

# FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY



## BOARD OF DIRECTORS

Lynn E. Maulhardt, *Chair, Director, United Water Conservation District*

Charlotte Craven, *Vice Chair, Councilperson, City of Camarillo*

David Borchard, *Farmer, Agricultural Representative*

Steve Bennett, *Supervisor, County of Ventura*

Dr. Michael Kelley, *Director, Zone Mutual Water Company*

## EXECUTIVE OFFICER

Jeff Pratt, P.E.

## NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the Fox Canyon Groundwater Management Agency (FCGMA) will hold an **Operations Committee Meeting** from **2:00 p.m. to 4:00 p.m. on Thursday, September 12, 2013** in the **PWA Conference Room 346**, at the Ventura County Government Center, **Third Floor** of the Hall of Administration, at **800 South Victoria Avenue, Ventura, California**.

## FCGMA OPERATIONS COMMITTEE MEETING AGENDA

**September 12, 2013**

**Members:** Chair Michael Kelley  
Co-Chair Supervisor Bennett

- A. Call to Order**
- B. Introductions**
- C. Public Comment** – Audience members may speak about FCGMA-related matters not on today's Agenda.
- D. Meeting Minutes** – Approve the meeting minutes from the February 7, 2013 FCGMA Operations Committee meeting.
- E. Summary of Board Directed Follow up on the December 5, 2012 Board Item: Consultant Services for a Field Program to Collect Well and Flowmeter Data** – Discuss and provide feedback on the follow up issues and the next steps.
- F. Adjourn the Operations Committee Meeting** – Adjourn until the next Operations Committee meeting scheduled for November 20, 2013.

## NOTICES

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

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

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

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

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

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**Electronic Information and Updates:** *Our web site address is [www.fcgma.org](http://www.fcgma.org). Information available online includes the Board's meeting schedule, a list of the Board members and staff, general information, and various Agency forms. If you would like to speak to a staff member, please contact the FCGMA Clerk of the Board at (805) 654-2014.*

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## EXECUTIVE OFFICER

**Jeff Pratt, P.E.**

## MINUTES

Minutes of the Fox Canyon Groundwater Management Agency's (FCGMA) Operations Committee meeting held **Thursday, February 7, 2013** in the Atlantic Conference Room at the Ventura County Government Center, Hall of Administration, 800 South Victoria Avenue, Ventura California.

**A. Call to Order** – The meeting commenced at 2:06 p.m.

**B. Introductions** – In attendance were: (1) Dr. Michael Kelley, FCGMA Operations Committee Chair; (2) Supervisor Steve Bennett, FCGMA Operations Committee Co-Chair; (3) Gerhard Hubner, WPD, Deputy Director; (4) Rick Viergutz, WPD, Groundwater Manager; (5) Jessica Rivera, FCGMA Interim Clerk of the Board; (6) Robert Eranio, Crestview Mutual Water Company (CMWC) and Chair of the Las Posas Users Group (LPUG); and (7) Rick Dierksen, City of Camarillo.

**C. Public Comments**

Mr. Robert Eranio, CMWC and LPUG, spoke on domestic well exemptions. He provided examples to the Committee and stated he would like the opportunity to review the Ordinance Code language with Agency staff to allow exemption for wells. After some discussion, the Committee stated the item would need to be agendaized if further review was requested.

**D. Meeting Minutes**

Chair Kelley made the motion to approve the meeting minutes from the January 16, 2013 Operations Committee meeting, and Co-Chair Bennett seconded the motion.

**E. Interest and Late Penalty Calculations**

Mr. Rick Viergutz, WPD, Groundwater Manager, provided an overview of this returning item and reviewed the potential revisions to the Ordinance Code. Discussions included: (1) Agency Counsel recommendations; (2) comparisons between current and proposed processes; (3) penalty tiers, to include daily and/or monthly charges; (4) process if there were changes in property ownership; and (5) the Executive Officer's discretion. Agency staff noted they would return with a final proposed resolution change at the next scheduled Committee date.

The Committee recommended circulating the final proposed document via e-mail, rather than holding the Committee meeting, to allow the item to be agendaized on the upcoming March regular Board meeting agenda, and Agency staff agreed.

**F. Adjourn the Operations Committee Meeting**

The meeting adjourned at 3:18 p.m.

Submitted by:

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Jessica Rivera  
Clerk of the Board

**DRAFT**

# Summary of Board Directed Follow Up on Well Inspection Program

Operations Committee Meeting  
September 12, 2013

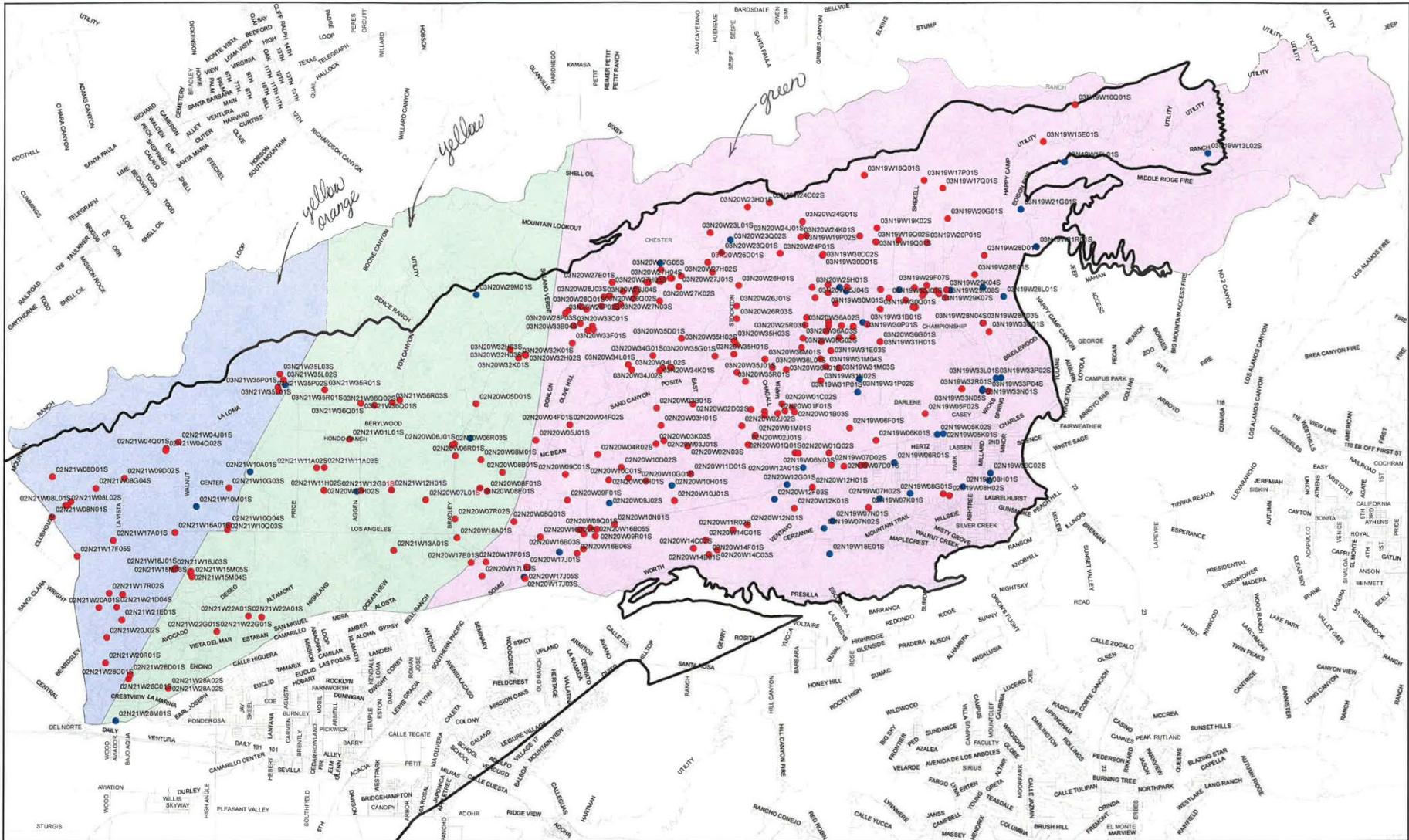


Rick Viergutz, CEG  
Groundwater Manager  
FCGMA

# Background

- The Board Item “Consultant Services for a Field Program to Collect Well and Flowmeter Data” was presented December 5, 2012.
- Staff described that it developed a Request For Proposals for consultant services for well inspections in the Las Posas Basins.
- During the RFP development process, Staff asked LPUG to review and provide comment on the draft RFP. We incorporated several, but not all, suggestions.
- Previous to the Board the Meeting, \$80,000 for the consultant services was put in the Agency 12/13 budget

# Proposed Well Inspection Area



- Legend**
- LP\_Check\_Wells
    - Other Status
    - Abandoned
    - Abandoned\_HOLD
    - Non-Compliant
    - Non-Compliant\_Abandoned
    - Abandoned
  - City/CMAA body
    - EMSA
    - WMSA
    - WMSA Monitor Only
  - Roads
  - Utility

- Legend Active In**
- Other Status
  - Abandoned\_HOLD
  - Non-Compliant
  - Non-Compliant\_Abandoned
  - Roads
  - EMSA
  - WMSA
  - WMSA-Monitor Only

# December 5, 2012 Board Direction

- 1) Agency Counsel was to research legislation change process.
- 2) LPUG would determine if the Field Program was something that should be done and if it would support being the “lead” to help open the doors for the FCGMA.
- 3) The Agency and Director Kelley were to set up a meeting with County Health to determine if the Agency could “piggyback” on their authority.



# Results of Follow Up

- 1) Counsel determined the process.
  - January 23, 2013 Board directed staff to have the Executive Committee hear proposed language.
  - Late January 2013, a spot bill was introduced to legislature.
  - February 27, 2013 the Board approved language for the proposed amendment. (language next slide)

# Results of Follow Up

- Board approved language for the proposed amendment.
- *“For the purpose of investigating compliance with or enforcing any provision of this act or any agency ordinance, the agency may inspect any extraction facility within the agency. The inspection shall be made with the consent of the owner or possessor of the extraction facility or, if consent is refused, with a warrant duly issued pursuant to Title 13 (commencing with Section 1822.50) of Part 3 of the Code of Civil Procedure.”*
- Language submitted but failed to get a sponsor.

# Results of Follow Up

## 2) Agency staff spoke with LPUG.

- LPUG did not support inspection program and was not interested in helping facilitate the kick off. LPUG Concerns included:
- The program might provide an avenue (that otherwise would not exist) to provide data to County departments, allowing future inspections. GMA staff not seen as independent of the County.
- It wondered if the program should be agency wide instead.

# Results of Follow Up

- 3) Agency staff spoke with County Health to determine if the FCGMA could team with them during well inspections. Agency Counsel investigated legality of joint inspections.
- We learned County Health conducts a small number of well inspections and is not interested in expanding well inspections.
  - Agency Counsel determined joint inspections are legal, but do not increase FCGMA authority. FCGMA can only enter a site and inspect within its existing authorities.

# Options

- Agency staff can conduct a small number (15 to 25) of well inspections over the next two months. This would be a “dry run” using the criteria (inspection check list) set up for consultant services. It will provide limited data detailing effectiveness of existing Agency authority. Data could be used to provide additional support for legislation change.

# Options

- Restart the process for a legislation change. The Agency should submit proposed legislation by December 1, 2013. The proposed legislation should include as compelling argument as practical to keep it moving forward.

# Options

- Stop; do not pursue moving forward with a legislation change, or contract for consultant services for a field program to collect well and flowmeter data.

# Specific Request

- Discuss and provide feedback on the follow up issues and the next steps.



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## MINUTES

Minutes of the Fox Canyon Groundwater Management Agency's (FCGMA) Operations Committee meeting held **Thursday, September 12, 2013** in the PWA Conference Room 346 at the Ventura County Government Center, Hall of Administration, 800 South Victoria Avenue, Ventura California.

- A. Call to Order** – The meeting commenced at 2:07 p.m.
- B. Introductions** – In attendance were: (1) Dr. Michael Kelley, FCGMA Operations Committee Chair; (2) Supervisor Steve Bennett, FCGMA Operations Committee Co-Chair; (3) Gerhard Hubner, WPD, Deputy Director; (4) Rick Viergutz, WPD, Groundwater Manager; (5) Kathleen Riedel, FCGMA, Groundwater Specialist; (6) Jessica Rivera, FCGMA Interim Clerk of the Board; (7) Tully Clifford, WPD, Director; (8) Robert Eranio, Crestview Mutual Water Company (CMWC) and Chair of the Las Posas Users Group (LPUG); (9) Rick Dierksen, City of Camarillo; and (10) Sam McIntyre, Berylwood Mutual.

**C. Public Comments** – None.

**D. Meeting Minutes**

Chair Kelley made the motion to approve the meeting minutes from the February 7, 2013 Operations Committee meeting, and Co-Chair Bennett seconded the motion.

**E. Summary of Board Directed Follow up on the December 5, 2012 Board Item: Consultant Services for a Field Program to Collect Well and Flowmeter Data**

Mr. Rick Viergutz, WPD, Groundwater Manager, provided a brief presentation on the Consultant Service for a Field Inspection Program to Collect Well and Flowmeter Data. He reported the item was presented to the Board on December 5, 2012 and the Board's direction to staff had been to: (1) have Agency Counsel research the process for a legislation change; (2) have the Las Posas Users Group (LPUG) determine if the Field Program was something that should be done and if it would support being the "lead" to help open the doors for the GMA; and (3) look into other County agencies to determine if the GMA could "piggyback" on their authority. Mr. Viergutz provided a handout detailing the follow-up results to the Board's direction, and provided several options to the Committee for consideration.

After much discussion, the Committee recommended Agency staff: (1) conduct a "dry run" on a small number of well inspections; (2) move forward with seeking the legislation change; (3) proceed with the Request for Proposal (RFP) for consultant services for the field inspection program with the caveat that the consultant only report back on well data and not on non-GMA

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related issues; and (4) provide a quick "appeal" process should an owner/operator disagree with inspection results.

**F. Adjourn the Operations Committee Meeting**

The meeting adjourned at 3:06 p.m.

Submitted by:



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Jessica Rivera  
FCGMA Interim Clerk of the Board