Basin to the west.

The Las Posas Basin (and its principal aquifers) reaches its maximum thickness along the downthrown synclinal trough (Las Posas Syncline) within its central valley. The Camarillo Hills Anticline, which the Company's service area overlies, is part of the larger deformed hanging wall (Camarillo fold belt) on the north/downthrown side of the high-angle reverse Springville Fault Zone (DeVecchio et al. 2012), which restricts groundwater flow between the Las Posas Basin and the Pleasant Valley Groundwater Basin to the south (Dudek, 2019). The Fox Canyon Aquifer is exposed to ground surface locally in the Las Posas and Camarillo Hills (e.g., FCGMA outcrop area map) with the nearest mapped outcrop approximately 750 ft southeast of the planned Well No. 7 site. Around the Camarillo Anticline, formations dip gently (10°–25°) away from the axis on both the north and south limbs (Dibblee, 1990; 1992).

The Las Posas Basin is within the Transverse Ranges geomorphic province. Rocks in this region have been folded into a series of predominantly east-west-trending anticlines and synclines associated with thrust and reverse faults. In general, the faulting and seismicity of southern California are dominated by the compressionary regime associated with the "Big Bend" of the San Andreas Fault Zone. Uplift rates beneath Camarillo Hills Anticline range between 0.8 to 1.4 mm/yr (DeVecchio et al. 2012) underscoring the tectonically active nature of the Crestview service area.



Las Posas Basin Principal Aquifers

The Las Posas Basin is comprised of late Oligocene to early Pleistocene marine and nonmarine sedimentary rocks that have been structurally deformed by faults and associated folds to form highlands in the north and in the south separated by a central downthrown basin. Unconsolidated alluvial basin fill sediments, where deposits along valley floors and stream channels, can form productive groundwater aquifers ("Shallow Aquifer") but are not present/saturated in the uplifted hills. The alluvium unconformably overlies the older terrestrial deposits of the also freshwater-bearing Saugus Formation (QTs). The Pleistocene-aged Saugus Formation is a weakly-consolidated conglomerate of pebble- to cobble-sized clasts, with minor sandy and clayey units. Appreciable volumes of usable groundwater are stored in relatively thin sand and gravel layers separated by silts and clays of low hydraulic conductivity.

Beneath the Saugus Formation lies the late Pliocene-aged, shallow marine Las Posas Sands (QTlp), a fine- to medium-grained fossiliferous sand with occasional gravel and clay layers. The Las Posas Basin's primary aquifer, known as the Fox Canyon Aquifer, is stored within the Las Posas Sands as mapped by Dibblee (1992), but is also known as the basal part of the San Pedro Formation. Generally, strata referred to as the San Pedro Formation in this area are now assigned as the Saugus Formation, if nonmarine deposition, or to the Las Posas Sands, if marine. The Fox Canyon Aquifer is identified on electric logs by zones of relatively high resistivity from 100 ft to upwards of 500 ft thick. Sedimentary bedrock strata can yield significant quantities of groundwater to wells, especially where only partially cemented, unconsolidated, weathered, or highly fractured, which increases porosity and permeability.

The Quaternary-aged deposits are underlain by older, consolidated units that include the Pliocene-aged Pico Formation and the Miocene-aged Sisquoc and Monterey shales. The Santa Barbara Formation (QTsb) in this area is sometimes assigned to the upper member of the Pico Formation, comprised of fine-grained gravel and sand deposits that contains the Grimes Canyon Aquifer. Dudek (2019) note CMWC Well Nos. 4, 5, and 6 as some of the few wells whose casings are solely perforated adjacent to the Grimes Canyon Aquifer, which can be an important source of water in areas where the Fox Canyon Aquifer is absent, thin, or unsaturated (Las Posas



Users Group 2012); each of these conditions appear to exist for the Fox Canyon Aquifer in the area of the Camarillo Hills Anticline axis.

Adjacent to the Camarillo Hills, total dissolved solids (TDS) concentrations in the Fox Canyon Aquifer range from 300 to 700 mg/L (Dudek, 2019). CMWC's 2018 quality report lists an average TDS concentration of 750 mg/L from its groundwater wells, with a range of 720 to 820 mg/L, reflective of the relatively poorer-quality associated with the Grimes Canyon Aquifer. Groundwater quality data from CMWC wells are available from the SWRCB's Groundwater Ambient Monitoring and Assessment Program (GAMA). Table 2 summarizes the groundwater well quality of select constituents over a generally decadal time period. The 1966 quality results from No. 3 are from a lab report that the Company included with its destruction record.

TABLE 2: CMWC GROUNDWATER WELL QUALITY of SELECT CONSTITUENTS with TIME								
Well	Sample Date	TDS (mg/L)	Nitrate (mg/L)	Chloride (mg/L)	Sulfate (mg/L)	Iron (μg/L)	Manganese (μg/L)	Turbidity (NTU)
	2/25/1966	924	0.0	70	319	150	50	-
CMWC No. 3	10/5/1972	973	0.0	77	365	0	0	-
CMWC No. 3	6/17/1981	948	3.5	67	368	-	-	-
	8/30/1994	820	0.0	64	350	6800	100	22.0
	7/6/1988	720	1.0	72	293	100	0.07	1.4
CMWC No. 4	6/16/1994	890	0.0	71	320	0	50	0.0
CMWC No. 4	8/19/2004	730	0.4	54	255	50	40	0.2
	6/12/2019	880	-	70	325	100	50	0.4
	7/14/1995	1100	0.0	78	390	210	0	0.0
CMWC No. 5	8/19/2004	1070	0.4	78	397	100	20	0.2
	8/18/2016	1070	-	81	408	260	30	2.5
	12/15/2005	800	0.4	63	280	100	40	0.5
CMWC No. 6	4/19/2013	840	0.4	73	330	50	40	-
	6/12/2019	820	-	66	318	100	40	0.2



Fox Canyon Groundwater Management Agency

Groundwater of the basins where the Fox Canyon Aquifer has been identified, and the lands that overlie it, is managed by the Fox Canyon Groundwater Management Agency ("FCGMA"). The FCGMA is a public agency established in 1982 by the California State Legislature under the State Water Code for the overall management of the southern Ventura County groundwater basins.

FCGMA also serves as the groundwater sustainability agency (GSA) for the majority of the Las Posas Basin, following passage of the Sustainable Groundwater Management Act (SGMA) in 2014 (AB 1739, SB 1168, and SB 1319) that sets the framework for statewide long-term sustainable groundwater management by local authorities. SGMA requires the formation of new GSAs tasked with assessing the conditions in local basins and adopting locally-based sustainable management plans. SGMA provides GSAs with tools and authority to (1) require registration of groundwater wells, (2) measure and manage extractions (including limiting the amount of water pumped by individual well owners), (3) require reports and assess fees, and (4) request revisions of basin boundaries, including establishing new sub-basins.

GSAs responsible for high- and medium-priority basins must adopt long-term groundwater sustainability plans. Via the California Statewide Groundwater Elevation Monitoring (CASGEM), the DWR ranks the 42,353-acre Las Posas Basin as a high-priority basin, with overdraft, subsidence, and saline intrusion (elevated chloride) as noted impacts. FCGMA released the final Las Posas Basin GSP in December 2019. Plans will be evaluated every five years. GSAs have until 2040 to achieve groundwater sustainability.

The basin is broadly separated into two management areas, the East Las Posas Management Area (ELPMA) and the West Las Posas Management Area (WLPMA), based on geologic structures thought to affect subsurface flow. CMWC is located entirely within the WLPMA. The Somis Fault (an extension of the Springville Fault Zone) trends north–northeast across the basin in the vicinity of Somis and acts as the boundary between the west and east management areas, with groundwater elevation differences in excess of 100 ft across the fault. This trend generally corresponds to the local surface watershed divide between the Beardsley Wash in the west and



the Arroyo Simi–Las Posas in the east. In addition to the WLPMA and ELPMA, a third management area has been established in a localized area of the ELPMA for the Epworth Gravels Aquifer, a significant source of water north of Moorpark but not believed to be in direct hydraulic communication with the deeper Fox Canyon Aquifer.



PROPOSED WELL NO. 7 ISSUES OF STANDARDS COMPLIANCE: Septic Setbacks

The selected well site is completely enveloped within mandated setbacks from individual sewage disposal systems, surface water drainages, and sensitive habitat. Statewide standards for water wells were first formally published in 1968 as DWR Bulletin 74 (includes Bulletin 74-9 for Ventura County specific recommendations), and revised in 1981 as Bulletin 74-81 and again (though not officially finalized/adopted) in 1990 as Bulletin 74-90. All counties, cities, and/or water agencies where appropriate, must adopt well ordinances that meet or are more stringent than the DWR standards. Ventura County well ordinance (Section No. 4814) establishes the minimum standards as those set forth in Bulletin 74, 74-9, 74-81, and 74-90, but also adopts more stringent standards where applicable.

DWR Bulletin 74 establishes the horizontal separation distance standards for water wells from potential pollution or contaminant sources, which includes 150 ft buffer between a well and a cesspool or seepage pit. The Bulletin specifically states that the buffers "are generally considered adequate where a significant layer of unsaturated, **unconsolidated** sediment less permeable than sand is encountered between ground surface and groundwater ... Local conditions **may require greater separation** distances to ensure groundwater quality protection" (emphasis added).

Separately, the State Water Resources Control Board's (SWRCB) OWTS Policy for the siting, design, operation, and maintenance of OWTS has been in effect since June 2012. Ventura County Environmental Health Division's most recently updated its OWTS Technical Manual in June 2015. That manual, in addition to the Ventura County Building Code (Table CPC, Appendix H-1), includes a 200 ft horizontal setback buffer for public water wells from seepage pits. Specifically, the manual stipulates 150 ft buffer from effluent dispersal system with less than 10 ft depth and a 200 ft buffer from system with greater than 10 ft depth. Furthermore, where the effluent dispersal system is within 600 ft and exceeds 20 ft in depth, the horizontal setback required to achieve a two-year travel time for microbiological contaminants shall be evaluated by a qualified professional shall conduct this evaluation; however, in no case shall the setback be less than 200 ft.



Local cities have established ordinances for greater separation of OWTS from water supply wells in similar geologic settings. For example, the City of Malibu's Local Coastal Program (LCP)/Implementation Plan details OWTS requirements (Chapter 18), with the specific provision (18.6.D.) that "subsurface sewage effluent dispersal system/soil absorption system shall also be free from poorly drained soils and soils or formations containing continuous channels, cracks, or fractures, unless **a setback of 250 ft** to domestic water supply well or surface water is assured, or unless secondary or tertiary wastewater pre-treatment is provided prior to discharging to the system," thus requiring additional setback in areas of fractured bedrock.

Via its well permit applications and communications, CMWC ignores these setback requirements (which include two seepage pits with >20 ft depth within 150 ft), with protections employed as argued by Hopkins Groundwater Consultants (Hopkins, 2019), by pouring a deep (from ground surface to 940 ft) cement grout sanitary seal around the well casing. Hopkins (2019) argues that the cement seal depth, coupled with natural aguitard layers, will provide adequate protection from potential sources of surface recharge contamination that is actually greater than that of the horizontal setback distance at ground surface. Other than these descriptions, KG has seen no detailed specifications for the planned Well No. 7 seal construction, installation, measurement, or quality assurance methods. For any public supply well project, such specifications should be professionally prepared and subject to review prior to bid solicitation and used to guide the well construction process, subject to field conditions discovered during the pilot borehole drilling. Further, these very important details of well construction should be provided for review by experts and the Planning Commission so that the details can be reviewed and commented upon prior to action by the Planning Commission. KG notes that this 940-ft seal depth is based on CMWC No. 3; the proposed Well No. 7 location is up-dip (closer to the anticline axis) and therefore the actual annular seal (and the targeted aquifers of the well) will be at least somewhat shallower.

Allowed exceptions to these standards from State/County agencies is unprecedented in recent decades for public supply wells regardless of well design. Given the sandy nature of the soils in



the area and preferential fractures typical of bedrock aquifers such as within the Saugus, Las Posas, and Santa Barbara Formations, deep annular seals (which are known to be limited in their impediment to pathogens) are likely to be ineffective. The County well drilling permit application prepared by the applicant fails to indicate the locations of required septic (and other) features and does not comply with the State/County standards.

Horizontal setbacks exist for the fundamental reason that a cement seal is prone to cracking, especially in tectonically-active environments. At an average Camarillo Hills uplift rate of about 1 mm/yr (DeVecchio et al. 2012), over a typical lifespan of about 50 years, the well will have shifted upwards of 50 mm (5 cm). This is significant movement, and greater catastrophic movement as in an earthquake is a very distinct possibility. Along the axis of the local anticline, expansion can result in deep fractures radiating from deep within the core of the anticline via "flower structures" that can be direct conduits for contaminant migration.

There are numerous examples of surface water contamination even in wells with known deep cement sanitary seals. A study by the Nebraska Grout Task Force (Lackey et al., 2009) found cement-based grouts appeared cracked both above and below the water line. Proprietary work by KG in similar geologic settings has found bacterial species exclusive to animal intestinal tracts within domestic wells despite being equipped with cement seals exceeding regulatory requirements by a factor of 10.

The City of Santa Clarita built the Saugus Aquifer Treatment Plant to remediate groundwater contamination associated with the Whittaker-Bermite property, a former munitions manufacturing site, following detection of perchlorate (a solid fuel component) in local private and municipal supply wells. Contamination had been addressed through installation of wellhead and at-tap water treatment systems and provision of bottled water (MACTEC, June 2006). An article by Leon Worden in 2003 posted to scyhistory.com quotes Stephen McLean of the Castaic Lake Water Agency as describing that "[i]t's the deep aquifer that's showing the contamination," with multiple contaminated wells situated within the Saugus Formation reportedly at depths up to 1700 ft. Some of these wells (e.g., Santa Clarita Water Company Saugus Well No. 1 and



Saugus Well No. 2) that exhibit the contamination have seals in excess of 800 ft and are sealed through the same-aged formation (Pliocene to Pleistocene) that is proposed for sealing in CMWC Well No. 7.

Additional examples of aquifer contamination despite deep cement seals has shut down public supply wells in the City of Santa Monica and South Lake Tahoe, in addition to residential wells for the community of Glennville (SWRCB, 2017).

Hopkins (2019) argues that (CMWC Well Nos. 3 and 4), with shallower sanitary seals, "have operated for decades without nitrate impacts to the quality of groundwater produced." No further data, research, or citations are provided to substantiate Hopkins' claim. Nitrate in groundwater is diluted and reduced through denitrification (e.g., Geosyntec, 2019). CMWC has conducted no bacteriological pathogen sampling (full bacterial speciation, in addition to total coliform bacteria [bac-T] and heterotrophic plate counts [HPC] analyses) in its evaluation of the Well No. 7 site or support of Hopkins' (2019) claim. Such analyses would be a far more reliable indicator of potential contamination to the groundwater systems from overlying onsite wastewater systems or other issues. Other potential contaminants of concern, including pharmaceuticals, are not as naturally attenuated in the subsurface and therefore rely largely on dilution to reduce concentrations.

Additionally, for the very reason that both CMWC Nos. 3 and 4 have shallow seals (75 ft and 35 ft depth, respectively), and given their close proximities on either side of the proposed No. 7 location (about 600 ft and 1550 ft buffer, respectively), the remnant gravel pack in those wells' annular spaces will still provide a direct conduit for near surface contaminants to percolate into the deeper aquifer system, even if No. 7 itself has a competent deep seal.

To date, KG has not seen a source vulnerability assessment, typically conducted as part of drinking water source assessment protection (DWSAP) program for Well No. 7. Such a study, detailed by the DPH's Division of Drinking Water and Environmental Management (DDWEM), would highlight potential contaminating activities (PCAs) such as the septic systems, abandoned oil and gas wells, proximal water wells, and other surface and subsurface features that could



compromise water quality. Recent project examples include sites where abandoned wells were not recognized as PCAs until after-the-fact construction and well testing had begun. While DPH recognizes that some public water systems may wish to perform their own assessments, the water systems must still conduct assessments in conformance with the DPH procedures (DPH, 1999).

If Well No. 7 is permitted and constructed as currently proposed, that is with complete scofflaw to proximal septic setbacks, the question remains as to who will retain the indefinite liability (designer, driller, or CMWC) in the event of future seal failure. Further, in the event that one of the parcels with sewage disposal systems within this 600-ft (if exceeding 20 ft depth) affected envelope requires repair, replacement, or is to be constructed anew, any individual sewage disposal system (ISDS) components would be required to be held to a standard meeting that within proximity to the water supply well. Ventura County has recently estimated the cost of upgrading an existing OWTS with a supplemental/advanced treatment unit (ATU) for nitrogen or pathogens removal to be between \$15,000-\$50,000 depending on specific site and OWTS conditions, plus additional annual costs related to ongoing maintenance, service contracts, and effluent monitoring (VCEHD, 2019). There is no public sewer utility line for these homeowners within the 200 ft County standard that could otherwise be connected to in lieu of the OWTS. Homeowners could therefore be subject to bearing the potentially onerous costs for such a treatment or disposal system, or be faced with creating a sanitary district (that currently does not exist) also at considerable time, permitting issues, and expense.

There are approximately 30 developed parcels within the 600-ft envelope of the proposed No. 7 location, with OWTS that typically include seepage pits between 40 to 50 ft depth. At upwards of \$50,000 to upgrade each system, a total cost of \$1,500,000 is estimated (in 2019 dollars). If it is determined that the remnant gravel packs around Nos. 3 and 4 could also provide a conduit for contaminants, then OWTS within 600-ft envelopes of those wells would also be impacted, exponentially increasing the number and costs of potential upgrades, regardless of the success or failure of a seal in Well No. 7.

Therefore, if the well's cement seal were to fail, which remains a very real possibility



particularly given the tectonically-active and fractured bedrock location, a preferential pathway could be opened to allow for OWTS contaminants to enter both the well casing itself and the larger aquifer system. While the nature and extent of this contamination is not known, Crestview has not provided details with respect to any planned above-ground treatment methods to address this potential for contaminated water production. KG understands that a chlorine treatment system has been at least discussed, though the details are absent and this would not absolve homeowners of their ISDS obligations in the event of necessary replacement.

The World Health Organization (WHO, 2011) finds that conventional drinking-water treatment processes are largely ineffective in removing pharmaceuticals, and that advanced water treatment processes, such as ozonation, advanced oxidation, activated carbon and membranes (e.g. nanofiltration, reverse osmosis), are able to achieve higher removal rates. Even then, however, the advanced and costly water treatment technology will not be able to completely remove all pharmaceuticals to concentrations less than the detection limits at all times. Overall, WHO (2011) summarizes that many studies have reported the presence of pharmaceuticals in effluents from wastewater treatment and identified these effluents as the main conveyors of pharmaceuticals and their metabolites into receiving water sources, such as groundwater aquifers, that are used for drinking-water supply.



PROPOSED NO. 7 ISSUES OF STANDARDS COMPLIANCE: Construction Logistics

Noise Ordinance

Given the small size of the proposed parcel, and proximity of sensitive receptors, meeting the county noise ordinance will be impossible without compromising the safety of the drill site environment. Deep-founded, tall noise attenuation and light-impeding barriers would be required, which require a significant space for safe construction around the perimeter of the parcel. This significantly limits the work space, and limits the orientation of any drilling rig that would be capable of drilling to the 1500-ft proposed depth and installing the 16-inch casing diameter of CMWC Well No. 7.

The topography of the parcel would require that a noise attenuation barrier be over 40 feet high on the south, east, and west sides of the parcel and over 80 feet high to the north to meet county noise ordinance requirements. Such a high barrier would be a highly detrimental space limitation to safe drilling operations, access, and safety of nearby residences from a foundational, wind load, and nuisance perspective.

Grading

Given the natural topography and orientation of the parcel, significant grading would be required to render the property safe enough to orient a drilling rig capable of reaching the proposed depths and diameters of drilling. Estimates of the volume of soil that would require grading exceed the 50 cubic yards that would trigger a county grading permit requirement, and may substantially affect drainage and nearby slope stability issues.

Parcel Size Limitation

The safe required size of space for well construction of the order postulated by Crestview is a level pad 100 feet by 200 feet. With no level area, and a 128.81-ft south boundary, the parcel planned for Well No. 7 is too narrow to grade and safely fit a drill rig, noise attenuation barriers, staging areas for material, fluids management, drill cuttings, and safe handling.



Applicant Planning Questionnaire

The County planning questionnaire prepared by the project applicant appears to be lacking adequate attention to detail and prepared as a quick "check-the-box" exercise. The questionnaire ignores significant issues addressed herein, attempting to gloss over required information.

Home Owners' Association Issues

The parcel proposed for CMWC is located in a neighborhood governed by a Home Owners' Association (HOA) and its CC&Rs. Any use of the property is subject to the CC&Rs which, among other limitations, expressly prohibit well construction as the parcel is to be used for residential use only.

Drilling Fluid Discharge Requirements

Fluid from drilling operations is expected to be discharged towards the westward-draining blueline creek (ephemeral code per the USGS) along the parcel's northern boundary. All appropriate discharge permits must be obtained, including from the Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES), and on-going reporting compliance is required. Effluent limitations serve as the primary mechanism in NPDES permits for controlling discharges of pollutants to receiving waters. Given the high profile nature of the project, independent monitoring can be expected to watch discharges very closely in addition to the required samples and reporting CMWC, its consultants, and/or contractors would employ.



PROPOSED WELL NO. 7 ISSUES OF STANDARDS COMPLIANCE: Geological Siting

CMWC Well No. 7 site is intended to replace CMWC Well No. 5, which ostensibly failed due to water quality concerns, and make up for the declining production/water levels of CMWC Well No. 4. However, the proposed replacement well site is located over a similar geologic structure (near the axis of Camarillo Hills Anticline, on the north-dipping limb) and stratigraphic location, depth, and design as the failed well(s). Given the orientation of the strata, logs from nearby oil exploration and water wells indicate that the typical target geologic unit, known as the Fox Canyon Aquifer, is much shallower and unlikely to be saturated at this location. The Fox Canyon Aquifer outcrops just south and east of the proposed well site, leaving deeper and poorer quality aquifers (Grimes Canyon Aquifer) as the only viable saturated targets at this location. While CMWC Well Nos. 3 and 4 have historically had marginally better quality (TDS concentrations of about 900 mg/L vs. 1200 mg/L for No. 5), this quality is still relatively poorer as compared to the typical west Las Posas Basin well (targeting the Fox Canyon Aquifer) in the area.

Ultimately, CMWC's selection of the 191 Alviso Drive property appears to be poorly-planned and lacking a thorough feasibility study. KG strongly recommends that an appropriate feasibility study be conducted and an alternative well site be selected that will both comply with local standards and prove to be more successful.

Based on our limited review presented herein, a superior new well location would be as far to the north as possible, removed from the Camarillo Hills Anticline and towards the Las Posas Syncline. Given that CMWC already has an existing connection to the Las Posas Country Club, and provided an agreement between the Company and the Country Club, KG's recommended new Well No. 7 location would be near the northwestern limits of the Club's property. KG understands that CMWC bylaws do not require a new well be drilled specifically within its service area. A well at this location would entirely target the Fox Canyon Aquifer (and its superior quality and shallower water levels vs. those within the Grimes Canyon Aquifer up on the Camarillo Hills) for groundwater production. Further, the well design/depth would be comparable to that of the proposed new well location on Alviso Drive, but without the septic setbacks and construction logistics issues.



Please do not hesitate to contact us with any questions.

Best Regards,

Jordan Kear Principal Hydrogeologist Professional Geologist No. 6960 California Certified Hydrogeologist No. 749

Timothy Becker Professional Geologist No. 9589

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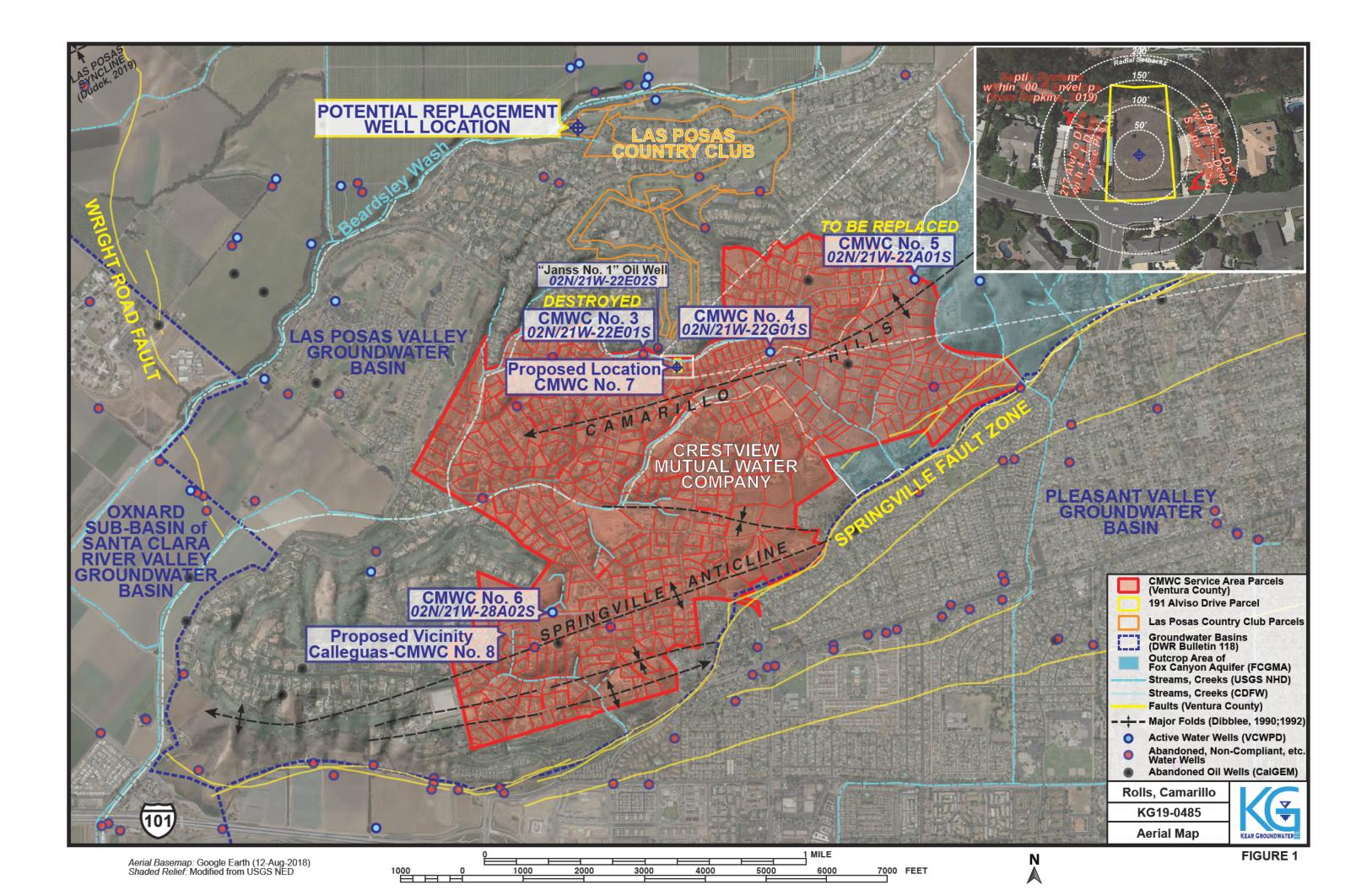
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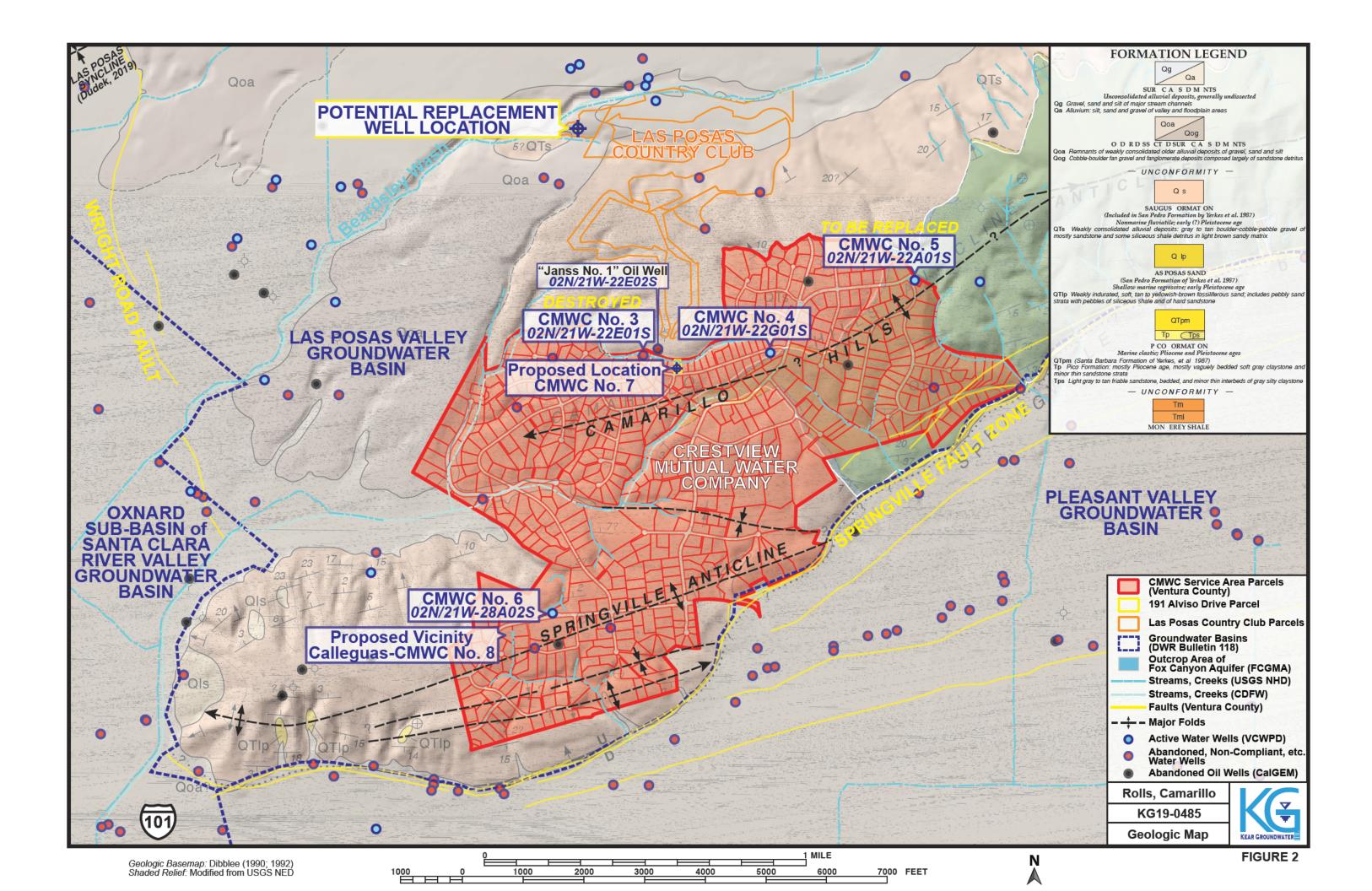


EXHIBIT B

GORIAN AND ASSOCIATES, INC.

SUB-SURFACE DATA

Log No.___B-1

		۸۱	STITCH	LO	T 72,	TRACT 2706 CAMARILLO	
			2411			ket auger Logged by B.Cavan Job No.	1100-1-14
		Drilling	,		Loca	stion: See MapDate Obse	rved: 9-23-81
	2 T	x 18	393 ±	\$ \$0 \$0 \$0 \$0 \$0 \$0 \$0	Street S	<u> </u>	HYDROMETER ANALYSIS Sand Silt Clay
5	CL			20.5	89 107	with traces of gravel and shell fragments. Slightly porous, scattered roothairs. At 2½' and below, minor caliche veinlets. (upper 12" dry becoming moist below, medium stiff) slightly desiccated. At 3-3½' transition with bedrock: Becoming mottled dark and light brown sandy silty clay with gray, tan & rust sandstone fragments. San Pedro Formation: Mottled tan, gray &	
.0-	sc			27.6		rust silty sand with irregular silty to very clayey stringers. Locally very fossiliferous (@3-6' shell fragments, mainly oyster). Friable (very moist, dense) well bedded with local laminae of very silty fine sandstone to sandy siltstone. At 6-7½' cross bedded clear fine sandstone. Below 7' sandstone predominately tan. Becoming finely intervedded silty fine micaceous sand & clayey silt. Generally rythmic coarsening of materials. (very moist, dense) tan & gray with rust staining.	Att.@19'= N5 W/4 SW 28 56 16
20-	SM				101	Dark to light gray clayey silt & sand with irregular stringers & pockets of rust to tan sand. Rust stainings (moist, dense), fractured. Becoming interbedded tan, gray & rust sandy silt to silty fine sand. (moist, dense). Gray predominates, rust stainings. Grayish tan slightly silty fine to medium sand with abundant shell fragments @ 28-30'. (moist, dense) Friable.	(Soil type 3) 38
5-	CL				5 113	Medium brown-tan tray very sandy silty clay with rust mottling & stringers of fine sand- stone.	78 10 12 (Soil type 2) 22 28 32 (Soil type 4)

EXHIBIT C

COMPONENTS OF INDUSTRY STANDARD WELL FEASIBILITY STUDY

Collection and Review of Available Hydrogeologic Data

Collect and review hydrogeologic data/information from in-house files and from the client's office and/or from the State and County agencies. Available items that should be collected and reviewed will consist of:

- U.S. Geological Survey and California Division of Mines and Geology geologic/water resources reports and maps.
- Historic rainfall and static and pumping water-level data on former and existing wells in the area.
- Historic power company test data on existing and former wells.
- Historic and current water-quality and well production data on former and existing wells in the region.
- Construction data on former and existing water-supply wells in the region from various sources (agencies, drillers, etc.)
- Electric log data, as available, from existing water wells.
- Driller's log data and electric logs for wildcat oil wells in the region, where applicable.
- Location of active/inactive wells in the area.
- Data regarding potential groundwater contaminants of concern as related to hazardous waste sites (such as septic systems, sewage disposal systems, gas stations and dry cleaners) in the area, as available from agency computer databases.
- Basin boundary maps which include well logs, faults, topography and major roads.

The focus of a data collection and review task is to evaluate trends and spatial differences in water level and water quality conditions in the region and to choose those areas that appear to be favorable for high-capacity production wells. Key to the study will be to collect drillers' log data from existing wells and former wells and borings. These logs will be important in defining subsurface conditions at each site (*i.e.*, based on correlation of logs, the depth to usable aquifers and the base of water bearing sediments in the area).

Importantly, the historic successes and failures of wells in correlateable proximity to evaluated sites or small areas will lead to the avoidance of repeated failures.

Field Reconnaissance

As part of a water well feasibility study, the investigators should conduct a field reconnaissance in the project area and specifically at each potential well site and adjoining parcels. In the field, properties should be assessed for drilling logistics such as location and size of potential well sites, presence of utilities at potential well sites, conditions for disposal of drilling and testing fluids at potential well sites, and proximity of a water source as required for drilling at each site.

Hydrogeologic Analyses

Imperative to feasibility studies are the hydrogeologic analysis of the collected data for the local aquifers. Specific attention should be upon the assessment of: pumping rates; water levels; water level trends over time in wells in different parts of the basin (and, in comparison to trends in rainfall over time); specific capacity values and trends over time in wells in different parts of the storage units; and water quality and water quality trends over time in the basin.

Feasibility should analyze anticipated impacts of pumping water from proposed wells on existing wells and one another. Key to selecting the potential well sites will be an <u>independent</u>, <u>objective</u>, <u>and detailed</u> evaluation and correlation of available drillers' logs for wells in the region. Those key data should be updated from newer wells drilled and electric logs in the project area.

Electric log correlations not only provide detailed information on the depth, thickness and continuity of key aquifers, but also are invaluable in identifying the base of fresh water and important geologic structures. Electric log correlations are useful in evaluating the locations and alignments of potential faults and groundwater barriers in the area. Separation criteria for spacing and locating new wells should be provided, as well as the requisite hydraulic analyses of placing wells of each intended use into the purveyor's distribution system.

Using existing groundwater elevation contour maps of the basin for different dates, investigators should identify basin-high and basin-low water level periods and then prepare calculations of the estimated amount of groundwater in storage and the amount of groundwater underflow as of those two important periods. These calculated values provide information on the historically high and low amounts of groundwater in the aquifer system.

Water Quality Review

Investigators should review all available water quality within the project area and to determine possible trends that will influence well site selection. These data will be reviewed for aquifer analysis and to determine the compliance of the produced groundwater with regulations of the State Department of Health Services. Further, these findings should be incorporated into the preliminary design of the wells with respect for their intended use.

Included in a water quality review should be an in-depth review of potential environmental concerns in the immediate vicinities of each of the proposed well sites. Much of these data will be found on agency databases; other data will require review at agency offices.

Well Site Optimization

The optimum utility of each well site with respect to its intended use should be *objectively* based on the findings of Tasks. As above, each site should be considered as a "sphere" or several parcels rather than one single property. The parcels within the "sphere" of District selection shall be ranked with respect to feasibility of optimizing well location for construction, development (including discharge and/or spreading options), and long-term production of water that meets the intended use of the well.

Water Well Feasibility and Preliminary Design Report

Investigators should prepare a detailed report summarizing findings, preliminary conclusions, and preliminary recommendations with regard to the siting and construction of a proposed new water well at each of several potential well site areas. In addition, preliminary well design criteria for each potential well site should be included and will cite such items as: identification and depth to potential water-bearing zones (aquifers), pilot hole depth and borehole diameter; diameter, type and length of well casing and of perforated casing to use; and cement seal depth and gravel pack interval.



TO:

Ventura County Planning Commission

Attn: Phil White, Chair

FROM:

Kear Groundwater

P.O. Box 2601

Santa Barbara, CA 93120-2601

DATÈ:

June 22, 2020

SUBJECT:

Hydrogeologic Review of Crestview Mutual Water Company's "Well No. 7"

Camarillo Hills, Ventura County, California

Dear Mr. White,

This memorandum provides a summary of Kear Groundwater's (KG) hydrogeologic evaluation, including logistical considerations and regulatory setbacks review of Crestview Mutual Water Company's (CMWC or "the Company") planned new potable supply "Well No. 7," proposed to be located at 191 Alviso Drive (APN 152 -0-341-065) in the Camarillo Hills of Ventura County, California (Figures 1, 2). This analysis has been prepared at the request of the Crestview Mutual Water Alliance (CMWA, Alliance).

Executive Summary

KG has reviewed available information on the drilling of the planned Crestview Well No. 7 at 191 Alviso Drive, Camarillo, for its logistical feasibility, regulatory feasibility, and hydrogeologic feasibility. We present the following points that clearly and fundamentally demonstrate a conflict with standards, precedents, and prudent science in siting Well No. 7 at the planned location.

Logistical Infeasibility

The proposed location of Crestview Well No. 7 presents clear issues to achieve standards compliance for well construction logistics. These issues include: the small and narrow size of the parcel, which will require a minimum two-story high noise attenuation and light blocking barriers and allow little footprint for a drilling rig; the proposed drill site topography, which will require significant (greater than 50 cubic yards) grading; and its proximity to sensitive habitat receptors, which will require appropriate discharge permits, potential mitigation measures, and



on-going reporting compliance. The parcel is also intended for residential use only, under a Home Owners' Association that expressly prohibits well construction.

Regulatory Infeasibility

The selected Well No. 7 site is completely enveloped within long-established State water well standard mandated setbacks from individual sewage disposal systems (including two >20-ft-deep seepage pits within 150 feet of the proposed well site). To date no source vulnerability assessment has been provided to highlight potential contaminating activities, as is typically conducted as part of drinking water source assessment protection program. Crestview seeks to scofflaw at these setback requirements, which would be unprecedented by State/County agencies in recent decades for public supply wells. Internal e-mails between County Environmental Health Division personnel reflect Crestview's desire to ignore even the advisory language detailing these setback concerns from public disclosure statements. Recent communication also indicates the intent to shift the onus of compliance to the owners of the ISDS within an affected envelope, placing an excessive burden to comply with a higher set of standards due to the proximity of the new well. If the ISDS is in need of repair or replacement more complete (secondary or tertiary) treatment would be required or a property owner would need to annex to a sanitary district that does not exist and would require many years and many millions of dollars to create. In an age when public health regulations continually increase to protect public health, Crestview seeks to ignore regulations and the infeasibility of compliance therewith.

Hydrogeologic Infeasibility

The proposed location of Crestview Well No. 7 is poorly-planned from a hydrogeologic standpoint and lacks a thorough water well feasibility study to evaluate alternatives. The proposed well is to be located over a geologic structure (near the axis of Camarillo Hills Anticline, on the north-dipping limb) and stratigraphic location, depth, and design that are very similar to those of the failed Crestview wells (Nos. 3, 4, 5, which suffer from either declining water levels/pumping rates and/or poor quality). An alternative well site should be selected that will both comply with local standards and ultimately prove to be more successful, with superior anticipated groundwater quality, sustainability, and production rates.



Introduction

Our objective was to perform an independent review of: 1) fundamental logistical issues associated with the well construction scope as presented in CMWC's conditional use permit application; 2) fundamental regulatory and sanitary issues associated with locating the well in violating proximity to nearby individual sewage disposal systems; and 3) available geologic and hydrogeologic information and other applicable information that apply to the location and design of the proposed new well. KG understands that your client is among several shareholders of CMWC that are concerned about the well's drilling and construction, in addition to its safe and healthy operations for decades to come.

Ultimately, KG has found that CMWC's selection of the 191 Alviso Drive property appears to be poorly-planned from both a regulatory, constructability, and hydrogeologic perspective, and lacks a thorough water well feasibility study. In keeping with a standard of water supply purveyors statewide, the CMWC general manager and its board, working on behalf of the shareholders who will consume the delivered water from Well No. 7 should conduct a thorough feasibility study to select an optimum well site that will both comply with established State water well standards and be more successful than the failed well that it intends to replace with Well No. 7. Herein, KG presents a brief review of potential superior alternative locations for a proposed new supply well for the Company and its shareholders.

A summary of our efforts, findings, conclusions, and more detailed recommendations follows.



Crestview Mutual Water Company

CMWC has been incorporated since 1950 and currently serves about 300 million gallons annually (920 acre-feet) of potable water to 625 residential/domestic service connections, of which about 70% is used for outdoor irrigation. The Company also has one municipal/industrial connection to the Las Posas Country Club (LPCC) for an emergency basis with typically no more than 1 acre-ft per year delivered to LPCC (Numeric Solutions, 2013).

CMWC sources water from a small network of existing groundwater wells (76.5% of supply on average since 1991) that is also augmented by deliveries from the Calleguas Municipal Water District (Calleguas; 23.5% of the supply on average since 1991), and delivers a total of about 946 acre-ft per year on average. Extraction data are compiled from Numeric Solutions (2013) for 1991 through 2012 and from the January 2020 monthly General Manager's report (CMWC, 2020) for 2006 through 2019. Calleguas is the local wholesale purveyor of the Metropolitan Water District of Southern California, which delivers imported surface water via the State Water Project from northern California; Calleguas also pumps groundwater via its Las Posas Well Field. In a typical year, Crestview imports water from Metropolitan via Calleguas from December through March, and then relies upon its own well system to meet demands from April through November.

CMWC currently pumps groundwater from three wells: the Company's Well No. 4 (State Well Number [SWN] 02N/21W-22G01S, located at 14 Alviso Drive), Well No. 5 (SWN 02N/21W-22A01S, located at 602 Valley Vista Drive), and Well No. 6 (SWN 02N/21W-28A01S, located at 241 Crestview Avenue). CMWC also operates a chlorination treatment plant located adjacent to Well No. 5 at 602 Valley Vista Drive (per its website). CMWC Well No. 5 is proposed to be replaced by Well No. 7; Well No. 5 has been largely inactive (<3 acre-ft per year) since 2008 and fully inactive since 2015, per Company extraction records (Numeric Solutions, 2013; CMWC, 2020). CMWC also destroyed its No. 3 (SWN 02N/21W-22E01S) in 2006 per its destruction record.

As of the January 2020 monthly General Manager's report (CMWC, 2020), CMWC No. 4 currently produces about 900 gallons per minute (gpm) and No. 6 produces about 1150 gpm. The



extraction from No. 4 has declined in recent years, from a peak of about 780 acre-ft in 2002 to about 164 acre-ft in 2019; as such, the Company's website reports that production from the well "has decreased approximately 80% due to declining groundwater levels" and that the well shortly "go 'dry." The average annual production from No. 4 over the 1991-2019 available record is about 397 acre-ft.

With relatively consistent deliveries of imported water from Calleguas (about 223 acre-ft in an the average year, with range between 0.675 acre-ft in 1996 to 444.418 acre-ft in 1993), the extraction losses from No. 4 and No. 5 have been largely supplanted by No. 6 (about 420 acre-ft in the average year, with range between about 525 acre-ft in 2009 to about 307 acre-ft when first equipped in 2007). The Company's total water usage has also reportedly fallen from a high of about 1214 acre-ft in 2007 to 771 acre-ft in 2019 (Numeric Solutions, 2013; CMWC, 2020). As a benchmark, the Company averaged about 823 acre-ft per year in the 1990s.

Table 1 and Chart 1 summarize the Company's water supply by source.

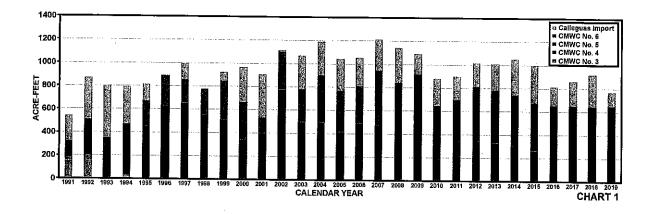




TABLE 1: CRESTVIEW MUTUAL WATER COMPANY - SUPPLY BY SOURCE									
YEAR	CMWC NO.3	GROUNDY CMWC NO. 4	VATER (AF) CMWC NO. 5	CMWC NO. 6	IMPORTED SURFACE WATER (AF)	TOTAL (AF)			
1991	186.969	139.005		-	218.425	544.399			
1992	203.513	310.387			354.527	868.427			
1993 -	0.000	355.362	-		444.418	799.780			
1994	30.161	440.778	-		320.306	791.245			
1995		453.529	219.011	-	141.046	813.586			
1996		630.230	259.861		0.675	890.766			
1997	-	656.199	198.480		140.098	994.777			
1998		548.287	227.782	· _	1.409	777.478			
1999	-	514.214	333.646	-	75.062	922,922			
2000	-	341.718	325.799	-	299.272	966.789			
2001	-	399.376	136.673		372.310	908.359			
2002	- 11	779.381	322.509		13.472	1115.36			
2003	-	498.350	282.691		289.614	1070.65			
2004	· -	497.740	403.930		290.166	1191.83			
2005	-	415.208	355.880	-	271.167	1042.25			
2006	-	490.414	321.033		243.034	1054.48			
2007	-	473.977	167.574	306.606	265.680	1213.83			
2008		361.423	0.215	482.776	297.016	1141.43			
2009	-	392.345	0.104	524.860	172.662	1089.97			
2010	.	283.636	0.101	366.201	230.010	879,948			
2011		302.706	0:000	396.856	201.067	900.629			
2012		343.814	1.719	470.755	199.760	1016.04			
2013	-	329.823	2.418	452.986	226.030	1011.25			
2014		307.199	0.350	436.043	308.003	1051.59			
2015	-	267.981	0.816	404.906	323.964	997.668			
2016		270.937	· - · · ·	380.763	162.313	814.013			
2017	-	287.978	-	363.718	211.437	863.134			
2018		264.418		386.536	272.318	923,272			
2019	-	164.069		487.806	118.815	770.690			



CMWC Well No. 3

Per its Well Completion Report, Midway Drilling & Pump Co. (Midway) drilled CMWC Well No. 3 (-22E01S) in early 1966. Following a pilot borehole drilled to 1456 ft, Midway reamed the final borehole out to 30-inches-diameter to 1393 ft. Midway equipped the well with a 16-inch-diameter blank mild steel casing from ground surface to 594 ft, which then reduced to a 14-inch-diameter casing to its total depth. The lower casing includes perforations from 1000 to 1046 ft and 1190 to 1370 ft. Midway filled the annular space between the casing and borehole walls with gravel pack from 1393 ft up to 75 ft, and then poured the cement sanitary seal from 75 ft up to ground surface. The Well Completion Report includes a note dated 25 June 1997 that states, "a 10-inch liner may have been installed in this well. It is still possible to hear cascading water."

Following its construction, CMWC Well No. 3 reportedly produced 2000 gpm during a pumping test, wherein the static water level of 374 ft was pumped down to 894 ft (possibly only 520 ft, which is the value listed as drawdown but may have referred to pumping level). The driller's well log includes "blue sand, rock & sea shell" from 247 to 370 ft and from 474 to 560 ft, which were apparently mostly unsaturated and the well casing not directly perforated adjacent; the primary aquifer is described as "hard sand & rocks" from 1012 to 1323 ft, which is underlain by blue clay.

CMWC abandoned its Well No. 3 to County standards on September 15, 2006, which can potentially maintain a conduit for vertical fluid (including contaminant) migration. CMWC Well No. 3 is also situated about 250 horizontal ft, across a local drainage, from a 1950s-era oil exploration well (10,170 ft drilled depth) that did not encounter commercial oil or gas shows and was subsequently plugged at 800 ft and converted to a water well (SWN 02N/21W-22E02S). The -22E02S well was abandoned in April 2004 per its destruction record.

CMWC Well No. 4

Per its Well Completion Report, Midway drilled CMWC Well No. 4 (-22G01S) in the summer of 1985. Following a pilot borehole drilled to 1350 ft, Midway reamed the final borehole out to 28-inches-diameter to 903 ft. Midway equipped the well with a 16-inch-diameter blank steel casing from ground surface to 600 ft (mild steel to 560 ft, then stainless steel), which then reduced to a



12-inch-diameter perforated (0.070-inch slots) stainless steel casing to the total depth of 903 ft. Midway filled the annular space with gravel pack from 903 ft up to 575 ft; while the cement sanitary seal depth is listed at 35 ft, the well is noted to be sealed against pollution to 575 ft (top of gravel pack) which could indicate a deeper cement seal.

Following its construction, CMWC Well No. 4 reportedly produced 1800 gpm over a 40-hour pumping test, wherein the static water level of 494 ft was pumped down to 558 ft. The driller's well log includes "sand, gravel & shells" from 338 ft to 530 ft, which were apparently mostly unsaturated and the well casing not directly perforated adjacent; the primary aquifer is listed as "sand & gravel" from 597 to 890 ft, which is underlain by dominantly blue clayey strata.

CMWC Well No. 5

Per its Well Completion Report, Midway drilled CMWC Well No. 5 (-22A01S) in the summer of 1993. Following a pilot borehole drilled to 1721 ft, Midway reamed the final borehole out to 28-inches-diameter to 1400 ft. Midway equipped the well with a nominally 16-inch-diameter blank mild steel casing from ground surface to 720 ft, which then reduced to a nominally 14-inch-diameter stainless steel casing, with perforations (0.055-inch slots) from 780 ft to 900 ft, and then a nominally 12-inch-diameter perforated (0.055-inch slots) stainless steel casing from 900 ft to the total depth of 1400 ft. Midway filled the annular space with gravel pack from 1400 ft up to 740 ft, and then poured the cement sanitary seal from 740 ft up to ground surface.

Following its construction, CMWC Well No. 5 reportedly produced 1200 gpm over a 43-hour pumping test, wherein the static water level of 674 ft was pumped down to 785 ft. The driller's well log indicates some mixture of sand, gravel, and sea shells from at least 316 ft to 599 ft, which were apparently mostly unsaturated and the well casing not directly perforated adjacent; the well appears to produce groundwater from a 780 to 1400-foot-deep stratified network of sand/gravel aquifers that are separated by clayey aquitards, which are underlain by dominantly dark gray oily sands/shale at depth.

Numeric Solutions (2013) notes that Well No. 5 is a replacement for Well No. 3, "which had historically delivered poorer quality water and was subsequently destroyed;" however, Well No.



5 also has elevated TDS (>1200 mg/L) compared to Well Nos. 4 and 6 (<900 mg/L) (Numeric Solutions, 2013).

CMWC Well No. 6

Per its Well Completion Report, Barbour Well Surveying Corporation (Barbour) drilled CMWC Well No. 6 (-28A02S) in the fall of 2005. Following a pilot borehole drilled to 1300 ft, Barbour reamed the final borehole out to 27-inches-diameter to 810 ft. Barbour equipped the well with a nominally 16-inch-diameter blank mild steel casing from ground surface to 250 ft, and then stainless steel to the total casing depth of 810 ft. The stainless steel casing includes perforations (0.060-inch slots) from 550 to 800 ft. Barbour filled the annular space with gravel pack from 810 ft up to 505 ft, and then poured the cement sanitary seal from 505 ft up to ground surface.

Following its construction, CMWC Well No. 6 reportedly produced 2500 gpm over a 12 hour pumping test, wherein the static water level fell of 313 ft was pumped to reveal a pumping water level of 358 ft. Per the driller's well log, the well appears to produce groundwater from a stratified network of sand/gravel aquifers that are separated by silty and clayey aquitards, apparently becoming increasingly finer-grained with depth. Sea shells are noted from 85 to 145 ft and 205 to 360 ft.

Numeric Solutions (2013) notes that because Well No. 6 has "consistently delivered higher quality water than CMWC's other wells ... an increasing share of CMWC's extraction has been drawn" from the well.



Proposed CMWC Well No. 7

CMWC Well No. 7 is the proposed replacement for Well No. 5, per the Well Permit Application submitted to Ventura County Watershed Protection District (additional permit also submitted to Fox Canyon Groundwater Management Agency). The Company's website states that its "currently lacks water capacity to meet peak demands with Well [No.] 6 alone" and as such its "ability to provide a safe, secure, dependable, affordable and lifesaving water source for shareholders is in jeopardy" without "two wells in different zones to meet all demands," thus saving the shareholders significant costs by supplying cheaper local groundwater versus expensive imported Calleguas water. CMWC apparently views Well No. 6 within one (lower) service area zone and all other wells (the destroyed Well No. 3, the still-active but declining Well No. 4, the inactive Well No. 5 and its proposed replacement Well No. 7) in another (upper) service area pressure zone.

Despite the reported declining water levels and production from the nearby Well No. 4, and in addition to the poor quality of Well Nos. 3 and 5, all of which situated over similar geologic strata/structure, CMWC moved forward and purchased the vacant lot at 191 Alviso in October 2015 for \$505,000 for the proposed Well No. 7.

The preliminary design of Well No. 7, as listed under the permit application and apparently based on the original electric log of the nearby No. 3, includes a 16-inch-diameter steel well casing with perforations from 1040 to 1080 ft and 1230 to 1420 ft (Hopkins, 2019). Both FCGMA and County permit applications list the anticipated annual production from the well to be 1000 acre-ft, implying the well would meet the entirety CMWC's typical demand. Further, the proposed location lacks the State- and County-required horizontal setbacks from existing onsite wastewater treatment systems (OWTS) that include seepage pits, and therefore poses a potential harm to the public health of the Company's shareholders.



Proposed CMWC Well No. 8

CMWC has separately entered into an agreement with Calleguas for a new "CMWC No. 8," reportedly to be located in vacant lot across from intersection of Crestview Avenue and Ashdale Court, as part of an emergency water supply reliability project (e.g., Calleguas. 2018) The agreement requires Crestview to design, acquire the right-of-way for, permit, construct, own, operate, maintain, and repair Well No. 8, the pipe connecting the well to the Crestview system, and all associated facilities. Calleguas will reimburse Crestview for the cost subject to a total cap of \$2.1 million.

Upon request, Crestview is required to deliver 3 cubic ft per second (cfs, or about 6 acre-ft per day [1500 gpm]) to Calleguas for up to 6 months through the planned Crestview-Calleguas Interconnection or existing interconnections. For every acre-ft of water delivered from Crestview to Calleguas, Calleguas will deliver to Crestview one acre-ft of water at a later date (free of charge between October 1 and April 30; subject to capacity charge between May 1 and September 30). In addition, Calleguas will pay \$316 per acre-ft for water delivered from Crestview. If Crestview is unable to produce a combined total of 3 cfs, Crestview will pay a penalty of \$316 per acre-ft.



Hydrogeologic Overview

CMWC's service area is situated entirely within the Las Posas Valley Groundwater Basin ("Las Posas Basin," Department of Water Resources [DWR], Bulletin 118, Basin Number 4-8). The Las Posas Basin is bounded between the uplifted South Mountain/Oak Ridge to the north, the Camarillo Hills to the southwest and Las Posas Hills to the southeast, and the Santa Susana Mountains to the east; the basin is bounded by the Oxnard Subbasin of the Santa Clara River Valley Groundwater Basin to the west.

The Las Posas Basin (and its principal aquifers) reaches its maximum thickness along the downthrown synclinal trough (Las Posas Syncline) within its central valley. The Camarillo Hills Anticline, which the Company's service area overlies, is part of the larger deformed hanging wall (Camarillo fold belt) on the north/downthrown side of the high-angle reverse Springville Fault Zone (DeVecchio et al. 2012), which restricts groundwater flow between the Las Posas Basin and the Pleasant Valley Groundwater Basin to the south (Dudek, 2019). The Fox Canyon Aquifer is exposed to ground surface locally in the Las Posas and Camarillo Hills (e.g., FCGMA outcrop area map) with the nearest mapped outcrop approximately 750 ft southeast of the planned Well No. 7 site. Around the Camarillo Anticline, formations dip gently (10°–25°) away from the axis on both the north and south limbs (Dibblee, 1990; 1992).

The Las Posas Basin is within the Transverse Ranges geomorphic province. Rocks in this region have been folded into a series of predominantly east-west-trending anticlines and synclines associated with thrust and reverse faults. In general, the faulting and seismicity of southern California are dominated by the compressionary regime associated with the "Big Bend" of the San Andreas Fault Zone. Uplift rates beneath Camarillo Hills Anticline range between 0.8 to 1.4 mm/yr (DeVecchio et al. 2012) underscoring the tectonically active nature of the Crestview service area.



Las Posas Basin Principal Aquifers

The Las Posas Basin is comprised of late Oligocene to early Pleistocene marine and nonmarine sedimentary rocks that have been structurally deformed by faults and associated folds to form highlands in the north and in the south separated by a central downthrown basin. Unconsolidated alluvial basin fill sediments, where deposits along valley floors and stream channels, can form productive groundwater aquifers ("Shallow Aquifer") but are not present/saturated in the uplifted hills. The alluvium unconformably overlies the older terrestrial deposits of the also freshwater-bearing Saugus Formation (QTs). The Pleistocene-aged Saugus Formation is a weakly-consolidated conglomerate of pebble- to cobble-sized clasts, with minor sandy and clayey units. Appreciable volumes of usable groundwater are stored in relatively thin sand and gravel layers separated by silts and clays of low hydraulic conductivity.

Beneath the Saugus Formation lies the late Pliocene-aged, shallow marine Las Posas Sands (QTlp), a fine- to medium-grained fossiliferous sand with occasional gravel and clay layers. The Las Posas Basin's primary aquifer, known as the Fox Canyon Aquifer, is stored within the Las Posas Sands as mapped by Dibblee (1992), but is also known as the basal part of the San Pedro Formation. Generally, strata referred to as the San Pedro Formation in this area are now assigned as the Saugus Formation, if nonmarine deposition, or to the Las Posas Sands, if marine. The Fox Canyon Aquifer is identified on electric logs by zones of relatively high resistivity from 100 ft to upwards of 500 ft thick. Sedimentary bedrock strata can yield significant quantities of groundwater to wells, especially where only partially cemented, unconsolidated, weathered, or highly fractured, which increases porosity and permeability.

The Quaternary-aged deposits are underlain by older, consolidated units that include the Pliocene-aged Pico Formation and the Miocene-aged Sisquoc and Monterey shales. The Santa Barbara Formation (QTsb) in this area is sometimes assigned to the upper member of the Pico Formation, comprised of fine-grained gravel and sand deposits that contains the Grimes Canyon Aquifer. Dudek (2019) note CMWC Well Nos. 4, 5, and 6 as some of the few wells whose casings are solely perforated adjacent to the Grimes Canyon Aquifer, which can be an important source of water in areas where the Fox Canyon Aquifer is absent, thin, or unsaturated (Las Posas



Users Group 2012); each of these conditions appear to exist for the Fox Canyon Aquifer in the area of the Camarillo Hills Anticline axis.

Adjacent to the Camarillo Hills, total dissolved solids (TDS) concentrations in the Fox Canyon Aquifer range from 300 to 700 mg/L (Dudek, 2019). CMWC's 2018 quality report lists an average TDS concentration of 750 mg/L from its groundwater wells, with a range of 720 to 820 mg/L, reflective of the relatively poorer-quality associated with the Grimes Canyon Aquifer. Groundwater quality data from CMWC wells are available from the SWRCB's Groundwater Ambient Monitoring and Assessment Program (GAMA). Table 2 summarizes the groundwater well quality of select constituents over a generally decadal time period. The 1966 quality results from No. 3 are from a lab report that the Company included with its destruction record.

TABLE 2: C	CMWC GROU	NDWATE	R WELL (QUALITY o	f SELECT	CONST	ITUENTS v	vith TIME
Well	Sample Date	TDS (mg/L)	Nitrate (mg/L)	Chloride (mg/L)	Sulfate (mg/L)	Iron (µg/L)	Manganese (µg/L)	Turbidity (NTU)
	2/25/1966	924	0.0	70	319	150	50	-
CMWC No. 3	10/5/1972	973	0.0	77	365	0	0	-
CMWC NO.5	6/17/1981	948	3.5	67	368	-	-	-
	8/30/1994	820	0.0	64	350	6800	100	22.0
	7/6/1988	720	1.0	72	293	100	0.07	1.4
CMWC No. 4	6/16/1994	890	0.0	71	320	0	50	0.0
CIMWC NO.4	8/19/2004	730	0.4	54	255	50	40	0.2
•	6/12/2019	880	 	70	325	100	50	0.4
	7/14/1995	1100	0.0	78	390	210	0	0.0
CMWC No. 5	8/19/2004	1070	0.4	78	397	100	20	0.2
	8/18/2016	1070	-	81	408	260	30	2.5
	12/15/2005	800	0.4	63	280	100	40	0.5
CMWC No. 6	4/19/2013	840	0.4	73	330	50	40	-
	6/12/2019	820	-	66	318	100	40.	0.2



Fox Canyon Groundwater Management Agency

Groundwater of the basins where the Fox Canyon Aquifer has been identified, and the lands that overlie it, is managed by the Fox Canyon Groundwater Management Agency ("FCGMA"). The FCGMA is a public agency established in 1982 by the California State Legislature under the State Water Code for the overall management of the southern Ventura County groundwater basins.

FCGMA also serves as the groundwater sustainability agency (GSA) for the majority of the Las Posas Basin, following passage of the Sustainable Groundwater Management Act (SGMA) in 2014 (AB 1739, SB 1168, and SB 1319) that sets the framework for statewide long-term sustainable groundwater management by local authorities. SGMA requires the formation of new GSAs tasked with assessing the conditions in local basins and adopting locally-based sustainable management plans. SGMA provides GSAs with tools and authority to (1) require registration of groundwater wells, (2) measure and manage extractions (including limiting the amount of water pumped by individual well owners), (3) require reports and assess fees, and (4) request revisions of basin boundaries, including establishing new sub-basins.

GSAs responsible for high- and medium-priority basins must adopt long-term groundwater sustainability plans. Via the California Statewide Groundwater Elevation Monitoring (CASGEM), the DWR ranks the 42,353-acre Las Posas Basin as a high-priority basin, with overdraft, subsidence, and saline intrusion (elevated chloride) as noted impacts. FCGMA released the final Las Posas Basin GSP in December 2019. Plans will be evaluated every five years. GSAs have until 2040 to achieve groundwater sustainability.

The basin is broadly separated into two management areas, the East Las Posas Management Area (ELPMA) and the West Las Posas Management Area (WLPMA), based on geologic structures thought to affect subsurface flow. CMWC is located entirely within the WLPMA. The Somis Fault (an extension of the Springville Fault Zone) trends north—northeast across the basin in the vicinity of Somis and acts as the boundary between the west and east management areas, with groundwater elevation differences in excess of 100 ft across the fault. This trend generally corresponds to the local surface watershed divide between the Beardsley Wash in the west and



the Arroyo Simi-Las Posas in the east. In addition to the WLPMA and ELPMA, a third management area has been established in a localized area of the ELPMA for the Epworth Gravels Aquifer, a significant source of water north of Moorpark but not believed to be in direct hydraulic communication with the deeper Fox Canyon Aquifer.



PROPOSED WELL NO. 7 ISSUES OF STANDARDS COMPLIANCE: Septic Setbacks

The selected well site is completely enveloped within mandated setbacks from individual sewage disposal systems, surface water drainages, and sensitive habitat. Statewide standards for water wells were first formally published in 1968 as DWR Bulletin 74 (includes Bulletin 74-9 for Ventura County specific recommendations), and revised in 1981 as Bulletin 74-81 and again (though not officially finalized/adopted) in 1990 as Bulletin 74-90. All counties, cities, and/or water agencies where appropriate, must adopt well ordinances that meet or are more stringent than the DWR standards. Ventura County well ordinance (Section No. 4814) establishes the minimum standards as those set forth in Bulletin 74, 74-9, 74-81, and 74-90, but also adopts more stringent standards where applicable.

DWR Bulletin 74 establishes the horizontal separation distance standards for water wells from potential pollution or contaminant sources, which includes 150 ft buffer between a well and a cesspool or seepage pit. The Bulletin specifically states that the buffers "are generally considered adequate where a significant layer of unsaturated, **unconsolidated** sediment less permeable than sand is encountered between ground surface and groundwater ... Local conditions **may require greater separation** distances to ensure groundwater quality protection" (emphasis added).

Separately, the State Water Resources Control Board's (SWRCB) OWTS Policy for the siting, design, operation, and maintenance of OWTS has been in effect since June 2012. Ventura County Environmental Health Division's most recently updated its OWTS Technical Manual in June 2015. That manual, in addition to the Ventura County Building Code (Table CPC, Appendix H-1), includes a 200 ft horizontal setback buffer for public water wells from seepage pits. Specifically, the manual stipulates 150 ft buffer from effluent dispersal system with less than 10 ft depth and a 200 ft buffer from system with greater than 10 ft depth. Furthermore, where the effluent dispersal system is within 600 ft and exceeds 20 ft in depth, the horizontal setback required to achieve a two-year travel time for microbiological contaminants shall be evaluated by a qualified professional shall conduct this evaluation; however, in no case shall the setback be less than 200 ft.



Local cities have established ordinances for greater separation of OWTS from water supply wells in similar geologic settings. For example, the City of Malibu's Local Coastal Program (LCP)/Implementation Plan details OWTS requirements (Chapter 18), with the specific provision (18.6.D.) that "subsurface sewage effluent dispersal system/soil absorption system shall also be free from poorly drained soils and soils or formations containing continuous channels, cracks, or fractures, unless a setback of 250 ft to domestic water supply well or surface water is assured, or unless secondary or tertiary wastewater pre-treatment is provided prior to discharging to the system," thus requiring additional setback in areas of fractured bedrock.

Via its well permit applications and communications, CMWC ignores these setback requirements (which include two seepage pits with >20 ft depth within 150 ft), with protections employed as argued by Hopkins Groundwater Consultants (Hopkins, 2019), by pouring a deep (from ground surface to 940 ft) cement grout sanitary seal around the well casing. Hopkins (2019) argues that the cement seal depth, coupled with natural aquitard layers, will provide adequate protection from potential sources of surface recharge contamination that is actually greater than that of the horizontal setback distance at ground surface. Other than these descriptions, KG has seen no detailed specifications for the planned Well No. 7 seal construction, installation, measurement, or quality assurance methods. For any public supply well project, such specifications should be professionally prepared and subject to review prior to bid solicitation and used to guide the well construction process, subject to field conditions discovered during the pilot borehole drilling. Further, these very important details of well construction should be provided for review by experts and the Planning Commission so that the details can be reviewed and commented upon prior to action by the Planning Commission. KG notes that this 940-ft seal depth is based on CMWC No. 3; the proposed Well No. 7 location is up-dip (closer to the anticline axis) and therefore the actual annular seal (and the targeted aquifers of the well) will be at least somewhat shallower.

Allowed exceptions to these standards from State/County agencies is unprecedented in recent decades for public supply wells regardless of well design. Given the sandy nature of the soils in



the area and preferential fractures typical of bedrock aquifers such as within the Saugus, Las Posas, and Santa Barbara Formations, deep annular seals (which are known to be limited in their impediment to pathogens) are likely to be ineffective. The County well drilling permit application prepared by the applicant fails to indicate the locations of required septic (and other) features and does not comply with the State/County standards.

Horizontal setbacks exist for the fundamental reason that a cement seal is prone to cracking, especially in tectonically-active environments. At an average Camarillo Hills uplift rate of about 1 mm/yr (DeVecchio et al. 2012), over a typical lifespan of about 50 years, the well will have shifted upwards of 50 mm (5 cm). This is significant movement, and greater catastrophic movement as in an earthquake is a very distinct possibility. Along the axis of the local anticline, expansion can result in deep fractures radiating from deep within the core of the anticline via "flower structures" that can be direct conduits for contaminant migration.

There are numerous examples of surface water contamination even in wells with known deep cement sanitary seals. A study by the Nebraska Grout Task Force (Lackey et al., 2009) found cement-based grouts appeared cracked both above and below the water line. Proprietary work by KG in similar geologic settings has found bacterial species exclusive to animal intestinal tracts within domestic wells despite being equipped with cement seals exceeding regulatory requirements by a factor of 10.

The City of Santa Clarita built the Saugus Aquifer Treatment Plant to remediate groundwater contamination associated with the Whittaker-Bermite property, a former munitions manufacturing site, following detection of perchlorate (a solid fuel component) in local private and municipal supply wells. Contamination had been addressed through installation of wellhead and at-tap water treatment systems and provision of bottled water (MACTEC, June 2006). An article by Leon Worden in 2003 posted to scyhistory.com quotes Stephen McLean of the Castaic Lake Water Agency as describing that "[i]t's the deep aquifer that's showing the contamination," with multiple contaminated wells situated within the Saugus Formation reportedly at depths up to 1700 ft. Some of these wells (e.g., Santa Clarita Water Company Saugus Well No. 1 and



Saugus Well No. 2) that exhibit the contamination have seals in excess of 800 ft and are sealed through the same-aged formation (Pliocene to Pleistocene) that is proposed for sealing in CMWC Well No. 7.

Additional examples of aquifer contamination despite deep cement seals has shut down public supply wells in the City of Santa Monica and South Lake Tahoe, in addition to residential wells for the community of Glennville (SWRCB, 2017).

Hopkins (2019) argues that (CMWC Well Nos. 3 and 4), with shallower sanitary seals, "have operated for decades without nitrate impacts to the quality of groundwater produced." No further data, research, or citations are provided to substantiate Hopkins' claim. Nitrate in groundwater is diluted and reduced through denitrification (e.g., Geosyntec, 2019). CMWC has conducted no bacteriological pathogen sampling (full bacterial speciation, in addition to total coliform bacteria [bac-T] and heterotrophic plate counts [HPC] analyses) in its evaluation of the Well No. 7 site or support of Hopkins' (2019) claim. Such analyses would be a far more reliable indicator of potential contamination to the groundwater systems from overlying onsite wastewater systems or other issues. Other potential contaminants of concern, including pharmaceuticals, are not as naturally attenuated in the subsurface and therefore rely largely on dilution to reduce concentrations.

Additionally, for the very reason that both CMWC Nos. 3 and 4 have shallow seals (75 ft and 35 ft depth, respectively), and given their close proximities on either side of the proposed No. 7 location (about 600 ft and 1550 ft buffer, respectively), the remnant gravel pack in those wells' annular spaces will still provide a direct conduit for near surface contaminants to percolate into the deeper aquifer system, even if No. 7 itself has a competent deep seal.

To date, KG has not seen a source vulnerability assessment, typically conducted as part of drinking water source assessment protection (DWSAP) program for Well No. 7. Such a study, detailed by the DPH's Division of Drinking Water and Environmental Management (DDWEM), would highlight potential contaminating activities (PCAs) such as the septic systems, abandoned oil and gas wells, proximal water wells, and other surface and subsurface features that could



compromise water quality. Recent project examples include sites where abandoned wells were not recognized as PCAs until after-the-fact construction and well testing had begun. While DPH recognizes that some public water systems may wish to perform their own assessments, the water systems must still conduct assessments in conformance with the DPH procedures (DPH, 1999).

If Well No. 7 is permitted and constructed as currently proposed, that is with complete scofflaw to proximal septic setbacks, the question remains as to who will retain the indefinite liability (designer, driller, or CMWC) in the event of future seal failure. Further, in the event that one of the parcels with sewage disposal systems within this 600-ft (if exceeding 20 ft depth) affected envelope requires repair, replacement, or is to be constructed anew, any individual sewage disposal system (ISDS) components would be required to be held to a standard meeting that within proximity to the water supply well. Ventura County has recently estimated the cost of upgrading an existing OWTS with a supplemental/advanced treatment unit (ATU) for nitrogen or pathogens removal to be between \$15,000-\$50,000 depending on specific site and OWTS conditions, plus additional annual costs related to ongoing maintenance, service contracts, and effluent monitoring (VCEHD, 2019). There is no public sewer utility line for these homeowners within the 200 ft County standard that could otherwise be connected to in lieu of the OWTS. Homeowners could therefore be subject to bearing the potentially onerous costs for such a treatment or disposal system, or be faced with creating a sanitary district (that currently does not exist) also at considerable time, permitting issues, and expense.

There are approximately 30 developed parcels within the 600-ft envelope of the proposed No. 7 location, with OWTS that typically include seepage pits between 40 to 50 ft depth. At upwards of \$50,000 to upgrade each system, a total cost of \$1,500,000 is estimated (in 2019 dollars). If it is determined that the remnant gravel packs around Nos. 3 and 4 could also provide a conduit for contaminants, then OWTS within 600-ft envelopes of those wells would also be impacted, exponentially increasing the number and costs of potential upgrades, regardless of the success or failure of a seal in Well No. 7.

Therefore, if the well's cement seal were to fail, which remains a very real possibility



particularly given the tectonically-active and fractured bedrock location, a preferential pathway could be opened to allow for OWTS contaminants to enter both the well casing itself and the larger aquifer system. While the nature and extent of this contamination is not known, Crestview has not provided details with respect to any planned above-ground treatment methods to address this potential for contaminated water production. KG understands that a chlorine treatment system has been at least discussed, though the details are absent and this would not absolve homeowners of their ISDS obligations in the event of necessary replacement.

The World Health Organization (WHO, 2011) finds that conventional drinking-water treatment processes are largely ineffective in removing pharmaceuticals, and that advanced water treatment processes, such as ozonation, advanced oxidation, activated carbon and membranes (e.g. nanofiltration, reverse osmosis), are able to achieve higher removal rates. Even then, however, the advanced and costly water treatment technology will not be able to completely remove all pharmaceuticals to concentrations less than the detection limits at all times. Overall, WHO (2011) summarizes that many studies have reported the presence of pharmaceuticals in effluents from wastewater treatment and identified these effluents as the main conveyors of pharmaceuticals and their metabolites into receiving water sources, such as groundwater aquifers, that are used for drinking-water supply.



PROPOSED NO. 7 ISSUES OF STANDARDS COMPLIANCE: Construction Logistics

Noise Ordinance

Given the small size of the proposed parcel, and proximity of sensitive receptors, meeting the county noise ordinance will be impossible without compromising the safety of the drill site environment. Deep-founded, tall noise attenuation and light-impeding barriers would be required, which require a significant space for safe construction around the perimeter of the parcel. This significantly limits the work space, and limits the orientation of any drilling rig that would be capable of drilling to the 1500-ft proposed depth and installing the 16-inch casing diameter of CMWC Well No. 7.

The topography of the parcel would require that a noise attenuation barrier be over 40 feet high on the south, east, and west sides of the parcel and over 80 feet high to the north to meet county noise ordinance requirements. Such a high barrier would be a highly detrimental space limitation to safe drilling operations, access, and safety of nearby residences from a foundational, wind load, and nuisance perspective.

Grading

Given the natural topography and orientation of the parcel, significant grading would be required to render the property safe enough to orient a drilling rig capable of reaching the proposed depths and diameters of drilling. Estimates of the volume of soil that would require grading exceed the 50 cubic yards that would trigger a county grading permit requirement, and may substantially affect drainage and nearby slope stability issues.

Parcel Size Limitation

The safe required size of space for well construction of the order postulated by Crestview is a level pad 100 feet by 200 feet. With no level area, and a 128.81-ft south boundary, the parcel planned for Well No. 7 is too narrow to grade and safely fit a drill rig, noise attenuation barriers, staging areas for material, fluids management, drill cuttings, and safe handling.



Applicant Planning Questionnaire

The County planning questionnaire prepared by the project applicant appears to be lacking adequate attention to detail and prepared as a quick "check-the-box" exercise. The questionnaire ignores significant issues addressed herein, attempting to gloss over required information.

Home Owners' Association Issues

The parcel proposed for CMWC is located in a neighborhood governed by a Home Owners' Association (HOA) and its CC&Rs. Any use of the property is subject to the CC&Rs which, among other limitations, expressly prohibit well construction as the parcel is to be used for residential use only.

Drilling Fluid Discharge Requirements

Fluid from drilling operations is expected to be discharged towards the westward-draining blueline creek (ephemeral code per the USGS) along the parcel's northern boundary. All appropriate discharge permits must be obtained, including from the Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES), and on-going reporting compliance is required. Effluent limitations serve as the primary mechanism in NPDES permits for controlling discharges of pollutants to receiving waters. Given the high profile nature of the project, independent monitoring can be expected to watch discharges very closely in addition to the required samples and reporting CMWC, its consultants, and/or contractors would employ.



PROPOSED WELL NO. 7 ISSUES OF STANDARDS COMPLIANCE: Geological Siting

CMWC Well No. 7 site is intended to replace CMWC Well No. 5, which ostensibly failed due to water quality concerns, and make up for the declining production/water levels of CMWC Well No. 4. However, the proposed replacement well site is located over a similar geologic structure (near the axis of Camarillo Hills Anticline, on the north-dipping limb) and stratigraphic location, depth, and design as the failed well(s). Given the orientation of the strata, logs from nearby oil exploration and water wells indicate that the typical target geologic unit, known as the Fox Canyon Aquifer, is much shallower and unlikely to be saturated at this location. The Fox Canyon Aquifer outcrops just south and east of the proposed well site, leaving deeper and poorer quality aquifers (Grimes Canyon Aquifer) as the only viable saturated targets at this location. While CMWC Well Nos. 3 and 4 have historically had marginally better quality (TDS concentrations of about 900 mg/L vs. 1200 mg/L for No. 5), this quality is still relatively poorer as compared to the typical west Las Posas Basin well (targeting the Fox Canyon Aquifer) in the area.

Ultimately, CMWC's selection of the 191 Alviso Drive property appears to be poorly-planned and lacking a thorough feasibility study. KG strongly recommends that an appropriate feasibility study be conducted and an alternative well site be selected that will both comply with local standards and prove to be more successful.

Based on our limited review presented herein, a superior new well location would be as far to the north as possible, removed from the Camarillo Hills Anticline and towards the Las Posas Syncline. Given that CMWC already has an existing connection to the Las Posas Country Club, and provided an agreement between the Company and the Country Club, KG's recommended new Well No. 7 location would be near the northwestern limits of the Club's property. KG understands that CMWC bylaws do not require a new well be drilled specifically within its service area. A well at this location would entirely target the Fox Canyon Aquifer (and its superior quality and shallower water levels vs. those within the Grimes Canyon Aquifer up on the Camarillo Hills) for groundwater production. Further, the well design/depth would be comparable to that of the proposed new well location on Alviso Drive, but without the septic setbacks and construction logistics issues.



Please do not hesitate to contact us with any questions.

Best Regards,

Jordan Kear

Principal Hydrogeologist

Professional Geologist No. 6960

California Certified Hydrogeologist No. 749

Timothy Becker Professional Geologist No. 9589

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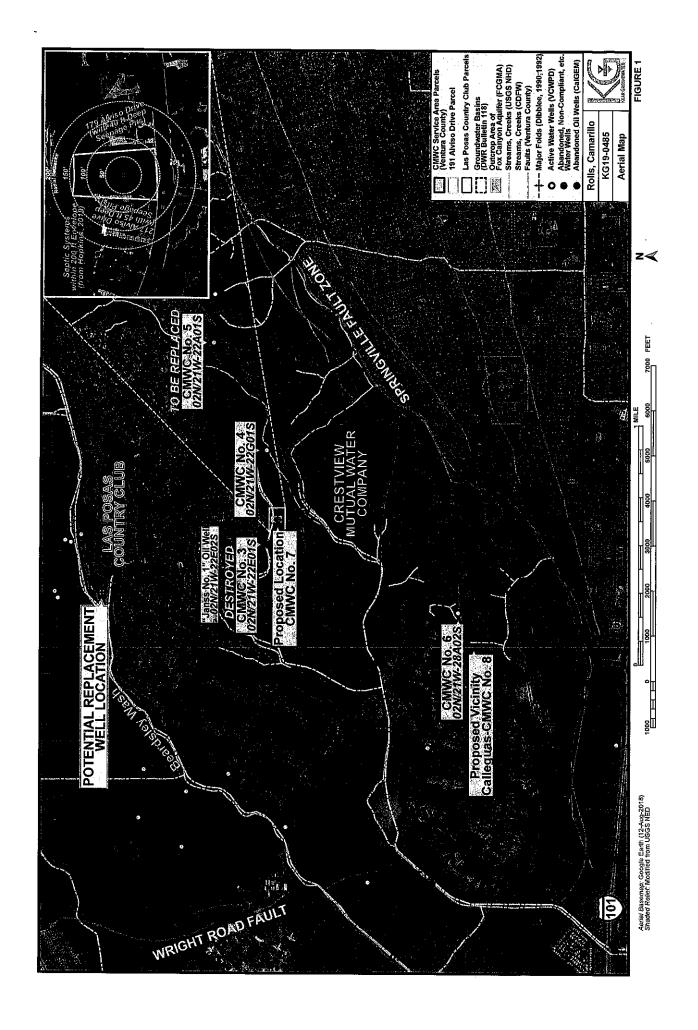
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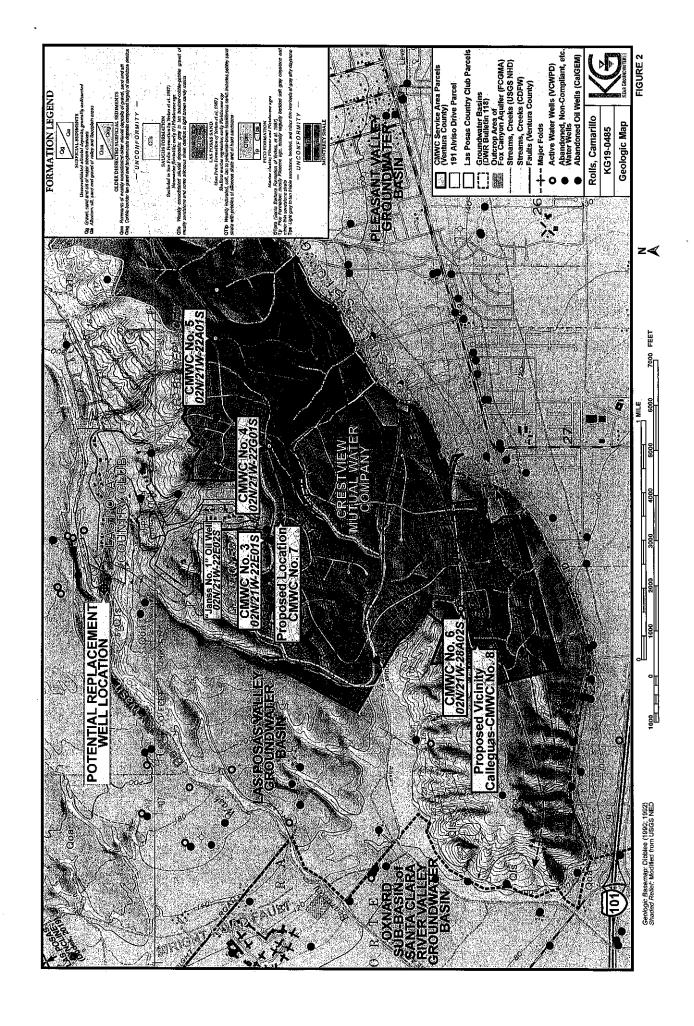


EXHIBIT B

CORIAN AND ASSOCIATES, Inc.

SHR-SHRFACE DATA

Log No. B-1

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EXHIBIT C

COMPONENTS OF INDUSTRY STANDARD WELL FEASIBILITY STUDY

Collection and Review of Available Hydrogeologic Data

Collect and review hydrogeologic data/information from in-house files and from the client's office and/or from the State and County agencies. Available items that should be collected and reviewed will consist of:

- U.S. Geological Survey and California Division of Mines and Geology geologic/water resources reports and maps.
- Historic rainfall and static and pumping water-level data on former and existing wells in the area.
- Historic power company test data on existing and former wells.
- Historic and current water-quality and well production data on former and existing wells in the region.
- Construction data on former and existing water-supply wells in the region from various sources (agencies, drillers, etc.)
- Electric log data, as available, from existing water wells.
- Driller's log data and electric logs for wildcat oil wells in the region, where applicable.
- Location of active/inactive wells in the area.
- Data regarding potential groundwater contaminants of concern as related to hazardous waste sites (such as septic systems, sewage disposal systems, gas stations and dry cleaners) in the area, as available from agency computer databases.
- Basin boundary maps which include well logs, faults, topography and major roads.

The focus of a data collection and review task is to evaluate trends and spatial differences in water level and water quality conditions in the region and to choose those areas that appear to be favorable for high-capacity production wells. Key to the study will be to collect drillers' log data from existing wells and former wells and borings. These logs will be important in defining subsurface conditions at each site (*i.e.*, based on correlation of logs, the depth to usable aquifers and the base of water bearing sediments in the area).

Importantly, the historic successes and failures of wells in correlateable proximity to evaluated sites or small areas will lead to the avoidance of repeated failures.

Field Reconnaissance

As part of a water well feasibility study, the investigators should conduct a field reconnaissance in the project area and specifically at each potential well site and adjoining parcels. In the field, properties should be assessed for drilling logistics such as location and size of potential well sites, presence of utilities at potential well sites, conditions for disposal of drilling and testing fluids at potential well sites, and proximity of a water source as required for drilling at each site.

Hydrogeologic Analyses

Imperative to feasibility studies are the hydrogeologic analysis of the collected data for the local aquifers. Specific attention should be upon the assessment of: pumping rates; water levels; water level trends over time in wells in different parts of the basin (and, in comparison to trends in rainfall over time); specific capacity values and trends over time in wells in different parts of the storage units; and water quality and water quality trends over time in the basin.

Feasibility should analyze anticipated impacts of pumping water from proposed wells on existing wells and one another. Key to selecting the potential well sites will be an <u>independent</u>, <u>objective</u>, <u>and detailed</u> evaluation and correlation of available drillers' logs for wells in the region. Those key data should be updated from newer wells drilled and electric logs in the project area.

Electric log correlations not only provide detailed information on the depth, thickness and continuity of key aquifers, but also are invaluable in identifying the base of fresh water and important geologic structures. Electric log correlations are useful in evaluating the locations and alignments of potential faults and groundwater barriers in the area. Separation criteria for spacing and locating new wells should be provided, as well as the requisite hydraulic analyses of placing wells of each intended use into the purveyor's distribution system.

Using existing groundwater elevation contour maps of the basin for different dates, investigators should identify basin-high and basin-low water level periods and then prepare calculations of the estimated amount of groundwater in storage and the amount of groundwater underflow as of those two important periods. These calculated values provide information on the historically high and low amounts of groundwater in the aquifer system.

Water Quality Review

Investigators should review all available water quality within the project area and to determine possible trends that will influence well site selection. These data will be reviewed for aquifer analysis and to determine the compliance of the produced groundwater with regulations of the State Department of Health Services. Further, these findings should be incorporated into the preliminary design of the wells with respect for their intended use.

Included in a water quality review should be an in-depth review of potential environmental concerns in the immediate vicinities of each of the proposed well sites. Much of these data will be found on agency databases; other data will require review at agency offices.

Well Site Optimization

The optimum utility of each well site with respect to its intended use should be *objectively* based on the findings of Tasks. As above, each site should be considered as a "sphere" or several parcels rather than one single property. The parcels within the "sphere" of District selection shall be ranked with respect to feasibility of optimizing well location for construction, development (including discharge and/or spreading options), and long-term production of water that meets the intended use of the well.

Water Well Feasibility and Preliminary Design Report

Investigators should prepare a detailed report summarizing findings, preliminary conclusions, and preliminary recommendations with regard to the siting and construction of a proposed new water well at each of several potential well site areas. In addition, preliminary well design criteria for each potential well site should be included and will cite such items as: identification and depth to potential water-bearing zones (aquifers), pilot hole depth and borehole diameter; diameter, type and length of well casing and of perforated casing to use; and cement seal depth and gravel pack interval.

Geoff Mosdale

September 8, 2021

Honorable Linda Parks, Chair
Honorable Kelly Long, Supervisor
Honorable Robert O. Huber, Supervisor
Honorable Carmen Ramirez, Supervisor
Honorable Matt LaVere, Supervisor
Board of Supervisors
County of Ventura
800 S. Victoria Avenue
Ventura, CA 93009-1740

RE: <u>CASE NO. PL19-0039-Board of Supervisor Hearing, September 14, 2021, 3 p.m.</u>

Dear Honorable Chair Parks and Supervisors:

I urge the Board of Supervisors to affirm the unanimous decision of the Planning Commission to deny Crestview's Conditional Use Permit ("CUP") application for Well #7. There are several good reasons to do that, but I am asking you to give special attention to the fact that the 24/7 drilling noise will violate the County's noise ordinance and be a nuisance.

The Planning Commission found as a fact that—

"temporary 24-hour construction and ongoing operational noise of Well #7 would be a nuisance to neighboring properties. . . . Based on these factual findings, the Applicant has not met its burden of proving that the proposed new development is compatible with surrounding development, would not be harmful to neighboring uses, would not be detrimental to the public health, and is compatible with existing and potential land uses in the general area."

It is very meaningful to me that the noise would be so bad that CMWC has offered to put up Well #7 neighbors in hotels during drilling. I do not want to move my family and our young dog out of my house for several weeks even if

Crestview does pay for it. Nobody should have to do that. What could be more of a nuisance than having to move out of your house? What are they thinking?

Crestview submitted with its application a noise and vibration study by Garrett Zuleger, a chemical engineer. Neighbors had that report reviewed by a world-class acoustical engineer specializing in noise analysis and control, Thomas Corbishley of Noise Monitoring Services. His report of September 1, 2021 is in the record. He found multiple errors and unrealistic assumptions in Mr. Zuleger's report and concluded, "we estimate the drilling operation, as designed, will exceed the County noise limits by about 10 dBA." He also stated his opinion that, even if the noise abatement measures were redesigned, "compliance with the noise limits may not be feasible during the drilling."

This same problem was occurring simultaneously in my neighborhood in the City of Camarillo where Crestview has applied for a permit to drill Well #8. Mr. Zuleger's sound and vibration study is in the CUP application. Mr. Corbishley found similar errors in it and concluded that compliance with the City noise ordinance "may not be possible at this site."

In October 2020, CMWC's general manager Robert Eranio and Board member Alma Quesada had a Zoom meeting with me and other neighbors of Well #8 to discuss our concerns about the project. Mr. Eranio said he would resolve the noise issue by having Mr. Zuleger monitor the noise from the rig he intended to use for Well #7 and Well #8. Mr. Corbishley was invited to comment on the data collection plan and to observe the data collection. Mr. Corbishley did comment on the monitoring plan but did not go to the site when measurements were taken.

Mr. Zuleger collected data on two occasions, in November 2020 and January 2021. The noise levels were higher than Mr. Zuleger expected. None of the actual data were shared with Mr. Corbishley, but CMWC's president, Sol Chooljian, reported at the April 2021 annual meeting of shareholders that the measurement results had been too high and said Mr. Zuleger would not complete a noise report. Instead, Mr. Chooljian said, drillers are experts in noise control and the successful bidder will be required to solve the noise problem. The driller would be required to pay affected owners' lodging costs and liquidated damages of \$500 per day for noise ordinance violations. None of that was discussed with neighbors of Well #7 or Well #8 beforehand. Since then, despite repeated requests by neighbors for noise-relevant information so Mr. Corbishley could peer-review it, the only thing Crestview has made available is a one-page letter from an assistant estimator of the selected drilling contractor, Zim Industries, Inc. It is posted on the Crestview website. We were even denied copies of the attachments to that letter.

Mr. Corbishley reviewed the Zim Industries letter and opined that the assumption about the effectiveness of the proposed sound abatement walls and

the assumption that doubling wall thickness would substantially reduce the noise levels at neighboring properties are both unrealistic. Mr. Corbishley concluded in a September 1, 2021 report (which is in the record):

"Reducing the sound level by an additional 10 dBA to comply with the County's limit of 45 dBA is likely to require mitigation measures applied to the drilling rig itself, although it should be noted that achieving compliance may not be possible."

In sum, the evidence is clear that Crestview probably cannot meet the County's noise limits. Crestview has given up trying to prove to the County that it can comply. The Planning Commission was correct to determine that Crestview's drilling of Well #7 would be a nuisance. For that reason alone (there are many others), I urge the Board of Supervisors to sustain the unanimous Planning Commission's denial of Crestview's CUP application.

Sincerely, Musclule

Geoff Mosdale



September 1, 2021

Mike Rolls PO Box 7909 Ventura, CA 93006

Subject:

Review of Zim Industries Letter to Crestview Mutual Water Company

Dear Mr. Rolls,

We have reviewed the letter concerning the proposed Well 7 and Well 8 drilling noise control from Wes Zimmerer of Zim Industries to Crestview Mutual Water Company, dated August 25, 2021.

The letter claims that the proposed 24-foot temporary sound wall at the sites is assumed to yield a maximum noise level of 43 dBA at a distance of 50 feet from the drilling rig. This claim appears to be an assumption based on an assumed drill rig noise level of 80 dBA at 15 feet (equivalent to a level of 70 dBA at 50 feet), and an assumed wall noise reduction of 27 dBA.

Our personnel have conducted many noise modeling and monitoring studies for water well drilling rigs. The claimed noise level of 43 dBA is much lower than we have measured or modeled on previous well drilling projects. Zim's claimed noise level is not backed up with any field measurement data and seems unrealistic. While a rig noise level of 80 dBA at 15 feet may be realistic, in our experience temporary walls rarely provide more than about 15 dBA of noise reduction. It is possible that Mr. Zimmerer has assumed the wall noise reduction will be equal to its Sound Transmission Class (STC) rating of 27. The STC is a single-value rating that permits comparison of different sound control products. This rating represents the ability of the product to block sound from traveling through it. The actual noise reduction of a wall made from the material is dependent not only on the STC rating, but also the wall's height, the distances of the source and receptor to the wall, the site's topography, and the spectral frequency characteristics of the sound source.

Mr. Zimmerer indicates that if the required noise limits are exceeded, then additional absorptive materials will be added to the wall until the sound level is in compliance. In practice, adding additional materials to a wall is of limited benefit since this does nothing to reduce the noise traveling over the top. It may be possible to reduce noise by a small number of decibels by adding materials to the wall; however, a significant reduction is not to be expected.

Based on the proposed noise control measures in the Zim Industries letter, we expect the rig noise level to be approximately 55 dBA at the nearest residential properties to Well #7. This level would be



Sound and Vibration Measurement, Testing & Consulting

consistent with our previous modeling studies and sound monitoring data for water well drilling sites where temporary sound walls have been utilized. Reducing the sound level by an additional 10 dBA to comply with the County's limit of 45 dBA is likely to require mitigation measures applied to the drilling rig itself, although it should be noted that achieving compliance may not be possible.

Sincerely,

Thomas Corbishley, MEng (Hons)

Member, Institute of Noise Control Engineering

Principal Consultant

PACHOWICZ | GOLDENRING

A Professional Law Corporation

Mailing	Address:
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September 9, 2021

Via Email clerkoftheboard@ventura.org

Hon. Linda Parks, Chair

Hon. Carmen Ramirez, Vice Chair

Hon. Matt LaVere, Supervisor

Hon. Kelly Long, Supervisor

Hon. Robert Huber, Supervisor

800 South Victoria Avenue

Ventura, California 93009

Re:

Board of Supervisors Hearing September 14, 2021

Setting: 3:00 p.m. (Crestview)

Appeal From Planning Commission Hearing

Dear Chair Parks, Vice Chair Ramirez and Supervisors LaVere, Long and Huber:

The Administrative Record will reflect that this office is counsel for the Crestview Mutual Water Alliance ("Alliance"). The Alliance consists of a number of property owners that are stakeholders in the Crestview Mutual Water Company ("Water Company") and who are also members in the Las Posas Hills Homeowners Association ("HOA"). On behalf of the Alliance, this office presented written evidence to your Planning Commission for its hearing on June 25, 2021, and provided testimony. A number of members of the Alliance testified. Others could not attend because the hearing was on a work day. The Alliance, through this office and also through members, also attended the Planning Director hearing before the Planning Director.

Through this entire process the Alliance has communicated its strong opposition to the application of the Water Company. The Alliance has provided not just evidence and testimony from its members but also from various experts who were retained to perform a peer review of the project and provide analysis to the Planning Director, the Planning Commission and will likewise do so in this proceeding. All of the peer review expert analysis confirms that the project is ill conceived, not supported by best evidence, in violation of land use regulations and contrary to the Ventura County Public Health and Safety rules and regulations.

For the June 25, 2021 hearing, your Planning Commission received approximately 48 sets of documents, many with exhibits. They heard an extensive presentation of justification by the Water Company. They received the staff report which supported the application and listened to the comments of the planning staff. They received evidence from departmental staff within the County who had information relevant to the hearing. A number of community members spoke

Camarillo Location:



sharing not just personal concerns, but also providing extensive technical analysis, as well as legal evaluation. Experts retained by the Alliance to peer review the project and all components presented testimony and documents. The Planning Commission allowed everyone to speak and received all information proffered. It was a lengthy proceeding that lasted a number of hours. After all of the testimony, review of all the evidence, consideration of all the materials, the Planning Commission unanimously denied the Water Company's application. It was not a fractured vote but rather an unambiguous clear expression by the Planning Commission that the project failed legally and factually. The Planning Commission's decision was subsequently documented at length in its minutes which delineate not only the extensive number of public speakers but the well considered lengthy findings of a unanimous Planning Commission on the deficiencies of the project.

The deficiencies of the project, legally and factually, remain. Nothing has changed. As set forth in the submitted peer review Kear Groundwater Supplemental Analysis, the further submissions by the Water Company do not address the issues, do not attend to the significant scientific failures of the project and gloss over the many failures of the application. In an effort to avoid the scientific failures and legal impediments, the Water Company claims it performed a "survey" not in any kind of scientific way, not using an actual survey service, keeping it secret from the stakeholders, and worse, the survey presented the "Hobson's choice" to the public: Do you want the offending project or do you want to pay over 100% more for water that is purchased from Calleguas? But that is not the choice and it never has been. The truth is, as fully documented in the Administrative Record, this is a "beauty project" by certain members of the Board who have self-perpetuated their positions for multiple years and their aligned general manager, Robert Eranio, who is paid approximately \$250,000 a year and who conceived this project, had the Board buy the property without any due diligence or community involvement and faced with substantial community opposition has responded at various times with threats. promises, retracted promises and now the most recent: an unscientific "survey" presenting false choices to the community. These several board members and Mr. Eranio have now tried to gin up community involvement by issuing three separate emails labeling the Alliance as "influential" with this Board and otherwise maligning the many neighbors who are in opposition to this project.

On behalf of the Alliance, this letter will be focused on the legal deficiencies of the project. The legal deficiencies have increased, not decreased over time as further information has come forth.

Legal Deficiencies

There are a number of deficiencies of the Water Company's project, many of which have been pointed out by others. The Alliance joins with those filings.

1. Land use limitation: There are land use limitations that preclude the application from moving forward. They were presented to the Planning Commission and considered. They continue to exist. Unfortunately, the Water Company has chosen to present argument to the Board that is misleading on current status suggesting that certain of the impediments do not exist. Worse the Water Company is now telling this Board for the first time that for this project to proceed this Board will be required to separately hold a hearing and authorize the Water Company in seizing property rights of homeowners under the power of eminent domain because the project is in violation of property rights.

Prior to the Planning Commission and through that hearing, the Water Company took the position that nothing it was proposing violated land use limitations, nor the HOA CC&R's and there were no impediments. When the impediments, by the deed and HOA CC&R's, all of which predated the Water Company's acquisition of the subject lot and were known fully to the Water Company before acquisition were raised, the Water Company took the position that it was not acting in violation of those land use prohibitions. Now, in its filing of August 25, 2021, the Water Company comes clean and for the first time admits that the Water Company has no power of eminent domain and the project violates the deed and the CC&Rs. Now, the Water Company asserts that it will come back to this Board and ask this Board to vest it with the powers of eminent domain held by this Board so that it can evade the long existing land use limitations, limitations placed on all properties in the community for the common benefit. In essence, the Water Company now admits that the project is in violation of the land use limitations, despite its prior position to the contrary, and the only way this project moves forward is if this Board will grant it the power of eminent domain to take without consent the property, the common interest and the land use impediments to this project from the community. Every single property owner will be damaged by this taking.

The community has rejected repeatedly the Water Company's efforts to evade the land use limitations. Repeatedly the community, through the HOA, a body elected by all of the homeowners in the community, has communicated to the County that the project is not permissible under the deed and under the HOA CC&Rs. Most recently, though the Water Company has suggested to the Board that it believed it would receive HOA approval for the project, that was false. The HOA was forced to write a letter to the Board making clear that it was false.

Neither was the HOA most current correspondence to the Board unique. The HOA opposition dates back to February 13, 2019, when counsel for the HOA made clear that the position of the Water Company was violative of the land use limitations and that the public pronouncements of the Water Company of compliance were false, including historic claims by the Water Company of HOA approval. (Exhibit 1 attached.) Subsequent, the HOA communicated to the Planning Commission its continuing opposition to the project. (Exhibit 2 attached.) Most recently in response to the Water Company's misstatements to the Board for this hearing again the HOA, for the third time, communicated to the County that the Water Company was not being direct or accurate in its communications and the HOA was and remains in strong opposition to this project. (Exhibit 3 attached.)

The current response of the Water Company?: We will take what we want. This is boldly proclaimed in the Water Company's August 25, 2021 letter and invites the Board of Supervisors to grant the Water Company the power of eminent domain for the Water Company to take what it wants from the community. The power of eminent domain is no small thing - it is a constitutional taking of property or rights of citizens. It is to be wielded judiciously. Yet here is the Water Company with an ill conceived project, like a bull in a china closet, unambiguously telling this Board that it wants this Board to give it that power.

What is that taking going to involve? The answers are in the land use limitations:

- A. The lot is subject to the Las Posas Hills Homeowners Association CC&Rs recorded in 1981 which govern the entire community and were a required <u>condition</u> to the Board of Supervisors' approval of the subdivision map for this community. These CC&Rs govern all of the properties, including the subject lot, and as a recorded document was known to the Water Company before it purchased the lot. The project violates the CC&Rs in a number of respects, including the following:
- i. Section 12 prohibits any drilling on any lot. Section 12 prohibits any wells on any lot. Section 12 prohibits any structure designed for use in boring for water or any other such subterranean exploration or activity. The argument by the Water Company previously that it has wells elsewhere otherwise and is somehow exempt from the CC&Rs has been unambiguously rejected by the HOA which has communicated the inaccuracy of the Water Company's assertions.
- ii. Section 1 limits the use of every lot solely to a single family residence. There are no exceptions.

- iii. Section 6 prohibits anything to be done or kept which in any way interferes with the rights of other owners or causes any annoyance or noise or nuisance. This section further requires compliance with all governmental regulations without exception.
- iv. Article 9 requires that any structures be preapproved by the HOA architectural committee. The HOA's architectural committee has unambiguously rejected the proposal of the Water Company.

Not one of these HOA sections has been complied with by the Water Company. The HOA has repeatedly rejected the Water Company's efforts and advised the Water Company that it is seeking to act contrary to and in violation of the CC&Rs. The Water Company has ignored the HOA, the representative body for all of the homeowners and the community. Now the Water Company seeks to trample on the community's rights and the CC&Rs by telling this Board it intends to have this Board issue it authority to proceed by way of eminent domain to eliminate all of these community land use limitations.

- B. The deed itself for the lot prohibits any surface entry for subterranean activity. While the deed speaks to hydrocarbons, the deed as a matter of law says that any subterranean extractions are "without . . . any rights of surface entry." Accordingly, the deed, as a land use document, prohibits the surface use to extract subterranean materials. This is not surprising because it is consistent with the CC&Rs. The response of the Water Company? It tells this Board it wants this Board to grant it the power of eminent domain so it can eliminate the land use deed restrictions.
- 2. CEQA: The Board has received communication from Nancy Kierstyn Schreiner, a resident of the community and a well regarded CEQA expert attorney. The Alliance adopts Ms. Schreiner's comments.

In addition to Ms. Schreiner's comments, the Alliance wants to point out that the CEQA analysis by staff as presented to the Planning Commission was wholly deficient. In *Protecting Our Water and Environmental Resources v. County of Stanislaus* (2020) 10 Cal.5th 479, the California Supreme Court disapproved of a county's practice that well construction permits were ministerial projects exempted from CEQA review. While the Alliance does not suggest that planning staff deemed this project ministerial, the CEQA analysis in an attachment to the staff report to the Planning Commission is, with respect, hardly a modicum of CEQA analysis or compliance. There has been no environmental impact report for this project nor any legally sufficient analysis of exemption. This Board need only review Ms. Schreiner's correspondence of September 7, 2021, her written submission to the Planning Commission and her public testimony to the Planning Commission to recognize that the analysis is beyond deficient and not in compliance with legal requirements. In *Protecting Our Water and Environmental Resources*,

the California Supreme Court was faced with a water well, contaminants in proximity and the failure to perform a proper adequate environmental review by the County and the applicant. Following *Protecting Our Water and Environmental Resources*, *supra*, a number of cases pending in various Courts of Appeal were remanded for further environmental review, including from our local Court of Appeal, Division Six (*California Water Impact Network v. County of San Luis Obispo* (2d Civil No. B283846 filed May 3, 2021).1

- The limited comments by staff in the staff report to the Planning Commission do not comply with CEQA and have not addressed the myriad of issues including those presented to the Planning Commission and now to your Board by Ms. Schreiner. While planning staff did not treat the request as wholly ministerial, the lack of substantive analysis and consideration of all of the issues makes it a de facto ministerial review in violation of the law. In this regard, and as an additional comment to the CEQA deficiencies, your Board is referred to the Nebraska Study which is the key study in the United States concerning cement seals, and their efficacy or lack thereof, for water wells in proximity to contamination sources. This is the key scientific study and nowhere does the Water Company or its experts actually address this seminal study. The Nebraska Study makes clear that cement sleeves as proposed are generally ineffective and especially so in geologically active zones. Cement by its nature and its property cracks and is porous. It is not, for example, visqueen, which is impervious and used in contaminated sites to create a true barrier. It is hard imagine a more geologically active zone than Southern California. It goes without saying and it is simple logic to recognize that the proposed cement seal will fail and when that occurs the contaminants, carried by gravity, will go down the well and into the aquifer. None of this is credibly addressed by the Water Company and certainly not addressed by staff in any kind of environmental review including the risk to the aquifer.
- 4. The Water Company's admissions: Subsequent to the Planning Commission rejection, the Water Company issued what it refer to as its Resolution, proposed but not enacted, that it asserts takes care of the problems. This position is reflected in the most recent filing of the Water Company August 25, 2021, and is referred to as the indemnity resolution. A reading of that indemnity resolution shows the continuing disingenuous presentation by the Water Company. When reviewed that indemnity resolution reflects the following:
- A. The Water Company admits that homes within a 600 foot radius are affected by the project. Yet, the Water Company has never contacted homeowners within the 600 foot radius, nor advised them of the right to have input on the project, nor solicited their involvement in the process. Most recently, the Alliance requested that the Water Company contact homeowners within the 600 foot radius identified in the Water Company's own resolution and provide the homeowners with all the information and make their names and contact information available to the Alliance so that these affected homeowners, admitted by the Water Company as affected, could

¹ In fairness to planning staff this case was published after staff completed its analysis.

be participatory. The Water Company refused.

- B. The indemnity resolution, while admitting that homeowners within the affected zone are 600 feet offers indemnity only to homes within 200 feet. The Water Company has been requested to explain this significant discrepancy but has failed to do so.
- C. The resolution is not an offer by the Water Company to pay for anything. The Water Company says that <u>if</u> a homeowner spends money and <u>if</u> the homeowner is deemed by the Water Company to be affected, at that point the Water Company may pay what it chooses. In other words, the homeowner lays out all the money, the Water Company <u>may</u> or may not agree and then the Water Company may choose to pay some, but not all, of the expenses incurred by the homeowner. Worse, the Water Company takes the position that if there is disagreement the homeowner has to go to arbitration, not Court, the homeowner has to pay for one-half the arbitration costs, the homeowner has to pay for the homeowner's attorney fees, all while the Water Company refuses to pay and there are no consequences for this bad behavior.
- D. As set forth in the factual information provided to this Board, the costs to homeowners who are affected could be well north of \$100,000, just initially. In addition, there are going to be annual costs for such a system far beyond those of a normal septic system. When a septic system goes out, it goes out and things need to be dealt with quickly because without a working septic system pollution is expanding, a bad situation exists on the property and for neighbors, and it needs to be dealt with quickly. In an emergency, a homeowner is now paying for testing, paying for soils boring, paying for permitting, paying for excavation and removal of contaminated soils, paying for permits to put in a new system and paying annually to maintain that system. The homeowner has to obtain approval from the HOA. The homeowner will be out substantial amounts of money and the Water Company, which has no credibility in the community and has no economic reserves, can say no to paying without any consequence forcing the homeowner to an arbitration that the homeowner has to pay one-half of, including the homeowner paying his/her own attorney fees to get the Water Company to pay.

It is a rigged without substance smoke and mirrors sham and is unambiguously rejected by the Alliance.

5. Lack of Data from the Water Company: While this is in many ways a factual failure of the Water Company's application, it is also a legal failure under CEQA. Unambiguously there are multiple septic systems, some 30-50 feet deep, in proximity to the proposed well site. Yet nowhere in any of the presentation by the Water Company is there any evidence that the Water Company ever did any borings. The Water Company never asked to come on any adjacent property owner's property to obtain subterranean soil samples. There are

no subterranean soil samples that have been taken, certainly not disclosed to this Board or the Alliance from the subject property. The Water Company claims contaminants which have been in the ground from these long standing septic systems which have reached their useful life and will need to be replaced, "do not travel very far." But has the Water Company taken subterranean soil samples from the perimeters of its lot and submitted that data to the Board or the Alliance? The answer is "no!" The scientific presentation of the Water Company continues to deficient and cannot be supportive of any CEQA findings because it is devoid of actual empirical scientific evidence. There is no scientific basis for the CEQA issues to be properly analyzed. They never have been analyzed and thus as a legal matter, the application must fail.

- 6. Public Works Requirements: There are two critical Public Works requirements that have not been addressed by the application:
- This Board is being advised that the County setback requirements for a public waterwell is 200 feet at a minimum. What is the County going to require when an adjacent property owner or any property owner within the now admitted 600 feet must replace their septic system? The County is going to require soils analysis, borings, geologic analysis, yet none of this has been provided by the Water Company to date. Setting aside all of the costs and the delays, how many months will property owners need to use porta potties because of a failed septic system while all of this occurs. Moreover, regulations for protecting water and aquifers are becoming more stringent, not less. Therefore, from a regulatory perspective, it is highly likely that the 200 feet radius will increase over time affecting more and more homeowners and the documentation required to deal with the environmental health requirements will increase, not decrease. All of this will be imposed upon the homeowners. None of this is credibly addressed in the proposed "Indemnity Resolution" and that assumes that the Water Company will have the financial strength to deal with significant expenses and costs. It is not hard to envision the Environmental Health Department requiring that there be soil borings to determine the scope of the contamination of each septic system, a requirement that all of it be excavated and back filled with clean soil, and the list goes on. The Water Company is not agreeing to pay for any of this. The Water Company does not have the economic strength to pay for this. The Water Company is not bonding for this. None of this has been reviewed or analyzed in terms of CEQA or other environmental impacts.
- B. Ventura County has promulgated a Sewer Policy. This policy is designed to eliminate septic systems and on site waste water treatment systems over time for one simple reason they put contaminants into the soil that travel into aquifers. The County has made a public policy that for all projects where an onsite Waste Water Treatment System is sought, there must be connection to a sewer system if feasible. While Ventura County Public Works can create some exceptions, these exceptions are discretionary and can be imposed with significant and material cost. The primary exception is where there is a finding that the public sewer connection is "infeasible." Here, a sewer connection is feasible because the subject lot is located approximately

1,150 linear feet from a sewer line. This is within the feasibility analysis commonly used by the County in determining whether it will allow septic or onsite waste water treatment facilities to exist or be replaced. Yet the County has not weighed on this, nor committed to the question of this policy application.

Simply stated, if the County were to determine this policy were applicable, it could require each of the surrounding homes, when the septic systems fail as they invariably will as they have reached their useful life, to connect to a public sewer system. This will impose the burden on each of the homeowners not the Water Company. The Water Company could be required as a condition of this application, to pay for a sewer system connection for all the affected properties. Then, this issue does not exist. All of the homes could then be connected to a sewer system. The Water Company does not want to do that and because of the lack of an environmental review or the appropriate County analysis of this project, these issues have not even been addressed.

Conclusion

For all of the aforesaid legal reasons, some of which are reflective of the lack of proper environmental review, it is respectfully submitted by the Alliance that the appeal should be denied. If and when the Water Company chooses to proceed with a proper project that facilitates proper environmental review, proper and full community involvement, complete transparency, then that will be a different application. At this point, the project is fatally flawed as the Planning Commission unanimously recognized.

Thank you for your consideration in this important matter.

Very truly yours,

PACHOWICZ | GOLDENRING A Professional Law Corporation

By: PETER A. GOLDENRING

PAG:nc

cc: Mindy Fogg, Planning Manager (via email: mindy.fogg@ventura.org) 5021.200Board09-09-21

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STATE BAR OF CALIFORNIA
BOARD OF LEGAL SPECIALIZATION

February 11, 2019

Kim L. Prillhart
Planning Director
Ventura County Resource Management Agency
Planning Division
800 South Victoria Ave., L. #1740
Ventura, CA 93009-1740

Re: 191 Alivso Drive Camarillo, CA-Lot 16 of Tract No. 2706

Dear Ms. Prillhart:

My firm represents Las Posas Hills Owners Association ("HOA"). We understand that Crestview Mutual Water Company ("Crestview") on or about October 2015 purchased a vacant lot located at 191 Alviso Drive in HOA, which is Lot 16 of Tract No. 2706 intending to drill a water well referred to as Well #7 and construct a building structure on the lot and also maintaining chlorine tanks, generators *etc.* as part of the Project.

This proposed use of the property violates numerous sections of the HOA Conditions, Covenants and Restrictions (CC&Rs) to wit: Article VIII, Sections 1, 6, 9 and 12, and Article IX.

Article VIII, Section 1 provides that each lot shall be used exclusively as a single-family residence or agricultural uses.

Article VIII, Section 6 prohibits nuisances. I am informed that Crestview has advised neighboring property owners that they would need to move out of their homes for a period of time due to noise, vibrations, dust *etc.* and that could be up to a month or more.

Article VIII, Section 12 prohibits use of a derrick or other structure designed for use in boring water.

Furthermore, any construction of improvements on a lot requires architectural approval by the architectural control committee of the owners association. Article VIII, Section 9 and Article IX. No request to improve the subject lot has occurred and the architectural committee has not approved any improvements on it.

Kim L. Prillhart February 11, 2019 Page 2

Crestview takes the position that it can condemn the CC&Rs under Public Utilities Code Section 2729, even though it is already a member of the Association by virtue of the legal purchase of the lot. The HOA is not ready to concede this issue. The Board of the IIOA has a fiduciary duty to enforce the CC&Rs and the HOA and the individual property owners must be able to provided input on the Project to the County. The zoning for Tract 2706 is RE and was approved for the development of single family homes.

What Crestview is proposing to construct is an identified Project under the California Environmental Quality Act (CEQA) and as such it needs an Application and review by the County as such. We believe it may require an Environmental Impact Report but we are not sure if any Application has been filed as of the date of this letter. Crestview is currently the legal owner of the property and subject to the CC&Rs, which it received through escrow and knowingly and willfully accepted such by acquiring ownership of the lot in 2015. However, in any event before Crestview can proceed with a condemnation action it must fully comply with County General Plan and zoning requirements and CEQA. The steps required under CEQA must be completed before the decision to acquire via condemnation. Public Resource Code section 21065; 14 Cal Code of Regs section 15004(b)(1).

I am informed that Crestview may have already discussed drilling this water well with Winston Wright. He may have more information concerning this matter. Please advise if an Application has been filed and the corresponding Application Number.

In any event I would like to receive notice of the submittal of any Application by Crestview to drill this well and any hearings that are set to consider the application.

Thank you for your anticipated attention and cooperation. I look forward to hearing from you if an Application has been filed.

Very truly yours,

MYERS, WIDDERS, GIBSON, JONES & FEINGOLD, L.L.P.

by Kelten hee Sabson, for

J. Roger Myers

JRM:vcv

Kessler, John

From:

Tom Rozanski

Sent:

Monday, June 22, 2020 2:36 PM

To:

Kessler, John; Fogg, Mindy

Cc:

\ LP NancySchreiner; \ LP Mike & Susan Rolls; / Christine Cohen

Subject:

Objection to Crestview Water @ 191 Alviso

Mr. Kessler and Ms. Fogg,

My name is Tom Rozanski, I am the current President of Las Posas Hills Owners Association (LPHOA). I presented our Associations objections to the Crestvlew Mutual Water Company (Crestvlew Water) proposed 191 Alviso Drive, Well #7, at the designated County Planning meeting on March 5, 2020.

The Planning Commission Hearing Agenda of June 25, 2020 lists my previous submission as:

* Exhibit 23 - Rozanski Materials provided March 5, 2020

i request the opportunity to address the June 25th, 2020 Planning Commission Hearing. My purpose is to highlight and give emphasis to our objections, regarding Crestview Water's intent to pursue a water well at 191 Alviso Drive, Camarillo.

Crestview Water is pursuing this Alviso Drive site for a water well, with no regard to our Association's Governing Documents, as well as ignoring the fact that its proposal to have a well at that site was denied by our Architectural Committee. The Committee identified thirteen (13) Crestview Water proposal violations. The thirteen violations are listed at the end on my Exhibit 23 submission.

191 Alviso Drive is one of the smallest lots that comprise the 82 properties identified as Las Posas Hills. All owners of the 82 properties (including Crestview Water) have signed an agreement to abide by the Governing Laws of the LPHOA. 79 single family residences have now been successfully completed, complying with the Governing Documents, and 3 lots remain to be developed,

In Exhibit 23, I presented portions of our LPHOA's Governing Documents, which were approved by State and County officials, in 1981. These Governing Documents prohibit anything, but Single Family Residences on the respective properties. The Governing Documents further stipulate that there will be no boring for water, oil or natural gas.

In Exhibit 23, I also presented the Governing Documents Enforcement Section, which identifies the County, as well as the Association, as having the right to enforce these Governing Laws.

In 2015 Crestview Water purchased 191 Alviso Drive, for over a half million dollars. At that time, they also signed the agreement that they would comply with the LPHOA Governing Documents. They knew full well what they were signing. since one of the current 5 Crestview Water Board Members is Doug Off, who was the former President of LPHOA, and who was in charge of enforcing our LPHOA Governing Documents.

My only conclusion as to the reason Crestview Water initially purchased 191 Alviso Drive, as well as the purpose why they are continuing to pursue this effort, despite all of the LPHOA Governing Document violations — and — all of the recently discovered State and County violations, is arrogant mismanagement by its leadership.

Our LPHOA Board of Directors is unanimously opposed to Crestview Water's 191 Alviso Drive water well pursuits. In addition, due to all of this water well activity, Crestview Water is continually in violation of the LPHOA Governing Documents Article VIII, Use Restrictions, Section 6, Nulsances (Exhibit 23).

I respectfully request that the County Planning Commission assist our Association in adhering to the LPHOA Governing Documents, Article XVII, General Provisions, Section 1, Enforcement (Exhibit 23), by denying Crestview Water's continued attempts to violate all of the intended, stipulated, and agreed to LPHOA Governing Laws.



G&P Attorneys <attorneys@gopro-law.com>

(no subject)

1 message

G&P Attorneys < To: G&P Attorney

Thu, Sep 9, 2021 at 2:36 PM

From: Tom Rozanski <

Sent: Tuesday, August 31, 2021 10:05 AM To: Ward, Dave <Dave.Ward@ventura.org>

Cc: Fogg, Mindy < Mindy.Fogg@ventura.org>; Kessler, John < John.Kessler@ventura.org>

Subject: Crestview Water Letter

Dear Mr. Ward:

I am the current President of the Las Posas Hills Owners Association (LPHOA), which includes 191 Alviso Dr., Camarillo, CA. I have just been made aware of the Crestview Mutual Water Company letter to you, signed by Robert Eranio, dated August 25, 2021. The letter includes numerous mis-statements attributed to our LPHOA, which is very disturbing to me, and I do want you to be aware of those untruths.

On July 19th, 2021, Mr. Eranio on behalf of Crestview Mutual Water Company, submitted a new application to the LPHOA Architectural Committee for review and consideration for establishing a water well at our 191 Alviso Dr. location. The LPHOA Architectural Committee met with Mr. Eranio and reviewed his plans on July 26th, 2021. The updated plans were rejected, since there were not only one, but numerous proposed violations to our Governing Documents. Crestview Mutual Water Company then failed to appeal the denial to the Board. Thus the denial stands.

Mr. Eranio subsequently asked to present his updated plans to the entire Board of Directors. We told Mr. Eranio that we would be agreeable to see his presentation at the very next scheduled Board meeting. Mr. Eranio said he would like to present his information prior to our next scheduled Board meeting and before the Supervisors' scheduled September 14th meeting. Accommodating this request would require LPHOA to organize, coordinate, advertise, and host a 'Special' meeting. On July 30th, we informed Mr. Eranio that according to our Governing Documents, he could call for, and be granted a 'Special' meeting by submitting a request for such a meeting signed by 5% of our owners. It has now been a month since Mr. Eranio was made aware of the procedure for requesting, and receiving, a 'Special' meeting. As of this date, no request for a 'Special' meeting has been received. The LPHOA is mandated to comply with its Governing Documents.

Needless to say, reading Mr. Eranio's erroneous letter, stating that LPHOA has refused to meet with him, was very upsetting to me and is blatantly wrong. To reiterate, we not only met with him, we instructed him as to what would be required for him to have a 'Special' meeting, with an even larger audience, consisting of the entire HOA. Mr. Eranio has now continued his misinformation by stating, in his August 26, 2021 Monthly General Manager's Report, that our Architectural Committee does not have the "jurisdiction or expertise to evaluate or consider" his proposal. Mr. Eranio further states that his requests to meet with the full HOA Board were "rejected without consideration." Once again, this is

totally and completely false.

Mr. Eranio's August 25th letter also states that the immediate neighbors refused to meet with him as well. I talked with one of those immediately neighbors. He stated that Mr. Eranio only wanted to meet with five homeowners, not the 34 homeowners within the 600 foot affected boundary and that Mr. Eranio did not want to be in a meeting where minutes were taken and published. That owner also stated that the supposed offer for temporary housing was totally misleading. He said that each homeowner would have to 'prove' that they 'had' to move away from the vibration and noise being generated by the constant drilling in order to receive any temporary housing compensation. The offer of paid temporary housing would have to be arbitrated, after the fact, between the home owners and Crestview Water.

Next, Mr. Eranio mentions a 191 Alviso Dr. project 'survey' that was sent to all Crestview customers. I personally do not recall any survey regarding the 191 Alviso Dr. project, nor do most of the LPHOA Board members. I went to the Crestview Water website and they state that, in one of their billing statements, they included information about a third party survey vendor. 19.48% of Crestview Water customers saw the survey link and responded to it. Only 17, out of the 81 LPHOA members surveyed, supported the 191 Alviso Dr. location. 100% of the LPHOA Board members oppose having a water well constructed and operated at 191 Alviso Dr. A similar misleading tactic was used by Mr. Eranio when he sent a letter to the Fire Department stating that 191 Alviso Dr. would provide them with more water and would they like access to more water. I talked to the Fire Chief who received that letter and replied 'Yes' to it. He said that it is Fire Department policy to 'always' say 'yes' to having more access to water, the address of where the water would come from did not matter to him.

Finally, Mr. Eranio's describes his Conditional Use Permit as being a 'minor' modification. His 'minor' modification is having a very 'major' impact on all of the immediate neighbors and in clear violation of the LPHOA Governing Documents and Easement owned and held by the LPHOA. These neighbors will be adversely affected permanently, if the proposed 191 Alviso Dr. well is allowed to be exempt from State and County regulations and subsequently constructed.

The lack of truth and veracity by Mr. Eranio is, and should be, an extreme concern to all of us. I wanted you to know the correct facts and circumstances.

Sincerely,

Thomas J. Rozanski President, Las Posas Hills Owners Association

cc: Mindy Fogg, Ventura Planning Department John Kessler, Ventura Planning Department

Kessler, John

From: ClerkoftheBoard

Sent: Thursday, September 9, 2021 1:51 PM

To: Kessler, John

Subject: FW: Crestview Water -- Well #7

Hi John,

Please add this to your official record.

Thank you,

Lori

From: Susan Chittum

Sent: Thursday, September 9, 2021 1:41 PM To: Long, Kelly <Kelly.Long@ventura.org>

Cc: ClerkoftheBoard < ClerkoftheBoard@ventura.org>

Subject: Crestview Water -- Well #7

Dear Supervisor Long,

My purpose in writing is to urge you to vote against Well #7 as proposed by Crestview Mutual Water Company at next Tuesday's meeting.

Aside from all the regulatory and neighborhood-related interests which many have enumerated for you and for the Planning Commission when they refused to grant Crestview its request for a conditional use permit, I am very troubled by the twisting of factual information, a repeated demonstration of general mismanagement, and a disregard for the integrity of our neighborhoods on the part of our water company.

Specially, the plan to site a well within a residential neighborhood when other nearby options are available; the concealment of the project's inability to comply with noise ordinances while drilling; the Company's poor management of project costs, before it has even gotten underway or even gotten approved; the threat to sue and condemn neighborhood CC&Rs; and a general arrogance about the righteousness of Crestview's plans when confronted by alternate factual information, gathered without prejudice.

At a time when many can be easily frightened by the reality of a serious drought or worse, running out of water in their own homes, a vote against Well #7 is not an easy vote for you to take but it's the right one. I urge you to carefully consider everything you know about this project and vote against the Well #7 project.

Sincerely, Susan Chittum

PACHOWICZ | GOLDENRING

A Professional Law Corporation

Mailing.	Address:
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September 9, 2021

Via Email: <u>kelly.long@ventura.org</u> Honorable Kelly Long, Supervisor Ventura County Board of Supervisors

Re: Board of Supervisors Hearing September 14, 2021

Setting: 3:00 p.m. (Crestview)

Appeal From Planning Commission Hearing

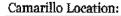
Dear Supervisor Long:

I write this letter to you on behalf of the Crestview Mutual Water Alliance ("Alliance"). The Alliance consists of a number of property owners that are stakeholders in the Crestview Mutual Water Company and also members of the Las Posas Hills Homeowners Association. On behalf of the Alliance, we presented and appeared at the Planning Commission which, as you know, reached a unanimous decision to reject the project. In connection with the appeal now filed by the Water Company, we have, on behalf of the Alliance, presented a number of documents and expert reports through the Board of Supervisors portal for the proceeding.

The purpose of this letter is not to reiterate the matters that have been filed and will continue to be presented to the entire Board of Supervisors through the portal. We are confident you will review all of those. Rather, we wish to address certain disconcerting events that have now reached a coalesce.

Historically, the Board of Directors of the Water Company are self-perpetuating and a small majority have been on the Board for years. They do not share information with the community. Records are kept confidential. Substantive decisions are made in "executive session" with no public dissemination. That is how this whole project started. The acquisition of the lot, the money spent on the project, all of it was kept secret until it could not longer be secret when the application was file. That is when members of the community started becoming aware of it, the Homeowner's Association became involved in repeatedly advising that the project violated both land use regulations and the CC&R's, and opposition began to form.

That opposition came to a head at the Planning Commission where substantial scientific evidence and public comment was presented and after many hours of testimony and in excess of 45 exhibits considered, the Planning Commission unanimously rejected the project. When you review that hearing, you will see that the attitude of the Water Company is to reject everything and anything presented by the Alliance and other members of the community





Honorable Kelly Long, Supervisor
Re: Board of Supervisors Hearing September 14, 2021
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and to denigrate them personally. This is consistent with the repeated falsehoods issued by Water Company including promises made and then rejected and disavowed – a repeated occurrence by the Water Company and its general manager, Robert Eranio. Simply stated, the Water Company has little credibility.

After the Planning Commission, two critical admissions unfolded from the Water Company. The first was an admission that the project affected properties within 600 feet. This is documented in the Water Company's claimed "Indemnity Resolution" which is substantively discussed in materials provided to all Supervisors. When this admission finally came on the table, the Alliance asked the Water Company to identify all the properties within that 600 foot radius and further communicated that the calculation of the Alliance was that this was between 30 and 35 homeowners. The Alliance requested that these homeowners be contacted by the Water Company, provided all the information and invited into a conversation on the project so they could understand what was occurring and the impact on them and thus have a voice. The Water Company refused.

The second admission of the Water Company was that the project violated the land use deed restrictions for the lot and violated the CC&R's. The HOA, which unlike the Water Company, is a fully transparent democratic body for all homeowners in the area, has repeatedly communicated the violations to the Water Company and has repeatedly advised that the project is rejected by the HOA as violative of its rules and regulations and thus opposed by the community. When this opposition by the entire community through the HOA and the deed restrictions were placed on the table as fundamental impediments to the project, the initial position of the Water Company was that they were not violative, the impediments did not matter, and it was "all good." In its most recent filing, the Water Company now admits that its prior positions were false and that the project violates the land use prohibitions and the CC&R's. The remedy? Buried in the filing by the Water Company is the statement that if the Board approves this project, the Board will be requested to grant the power of eminent domain to the Water Company to just take what it wants and proceed with the project notwithstanding the land use prohibitions and the CC&R's. This would require, if legal, an eminent domain filing against every single homeowner in the community.

Against this backdrop, we have become aware that the Water Company, no doubt through paid consultants, is now issuing email threats to members of the community. These threats state two things. The first is that if the project is not approved and the recipient does not email you "support for the project" the Water Company will increase everyone's water bill "by 63% today and higher each year." This is a false equivalent, a Hobson's choice. As the Alliance has documented, first to the Planning Commission and now to the Board, there are any number of

Honorable Kelly Long, Supervisor

Re: Board of Supervisors Hearing September 14, 2021

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September 9, 2021

Page 3

alternatives, many far less expensive than the proposed project, all of which are non-violative of public health and safety and the land use impediments to this project. Yet, none of those are discussed in the threat by the Board and the false equivalency of: write Supervisor Long or we are going to raise your water rates 63% immediately and higher each year as the only alternatives. This is nothing less than a political scare tactic trying to gin up false support without providing evidence or facts.

The second falsity in the communications by the Water Company is that the Alliance is reflective of "a handful of powerful next door neighbors" who are also described as "influential." These statements unambiguously suggest that members of the Alliance have you and other members of the Board in their pockets and that you are not going to actually look at this project, consider the unanimous Planning Commission determination and consider the actual evidence. They denigrate the neighbors, falsely portraying them in the community and they besmirch the Board of Supervisors.

The actions of the Water Company, while sadly consistent with how all of this has unfolded, should not go unrecognized. In contrast, the Alliance has transparently made available all of the peer review scientific analysis and studies to anyone in the community who is interested. You will see filed with the Board of Supervisors through its portal a number of thoughtful comments from members of the community, some in the Alliance and some not, who have actually studied the project, considered the facts and the legal issues, and are not responding to the threats, bullying and intimidation of the Water Company.

We have no doubt that the repeated threats and scare tactics of the Water Company likely have resulted in communications to you from some members of the community. While we cast no aspersions to any of them, we simply wish to point out that scare tactics and bullying should not be rewarded. Thank you for your consideration in this matter.

Very truly yours

PACHOWICZ | GOLDENRING A Professional Law Corporation

By:

PETER A. GOLDENRING

PAG/sah . 5021.200Long09-09-21

PACHOWICZ | GOLDENRING

A Professional Law Corporation

Mailing Address:

September 9, 2021

Via Email clerkoftheboard@ventura.org

Hon. Linda Parks, Chair

Hon. Carmen Ramirez, Vice Chair

Hon. Matt LaVere, Supervisor

Hon. Kelly Long, Supervisor

Hon. Robert Huber, Supervisor

800 South Victoria Avenue

Ventura, California 93009

Re:

Board of Supervisors Hearing September 14, 2021

Time: 3:00 p.m.

Case No.: PL19-0039

Appeal From Planning Commission Hearing

Dear Chair Parks, Vice Chair Ramirez and Supervisors LaVere, Long and Huber:

In furtherance of providing you documentation for ease of reference concerning the above referenced, we respectfully provide with this letter the following:

- A. Portions of the original Board of Supervisors approvals for the subdivision of the properties and the project at issue. These documents were provided in full to the Planning Commission and thus are a part of the Administrative Record. For your ease of reference, we provide you two pages as follows:
- 1. <u>Public Works Agency Conditions</u>. Condition No. 26 specifies that the Board of Supervisors' policies shall apply including: (3) Sewer Policy. We presume that means the policy that we have otherwise delineated for you as it currently exists in the Jensen Design report. That policy mandates sewer connections as distinguished from septic systems of any type except where "infeasible." We refer you to that documentation. Thus, the Water Company was on notice and well aware that any kind of activity it undertook which triggered the Sewer Policy would thus result in the application of the County Sewer Policy.
- 2. Condition No. 7 specifies that <u>prior</u> to recordation of the Subdivision Map, the By-laws and the Covenants, Conditions and Restrictions (CC&R's) must be <u>approved</u> by the Planning Director of Ventura County. This confirms that as a condition to this entire subdivision, the County required its review, analysis, input and approval of the CC&R's. These CC&R's prohibit the project.

Camarillo Location:



- 3. Correspondence from the Water Company's then President Walter W. Hoffman to the County in connection with the proposed subdivision. The importance of this letter is in the last paragraph, which confirms that even as of the time of the original subdivision, Crestview Mutual Water Company represented to the County that it obtained water from "both water wells and a connection to the Calleguas Municipal Water District main." In the last paragraph, Mr. Hoffman confirms that the Water Company has always obtained water from Calleguas. It continues to do so today.
- 4. A copy of the Noise Monitoring Services report of September 1, 2021. As we have previously indicated, the Alliance has engaged various experts to peer review documents submitted by the Water Company. This is one of those peer review studies commenting on the Zim Industries document submitted by Crestview and pointing out that it is simply inaccurate and that "achieving compliance with the County's noise regulations may not be possible."

On behalf of the Alliance, we thank you for your continuing attention to this matter.

Very truly yours,

PACHOWICZ GOLDENRING A Professional Law Corporation

By:

PETER A. GOLDENRING

PAG/sah

cc: Mindy Fogg, Planning Manager (via email: mindy.fogg@ventura.org)

5021.200Board09-09-21

- 14. Inst in order to protect the public safety and prevent ground water pollution, any abandoned wells on the property shall be destroyed in accordance with the Ventura County Well Ordinance prior to recordation.
- 15. That cross-connection control devices shall be installed on the water system in accordance with the requirements of the Ventura County Division of Environmental Health.
- 16. That prior to recordation the applicant shall annex the subject tract to County Service Area No. 27, for the purpose of providing septic system maintenance.
- 17. That prior to recordation the septic systems for Lots 25 through 41 and 58 through 62 shall be designed, approved, and the locations designated on the final tract map.

FIRE DEPARTMENT CONDITIONS:

- 18. That a minimum fire flow of 500 gallons per minute is required at this location. That fire hydrants shall be installed and serviceable prior to construction and shall conform to the minimum standards of the Ventura County Waterworks Manual.
 - Each hydrant shall be a 6" wet barrel design, and shall have 1 4" and 1 2-1/2" outlets.
 - b. Fire flow shall be achieved at no less than 20 psi residual pressure.
 - c. Fire hydrants shall be spaced 500 feet on-center and so located that no structure will be farther than 250 feet from any one hydrant.
 - d. Fire hydrants shall be 24" on-center recessed in from curb face.
- 19. That all grass or brush surrounding any structures shall be cleared prior to framing according to the Ventura County Weed Abatement Ordinance.
- 20. That address numbers shall be of contrasting color to the background and shall be readily visible at night. The numbers shall be subject to approval by the Planning Director and the Fire Chief.
- 21. That portions of this tract are in Fire Zone Four (4) and shall meet Building Code requirements for the brush zone.
- 22. That fire hydrants shall be in service prior to issuance of building permits.
- 23. That prior to recordation private access gates to the tract shall be approved by the Fire Department.
- 24. That prior to recordation, the Covenants, Conditions and Restrictions shall be approved by the Fire Department.

PLEASANT VALLEY RECREATION AND PARKS DISTRICT CONDITION:

25. That prior to recordation the applicant shall pay \$96,811 pursuant to Section 8297-4 et. seq. of the Ventura County Ordinance Code and Section 66477 of the Government Code as determined by the Pleasant Valley Parks and Recreation District.

PUBLIC WORKS AGENCY CONDITIONS:

- 26. That the following Board of Supervisors' policies shall apply:
 - 1. Access Policy
 - 2. Paveout Policy
 - 3. Sewer Policy





- conflicting notations, specifications, dimensions, typical sections and the like which may be shown on said map and that all of the provisions of the Subdivision Map Act, Ventura County Subdivision Ordinance and adopted County policies apply.
- 2. That all requirements of any law or agency of the State, Ventura County and any other governmental entity shall be met.
- 3. That no zone clearance shall be issued for this permit until (unless as specified herein) the final tract map has been recorded. Prior to construction, a zone clearance shall be obtained from the Planning Division and a building permit shall be obtained from the Division of Building and Safety.
- That thirty (30) days after conditional approval by the Board of Supervisors, or prior to recordation, whichever is first, all fees charged by the County of Ventura for the preparation of the Environmental Impact Report associated with this project shall be paid.
- 5. That a model home complex shall be permitted subject to the approval of the Planning Director.
- 6. That prior to obtaining a grading permit, the Planning Director shall approve the grading plans to insure that they meet with the intent expressed in the architect's conceptual plans.
- 7. That prior to recordation, copies of the By-laws, Covenants, Conditions and Restrictions shall be submitted to the Planning Director for approval.

That a landscaping and planting plan, together with specifications and a maintenance program, shall be prepared by a State licensed Landscape Architect. The purpose of the landscaping will be to ensure the stability of all slopes adjacent periphery drainage courses and to enhance the appearance of the development. Prior to recordation, three sets of plans, shall be submitted to and approved by the Planning Director following review by the County's Landscape Consultant. The applicant shall bear the total cost of such review and of final installation inspection. A fifty dollar (\$50.00) deposit for this purpose is required at the time plans are submitted. All landscaping installation shall be completed within 30 days following the issuance of the first occupancy permit.

The posting and acceptance of a bond or other form of financial guarantee, of an appropriate amount to be determined by the Planning Director, to guarantee the completion of the landscaping, shall be a condition precedent to recordation.

- That the final map shall indicate a landscaping and maintenance easement, to be deeded to the Homeowners Association, for all slopes adjacent to periphery drainage courses.
 - 10. That the Homeowners Association shall have the authority to maintain a drought resistant ground cover and landscaping easements shall restrict the irrigation of such plantings so as not to adversely affect the stability of slopes.
 - 11. That the corraling or grazing of animals within landscaping easements shall be prohibited and so indicated by the CC&R's.
 - 12. That the final map shall indicate all equestrian trail easements shown on the tentative map. The minimum width of said easements shall be 12 feet.
 - 13. That concurrent with recordation Lot No. 57 shall be deeded to the Homeowners Association. Prior to the use of said lot for the keeping of animals or fowl a Conditional Use Permit shall be obtained from the Ventura County Planning Commission pursuant to Section 8123-2 and Article 48 of

Mr. Don Lapidus, Supervisor
Land Management Section
Building & Planning Services
Environmental Resource Agency
County of Ventura
Ventura County Government Center
800 South Victoria Avenue
Ventura, California 93009

Subject: Tentative Tract Map No. TR-2706, Calinda

Dear Mr. Lapidus:

Unfortunately, your letter of August 25, reached us after the meeting of September 1. We are therefore submitting by letter, our comments, suggestions and recommended conditions which you invited.

The 82-acre parcel upon which is located TR-2706 has been served by this water company continuously for the past 25 years. We have furnished a "Will Serve" letter which has been submitted with the application. The Board of Directors recommends that lot sizes and street improvement standards be similar to the existing tracts nearby in Las Posas Estates. It is our observation that in many cases, large lots result in poor quality of landscape maintenance where owner-maintained. It is a further recommendation of the Board of Directors that this tract not be annexed to the City of Camarillo as it would create an island within Las Posas Estates. It is our further observation that Las Posas Estates is a suburban development and the urbanizing of an interior island could result in a complete change of character of the area which is not the desire of the present residents.

As an information item to you, the supply of water sold by Crestview Mutual Water Company is obtained from both water wells and a connection to the Calleguas Municipal Water District main which traverses the southerly boundary of Las Posas Estates.

Sincerely,

W. Hoffman

President

8-33 3-4 3

WWH: vm



September 1, 2021

Mike Rolls PO Box 7909 Ventura, CA 93006

Subject:

Review of Zim Industries Letter to Crestview Mutual Water Company

Dear Mr. Rolls,

We have reviewed the letter concerning the proposed Well 7 and Well 8 drilling noise control from Wes Zimmerer of Zim Industries to Crestview Mutual Water Company, dated August 25, 2021.

The letter claims that the proposed 24-foot temporary sound wall at the sites is assumed to yield a maximum noise level of 43 dBA at a distance of 50 feet from the drilling rig. This claim appears to be an assumption based on an assumed drill rig noise level of 80 dBA at 15 feet (equivalent to a level of 70 dBA at 50 feet), and an assumed wall noise reduction of 27 dBA.

Our personnel have conducted many noise modeling and monitoring studies for water well drilling rigs. The claimed noise level of 43 dBA is much lower than we have measured or modeled on previous well drilling projects. Zim's claimed noise level is not backed up with any field measurement data and seems unrealistic. While a rig noise level of 80 dBA at 15 feet may be realistic, in our experience temporary walls rarely provide more than about 15 dBA of noise reduction. It is possible that Mr. Zimmerer has assumed the wall noise reduction will be equal to its Sound Transmission Class (STC) rating of 27. The STC is a single-value rating that permits comparison of different sound control products. This rating represents the ability of the product to block sound from traveling through it. The actual noise reduction of a wall made from the material is dependent not only on the STC rating, but also the wall's height, the distances of the source and receptor to the wall, the site's topography, and the spectral frequency characteristics of the sound source.

Mr. Zimmerer indicates that if the required noise limits are exceeded, then additional absorptive materials will be added to the wall until the sound level is in compliance. In practice, adding additional materials to a wall is of limited benefit since this does nothing to reduce the noise traveling over the top. It may be possible to reduce noise by a small number of decibels by adding materials to the wall; however, a significant reduction is not to be expected.

Based on the proposed noise control measures in the Zim Industries letter, we expect the rig noise level to be approximately 55 dBA at the nearest residential properties to Well #7. This level would be



consistent with our previous modeling studies and sound monitoring data for water well-drilling sites where temporary sound walls have been utilized. Reducing the sound level by an additional 10 dBA to comply with the County's limit of 45 dBA is likely to require mitigation measures applied to the drilling rig itself, although it should be noted that achieving compliance may not be possible.

Sincerely,

Thomas Corbishley, MEng (Hons)

Member, Institute of Noise Control Engineering

Principal Consultant

Kessler, John

From: ClerkoftheBoard

Sent: Thursday, September 9, 2021 7:40 AM

To: Kessler, John

Subject: FW: Crestview Mutual Water Co. proposal to install Well #7 in residential neighborhood

Hi John, this was received by the Clerk of the Board please add it to your record.

Lori

From:

Sent: Wednesday, September 8, 2021 6:02 PM

To: Long, Kelly <Kelly.Long@ventura.org>; ClerkoftheBoard <ClerkoftheBoard@ventura.org>

Subject: Crestview Mutual Water Co. proposal to install Well #7 in residential neighborhood

Dear Supervisor Long,

Next Tuesday, this matter is coming up for hearing before to the Board of Supervisors on appeal from a unanimous decision against the project by the Planning Commission. I urge you to vote to uphold the decision of the Planning Commission and reject this ill-conceived project.

The Planning Commission thoroughly reviewed the Well #7 project and found that it does not meet four requirements that must be met before a conditional use permit can legally be granted. New information in the appeal file makes even clearer that the project still fails to meet those requirements.

I am primarily concerned with the enormous potential costs to homeowners such as myself, with septic systems in the vicinity of these well projects. Until a clear understanding of requirements by ALL governing bodies is established and agreed upon, the devastating result to septic system requirements and property values for these homes must be fully considered by the board, before approval can be considered.

Crestview needs to move on to the better options that have always been available. For example, Crestview is stalling necessary maintenance and rehabilitation of existing Well #4 and has shut it down prematurely just to make the water supply problem seem more severe than it is. According to Crestview's internal estimates, that project can be done for less than 10% of the cost of Well #7 and would solve the current problem for many years. It would be a really good investment that would pay out in a few months of not buying water from Calleguas. Well #7 is a bad business decision. Crestview is concealing this information from shareholders.

Please vote to reject Crestview's appeal.

Sincerely,

David A. Hassig

Kessler, John

From: Ramirez, Carmen

Sent: Thursday, September 9, 2021 11:06 AM

To: Fogg, Mindy; Kessler, John

Subject: Fwd: Crestview Shareholder Well 7 Update

FYI, Carmen

Carmen Ramírez

Supervisor | District 5 800 South Victoria Avenue L#1860 Ventura, CA 93009 | (805)654-2613 Carmen.Ramirez@ventura.org

From: Dave Rodriguez <

Sent: Thursday, September 9, 2021 10:43:47 AM

To: Ramirez, Carmen < Carmen.Ramirez@ventura.org>
Subject: Fw: Crestview Shareholder Well 7 Update

CAUTION: If this email looks suspicious, DO NOT click. Forward to Spam.Manager@ventura.org

FYI

From: Crestview Shareholders Update <feedback1@crestviewmutualwater.com>

Sent: Thursday, September 9, 2021 4:26 PM

To: Benitez, Michael D Rodriguez/Yolanda M

Subject: Crestview Shareholder Well 7 Update

Dear neighbors, shareholders,

The Crestview Board of Directors has again engaged in fear-mongering with its recent letter Sept 1. 2021 letter to shareholders;

"Your Water Is At Risk. Act Now."

The letter attacking individual Crestview homeowners and leveraging California's drought conditions as a distraction for years of poor planning, poor decisions, and lack of insight by the Crestview Board does not solve problems.

You action is needed -- now.

Please review the facts surrounding Well #7 on http://www.crestviewmutualwater.com and discuss with your neighbors. Let your Crestview Directors and Supervisor Kelly Long Kelly.Long@Ventura.org know that you don't agree with the Crestview Boards misrepresentation that "an overwhelming majority of shareholders support Well #7," and you concur with the planning commissions denial of the Crestview Plan as was presented. After all, another bad Board decision may cost Crestview Shareholders millions of dollars.

Why did this happen?

From its inception in 2015, the Well #7 project at 191 Alviso lacked the due diligence and research to identify problems that have already cost Crestview shareholders over a million dollars. The Ventura County Board of Supervisors unanimously (5-0) denied the project on its merits in 2020, yet the Crestview Board continues to spend good money after bad pursuing the issue.

The obstacles and restrictions were clear, yet the project continued:

- HOA restrictions on the property prohibit a well, the drilling of a well, and any commercial use.
- Three seepage (sewage) pits are within the <u>non-waivable</u> California State 150-foot state minimum setback, and 200-foot Ventura County setback requirement for public groundwater quality protection.
- Well #4, 1500 feet away, is failing "running out of water," says the Board. There is no assurance Well #7 will have water. Hardly the "tried and true solution," claimed in the Crestview Board's letter.
- The Ventura County Board of Supervisors voted unanimously (5-0) to deny Well #7 project on the merits. The Crestview Board is appealing the decision on September 14th., blaming "influential neighbors" for their failure.
- Alternative plans are conspicuously absent.

Crestview's Board wants shareholders to endorse and fund its pursuit of Well #7 after a pattern of historically poor decisions:

- The Board claims Well #4 (1500 feet from proposed Well 7) is running dry by design.
- Crestview Well #5 was shut down in 2007 as non-productive.
- The harsh reality of Well #7 is that the Crestview Board did not conduct adequate research into whether a well was permissible <u>before</u> spending \$505,000 to purchase the lot.
- Crestview has engaged in building Well #8, a \$2.1 million project funded by Crestview to sell water to Calleguas Mutual Water District.
- A new well was recently completed at the Las Posas Country Club by its new private owner. Water tests of the Fox Canyon source aquifer reveal clean, drinkable water right from the well. The Board dismissed this alternative site, continuing to champion its commitment to drilling Well #7, and also dismissed an alternative site at Fairway Dr. and Las Posas.

The Crestview Board authorized \$36,000 in 2020 and an additional \$30,000 in 2021 to Sespe Consultants for political lobbying activities for Well # 7 and to enhance the image of the Board. Shareholders need to consider the costs and consequences of poor decisions. We will be paying for them for years to come.

Any claim that "we simply may not have water for you or to protect you in the event of a fire" is hard to reconcile with Crestview's April 20, 2017 (drought season) engineering analysis prepared for Ventura County officials stating Crestview meets all requirements of the California Waterworks Standards [...], Ventura County Waterworks Manual, and The Ventura County Fire Code. The report goes as far as to claim Crestview has the capacity to add an additional 606 equivalent connections. Additionally, the report identifies Crestview mutual-aid interconnects with Calleguas Mutual Water District (1350 GPM), Cal American Water (900 GPM), Cal American Water (450 GPM), and the City of Camarillo (943 GPM) distributed via 10" to 8" piping in the service area.

There is no rational scenario under which Crestview will run out of water for fire suppression or domestic use.

You are receiving this email because you are a shareholder of Crestview Mutual Water Company who provides residential water services to <u>your home</u>, or a home you own. If you do not want to stay updated on Crestview activities, you can unsubscribe <u>here</u>.

Stephen and Bethany Carfaro

September 8, 2021

Honorable Linda Parks, Chair
Honorable Kelly Long, Supervisor
Honorable Robert O. Huber, Supervisor
Honorable Carmen Ramirez, Supervisor
Honorable Matt LaVere, Supervisor
Board of Supervisors
County of Ventura
800 S. Victoria Avenue
Ventura, CA 93009-1740

RE: CASE NO. PL19-0039-Board of Supervisor Hearing, September 14, 2021, 3 p.m.

Dear Honorable Chair Parks and Supervisors:

I urge the Board of Supervisors should uphold the unanimous decision of the Planning Commission to deny a Conditional Use Permit to drill Well #7 at 191 Alviso. Crestview's message that the only alternative to Well #7 is buying water from Calleguas is part of a calculated effort to mislead and stampede shareholders and public officials with statements that are simply not true. There are at least three better and cheaper alternatives that can be implemented more quickly.

The best, cheapest, and fastest alternative to drilling Well #7 is to rehabilitate and restart Well #4. This can be done for about \$250,000 according to two reports to Crestview's board by its general manager. These June 15, 2018 and January 24, 2019 white papers are attached. This is less than one-tenth the cost of Well #7, which Crestview's general manager projected at the August 2021 board meeting would be 3.5 to 4 million dollars. If Well #4 had been rehabilitated last winter when it was off line, the money saved by not buying Calleguas water in the summer and fall of 2021 would have paid for that entire investment.

Even if Well #7 is installed, rehabilitation of Well #4 is necessary because Crestview's operations plan is to have Well #7, Well #4, and Well #6 operate in rotation. See the June 15, 2018 white paper. Well #4 can be rehabbed before the spring of 2022, and it can be done without permits or

any impact on neighbors. That Crestview has not already spent approximately \$30,000 to evaluate the well in detail, define specific improvements, and nail down the costs of doing the work is, at best, serious mismanagement.

\$30,000 is much less than Crestview has spent on public relations consultants and opinion polling. In the poll, shareholders were given a grossly misleading description of the Well #7 project. It did not disclose the unsolvable problems of the neighboring septic systems, the inability to comply with the noise ordinance, the reasons the Planning Commission denied the permit, or what the costs are realistically going to be. It did not disclose that the Crestview board considered on January 24, 2019 nine options to buying more expensive Calleguas water. Shareholders were then invited to say whether they favored or opposed Well #7. It was a push poll, the results are meaningless, and the consulting fees were wasted.

I urge Supervisors to uphold the unanimous decision of the Planning Commission to deny Crestview's application to drill a new well at 191 Alviso.

Sincerely,

Scafano Constano de

Bothamy Conform

Kessler, John

From: Ramirez, Carmen

Sent: Friday, September 10, 2021 7:42 AM

To: Kessler, John

Subject: Fwd: Crestview Mutual Water Company Well 7 hearing

More!

Get Outlook for iOS

From:

Sent: Thursday, September 9, 2021 2:12:27 PM **To:** Long, Kelly < Kelly.Long@ventura.org >

Cc: Parks, Linda <Linda.Parks@ventura.org>; Ramirez, Carmen <Carmen.Ramirez@ventura.org>; LaVere, Matt

<Matt.LaVere@ventura.org>; Supervisor Huber <Supervisor.Huber@ventura.org>

Subject: Crestview Mutual Water Company Well 7 hearing

Re: Crestview Mutual Water Co. appeal before the Board on September 14, 2021. 3pm.

Dear Supervisor Long,

I am a Crestview Mutual Water Company shareholder.

I do not agree with the Crestview Boards recent misrepresentation that "an overwhelming majority of shareholders support Well # 7." In fact, Well #7 is an expensive, poorly planned and executed project that attempts to skirt HOA CC&R's and government safety requirements for sewage setbacks. There is no assurance there is even water, with a nearby well "running dry by design."

I concur with the Planning Commission's 5-0 denial the of the plan and encourage the Board to endorse the Planning Commissions recommendation. This is more than a NIMBY issue (I am not a neighbor), it exposes residents to serious safety issues and the probability of shareholders losing millions of dollars for bad project decisions.

Sincerely,

Craig M. Crosby

David M. Rodriguez and Yolanda M. Benitez

September 8, 2021

Hi Carmen. I hope all is well with you and you are keeping safe through this pandemic.

I'm writing to you concerning the Crestview Water request to build a new well. About 10 years ago we had our dream come true when we purchased a beautiful home in Camarillo three doors from the wellsite proposed by Crestview. At the time there was nothing but an empty home lot there.

There are valid reasons for the uproar among residents. When Crestview began to plan for a new well, they never contacted us. There was no knock on the door or a phone call.

Their approach to this issue mirrors the same complaints we have been hearing amongst neighbors. There was no effort to reach out to the public just an arbitrary purchase of a lot with the intent of developing a well. They proceeded to hire an architect and petition to move the project forward relying on sheer political influence.

Should the Board approve this project, it will have a financial impact on us. The planned well will force us and our immediate neighbors to tear out existing septic systems and replace them at a cost of about \$50,000.

In addition to this, all the information we have received does not show a critical need for this well. The fact that five well drilling companies have turned down the project because of the small space is yet another concern. The project lacks adequate space.

I am requesting you to please consider this as you make your decision next week. This directly impacts us financially and with quality of life issues.

Sincerely,

Dave Rodriguez

Yolanda Benitez

Kessler, John

From: Fogg, Mindy

Sent: Friday, September 10, 2021 10:14 AM

To: Kessler, John

Subject: Public Comment PL19-0039

From: Miller, Brian <Brian.Miller@ventura.org>
Sent: Thursday, September 9, 2021 4:51 PM
To: Fogg, Mindy <Mindy.Fogg@ventura.org>
Subject: FW: Act Today. Your Water is At Risk.

Brian MillerChief of Staff Supervisor Kelly Long, 3rd District

Supervisor Long,

As I am sure you are aware my father, Michael Rolls, has been very active in opposition of well 7 for a multitude of reasons. I also live in Las Posas and am a CMWC shareholder. We have had numerous conversations about well 7 and 8 over the last year. I have approached these conversations with an unbiased view and have reached a position of real concern over the viability of CMWC and the leadership in place.

The Crestview board has failed to keep their shareholders the least bit informed. The email below is another example of that. It has become increasingly apparent that they intentionally omit valuable information that is imperative to each person being afforded the opportunity to make an informed decision. I am not accusing them of a misinformation campaign. It my option it is something far more disgusting and unbecoming of a board of professionals. They are carefully touching on deep issues in a tactful course of manipulation in order to persuade and nudge all of us into advocating for their cause. The points they elect to publish are without backing, "fact checked" or subject to debate. In addition, they have the only complete shareholder data base (including: phones, emails, etc.) that they use sparingly and selectively. In support of that, I received the email below outlining what may happen if their plan is not allowed to proceed, but I haven't received an email about the conditions of the existing water infrastructure or the progress of the proposed wells, 7 and 8 to date. And I didn't certainly haven't received an email about the first VC BOS hearing where their application for a permit was rejected.

In short, they have created a very divisive and volatile situation. They have not taken a position of ownership for their intense lack of planning. Instead, they are pitting the shareholder community against my father and those in proximity to well 7. I fear that there will be long term negative ramifications for this irresponsible finger pointing.

I would continue, but I respect your time and appreciate your consideration of this email. Please see my comments in red to each of their points below.











From: "Crestview Mutual Water Co." < crestviewwater@live.com >

Date: September 1, 2021 at 3:33:28 PM PDT

To: crestviewwater@live.com

Subject: Act Today. Your Water is At Risk.

Dear Crestview Shareholders:

Let me keep this dire email message brief and to the point. I'm happy to receive and respond to any questions you may have.

YOUR WATER IS AT RISK. Due to the severe drought, the existing Crestview wells are not able to produce enough water to meet your needs. We either need to install a new, deeper well or purchase your water from Calleguas. Reliance only on purchased water would be a first in Crestview's history. CMWC has three wells in operation. CMWC has not explored any of the options available to retrofit these wells to extract water from depths beyond the current pump capabilities in place at each location. Retrofitting one or all of these wells could be accomplished at a fraction of the cost of drilling a new well, reducing the burned to shareholders with a minimal cost impact to each. This approach would also allow them the opportunity to seek out and perform the proper diligence in selecting alternative sites. Please keep in mind, California has been in a drought since 2000. The longest period (D1-D4) lasted 376 weeks from 12/2011 though 3/2019. The drought is not a new problem and is something that could and should have been reacted to with a sustainable solution.

IS THERE A PROBLEM WITH PURCHASED WATER? Yes. Unlike the local water that we pump, purchased water may not be available given shortages and reduced allocations. We worry that we will not have water at the ready to protect you in the event of a fire. The cost of purchasing water is high. It will increase the average Crestview water bill by 63% today, and higher each year. CMWC originally budgeted 1.7M to drill well 7. That cost is now estimated to be in excess of 4M. With that that information and in the event that well 7 is allowed to proceed, the shareholders will see a percentage increase each month to cover the delta. That percentage is unknown, but the cost increase can not be shouldered with CMWC reserves without an impact to shareholders.

YOU CAN HELP PREVENT THIS CRISIS. We have a tried and true solution. We need to install a new well, Well Number 7. This will keep your water available, local and at a reasonable cost. However, there is a hurdle. The Ventura County Board of Supervisors must approve our permit at their hearing on September 14. A handful of powerful next-door neighbors to Well 7 oppose it. CWMC makes no mention of this being an appeal. They don't want the community to know that the VC BOS voted against them. This would implicate them and their mismanagement. Instead they have dangerously pointed the finger at the neighbors in proximity to the proposed well 7 site. As I alluded to earlier, this opens the door for vigilantism and retaliation that has become all too common in today's world.

WHAT CAN YOU DO? ASK SUPERVISOR KELLY LONG TO SUPPORT WELL 7.

Supervisor Long's email: kelly.long@ventura.org

Please take 5 minutes to email Supervisor Long. Let her know that we need her support for Well 7. Thank you for your time and your willingness to reach out to Supervisor Long.

Sol Chooljian

Tol Chooly.

President, Crestview Board of Directors

Kessler, John

From:

Sent:

To: Long, Kelly ClerkoftheBoard Cc: **Subject:** Re: Crestview Well No 7 **Attachments:** kgs.vcf CAUTION: If this email looks suspicious, DO NOT click. Forward to Spam.Manager@ventura.org On 9/9/2021 8:51 PM, Kevin Staker wrote: > Supervisor: > > I am a homeowner in the Crestview Water District. > Please ignore all the emails from other CV homeowners in favor of the > well. CV has misled them. > CV has shut down a well prematurely to justify this well. The > Planning Commission has found the application fails in many ways. I > agree. > > In particular, it is likely the Regional Water Quality folk will > require any homeowner within 600 feet of the well to spend tens of > thousands of dollars on an advanced treatment system if they want to > refurbish or replace their septic. > This is an industrial use in a residential neighborhood. > I could go on and on. > Please vote against it > Kevin Staker > > P.S. I love what you have been doing, standing up for what is right > on the Board

Kevin Staker

Thursday, September 9, 2021 8:59 PM

CRESTVIEW MUTUAL WATER COMPANY

328 Valley Vista Drive Camarillo, CA 93010

(805) 482-2001 - (805) 388-8281 Fax www.crestviewwater.org

VIA EMAIL TO THE CLERK OF THE BOARD

ClerkoftheBoard@ventura.org

September 10, 2021

The Honorable Linda Parks, Chair, Ventura County Board of Supervisors
The Honorable Carmen Ramirez, Vice Chair, Ventura County Board of Supervisors
The Honorable Matt LaVere, Ventura County Board of Supervisors
The Honorable Kelly Long, Ventura County Board of Supervisors
The Honorable Robert O. Huber, Ventura County Board of Supervisors

Re: Crestview Mutual Water Company Additional Responses / PL19-0039, Minor Modification of Conditional Use Permit 4858

Dear Honorable Supervisors:

Over the past month, we have submitted a comprehensive series of studies and reports to the Planning Director and staff for our appeal, which is scheduled to come before you on Tuesday, September 14, 2021. Our intention in writing again is to highlight from our materials for you, to respond to the unsubstantiated allegations made by project opponents over the last few days, and to reiterate the urgency and strong community support for our appeal.

- 1. Our Well #7 Project. Our project will decommission an unusable well, Well #5, and install a new well, numbered Well #7. This project is essential to the ability of Crestview Mutual Water Company (Crestview) to supply its ratepayers with affordable, safe, and reliable water. Our existing Wells #4 and #6 are unable to supply this water due to the ongoing drought and the historically low water levels. Our ratepayers look to us for their drinking water, as well as for their irrigation and fire suppression water. We must either pump a newly drilled well, or put our customers at the mercy of the dramatically higher costs and uncertain availability of purchased water. Our water rights are at risk too if we do not pump our allocation, we may forever lose the right to pump in the future. A desire to seize our water allocation may be an unspoken driver of some project opposition.
- 2. The Planning Commission Appeal. Our application was heard by the Planning Commission in June 2020, at the height of the pandemic. The opponents raised last-minute questions about the scientific feasibility of our Well #7 site, 191 Alviso Drive, and recommended a preferred golf course location. Our experts had no time to investigate. The Planning Commission denied our project. They based the denial on this summarized fact-finding: (1) our project is not allowed by

The Honorable Ventura County Board of Supervisors September 10, 2021 Page **2** of **4**

the CC&R's of the Las Posas Hills Homeowners Association (HOA); (2) the temporary construction noise, the operational noise, and the grading and its truck trips would constitute a nuisance; (3) septic system owners within 200 feet of the project would face future costs at the time of repair or replacement of their systems; and (4) technical data was not provided to confirm that chlorine storage would be compatible with the surrounding residences.

- **3. Short Planning Commission Answers:** Crestview has commissioned nearly a dozen new studies to support Well #7, and to respond to the Planning Commission. These have been delivered to the Planning Department. Most succinctly stated, Crestview affirms:
 - HOA CC&Rs. As you know, the HOA CC&Rs are not a proper basis for action on Well #7. Case law tells us that private agreements, like CC&Rs, cannot supplant the obligation of decision-makers to evaluate a project on the merits of the jurisdiction's rules and regulations, which Well #7 emphatically meets. What's more, Well #4, which is waning, was built within the HOA boundaries the HOA developer anticipated the need for a water well and reserved a lot for this purpose, never expecting our prolonged drought and the current need for a supplemental well. Precedent has been set. Perhaps most importantly, we believe, based on our survey, that the vast majority of our customers, including the 80 of our 620 who live within the HOA, support Well #7. We urge the Board of Supervisors to condition the project to require us to obtain their formal approval, which the HOA board would not let us do.
 - Construction Nuisance. The time and truck trips to install Well #7, together with their neighborhood impacts, are materially shorter than would be required to build a single-family home at the Well #7 site. Crestview will meet all Camarillo and County noise requirements. Crestview has also committed to pay neighbors a \$500 per diem for lodging during the two 10-14 periods of well installation if they are bothered by the project's noise. This per diem commitment can be a condition of project approval.
 - Septic System Burdens. Two studies have been commissioned to evaluate the likelihood
 of septic system impact. Their results are that pathogens travel only 10 feet in 1000 days
 before they die. The distances to neighboring septic systems are far greater. Regardless,
 Crestview has committed to reimburse neighbors for any regulatory cost they face in
 the unlikely event that Well #7 causes a problem for the repair or replacement of their
 septic systems. This too can be a condition of the project approval.
 - Chlorine Safety. Crestview has now had the opportunity to supplement this record with
 chlorine safety information. In addition to its indoor storage of these required materials
 within a secondary containment vault, and the absence of any exposure of these
 materials to air and thus no odor, Crestview's safety record since 1953 contains NO
 notices of violation for chemical use or storage spills or failures. This includes the most
 recent inspection of late August 2021 by the County's Environmental Health Division.

The Honorable Ventura County Board of Supervisors September 10, 2021 Page **3** of **4**

4. Current Opponent Allegations. Within the past three days, we have received new (and old) claims from the handful of neighbors who oppose Well #7. Our widely-respected experts will be present at the upcoming hearing to respond to the opposition's inaccurate and misleading contentions. Here is a quick recitation of some of our experts' responses:

Allegation: Crestview Should Just Re-drill Well #4.

Summary Response. Our hydrogeologist will be on hand to provide you with the actual science of why this suggestion is infeasible. The short answer is that Well #4 is pumping water from a different part of the aquifer than will the 600-foot deeper proposed Well #7. Nothing that we could do to Well #4 will alter its limitations, and anything we might try can be expected to reduce (not increase) the pumping from Well #4 and to introduce contaminants into Well #4 that will destroy the water's ability to meet drinking water standards. This also leaves Crestview with no system redundancy, which is the same dilemma that faces Crestview today.

Allegation: The Neighboring Septic Systems Will Require Costly New Sewer Connections. Summary Response. The sewer policy that is cited by the project opponents does not apply. That policy is triggered by an application to repair or replace a septic system, not by our water well application. More significantly, that policy does not apply to the septic system application of a single-family home. It pertains to a community project seeking to repair or replace many septic systems, as you might find with approval of a new subdivision.

Allegation: A Blue Line Stream, Heritage Trees and a Wildlife Corridor Will Be Impacted. Summary Response. These contentions from the project's opposition are not new. But, as the County's experts confirmed, and as bears brief repeating: there is no blue line stream, there are no heritage tree driplines within the project's area of potential impact, and there is no wildlife corridor present. These claimed environmental issues are more red herrings.

Allegation: The Preferred Well Site Is at the Las Posas Golf Course.

Summary Response. This claim was first raised at the June 2020 Planning Commission hearing. We have now had time to investigate it. The facts are that the golf course is home to known nitrates, which are the benchmark evidence of potential water contamination. What's more, the golf course site would require \$1.3 to \$1.4 million just to construct the water pipeline connection, not to mention the damages that such an extensive pipeline is expected to entail.

Allegation: The Flowage System Cannot Support the Project's Development Water.

Summary Response. The opponents are correct that water will be removed from the Well #7 site during project construction and development. The amount of water has been quantified and determined by your experts and ours to be ably supported by the existing flowage system and catchment basin. The development water will be less than a storm for which these existing systems are designed. Further, the Regional Water Quality Control Board, with jurisdiction over all water issues, has reviewed Crestview's project and has issued an NPDES permit in approval.

The Honorable Ventura County Board of Supervisors September 10, 2021 Page 4 of 4

Allegation: Crestview's Well #7 Project Cannot Fit on the Site.

Summary Response. This contention is refuted by the other projects that have installed wells on sites of the same size, including the City of Ventura's Saticoy Well #3. What's more, two responsive bidders to Crestview's project specifications have confirmed that they can accomplish the project on the Well #7 site.

Allegation: Crestview's Excavated Well Soil Will Smell As It Dries.

Summary Response. As with the other allegations, this one is unsubstantiated by science. Drying soil might create an odor if the soil from which it was excavated were a swamp. In this case, the excavated soil is clay-like. It is not expected to have any offending smell, and there is no documentation of any smell from this type of drying soil.

5. Project Support. We have conducted an anonymous survey of Crestview ratepayers. Their support for Well #7 is overwhelming. Ninety-five percent (95%) of the homeowners who do not live inside the HOA support the project. Eighty-five percent (85%) of those that do live inside the HOA support the project. We believe that they are motivated by the merits of our request, and by their urgent need for reliable, affordable water. At the time of this letter, we have received more than 80 letters from Crestview shareholders to your Board, all supporting the project. They are attached. We will continue to receive and provide support letters.

The project opponents challenge the validity of this support for Well #7. We wonder why the HOA did not commission its own survey and why the HOA board and the opposing neighbors refused to allow us to present our project and new studies to their members or, in the case of the opposing neighbors, to meet with us. But you need not wonder. Instead, please condition the project on our seeking HOA member support for a revision of the CC&Rs to allow this project. We firmly believe that we will obtain this support.

The daily benefits of Crestview's Well #7 project will be realized by the hundreds of residents that are members of our mutual water company. We thank you for your time and attention to this urgent matter. We are available to you at your convenience to answer any questions.

Respectfully,

Robert Eranio

Consulting General Manager

Crestview Mutual Water Company

cc: Dave Ward, Ventura County Planning Director

Mindy Fogg, Ventura County Planning Department John Kessler, Ventura County Planning Department

Attachments: Letters in Support of Well #7 – 91

To: The Honorable Kelly Long, Supervisor, Ventura County

The Honorable Linda Parks, Chair, Ventura County Board of Supervisors

The Honorable Carmen Ramirez, Vice Chair, Ventura County Board of Supervisors

The Honorable Matt LaVere, Supervisor, Ventura County

The Honorable Robert O. Huber, Supervisor, Ventura County

I/we are residents, ratepayers and shareholders of the Crestview Mutual Water Company. I/we support the Crestview Well #7 project. The project will construct a water well at 191 Alviso Drive on a lot owned by Crestview. Well #7 will replace Well #5 located at 602 North Valley Vista Drive, which was removed from service in 2007. Well #5 will be decommissioned.

Well #7 is essential. Its water will supplement Crestview Wells #4 and #6, which are currently unable to produce sufficient water due to the ongoing severe drought and the water levels of these wells. All of Crestview's wells, including Wells #4, #5 and #6, have operated for decades with no neighborhood concerns or issues.

Without Well #7, CMWC will have to rely on the purchase of Metropolitan Water District water from Calleguas Municipal Water District, at a cost over eight times higher than the cost of water pumped by Crestview (\$1,507 per acre foot vs \$186 per acre foot). This higher cost will result in a substantial water rate increase to all shareholders. As water grows scarce and allocations are reduced, Crestview simply may not have water for me. It means that we will be replacing a local supply of water and, instead, we all will be relying upon uncertain water supplies from Metropolitan Water District, which has already warned that it may need to reduce water to its customers, including Calleguas Municipal Water District, Without Well #7 we will be much more dependent on non-local and uncertain sources of water.

Of great importance, Well #7 includes a natural gas-powered electrical generator to support us when Edison power is unavailable. This will become critical to fire support in the event of another devastating fire. During October 2019, Crestview experienced three separate Public Safety Power Shutoff events totaling 102 hours of power outage. This well will provide a local source of water and power to respond to any fire.

It is unfortunate that a handful of the 625 Crestview shareholders, led by the project's influential neighbors, are opposed to this essential public project. The majority of Crestview shareholders truly support the Well #7 project.

Sincerely,

Name / Signature	Address		
Thomas H Will			
SunMle			

To: The Honorable Kelly Long, Supervisor, Ventura County

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Anthony Macari		

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Deloner Frage

cc: John Kessler: john.kessler@ventura.org /

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Name / Signature	Address
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74/10/1	

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Name / Signature

Rebecca Rawnsley Je Becc Sawnsley

Address

cc: John Kessler: john.kessler@ventura.org / Mindy Fogg: mindy.fogg@ventura.org

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lame / Signature	
JORA RYAN/NOVA Ryan	

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Andrea Kitay		
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Sincerely,

Name // Signature

()

Crestview Mutual Water Co.

From:

Paula Robertson <

Sent:

Wednesday, September 08, 2021 7:38 PM

To:

crestviewwater@live.com

Subject:

Fwd: Yes on Permit for Well 7 for Crestview Mutual Water Company

FYI - hoping this helps! My husband also sent an email.

Paula Robertson

----- Forwarded message ------

From: Paula Robertson <

Date: Wed, Sep 8, 2021 at 7:29 PM

Subject: Yes on Permit for Well 7 for Crestview Mutual Water Company

To: <kelly.long@ventura.org>

Supervisor Long,

Please approve the permit for Well 7 for the Crestview Mutual Water Company. It is essential to our neighborhood that the new well be established. It is irresponsible for a handful of neighbors to stand in the way of establishing a cost-effective and reliable source of water for the larger neighborhood. The well has been a part of the long range plans of Crestview Mutual. I do not know when the neighbors that are opposing the well purchased their property but I wouldn't be surprised if it was done after Crestview Mutual purchased the lot in question.

I have seen the plans that include sound proofing, landscaping and a design that fits the neighborhood. I hope a photo of the existing well and structure that is up the street has been made available to you. I have walked past the structure hundreds of times and always thought it was a carriage house that belonged to the adjacent house. It was only recently I discovered it was a neighborhood well.

I trust the research and numbers that Crestview Mutual provided and strongly believe Well #7 is the only reasonable solution to our pressing need of a new water source.

Please approve the permit which will keep our water costs low and the supply stable.

Regards, Paula Robertson

Crestview Mutual Water Co.

From:

Bill Lynch

Sent:

Wednesday, September 08, 2021 5:18 PM

To:

kelly.long@ventura.org

Subject:

Crestview Water

Supervisor Long,

I am writing to request your support for the needed Well #7 in the Crestview Water District of the Los Posas Estates here in Camarillo. As you are likely aware, the water supply in the state is creating challenges for us all and the need to be self reliant is so very important. Well #7 will not be intrusive to the neighbors or cause any changes to the nearby property values. The other six wells that are located throughout the area are actually difficult to find and blend in nicely to the neighborhood. As a retired Fire Chief, I understand the value of our water supply for the safety of the community as well as for our professional firefighters. Please support the process to install the needed well in our community.

Kind regards,

Bill Lynch

To: The Honorable Kelly Long, Supervisor, Ventura County

The Honorable Linda Parks, Chair, Ventura County Board of Supervisors

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Martha Peretz/Multheretz

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ASIA Fernandez

9/8/2021

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Name RICHARD SELFRIDGE LESLIE SELFRIDGE Address

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I/we are residents, ratepayers and shareholders of the Crestview Mutual Water Company. I/we support the Crestview Well #7 project. The project will construct a water well at 191 Alviso Drive on a lot owned by Crestview. Well #7 will replace Well #5 located at 602 North Valley Vista Drive, which has run dry. Well #5 will be decommissioned.

Well #7 is essential. Its water will supplement Crestview Wells #4 and #6, which are currently unable to produce sufficient water due to the ongoing severe drought and the water levels of these wells. All of Crestview's wells, including Wells #4, #5 and #6, have operated for decades with no neighborhood concerns or issues.

Without Well #7, CMWC will have to rely on the purchase of Metropolitan Water District water from Calleguas Municipal Water District, at a cost over eight times higher than the cost of water pumped by Crestview (\$1,507 per acre foot vs \$186 per acre foot). This higher cost will result in a substantial water rate increase to all shareholders. As water grows scarce and allocations are reduced, Crestview simply may not have water for me. It means that we will be replacing a local supply of water and, instead, we all will be relying upon uncertain water supplies from Metropolitan Water District, which has already warned that it may need to reduce water to its customers, including Calleguas Municipal Water District, Without Well #7 we will be much more dependent on non-local and uncertain sources of water.

Of great importance, Well #7 includes a natural gas-powered electrical generator to support us when Edison power is unavailable. This will become critical to fire support in the event of another devastating fire. During October 2019, Crestview experienced three separate Public Safety Power Shutoff events totaling 102 hours of power outage. This well will provide a local source of water and power to respond to any fire.

It is unfortunate that a handful of the 625 Crestview shareholders, led by the project's influential neighbors, are opposed to this essential public project. The majority of Crestview shareholders truly support the Well #7 project.

Sincerely,

5/39			
Name		Address	
Jorge Antonio	Galarza		
2			

To: The Honorable Kelly Long, Supervisor, Ventura County

. The Honorable Linda Parks, Chair, Ventura County Board of Supervisors

The Honorable Carmen Ramirez, Vice Chair, Ventura County Board of Supervisors

The Honorable Matt LaVere, Supervisor, Ventura County

The Honorable Robert O. Huber, Supervisor, Ventura County

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Sincerely,

Name Barbara Whatley Barbara Whatley

Crestview Mutual Water Co.

From:

Sent:

Saturday, September 04, 2021 8:42 AM

То:

Crestview Mutual Water Co.

Subject:

Re: Act Today. Your Water is At Risk.

Done.

Sent from my iPhone

On Sep 1, 2021, at 4:17 PM, Crestview Mutual Water Co. <crestviewwater@live.com> wrote:

Dear Crestview Shareholders:

Let me keep this dire email message brief and to the point. I'm happy to receive and respond to any questions you may have.

YOUR WATER IS AT RISK. Due to the severe drought, the existing Crestview wells are not able to produce enough water to meet your needs. We either need to install a new, deeper well or purchase your water from Calleguas. Reliance only on purchased water would be a first in Crestview's history.

IS THERE A PROBLEM WITH PURCHASED WATER? Yes. Unlike the local water that we pump, purchased water may not be available given shortages and reduced allocations. We worry that we will not have water at the ready to protect you in the event of a fire. The cost of purchasing water is high. It will increase the average Crestview water bill by 63% today, and higher each year.

YOU CAN HELP PREVENT THIS CRISIS. We have a tried and true solution. We need to install a new well, Well Number 7. This will keep your water available, local and at a reasonable cost. However, there is a hurdle. The Ventura County Board of Supervisors must approve our permit at their hearing on September 14. A handful of powerful next-door neighbors to Well 7 oppose it.

WHAT CAN YOU DO? ASK SUPERVISOR KELLY LONG TO SUPPORT WELL 7.

Supervisor Long's email: kelly.long@ventura.org

Please take 5 minutes to email Supervisor Long. Let her know that we need her support for Well 7. Thank you for your time and your willingness to reach out to Supervisor Long.

<image001.png>

Sol Chooljian
President, Crestview Board of Directors

Robert Eranio

From:

Sol Chooljian <

Sent:

Wednesday, September 8, 2021 2:47 PM

To:

Kelly Long

Subject:

supporting Well #7 Crestview Mutual Water Company

Dear Supervisor Long,

Me and my wife Laura McAvoy have been active supporters of your campaigns and your faithful service to the voters in our district and Ventura County as a whole.

I am writing you as a 35 year shareholder in the Crestview Mutual Water Company and **owner of water drawing rights** from our local aquifers. Crestview is not the rights owner but has been an excellent operator of the water system.

We are concerned that we will lose our water rights under the new "use it or lose it rules " if the proposed well #7 is not approved.

Please support Crestview's application to drill & operate Well #7 on Alviso Drive in Camarillo.

Sincerely ,
Sol Chooljian and Laura McAvoy

To: The Honorable Kelly Long, Supervisor, Ventura County

The Honorable Linda Parks, Chair, Ventura County Board of Supervisors

The Honorable Carmen Ramirez, Vice Chair, Ventura County Board of Supervisors

The Honorable Matt LaVere, Supervisor, Ventura County

The Honorable Robert O. Huber, Supervisor, Ventura County

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Name	Address	
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Bondres Sutida		

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Sincerely,

Name / Signature	Address	
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To: The Honorable Kelly Long, Supervisor, Ventura County
The Honorable Linda Parks, Chair, Ventura County Board of Supervisors
The Honorable Carmen Ramirez, Vice Chair, Ventura County Board of Supervisors
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Sincerely,

Name / Signature

Robin & Robert Blimena Address

Please Support Crestview Mutual Water Company Well #7

To: The Ventura County Board of Supervisors

We are residents, ratepayers, and shareholders of the Crestview Mutual Water Company (CMWC). We strongly support CMWC's plan to construct Well #7, a water well at 191 Alviso Drive on a lot owned by CMWC. Well #7 will replace Well #5, located at 602 North Valley Vista Drive, *which has run dry* and will be decommissioned.

Well #7 is essential. Our current water supply through Wells #4 and #6 is unable to produce sufficient water due to the ongoing severe drought and the diminishing water levels of these wells. All of CMWC's wells, including Wells #4, #5 and #6, have operated for decades with no neighborhood concerns or issues. We trust CMWC will run Well #7 with the same safety, consistency, and professionalism. In its correspondence and meetings with shareholders, CMWC has addressed the numerous concerns raised regarding the project to our satisfaction.

Without Well #7, CMWC will have to rely on the purchase of Metropolitan Water District water from Calleguas Municipal Water District, at a cost over *eight times* higher than the cost of water pumped by CMWC (\$1,507 per acre foot vs \$186 per acre foot). This higher cost will result in a substantial water rate increase to all shareholders, many of whom are families with children. As water grows scarce and allocations of purchasable water are reduced, CMWC simply may not have enough water for residents, a frightening thought as fire season approaches. Metropolitan Water District has already warned that it may need to reduce water to its customers, including Calleguas Municipal Water District.

Of great importance, Well #7 includes a natural gas-powered electrical generator for when Edison power is unavailable. This will become critical to fire support in the event of another devastating fire. During October 2019, Crestview experienced three separate Public Safety Power Shutoff events totaling 102 hours of power outage. This well will provide a local source of water and power to maintain consistent service.

It is unfortunate that a handful of the project's influential neighbors are opposed to this essential public project, as it will provide safe and affordable water service for *over 600 homes and shareholders*. The vast majority of Crestview shareholders, including the undersigned, truly support the Well #7 project.

Sincerely,

cc: John Kessler: john.kessler@ventura.org / Mindy Fogg: mindy.fogg@ventura.org

Tom & Cheryl Temple

From:

Mark ·

Sent:

Wednesday, September 08, 2021 10:07 AM

To:

kelly.long@ventura.org crestviewwater@live.com

Cc: Subject:

Crestview Water Well #7

Ms. Supervisor Long-

Being shareholders of Crestview Mutual Water Company, we write this in support of adding a new water well (Well #7) to provide all of us within the Crestview Water District available and affordable water for now and in the future. The objection of a few influential nearby neighbors should not over-ride the overwhelming majority that support the addition of Well #7 and the importance of providing affordable water to the rest of the shareholders.

We ask you for your support of adding Well #7 to our Crestview Mutual Water Company.

Respectfully submitted,

Mark & Ann Beckner



This email has been checked for viruses by Avast antivirus software. www.avast.com

From:

Sent: To: Tuesday, September 07, 2021 8:50 PM

crestviewwater@live.com

Subject:

FW: Asking for your help and support for Well 7

From: Harry Albaugh II ·

Sent: Wednesday, September 1, 2021 4:01 PM

To: kelly.long@ventura.org

Subject: Asking for your help and support for Well 7

At the Ventura County Board of Supervisors meeting on September 14

please support the vast majority of our shareholders requesting approval of Well 7. A handful of powerful next-door neighbors to Well 7 oppose it this project but the vast majority of shareholders will benefit.

We respectfully request your help and support of approval of Well 7.

Sincerely

Harry Albaugh

Sent from my iPhone

From:

Sent: To: Tuesday, September 07, 2021 8:49 PM

crestviewwater@live.com

Subject:

FW: Well 7

From: Harry Albaugh II <

Sent: Wednesday, September 1, 2021 3:52 PM

To: kelly.long@ventura.org

Subject: Well 7

Hi Kelly,

I am asking for your help.

As a shareholder of Crestview Mutual Water, please support the greater majority of our shareholders support for Well 7 at the upcoming meeting on September 14th.

We need your help!!

Sincerely

Harry Albaugh

Sent from my iPhone

From: Adam Thomas

Sent: Wednesday, September 08, 2021 10:55 AM

To: kelly.long@ventura.org

Subject: Support for Crestview Mutual Water Well number 7

Supervisor Long,

My name is Adam Thomas and I wanted to take a few moments to email you regarding the proposed well #7 for the Crestview Mutual Water Company. I moved to Camarillo 14 years ago after marrying my wife Stephanie (Jacobs) now Thomas who was born in Camarillo back in 1982. Both Stephanie and I are very active in our community as we have a vested interest in making it a wonderful place to call home and raise our two kids (9&11). We currently reside at 390 Castleton but are building our forever home at 404 Calle Maduro. Our new home located at 404 Calle Maduro has made us a part of the Crestview Mutual Water team.

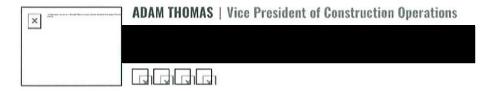
Being in the construction world and building apartments down here in the Valley, I am no stranger to construction and the impacts it has on neighborhoods and residents. But what I have come to find in all of my years doing this is that there is always a solution and a way to build things that make everyone happy. Living in California my whole life I can probably count on my hands the number of years this state hasn't been in a drought. Water is absolutely vital to our day to day lives and it blows my mind to think of trucking in water when it sits right below our feet.

Of course people never want anything built in their backyard but I know that the city of Camarillo is very good about imposing building requirements that lessen visual and audible impacts on those surrounding projects. I do believe that it is important that any neighbors in the vicinity of this new well have input on the design and mitigation measures, but the not drilling simply isn't an option. As a community we just cant throw our hands up and say no with the reason being "just cause" or "not in my backyard" There are certain infrastructure projects like wells that have to be built for the betterment of our entire community. That said its completely reasonable for mitigation measures to be implemented to lessen the impacts of those closest to the project.

As our elected official, we depend on your voice and judgment to make the right calls and to support vital infrastructure such as this well we look forward to supporting our officials who make the tough decisions that are good for our community and make Camarillo the amazing place it is.

I truly appreciate your time in reading my email and your thoughtful consideration on this matter.

Thank you for your potential support.



This message and/or any attachments may contain confidential and/or legally privileged information and is intended for use only by the intended addressee. If you are not the intended addressee, you are not authorized to disclose, reproduce, or distribute the contents of this message or take action based on information contained herein. If this e-mail is received in error, please notify the sender immediately and delete the e-mail and any remnants of the message from your system immediately.

To: The Honorable Kelly Long, Supervisor, Ventura County

The Honorable Linda Parks, Chair, Ventura County Board of Supervisors

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It is unfortunate that a handful of the 625 Crestview shareholders, led by the project's influential neighbors, are opposed to this essential public project. The majority of Crestview shareholders truly support the Well #7 project.

Sincerely,

Name / Signature	Address		
Catherine Mann			
	-		

To: The Honorable Kelly Long, Supervisor, Ventura County

The Honorable Linda Parks, Chair, Ventura County Board of Supervisors

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Name	. T	Address	
J. Wordford	June		

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Sincerely,	
Name / Signature	Address
Name / Signature	

To: The Honorable Kelly Long, Supervisor, Ventura County

The Honorable Linda Parks, Chair, Ventura County Board of Supervisors

The Honorable Carmen Ramirez, Vice Chair, Ventura County Board of Supervisors

The Honorable Matt LaVere, Supervisor, Ventura County

The Honorable Robert O. Huber, Supervisor, Ventura County

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cc: John Kessler: john.kessler@ventura.org / Mindy Fogg: mindy.fogg@ventura.org

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Sincerely,

Name / Signature

Rectary Departs Levy

Tan Levy Stan Levy

Address

FW: Crestview Water Well

Crestview Mutual Water Co. <crestviewwater@live.com>

Tue 9/7/2021 11:53 AM

To: 'Robert Eranio' <

From:

Sent: Saturday, September 04, 2021 4:58 PM

To: kelly.long@ventura.org

Cc: Crestview Water <crestviewwater@live.com>; John Kessler <John.Kessler@ventura.org>; Fogg, Mindy

<mindy.fogg@ventura.org>
Subject: Crestview Water Well

Supervisor Long,

I am a Crestview Water shareholder. I'm copying Crestview Water as a courtesy. I moved to Camarillo about 2 years ago. In summary I support the building of Well #7 and think the building proposed well can supply us the most needed water but also make the neighborhood look better than a dirt lot. To be fair I don't live on that street but a few blocks away. We need this well to give us enough water to prevent buying from other companies.

Since the start of this calendar year I have been attending the monthly Crestview Water meetings. The subject of Well #7 consumes most of the meetings. Of the over 600 shareholders there are only a handful that attend these meetings, maybe like 5 people including me. It became obvious that I am the only shareholder that attends that is for building this well. It is sad that of the other 600 shareholders that appear to be for the well, none take the effort to attend the meetings. The other 4 shareholders at the meetings are there each month to do all that they can to stop this project. They ask the same questions each month and ask for all sorts of additional work to be done with no regard to the results, just doing whatever it takes to stall this project as long as they can. I might do the same if I was against it I suppose. Unfortunately these few have stalled this project costing our really small company hundreds of thousands of extra money chasing obtuse objections.

It also has become obvious that the Well is not the issue. These homeowners don't want anything built on this empty lot. As I listen to the objections they are comparing the final project to a empty lot. That is important to understand and in fact could be a question to ask. Would you all support the building of a full size home on this lot if the Well does not go forward? If the answer is no, then the arguments about the Well itself is a smoke screen. If the answer is yes, the question is what is the difference between a full size house and this project? Actually this "small house" should be less objectionable.

I ask you to listen to all the facts and not just those from the loudest and I hope we can have your support to approve the permit. As I write about the 5 out of over 600 shareholders I am reminded of a business truism. Good companies realize that one communication from a customer usually doesn't represent one customer, but about 100 (or more) customers. Only like 1 in 100 people will take the time to write. So I would like to think that my time writing this email in support actually represents hundreds of shareholder assuming someone else is writing for them.

Of course, I assume that all those handful apposed to the Well will emailing you and showing up at the hearing.

Note I put my website here so you can see who I am and know I'm not a "nut job". I wouldn't mind a reply just saying you received my email. Lately some of my emails are winding up in people's Spam folder.

Frank Mezzatesta

To: The Honorable Kelly Long, Supervisor, Ventura County

The Honorable Linda Parks, Chair, Ventura County Board of Supervisors

The Honorable Carmen Ramirez, Vice Chair, Ventura County Board of Supervisors

The Honorable Matt LaVere, Supervisor, Ventura County

The Honorable Robert O. Huber, Supervisor, Ventura County

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Sincerely,

forwed Kagsen

Address

Robert Eranio

From: Tom Mason <

Sent: Tuesday, September 7, 2021 10:23 AM

To: kelly.long@ventura.org

Subject: In Support of Crestview Mutual Water

Dear Ms Long --

This requests your support for Crestview Mutual Water Company's proposal to drill well #7 when it is considered by the Ventura County Board of Supervisors in their meeting on September 14, 2021. I am a customer of Crestview Water and face a dramatic increase in water costs and reduction in security of supply if the proposal is not approved.

I am familiar with the arguments against well #7 advanced by interested parties at the June 25, 2020 meeting of the Planning Commission that resulted in denial of permission to proceed with the well. I am also familiar with the numerous expert studies commissioned by Crestview Water to address those arguments. I believe these studies show conclusively that the arguments are without merit and that the project should be approved. The studies demonstrate that the well is needed, that the plan to install it is safe and without negative impact on its surroundings, and that the proposed alternative is unsuitable and uneconomic.

I urge you to actively support the well #7 project so that our community's precious water supply is secure. The vast majority of Crestview's customers are in favor of the project and are counting on the Board of Supervisors to approve it.

Thank you.

Thomas J Mason

From:

peter nichols «

Sent:

Friday, September 03, 2021 5:17 PM

To:

crestviewwater@live.com; reranio.crestview@live.com

Subject:

[Mysite] Contact - new submission

peter nichols just submitted your form: Contact on Mysite

Message Details:

Email:

Name: peter nichols

Subject:

Message: -Message sent to Kelly Long ------ Forwarded message ------ I have been a homeowner and customer of Crestview Mutual for over 40 years. I have always known Crestview to keep promises and maintain the appearance and operation of their well sites in exemplary fashion. I have lived about three houses away from the well site at Valley Vista and Cerro Crest and that well site has never been a problem during regular service or construction. I urge you for the good of our entire community to approve well #7 for the Crestview Mutual Water Company Peter Nichols

If you think this submission is spam, report it as spam.

To edit your email settings, go to your Inbox on desktop.

Ascend BY WIX

From:

Subject:

Sol Chooljian

Sent:

Friday, September 03, 2021 8:02 PM

FW: Las Posas Estates- Crestview Mutual Water Well 7

To:

o:

Importance:

High

From: Christy Rueckert [mailte

Sent: Friday, September 03, 2021 2:46 PM

To: kelly.long@ventura.org

Subject: Las Posas Estates- Crestview Mutual Water Well 7

Hi Kelly-

I hope you are doing great on this Friday! I live in Las Posas Estates and serviced by Crestview Mutual Water Company. I wanted to express my support for Well 7. We need local well water!! I know some of the neighbors that live near the proposed well are actively opposed to the well. They are among the few and not the majority that want well water and to keep our cost down. The other solutions will significantly increase our water bill.

I live on Cerro Crest drive near one of the wells and I have never had any issues with the well be so close to my house. Crestview does a great job keeping the grounds clean and tidy.

Please approve Well 7!!

Thank you and I appreciate your time and attention.

Christy Rueckert

Century 21 Everest

#1 Individual Realtor for ALL Brokerages in Camarillo #2 Realtor for ALL Century 21 Everest in California

Over 18 Years of Real Estate Experience!!

www.ChristysHouses.com

CalBRE# 01362147



Music By Richard Bellis

At a time of severe drought and climate change threatening to make extraordinary wildfires a new reality, I can't imagine anything that would result in a valuation increase for this area more than reasonably priced water. Certainly not the alternative of additional artificial turf, gravel and bark.

From:

Lawrence Beinfest

Sent:

Monday, September 06, 2021 8:48 AM

To:

kelly.long@ventura.org

Cc:

Subject:

Well 7, Crestview Mutual Water Company

Dear Supervisor Long:

Please support and approve the installation of Well 7 for the Crestview Mutual Water Company.

Thank you.

Kathryn and Lawrence Beinfest

Robert Eranio

From:

David Santrella

Sent:

Monday, September 6, 2021 5:30 PM

To: Subject: Robert Eranio Fwd: Well 7

Brief because I am responding from my iPhone.

Begin forwarded message:

From: David Santrella <

Date: September 6, 2021 at 4:34:24 PM PDT

To: kelly.long@ventura.org

Subject: Well 7

Supervisor Long:

I am a resident of Camarillo, California and I live at proposed to be built.

the street where Well 7 is

I am asking for your support of this well. We need it desperately. Those opposed to it are opposed solely for their own inconvenience. They are not thinking about the good of the entire community but rather about how this will impact them. They have no significant justifications beyond that. Our community needs this well and I'm asking for your support.

Kind regards,

David Santrella

Brief because I am responding from my iPhone.

To:

The Honorable Kelly Long, Supervisor, Ventura County

The Honorable Linda Parks, Chair, Ventura County Board of Supervisors

The Honorable Carmen Ramirez, Vice Chair, Ventura County Board of Supervisors

The Honorable Matt LaVere, Supervisor, Ventura County

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Sincerely,

Name SHARYC CRAIG Sland Craig POGER S. CRAIG ROGEN. Craig

Addroce

cc: John Kessler: john,kessler@yentura.org / Mindy Fogg: mindy.fogg@yentura.org

1432397.1

From: To:

Subject: Fwd: Crestview mutual water co. Well #7

Date: Fri, Sep 3, 2021 9:32 am

----Original Message-----

From: Richard & Leslie Selfridge <
To: kelly.long@ventura.org <kelly.long@ventura.org>

Sent: Fri, Sep 3, 2021 9:21 am

Subject: Crestview mutual water co. Well # 7

Dear Supervisor Long, As residents of Camarillo for over 50 years and a share holder in Crestview water. We are one house away from the water company, here on Valley Vista Drive they are great quiet neighbors and very nice people. Please vote. with the vast majority in of Crestview users that depend on this water. Yes, for well 7.

Richard and Leslie Selfridge

Robert Eranio

From:

Rob Roy -

Sent:

Friday, September 3, 2021 1:52 PM

To:

Kelly Long

Subject:

Crestview Water District-Please support Well 7

Kelly, my wife, Marianne, and I own a home in your District right next door to the Crestview Water District. They do a fabulous job in providing low cost water to all of the neighboring homes in our area. We hope that you will support the Well7 permit when it comes before the Board so that Crestview will not be required to purchase future water at an increase of over 63% with additional increases thereafter. This Well 7 is supported by a large majority on the homeowners in the Crestview Water District and is opposed by only a view local homeowners who live next door to Well 7 for the usual NIMBY reasons. Thank you. Rob and Marianne Roy.

To: The Honorable Kelly Long, Supervisor, Ventura County

The Honorable Linda Parks, Chair, Ventura County Board of Supervisors

The Honorable Carmen Ramirez, Vice Chair, Ventura County Board of Supervisors

The Honorable Matt LaVere, Supervisor, Ventura County

The Honorable Robert O. Huber, Supervisor, Ventura County

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Sincerely,

BRUCE TOKUMOTO Bru

To: The Honorable Kelly Long, Supervisor, Ventura County

The Honorable Linda Parks, Chair, Ventura County Board of Supervisors

The Honorable Carmen Ramirez, Vice Chair, Ventura County Board of Supervisors

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Sincerely,

Name	Address	
Name Betty Sasaki		
	4	

To: The Honorable Kelly Long, Supervisor, Ventura County
The Honorable Linda Parks, Chair, Ventura County Board of Supervisors
The Honorable Carmen Ramirez, Vice Chair, Ventura County Board of Supervisors
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Name	Address	
ALMA		
2021 Sep 03		

cc: John Kessler: john.kessler@ventura.org / Mindy Fogg: mindy.fogg@ventura.org

Sincerely.

Robert Eranio

From:

Al Gottlieb

Sent:

Thursday, September 2, 2021 9:07 AM

To:

kelly.long@ventura.org

Cc:

Robert Eranio

Subject:

Crestview Water Well 7

Hi Kelly,

I wanted to give you my feelings on the proposed new well proposed on Alviso Drive.

Carol and I are IN FAVOR of drilling the well.

We do have some friends who live on Alviso that are opposed to the well.

I think the well is desperately needed, will benefit all Crestview Mutual Water Company members, and is the only reasonable location for a new well. We are long time CMWC customers living on Valley Vista Drive.

I strongly believe CMWC will take all needed actions to minimize noise and make the enclosed well site appearance blend in with the neighborhood. Driving by existing CMWC well sites will confirm this.

The lot in question has been vacant and unimproved since inception.

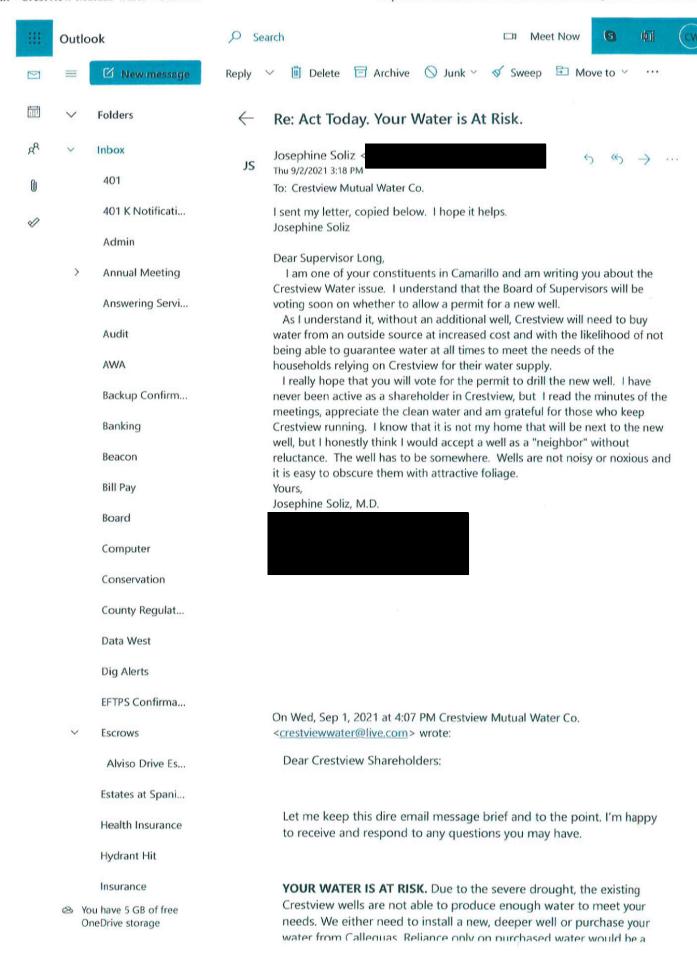
I believe building the well on Alviso will improve property values in the area by providing a long term supply of good quality water and improving fire department effectiveness and response by increasing water pressure.

Alternatively, constructing a new single family house on the property will subject neighbors to a year or more of noise, dust, and construction traffic.

I think it is in the best interest of the Alviso neighborhood and all CMWC customers to approve the permit to build the new well.

Thank you for your consideration.

Sent from my iPhone



To: The Honorable Kelly Long, Supervisor, Ventura County

The Honorable Linda Parks, Chair, Ventura County Board of Supervisors

The Honorable Carmen Ramirez, Vice Chair, Ventura County Board of Supervisors

The Honorable Matt LaVere, Supervisor, Ventura County

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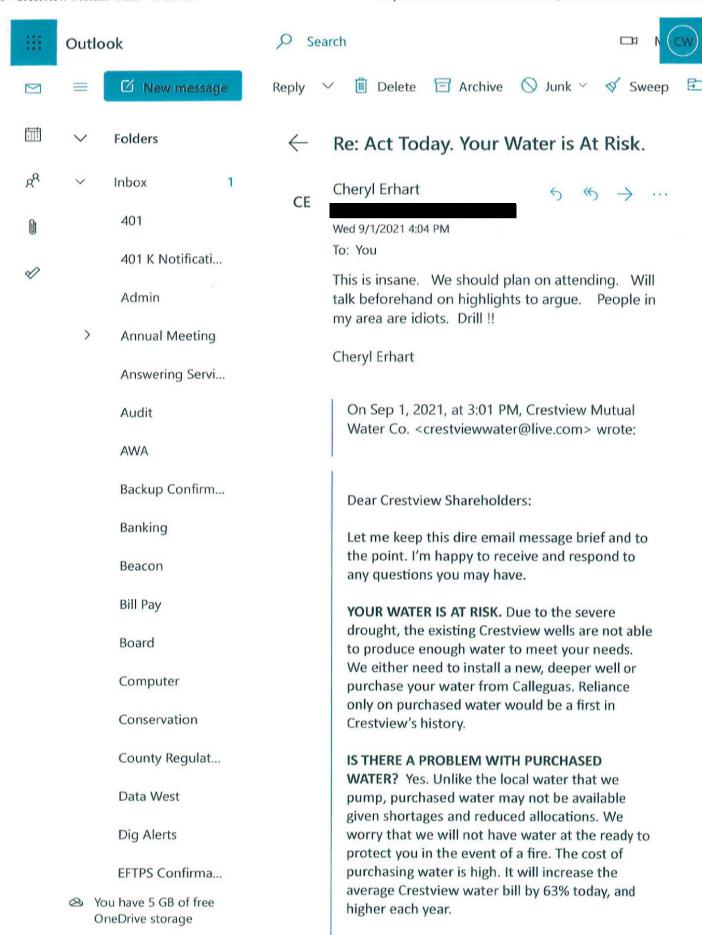
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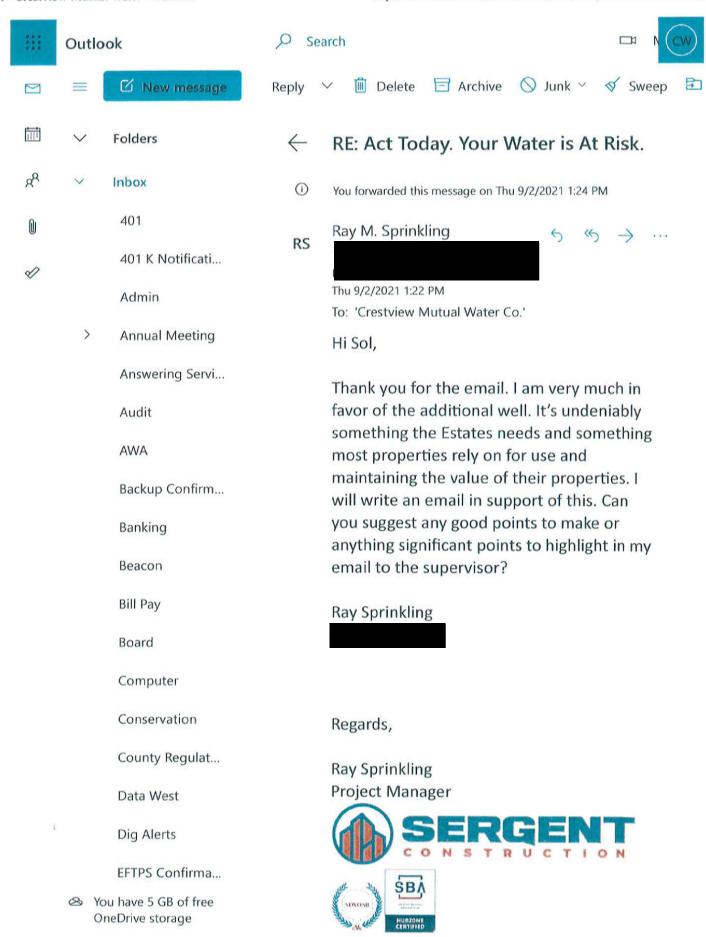
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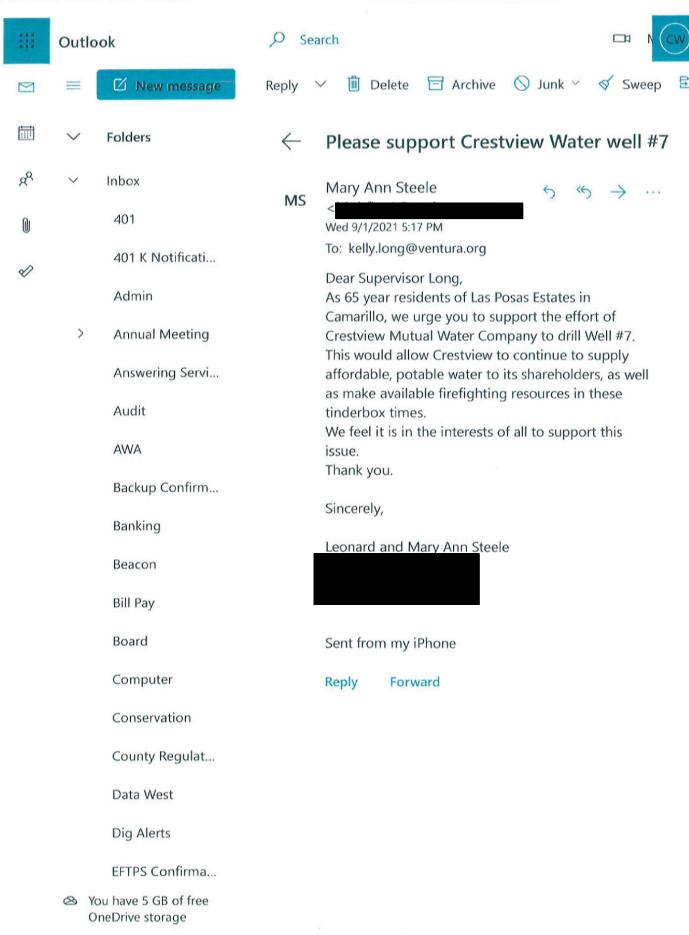
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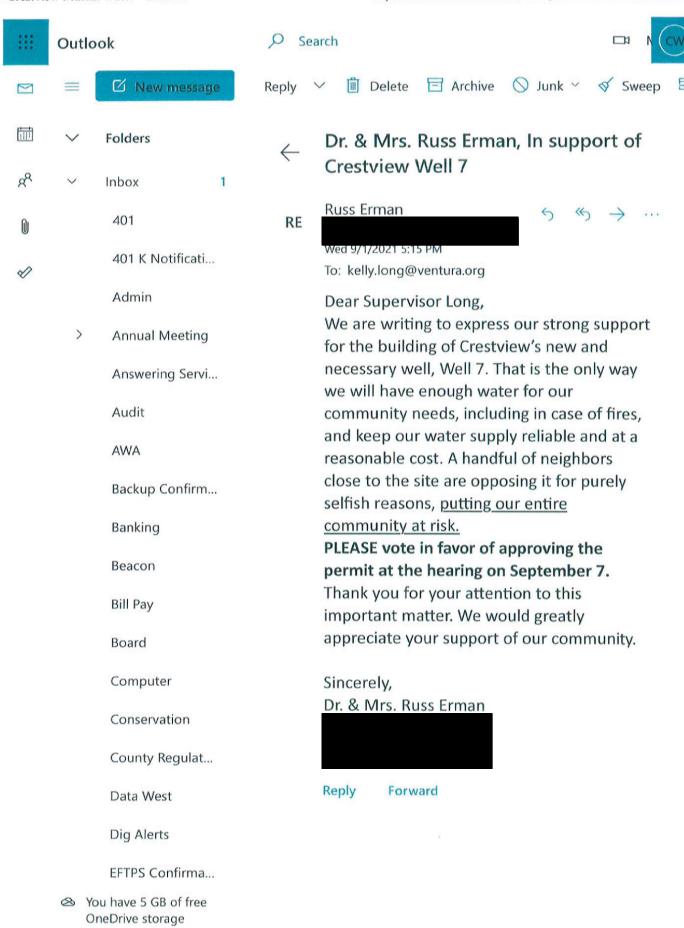
As part of the Well #7 development Crestview should be required to mitigate any adverse impact to neighbors of the 191 Alviso Drive Site.

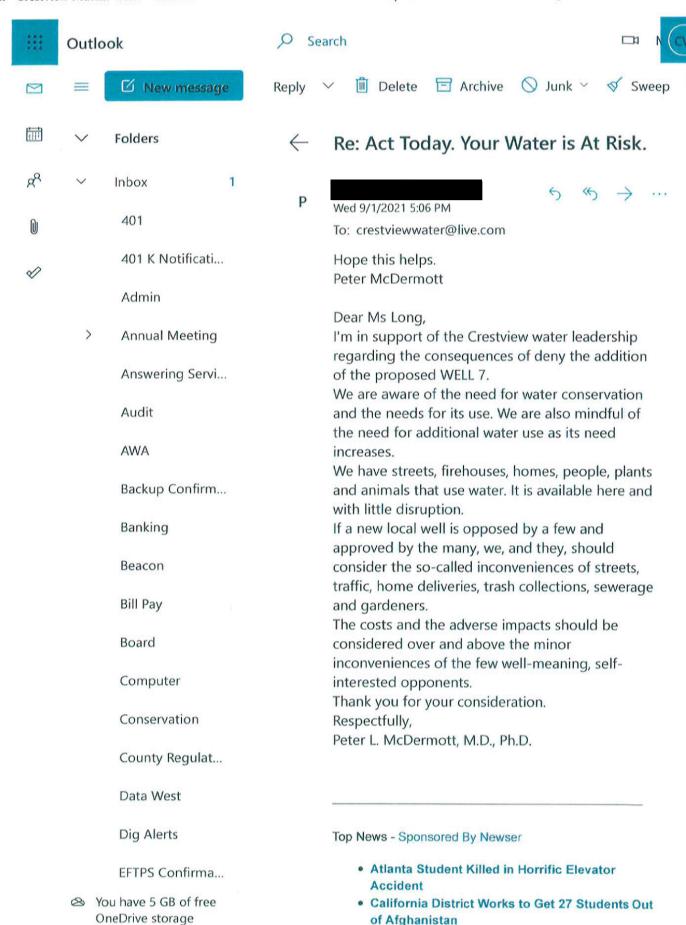
Sincerely,	
Name	Address
_Michael Megowan	
cc: John Kessler: john.kessler@ventura.org / Mind	ly Fogg: mindy.fogg@ventura.org



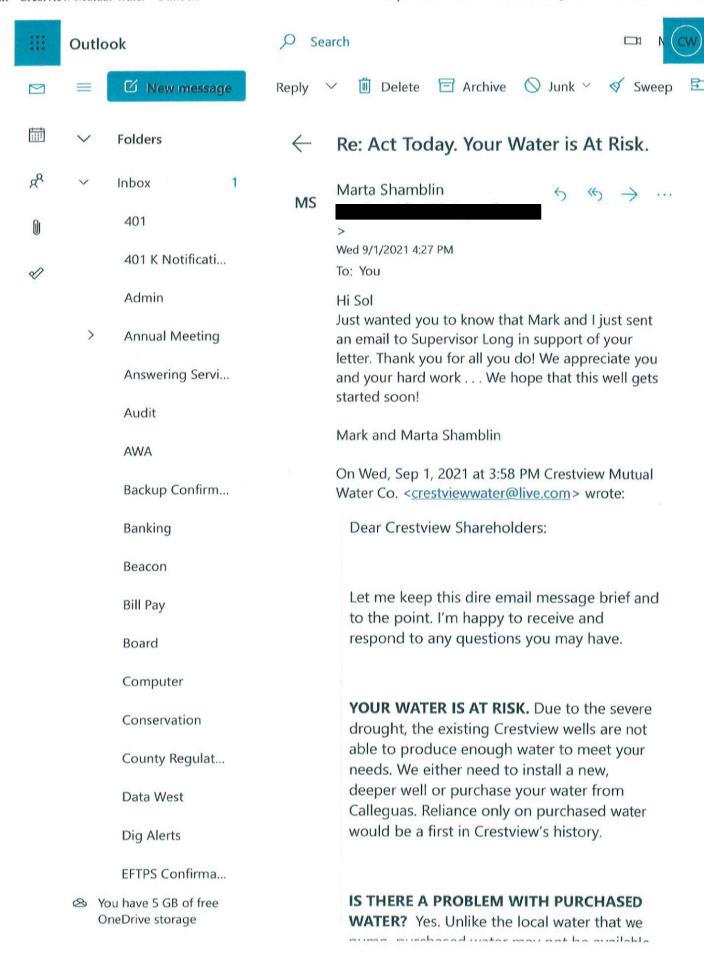


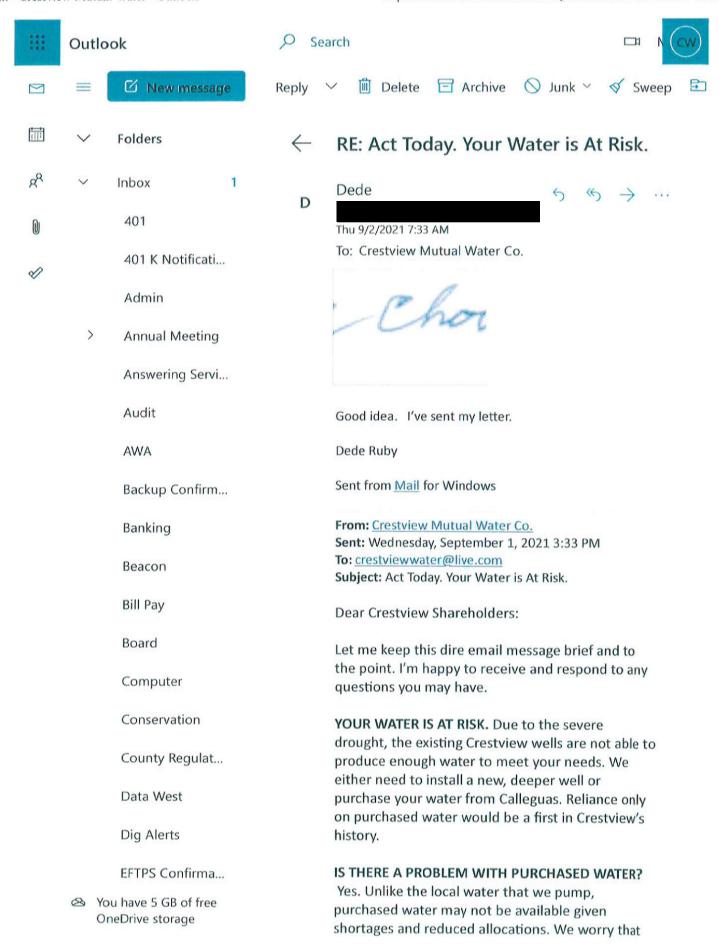


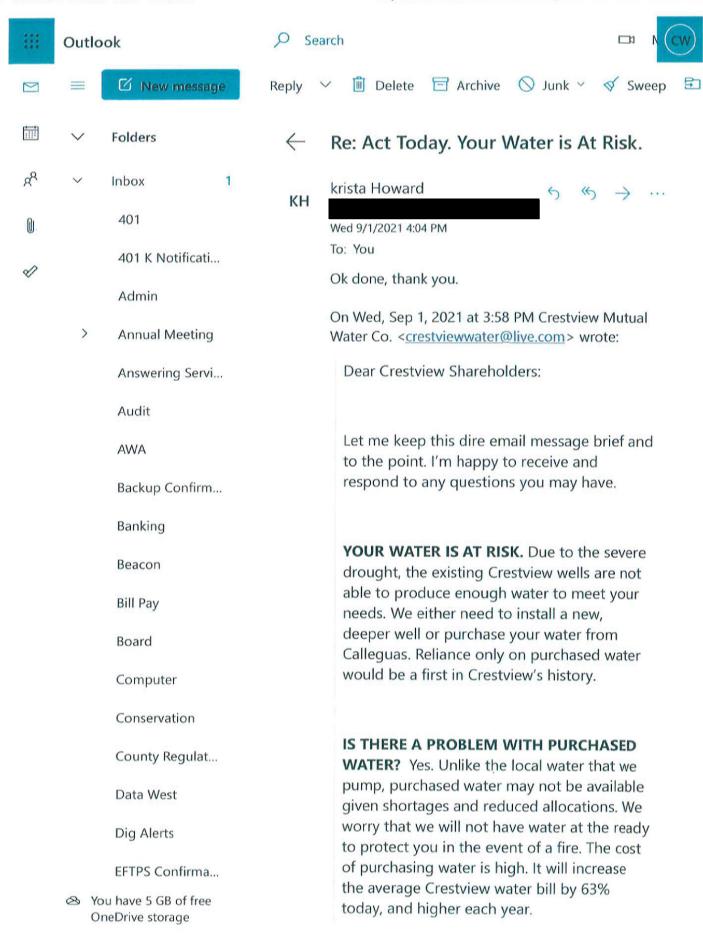


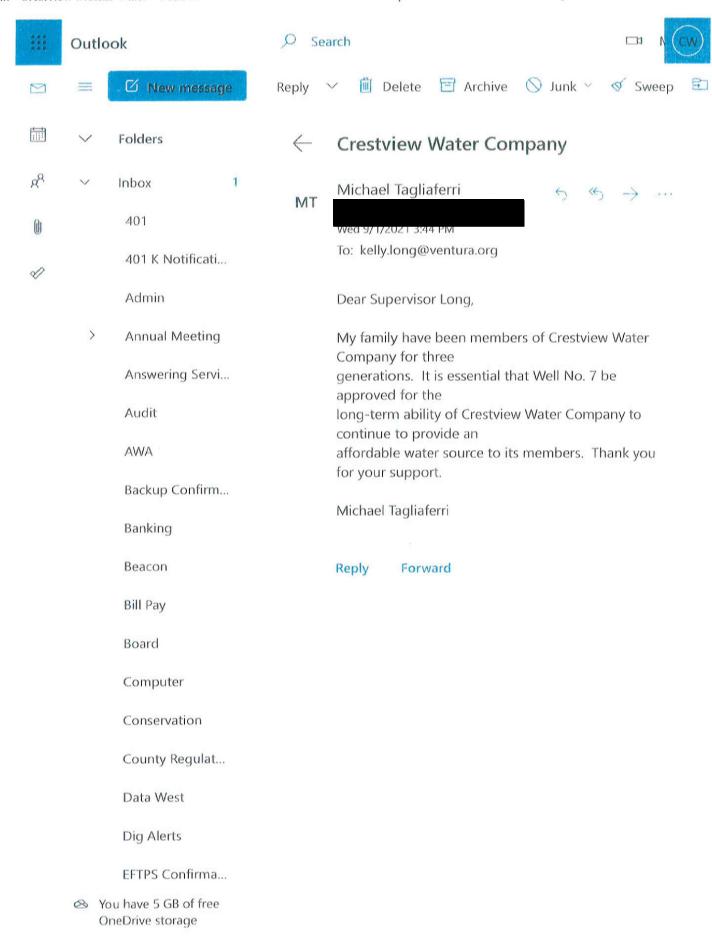


Report: Roque Congressman Trying to Enter









Robert Eranio

From:

Mark Oberman

Sent:

Thursday, September 2, 2021 11:59 AM

To:

kelly.long@ventura.org

Cc:

Robert Eranio

Subject:

Crestview Mutual Water Well #7

Good morning Honorable Supervisor Long,

My name is Mark Oberman, my wife Janie and I live on Crestview Avenue in Camarillo and have since 1976. Crestview is our water provider and has been a very dependable, reliable, forward looking, and a professionally well-run company for these past 45 years.

I am writing you to ask for your support of Crestview Mutual Water Company Well # 7. We are in a historic 20+ year draught cycle with this year proving to be the worst yet and we need all the dependable affordable water we can get. Almost all of the California reservoirs are at all-time lows, and not knowing what the future brings, I feel that it would be irresponsible to not have the production of well # 7 available.

There are a few very vocal residents adjacent to Well # 7 that strongly oppose it, but my view is that they are being unreasonably selfish and short sighted. I happen to live immediately across the street from Well #8 and some of my neighbors are selfish and short sighted about this well too. Crestview is projecting a 63% increase in water cost if well #7 is not allowed to be permitted, so why should a few selfish residents be allowed to impose a 63% increase on the majority of Crestview customers and risk water availability at the same time.

Thank you for your consideration.

Mark Oberman

President



To: The Honorable Kelly Long, Supervisor, Ventura County

The Honorable Linda Parks, Chair, Ventura County Board of Supervisors

The Honorable Carmen Ramirez, Vice Chair, Ventura County Board of Supervisors

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__Steven Wisuri______

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Sincerely,

ANTONIO CAMPUZANO

TIANA L CAMPUZANO

Kessler, John

From: Sent: To: Subject:	Steve Lourenco Tuesday, August 3, 2021 3:35 PM Kessler, John Re: Save the Date: Crestview Well project; Case No. PL19-0039	
CAUTION: If this email I	ooks suspicious, DO NOT click. Forward to Spam.Manager@ventura.org	
new well. Crestview Mutual water has a duty precariously low	It of town on Sept 14 at the time of the appeal hearing. I would like to voice my support for a to supply water to its shareholders, and the fact that one of our two only wells water table is ag one of the driest years on record. I believe that it is imperative that Venture County planning the failing well we have now.	
On Tue, Aug 3, 2021 at 2:07 PM Kes	sler, John < <u>John.Kessler@ventura.org</u> > wrote:	
Hello Mr. Lourenco. Comment i Thank you.	received.	
John		
John Kessler Planner III		
John.Kessler@ventura.org		
Ventura County Resource Mana	gement Agency	
Planning Division		
P. (805) 654-2461 F. (805) 654	-2509	
800 S. Victoria Ave., L #1740 Ventura, CA 93009-1740		
Visit our website at vcrma.org		
For online permits and property information, visit VC Citizen Access		

We, Julian Chiang and Shuwon Chiang residing at hereby declare our strong support for the construction of new well #7 for Crestview Water.

In view of the severe drought of the West, it is utmost important than ever that Crestview Water has reliable water supply on its own, instead of purchasing water from other water districts.

Signed:

Julian Chiang

Shuwon Chiang

Kessler, John

From:

Julian Chiang <

Sent:

Tuesday, August 31, 2021 6:40 PM

To:

Kessler, John

Subject:

Construction of Well #7 of Crestview Water

Please Support Crestview Well #7

To:

The Honorable Kelly Long, Supervisor, Ventura County

The Honorable Linda Parks, Chair, Ventura County Board of Supervisor

The Honorable Carmen Ramirez, Vice Chair, Ventura County Board of Supervisors

The Honorable Matt LaVere, Supervisor, Ventura County

The Honorable Robert O. Huber, Supervisor, Ventura County

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Sincerely,

Name

Address

Julian Chiang,

Shuwon Chiang

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MARK OBERMAN	-

cc: John Kessler: charles de la large / Mindy Fogg: http://doi.org/10.100/

To:

The Honorable Kelly Long, Supervisor, Ventura County

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Chair, Ventura County Board of Supervisors

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ce: John Kessler: john kessler a venturn org / Mindy Fogg: mindy f

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