

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY



BOARD OF DIRECTORS

Eugene F. West, Chair, *Director, Camrosa Water District*
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EXECUTIVE OFFICER

Jeff Pratt, P.E.

NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the Fox Canyon Groundwater Management Agency (FCGMA) will hold a **VideoConference Operations Committee Special Meeting** at **2:00 p.m.** on **Monday, June 8, 2020** in **Conference Room 347**, at the Ventura County Government Center, Hall of Administration at **800 South Victoria Avenue, Ventura, California**.

IN ACCORDANCE WITH THE CALIFORNIA GOVERNOR'S EXECUTIVE STAY AT HOME ORDER AND THE COUNTY OF VENTURA HEALTH OFFICER DECLARED LOCAL HEALTH EMERGENCY AND BE WELL AT HOME ORDER RESULTING FROM THE NOVEL CORONAVIRUS, THE HALL OF ADMINISTRATION BUILDING IS CLOSED TO THE PUBLIC. TO FIND OUT HOW YOU MAY ELECTRONICALLY ATTEND THE MEETING AND PROVIDE PUBLIC COMMENT PLEASE REFER TO "NOTICES" ON PAGE 2 OF THIS AGENDA

FCGMA OPERATIONS COMMITTEE SPECIAL MEETING AGENDA

June 8, 2020

Members: Chair Steve Bennett
Vice Chair Michael Mobley

A. Call to Order / Introductions

B. Public Comments – Audience members may speak about FCGMA-related matters not on today's Agenda.

C. Agenda Review

D. The Nature Conservancy's Conservation Innovation Grant Subaward Extension – A discussion of a one-year extension of the Natural Resources Conservation Services grant to implement a Pilot Water Market in the 2020/21 Water Year.

E. Adjourn Operations Committee Special Meeting

NOTICES

The following information is provided to help you understand, follow, and participate in the meeting:

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

The following options allow for public participation:

1. *Join the Zoom Meeting as an Attendee*

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85787429493?pwd=Y1lyS2YrL0RHbWVZbkw3WUFYREQvQT09>

Password: 847372

With this option you will be able to raise your hand, and the Clerk of the Board will give you speaking abilities to make a public comment.

2. *Call-In to listen to the meeting:*

Telephone: 1 669 900 6833

Conference ID: 857 8742 9493

Password: 847372

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

If you wish to make a comment please submit your comment to the Clerk of the Board at fcgma@ventura.org. Please indicate in the Subject Line, the Agenda item number (e.g., Item No. 9). Your email will be read and placed into the record.

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.*

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.*

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

Electronic Information and Updates: *Visit <http://www.fcgma.org> (for home page information) or Facebook (for meeting updates). Information available online includes the Board's meeting schedule, a list of the Board members and staff, weather station data, general information, and various Agency forms. If you would like to speak to a staff member, please contact the Clerk of the Board at (805) 654-2014.*

FOX CANYON GROUNDWATER MANAGEMENT AGENCY



MEMORANDUM

Date: June 8, 2020
To: Operations Committee
From: Arne Anselm, Deputy Director
Subject: Item D - The Nature Conservancy's Conservation Innovation Grant Subaward Extension

Background

On October 25, 2017, your Board approved a grant subaward agreement with The Nature Conservancy to implement a Pilot Water Market, install AMI, and develop requirements for a new data management system. The grant by the Natural Resources Conservation Services proposes three phases of water market. The Water Market/AMI Pilot Program authorized on December 9, 2016, is considered "Pilot Phase 1", was limited to 30 agricultural pumpers in the Oxnard Basin and ended July 31, 2017. A Phase 2 Water Market Pilot Program open to all agricultural pumpers in the Oxnard Basin was conducted for the 2017/2018 Water Year, extended on October 12, 2018, and again on August 28, 2019. Phase 3 is planned to be an Agency-wide test of the Water Market.

Extension of Phase 2 requested by The Nature Conservancy to continue to test the Water Market through the 2020/2021 Water Year. An extension requires amending the Ordinance Extending the Phase 2 Water Market Pilot Program and modification of the Agreement with California Lutheran University (CLU) to Provide Exchange Administrator Services.

Discussion

Neither an entirely new ordinance or agreement is needed as the ordinance can be amended and the agreement modified. Changes to five sections of Phase 2 Water Market Ordinance are proposed to allow the Water Market to operate in the 2020-2021 water year. Three of changes are to align the dates in ordinance with the upcoming water year. The other two changes are needed due to the new allocation system in the Oxnard Basin. Water Market participants will now be using the same allocations as non-participants under the Ordinance to Establish an Allocation System for the Oxnard and Pleasant Valley Groundwater Basins adopted by your Board on October 23, 2019, and they will also not be required to file the Irrigation Allowance Index (IAI) reports under Ordinance 5.6.1.2. The Exchange Administrator Agreement modifications are to align the dates with the upcoming water year.

The Operations Committee's input is requested prior to bringing these items to the full Board for approval.

Attachments:

- Ordinance to Amend the Ordinance Extending the Phase 2 Water Market Pilot Program – Draft
- Modification Number 2 to Agreement Between Fox Canyon Groundwater Management Agency and California Lutheran University for Exchange Administrator Services for Extension of Phase 2 Water Market Pilot Project - Draft

AN ORDINANCE TO AMEND THE ORDINANCE EXTENDING THE PHASE 2 WATER MARKET PILOT PROGRAM

The Board of Directors of the Fox Canyon Groundwater Management Agency hereby ordains as follows:

ARTICLE 1.

Purpose

The purpose and intent of this ordinance is to extend the second phase of the Agency's Water Market Pilot Program to provide a second full year in which to evaluate the feasibility of implementing a water market in one or more of the groundwater basins within the territory of the Agency.

ARTICLE 2. Amendments

The Ordinance to Extend the Phase 2 Water Market Pilot Program adopted on October 12, 2018, is hereby amended as follows:

- A. Article 3.G. is amended to read: Market Allocation means the total extractions allowed under Emergency Ordinance E for the period August 1, 2017, through July 31, 2018.
- B. Article 3.I. is amended to read: Program Period (extended) means from August 1, 2019, through July 31, 2020.
- C. Article 4.A., first sentence, is amended to read: Phase 2 of the Water Market Pilot Program in the Oxnard Basin is hereby extended to include the period from August 1, 2019, through July 31, 2020, on the terms set forth herein.
- D. Article 7 is amended to read: This ordinance shall expire on August 31, 2020, except that the Agency may impose a surcharge for extractions during the program period in excess of a market allocation, as adjusted under this ordinance.

ARTICLE 3. Effective Date

This ordinance shall take effect and be operative 30 days after its adoption.

PASSED AND ADOPTED this 28th day of August 2019, by the following vote:

AYES: 4
NOES: 0
ABSENT: 1

By: 
Eugene West, Chair, Board of Directors
Fox Canyon Groundwater Management Agency

ATTEST: I hereby certify that the above is a true and correct copy.

By: 
Keely Royas, Clerk of the Board

**MODIFICATION NUMBER 2 TO AGREEMENT BETWEEN FOX CANYON
GROUNDWATER MANAGEMENT AGENCY AND CALIFORNIA LUTHERAN
UNIVERSITY FOR EXCHANGE ADMINISTRATOR SERVICES FOR EXTENSION
OF PHASE 2 WATER MARKET PILOT PROJECT**

This modification is made and entered into by and between Fox Canyon Groundwater Management Agency, hereinafter called "Agency," and California Lutheran University, hereinafter called "CLU."

WHEREAS, there now exists a binding agreement between Agency and CLU dated March 1, 2018 and modified on August 28, 2019, whereby Agency designated and CLU agreed to serve as a third party administrator of Agency's Phase 2 Water Market Pilot Program ("Agreement"); and

WHEREAS, Agency intends to continue the Water Market Pilot Phase 2 for a fourth water year and have CLU provide third party administrator services for the extended period.

WHEREAS, Agency and CLU desire to modify the terms of the Agreement.

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. Section 1. of the Agreement is hereby modified to read: TERM. The term of this Agreement shall commence on the date approved by Agency's governing body and end on September 30, 2021.

Except as expressly modified herein, all terms and conditions of the Agreement shall remain in full force and effect.

For: California Lutheran University

For: Fox Canyon Groundwater
Management Agency

Title:

Jeff Pratt, P.E.
Executive Officer

Date

Date

**MODIFICATION NUMBER 2 TO AGREEMENT BETWEEN FOX CANYON
GROUNDWATER MANAGEMENT AGENCY AND CALIFORNIA LUTHERAN
UNIVERSITY FOR EXCHANGE ADMINISTRATOR SERVICES FOR EXTENSION
OF PHASE 2 WATER MARKET PILOT PROJECT**

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WHEREAS, there now exists a binding agreement between Agency and CLU dated March 1, 2018 and modified on August 28, 2019, whereby Agency designated and CLU agreed to serve as a third party administrator of Agency's Phase 2 Water Market Pilot Program ("Agreement"); and

WHEREAS, Agency intends to continue the Water Market Pilot Phase 2 for a fourth water year and have CLU provide third party administrator services for the extended period.

WHEREAS, Agency and CLU desire to modify the terms of the Agreement.

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. Section 1. of the Agreement is hereby modified to read: TERM. The term of this Agreement shall commence on the date approved by Agency's governing body and end on September 30, 2021.

Except as expressly modified herein, all terms and conditions of the Agreement shall remain in full force and effect.

For: California Lutheran University

For: Fox Canyon Groundwater
Management Agency

Title:

Jeff Pratt, P.E.
Executive Officer

Date

Date

AN ORDINANCE TO AMEND THE ORDINANCE EXTENDING THE PHASE 2 WATER MARKET PILOT PROGRAM

The Board of Directors of the Fox Canyon Groundwater Management Agency hereby ordains as follows:

ARTICLE 1.

Purpose

The purpose and intent of this ordinance is to extend the second phase of the Agency's Water Market Pilot Program to provide a third full year in which to evaluate the feasibility of implementing a water market in one or more of the groundwater basins within the territory of the Agency.

ARTICLE 2. Amendments

The Ordinance to Extend the Phase 2 Water Market Pilot Program adopted on October 12, 2018, is hereby amended as follows:

- A. Article 3.G. is amended to read: Market Allocation means the total extractions allowed under Ordinance to Establish an Allocation System for the Oxnard and Pleasant Valley Groundwater Basins adopted October 23, 2019.
- B. Article 3.I. is amended to read: Program Period (extended) means from October 1, 2020, through September 30, 2021.
- C. Article 4.A., first sentence, is amended to read: Phase 2 of the Water Market Pilot Program in the Oxnard Basin is hereby extended to include the period from October 1, 2020, through September 30, 2021, on the terms set forth herein.
- D. Article 4 H. is amended to read: Extraction Statements - Program participants shall continue to report extractions in accordance with Sections 2.3.1, and 2.3.2 of the Agency Ordinance Code.
- E. Article 7 is amended to read: This ordinance shall expire on October 31, 2021, except that the Agency may impose a surcharge for extractions during the program period in excess of a market allocation, as adjusted under this ordinance.

ARTICLE 3. Effective Date

This ordinance shall take effect and be operative 30 days after its adoption.

PASSED AND ADOPTED this 24th day of June 2020, by the following vote:

AYES:

NOES:

ABSENT:

By: _____
Eugene West, Chair, Board of Directors
Fox Canyon Groundwater Management Agency

ATTEST: I hereby certify that the above is a true and correct copy.

By: _____
Keely Royas, Clerk of the Board