

LAS POSAS BASIN POLICY ADVISORY COMMITTEE MEETING

Thursday, July 18, 2024, 3:00 P.M.

In Person:

Calleguas Municipal Water District, 2100 Olsen Road, Thousand Oaks, CA 91360

Via Zoom:

<https://us06web.zoom.us/j/84816327542?pwd=Y-bN4zt674FOphU6wRyxXw9swYTgvA.9bNuXf3yWWBZyrae>

Webinar ID: 848 1632 7542

Passcode: 400774

NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the Las Posas Basin Policy Advisory Committee (PAC) will hold a special meeting at 3:00 P.M. on **Thursday, July 18, 2024**, in the Board Meeting Room of the Calleguas Municipal Water District and via Zoom.

AGENDA

A. Call to Order

B. Roll Call

C. Agenda Review

D. Public Comments

E. PAC Member Comments

F. Regular Agenda

1. TAC Update

The Technical Advisory Committee held its first meeting on July 15. PAC members that attended will brief the committee.

2. PAC Subcommittees

The PAC will consider forming standing subcommittees to mirror the FCGMA/Watermaster committee structure, including Executive Committee, Fiscal Committee, and Operations Committee, as well as a TAC Committee. The purpose of these committees is to have, to the greatest extent practical, dedicated PAC representation at FCGMA/Watermaster committees who can develop expertise and relationships and report back to the PAC at large.

3. PAC Roles & Responsibilities

The roles and responsibilities of the PAC are described and referred to throughout the Judgment. Detailed descriptions are in Section VI, Stakeholder Participation. Section VI is attached for reference; key sections follow. The PAC will discuss these and other pertinent Judgment guidance.

- As a standing committee of the Watermaster, the core purpose of the PAC is to “is to establish a specific and formal process to obtain policy and technical recommendations from stakeholders on matters related to Basin management and to ensure that decisions

by Watermaster are made following full consideration of diverse policy and technical views” (Judgment, 6.2).

- “Independent of any tasks assigned by Watermaster to either Committee, upon a vote of a majority of all PAC members, the PAC may do any of the following: (i) issue a policy recommendation and Recommendation Report to Watermaster, as specified in Section 6.8; or (ii) request that the Watermaster assign a matter involving a technical question to TAC for review and the issuance of a Recommendation Report to Watermaster” (Judgment, 6.4).
- Lastly, “The PAC is the primary advisory body to Watermaster on policy-related matters of a non-technical nature to be considered by Watermaster relating to Sustainable Groundwater Management in the Basin, including implementation and any modification of the Groundwater Sustainability Plan, and Physical Solution governing the Basin. The PAC reports directly to Watermaster. The objectives of the PAC are to: Provide all Water Right Holders with a meaningful voice and representation on policy matters as specified in Section 6.10.1; and Provide input and recommendations to Watermaster to assist Watermaster in fulfilling its duties” (Judgment 6.10.1 ff.).

4. PAC Response to Petitioners

Since its inception, the PAC has received public comment at its meetings regarding the representation and recourse of landowners who do not have an allocation under the Judgment. This group has collectively filed a Notification and Demand with the court (circulated for information as part of the July 11 Special PAC Meeting Agenda packet).

The PAC has received one written comment, by Bill Miller, attached for reference.

The PAC will discuss the policy implication of these petitions and whether to develop any response.

G. Written Communication

None.

H. Future Agenda Items

The PAC will consider items for future agendas.

I. Adjourn

1 effects using Basin Assessment funds. For purpose of clarity, this provision does not apply to,
2 and shall not prohibit: (i) a Water Right Holder acquiring water delivered for Use in lieu of the
3 Water Right Holder's Use of its Annual Allocation, which will in turn cause the Water Right
4 Holder to accrue Carryover as a result of the forgone Use of its Annual Allocation; or (ii)
5 Calleguas ASR In Lieu, which is governed by Section 8.1.

6 5.7 **DWR Engagement.** The FCGMA will provide periodic updates to DWR
7 concerning the management of the Basin as required by, and consistent with, SGMA. DWR may
8 petition for enforcement of the Judgment or seek other relief to ensure that the Basin is managed
9 consistent with SGMA's requirements.

10 **VI. STAKEHOLDER PARTICIPATION**

11 6.1 **Creation of Standing Advisory Committees.** There will be a Policy Advisory
12 Committee (PAC) and Technical Advisory Committee (TAC), in addition to any other
13 committees created by Watermaster. The PAC and the TAC (each, a Committee and collectively,
14 Committees) will each be a standing committee of Watermaster. Pursuant to this Judgment,
15 Watermaster, PAC, and TAC shall conduct their meetings in a manner consistent with
16 Government Code sections 54950 *et seq.* (otherwise known as the "Brown Act"), except that a
17 Committee meeting may be held by video conference without a quorum being physically present.
18 A request to adopt any other procedure that is inconsistent with Brown Act requirements must be
19 submitted to the Court through a noticed motion subject to the ongoing requirements that all
20 Watermaster, PAC, and TAC meetings shall be open public meetings with advance notice to the
21 Parties and the community at large, and serial communications under the Brown Act are
22 prohibited.

23 6.2 **Purpose and Objectives.** The purpose of the Committees is to establish a specific
24 and formal process to obtain policy and technical recommendations from stakeholders on matters
25 related to Basin management and to ensure that decisions by Watermaster are made following full
26 consideration of diverse policy and technical views. The FCGMA shall consult with PAC and
27 TAC on matters of Basin management consistent with the Judgment and Watermaster Rules.
28 More specific purposes and objectives of the PAC and TAC are set forth in Sections 6.10 and

1 6.11.

2 6.3 **Assignment from Watermaster and Watermaster Action.** Watermaster will
3 assign those Basin Management Actions specified in this Judgment for Committee Consultation,
4 and may also assign other tasks to a Committee as Watermaster deems appropriate. In issuing
5 such assignments, Watermaster will include the timeline for completion of the assignment, and a
6 summary of the resources (including staff or consultant support) available to the Committee in
7 performing the assignment. Watermaster shall devote reasonable and sufficient resources for the
8 Committees to perform such assignments. Before taking action on any Basin Management
9 Action or other matter assigned to a Committee or which the Committee is considering pursuant
10 to Section 6.4, Watermaster shall consider any timely Recommendation Report. A Committee
11 may not prevent Watermaster from acting within a reasonable amount of time by withholding a
12 recommendation. If Watermaster takes an action different from a Recommendation Report, it
13 shall respond in a Response Report to the Committee's Recommendation Report in detail giving
14 reasons why specific Committee recommendations, comments, or suggestions set forth in the
15 Committee's Recommendation Report were not accepted. There must be good faith, reasoned
16 analysis in Watermaster's Response Report. The level of detail in the Response Report, however,
17 may correspond to the level of detail provided in the Recommendation Report. If the
18 Watermaster's decision on the Basin Management Action is consistent with each Committee's
19 recommendation, then no Response Report is required. Watermaster's Response Report will
20 become part of the Watermaster record maintained on the FCGMA's website.

21 6.4 **Action Independent of Watermaster Direction.** Independent of any tasks
22 assigned by Watermaster to either Committee, upon a vote of a majority of all PAC members, the
23 PAC may do any of the following: (i) issue a policy recommendation and Recommendation
24 Report to Watermaster, as specified in Section 6.8; or (ii) request that the Watermaster assign a
25 matter involving a technical question to TAC for review and the issuance of a Recommendation
26 Report to Watermaster. If the presiding officer of Watermaster agrees to refer a technical matter
27 to TAC at the request of the PAC, the presiding officer of Watermaster shall also modify the
28 timeline as is reasonable and necessary for completion of the Committee Consultation, provided

1 that nothing in this paragraph shall preclude the FCGMA from timely complying with its
2 obligations under SGMA, and in no instance may a Committee prevent Watermaster from acting
3 within a reasonable amount of time.

4 6.5 **Committee Governance.** The Committee shall elect from its members a Chair
5 and a Vice Chair. The Chair will, and in his or her absence the Vice Chair will, (i) preside over
6 all Committee meetings and (ii) serve as the spokesperson for the Committee with Watermaster
7 when called upon to do so. The positions of Chair and Vice Chair will have terms of two years.

8 6.5.1. **Meetings.** Each Committee shall establish a time and place for its
9 regular meetings. The presiding officer of the Committee may call a special meeting of that
10 Committee. A majority of a Committee may ask Watermaster’s presiding officer to call a special
11 meeting of the Committee. Each committee will hold meetings at such occurrence as is necessary
12 for the Committee to timely perform its consultation responsibilities and issue recommendations
13 and Recommendation Reports to Watermaster as provided in the Judgement and Watermaster
14 Rules. All Committee meetings must occur remotely using an electronic format that allows for
15 public participation unless an in-person meeting is requested by a majority of members. In the
16 event that an in-person meeting is requested by a majority of the Committee’s members, the
17 Committee must always provide an option for remote appearance. Each Committee shall take
18 and maintain meeting minutes and, upon approval of each set of minutes, they shall be distributed
19 to Watermaster for informational purposes at the next regular Watermaster meeting and shall be
20 maintained as a part of Watermaster records. Committee meetings shall generally follow
21 Robert’s Rules of Order.

22 6.6 **Attendance and Participation.** Members of the Committee must regularly attend
23 all Committee meetings. Any Committee member who fails to attend at least 75 percent of
24 regular Committee meetings in a calendar year shall be removed by action of Watermaster.
25 Committee members must:

26 6.6.1.1. Arrive at each Committee meeting fully prepared to discuss
27 the issues on the agenda, where such preparation includes reviewing meeting minutes, policy
28 information, and draft documents distributed in advance of the meeting;

1 6.6.1.2. Develop a problem-solving approach in which he or she
2 considers the interests and viewpoints of all stakeholders in the Basin;

3 6.6.1.3. For PAC members, present and represent the views of his or
4 her Constituency Group on the issues being discussed and be willing to engage in respectful,
5 constructive dialogue with the other members of the Committee; and

6 6.6.1.4. For PAC members, keep his or her constituent group
7 informed about ongoing issues and actively seek their input.

8 6.7 **Quorum and Voting.** A majority of the members of a Committee constitutes a
9 quorum of the Committee. No meeting of a Committee may occur without a quorum of its
10 members being present. The affirmative vote of a majority of the members present at a
11 Committee meeting is necessary for any motion to pass, except as otherwise provided. Voting on
12 all matters, including minute orders, resolutions, and Recommendation Reports, must be reported
13 in the minutes and described in a manner explaining the action taken as well as the vote or
14 abstention of each member present for the action.

15 6.8 **Recommendations from Committee.** Recommendations by a Committee must
16 be reported to Watermaster within a written report (“Recommendation Report”), which will state
17 the policy or technical rationale, as applicable, for the recommendation together with a summary
18 of the factual support for the recommendation. The Recommendation Report shall also state
19 whether the recommendation is supported unanimously or supported with a split vote, together
20 with a tally of the votes of members with a report of the bases for the votes (i.e., majority and
21 minority positions). Members will have a reasonable opportunity to review and edit the summary
22 of the basis of their vote and submit accompanying documents. Watermaster shall maintain
23 Committee records, including meeting minutes, Recommendation Reports, and accompanying
24 reports and other documents. If requested to do so by the presiding officer of Watermaster, a
25 spokesperson from a Committee shall attend any Watermaster meeting where a Committee
26 Recommendation Report will be considered by Watermaster.

27 6.9 **Compensation.** Except as provided in Section 6.11.2, no Committee member is
28 entitled to compensation for participation in Committee activities or attendance at committee

1 meetings, except as otherwise agreed to by a Committee member and any entity employing,
2 contracting for, or sponsoring that member's service on a Committee.

3 6.10 **Policy Advisory Committee.**

4 6.10.1. Purpose. The PAC is the primary advisory body to Watermaster on
5 policy-related matters of a non-technical nature to be considered by Watermaster relating to
6 Sustainable Groundwater Management in the Basin, including implementation and any
7 modification of the Groundwater Sustainability Plan, and Physical Solution governing the
8 Basin. The PAC reports directly to Watermaster. The objectives of the PAC are to:

9 6.10.1.1. Provide all Water Right Holders with a meaningful voice
10 and representation on policy matters as specified in Section 6.10.1; and

11 6.10.1.2. Provide input and recommendations to Watermaster to assist
12 Watermaster in fulfilling its duties.

13 6.10.2. Policy Advisory Committee Membership. The PAC will consist of up
14 to eleven members, with one seat assigned to each of the following Constituency Groups:

15 Basin-wide representatives:

- 16 1. Zone Mutual Water Company
- 17 2. Ventura County Waterworks Districts Nos. 1 and 19
- 18 3. Calleguas
- 19 4. Commercial
- 20 5. Watermaster Representative (Non-Voting)

21 West Las Posas Management Area representatives:

- 22 6. Large Agricultural (More than 250 AFY Allocation Basis)
- 23 7. Small Agricultural
- 24 8. Mutual Water Company

25 East Las Posas Management Area representatives:

- 26 9. Large Agricultural (More than 250 AFY Allocation Basis)
- 27 10. Small Agricultural
- 28 11. Mutual Water Company

1 Each member of the PAC will serve until that member resigns or is replaced by the
2 member's appointing Constituency Group. A member of PAC also may be removed by
3 Watermaster, following consultation with PAC, for cause where a PAC member fails to comply
4 with requirements for Committee Attendance and Participation in Section 6.7 or otherwise is
5 preventing PAC or Watermaster from carrying out their respective duties and responsibilities
6 under the Judgment. Upon a vacancy, each Constituency Group shall nominate for appointment
7 by Watermaster one or more natural persons from the vacant constituency position as further
8 specified in Watermaster Rules. Except for Calleguas, Zone Mutual Water Company, and
9 Ventura County Waterworks Districts Nos. 1 and 19, any vote within a Constituency Group
10 concerning a nomination for an appointment to PAC shall be weighted by Allocation Basis.
11 Watermaster shall appoint or decline to appoint a nominee within 60 days of the nomination and
12 shall only decline to appoint a nominee for cause. If Watermaster declines within that time period
13 to appoint any of the nominees submitted by the PAC, then the presiding officer of Watermaster
14 and the Chair of the PAC shall promptly meet to determine eligible replacement nominees or a
15 process to do so. If no appointment is made within 90 days of the vacancy, then the appointment
16 will be decided by the Court on noticed motion.

17 6.10.3. PAC Administrator.

18 6.10.3.1. Appointment. The PAC shall appoint a PAC Administrator.
19 Watermaster must consent to the approval of the appointment of the PAC Administrator, which
20 consent shall not be withheld absent a demonstration of cause. During the first three Water Years
21 following the Effective Date, the PAC Administrator shall not be the same individual as the TAC
22 Administrator. Following the end of the 2024 Water Year, Watermaster shall determine,
23 following Committee Consultation, whether or not the restriction on the possibility of the same
24 individual serving as the PAC Administrator and the TAC Administrator is necessary and
25 appropriate and thus whether or not the restriction should continue to apply. The Watermaster
26 shall report its determination in the Annual Report issued on or before April 1, 2026. Any Party
27 that disagrees with the Watermaster's determination concerning the Watermaster's determination
28 may file a motion with the Court to review the Watermaster's determination, and that case, the

1 Court shall decide whether the restriction should continue or not.

2 6.10.3.2. PAC Administrator Duties and Responsibilities. The PAC
3 Administrator shall have primary responsibility for: organizing meetings of the PAC; preparing
4 agendas for the PAC; taking and producing minutes of PAC meetings; drafting PAC
5 Recommendation Reports; circulating those Recommendation Reports for comment within the
6 PAC; integrating comments and producing final Recommendation Reports to be provided to
7 Watermaster; and presenting Recommendation Reports to the Watermaster Board during
8 Watermaster meetings to extent instructed to do so by PAC; and any other responsibilities
9 assigned by the PAC or as contained within the Watermaster Rules.

10 6.10.3.3. Removal or Replacement. The PAC Administrator may
11 only be removed in the following circumstances: (i) by a majority vote of the PAC, and with the
12 consent of Watermaster, which shall not be withheld absent a demonstration of cause; and (ii) by
13 Watermaster for cause, following PAC Consultation. In the event the PAC Administrator resigns
14 or is removed, the successor PAC Administrator shall be appointed pursuant to Section 6.10.3.1.

15 6.11 **Technical Advisory Committee.**

16 6.11.1. Purpose. The TAC is the primary advisory body to Watermaster on
17 all matters requiring technical expertise to be considered by Watermaster relating to Groundwater
18 management and sustainability of the Basin, including implementation and any modification of
19 the Groundwater Sustainability Plan and Physical Solution governing the Basin. The TAC
20 reports directly to Watermaster. The objectives of the TAC are to:

21 6.11.1.1. Provide independent and unbiased technical review and
22 recommendations, based on best available science, on matters referred to it by Watermaster; and

23 6.11.1.2. Work collaboratively and in good faith for the benefit of the
24 Basin as a whole, rather than advocate exclusively for one constituency, to achieve consensus and
25 make unified technical recommendations to the extent possible on Basin water management and
26 Groundwater sustainability.

27 6.11.2. Technical Advisory Committee Membership. TAC shall have three
28 voting permanent members, which shall be: (i) the TAC Administrator; (ii) a technical

1 representative appointed by the Constituency Groups in the East Las Posas Management Area;
2 and (iii) a technical representative appointed by the Constituency Groups in the West Las Posas
3 Management Area. The three voting permanent members shall be professional consultants with
4 qualifications set forth in Section 6.11.2.1 and the consulting fees charged by these
5 professionals shall be paid from the funds raised from the Basin Assessment. The TAC shall
6 also have one non-voting Watermaster representative. In addition to the three permanent voting
7 members and Watermaster representative, each PAC member may also appoint a non-voting
8 member to the TAC at their discretion who will not be compensated from the Basin
9 Assessment. Each member of the TAC (whether permanent or not) shall meet the requirements
10 under Section 6.11.2.1 and shall, as part of their contract with Watermaster, annually submit a
11 statement of economic interests in a form approved by Watermaster.

12 6.11.2.1. All voting TAC members must: (i) receive consent to
13 appointment by Watermaster, which consent shall not be withheld absent a demonstration of
14 cause; (ii) have at least 10 years of relevant technical experience that will assist Watermaster with
15 Basin management; and (iii) be licensed as a professional geologist or registered civil engineer in
16 the State of California in accordance with the California Business and Professions Code.

17 6.11.2.2. To maintain institutional knowledge and enhance efficiency,
18 all TAC members shall serve for two-year terms and may serve for more than one term.

19 6.11.2.3. Removal or Replacement. Voting TAC members, including
20 the TAC Administrator, may only be removed in the following circumstances: (i) by a majority
21 vote of the PAC, and with the consent of Watermaster, which shall not be withheld absent a
22 demonstration of cause; and (ii) by Watermaster for cause, following Committee Consultation. In
23 the event a voting TAC member resigns or is removed, the successor voting TAC member shall
24 be appointed pursuant to Section 6.11.2.1.

25 6.11.2.4. In addition to providing Recommendation Reports on topics
26 assigned by Watermaster or PAC, TAC may issue recommendations on any other topic requiring
27 technical expertise to PAC or Watermaster on a majority vote. Such recommendations may
28 include recommended technical studies or tests to be funded by the Basin Assessment.

1 6.11.3. TAC Administrator.

2 6.11.3.1. Appointment. The PAC shall appoint a TAC Administrator.
3 Consistent with Section 6.11.2.1, Watermaster must consent to the approval of the appointment of
4 the TAC Administrator, which consent shall not be withheld absent a demonstration of cause.

5 6.11.3.2. TAC Administrator Duties and Responsibilities. In addition
6 to its responsibilities as a voting member of the TAC, the TAC Administrator shall have primary
7 responsibility for: organizing meetings of the TAC; preparing agendas for the TAC; taking and
8 producing minutes of TAC meetings; drafting TAC Recommendation Reports; circulating those
9 Recommendation Reports for comment within the TAC; integrating comments and producing
10 final Recommendation Reports to be provided to Watermaster; and presenting Recommendation
11 Reports to the Watermaster Board during Watermaster meetings as instructed by TAC; and any
12 other responsibilities assigned by the TAC or as provided within the Watermaster Rules.

13 6.12 Watermaster Staff and Consultants. Nothing herein shall prevent Watermaster
14 from relying on technical staff and/or independent consultant(s) for the purpose of obtaining
15 technical advice, provided that Watermaster follows the procedures provided herein regarding
16 Committee Consultation. Watermaster consultant(s) and/or Watermaster staff may participate in
17 TAC meetings at Watermaster’s discretion.

18 **VII. ASSESSMENTS AND FUNDING**

19 7.1 Authorized Assessments. Watermaster shall set, levy and collect Basin
20 Assessments and fees from the Water Right Holders as described herein.

21 7.2 Need for and Administration of Basin Assessment. Management of the Basin
22 will require funding through periodic assessments of the beneficiaries of the water delivered to
23 the Basin. Accordingly, Watermaster, following Committee Consultation and at all times acting
24 as an agent of the Court, shall assess all Water Right Holders a uniform Basin Assessment per
25 acre-foot of Annual Allocation held by the Water Right Holder. Notwithstanding any other term
26 of this Section 7.2, Watermaster need not engage in Committee Consultation for the initial Basin
27 Assessment levied in calendar year 2023. Watermaster’s ability to impose such Basin
28 Assessment, acting as an agent of the Court and under its auspices and oversight, does not modify

From: [LPV Watermaster](#)
To: [Ian Prichard](#)
Subject: FW: LAS POSAS BASIN POLICY ADVISORY COMMITTEE MEETING - May 2, 2024
Date: Tuesday, May 21, 2024 12:15:16 PM

Good afternoon,

Please see email below for inclusion at the next PAC meeting.

Thank you,

LPV Watermaster

From: Bill Miller <wamsranch@aol.com>
Sent: Friday, April 26, 2024 9:07 PM
To: LPV Watermaster <LPV.Watermaster@ventura.org>
Cc: Mary Lou AM22Paulson <maryloupaulson@yahoo.com>; Alan AM25-Skobin <askobin@galpin.com>; Beau Boeckmann <beau@galpin.com>; PMI AM23-Maui <pmimaui@aol.com>; Miller, William <Wamsranch@aol.com>
Subject: Re: LAS POSAS BASIN POLICY ADVISORY COMMITTEE MEETING - May 2, 2024

WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to Email.Security@ventura.org.

To the PAC,

I am unable to attend the May 2 meeting as I will be out of the state.

I needed to discuss a serious on-going denial of an allocation for my newly drilled well. As did many of your board, I attended the LPUG meetings almost from the beginning. It became obvious in early 2010 that there was going to be a continued moratorium on drilling new wells.

At this time, I don't remember when I first applied for a permit, but I waited a long time before I finally received an approval to drill 2 wells on 2 separate parcels, in November 2012.

Because of mechanical and legal problems associated with the purchase of the drilling rig, we didn't complete the drilling until sometime in 2018. However, during that period of time we installed thousands of feet of pipe and laterals to irrigate approximately 200 acres of raw land. We also built a 7 acre-foot reservoir and installed pumps to irrigate the crops (avocados) we planned to grow.

We obviously had no historic use of the well so, the long and short of it is, that we have been given no allocation.

When my application was approved by the County and the GMA, I paid the fees requested, and signed the agreement to drill the well, that I would eventually use for irrigation purposes.

Both the GMA and the County knew that giving a permit was at the same time giving the permittee an allocation to pump water from the aquifer, probably at the existing allocation

rates then in place, for the type of crop to be planted.

I consider that permit, and the signing by the county, the GMA, and myself, to be a legal and enforceable contract.

I have spoken to a couple of the GMA board members who have told me that I must present my case to the PAC to get started.

Please address my situation at the next meeting that it is appropriate to do so.

I understand that the PAC board is somewhat still in formation, and my issues may not be immediately addressed, but I would appreciate a response, at your earliest convenience.

Sincerely, William A. "Bill" Miller. 805-531-5400

Noteworthy: The first testicular guard was used in Hockey in 1874. The first helmet was used in 1954. Thus, it took almost 100 years for men to realize that their brain was also important.