

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY



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INTERIM EXECUTIVE OFFICER

Arne Anselm

March 27, 2024

Board of Directors
Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, CA 93009-1600

SUBJECT: Groundwater Sustainability Plan (GSP) Annual Report for the Las Posas Valley Basin for Water Year 2023 [LPV Watermaster] – (New Item)

RECOMMENDATIONS: 1) Approve and authorize staff to submit the Water Year 2023 Annual Report for the Las Posas Valley Basin to the Department of Water Resources; and 2) Receive and file this staff report.

BACKGROUND:

Section 356.2 of the GSP Emergency Regulations sets forth the requirements for preparation and submittal of annual reports. Following adoption of a GSP, the Regulations require that an annual report for the prior water year be submitted to Department of Water Resources (DWR) by April 1 of each year.

DISCUSSION:

Dudek, working with Agency staff, prepared the GSP Annual Report for the Las Posas Valley Basin (LPVB) in accordance with GSP Emergency Regulations. The Annual Report covers Water Year 2023 from October 1, 2022, through September 30, 2023. Groundwater condition data is presented in the Report in the form of groundwater elevation contour maps, basin storage change figures, water level hydrographs and aquifer production maps.

The Annual Report was referred to the Las Posas Valley Policy Advisory Committee (PAC) on February 29, 2024. The PAC reviewed the GSP Annual Report during its March 7, 2024, regular meeting and provided feedback to the Watermaster in a Recommendation Report dated March 14, 2024 (Item 4A). Dudek, working with Agency Staff, revised the Annual Report to incorporate elements of the Recommendation Report and prepared a Response Report (Item 4B) in accordance with the Las Posas Valley groundwater adjudication (Judgment).

A summary of Staff's responses to the PAC recommendations is provided below:

PAC Recommendation #1: Request a 60-day extension on submission of the annual report to the California Department of Water Resources (DWR).

Response #1: Fox Canyon Groundwater Management Agency (FCGMA) continue to adhere to the Sustainable Groundwater Management Act (SGMA), which requires Annual Reports to be filed by April 1 of each year following the adoption of the GSP (California Water Code, §10728). April 1st is written into both, the SGMA legislation as well as the DWR Emergency Regulations (23 CCR §356.2), and it is not clear whether DWR would be able to grant such an extension for submitting an Annual Report given the absence of such a process in the legislation. By requesting an extension, FCGMA may jeopardize its reputation, built

over many years of responsible basin management, and bring extra scrutiny from DWR just as the LPVB is beginning to be managed under both SGMA and the adjudication.

PAC Recommendation #2: "Best-available science" requirement unmet.

Response #2: Incorporation of missing data and revision of draft. The PAC review of the Draft Annual Report identified missing data that was omitted from the Fall 2022 and Spring 2023 contour maps. Dudek, working with Agency Staff incorporated this missing data into the revised draft Annual Report. The missing data did not change our understanding of the system because the missing data are not part of the wells used to calculate storage in the Fox Canyon Aquifer and the water levels generally conformed with the earlier analysis.

PAC Recommendation #3: Change in Storage analysis limited to Fox Canyon Aquifer.

Response #3: Data gaps in the LPVB are known and were identified in the LPVB 2020 GSP and discussed in detail in the 2020 and 2022 LPVB GSP Annual Reports submitted to DWR. FCGMA has pursued, but not yet received funding to fill in the identified data gaps in the LPV Basin. Until such a time that funds are available to increase the number and spatial distribution of monitoring wells in the LPVB, staff will rely on available data. Staff notes the PAC's request for changes in storage calculations for two aquifer systems, but neither are considered principal aquifers in the GSP, thus no action was taken as storage calculations are only required for principal aquifers DWR Emergency Regulations (23 CCR §356.2(b)(5)(A)).

PAC Recommendation #4: ASR Wellfield operations poorly characterized.

Response #4: Change in storage discussion was revised to provide context for the ASR wellfield operations.

CONCLUSION:

The Annual Report can be viewed and downloaded from the Agency website on the GSP page at <https://fcgma.org/groundwater-sustainability-plans-gsps/>. The Annual Reports will be submitted by Agency staff to DWR via upload to the DWR SGMA Portal. Staff recommends that your Board acting as Watermaster 1) Approve and authorize staff to submit the Water Year 2023 Annual Report for the Las Posas Valley Basin; and 2) Receive and file this staff report.

This letter has been reviewed by Agency Counsel. If you have any questions, please call me at (805) 654-2954.

Sincerely,



Kudzai Farai Kaseke Ph.D., PMP, CSM
Assistant Groundwater Manager

Attachments:

- Item 4A – PAC GSP Annual Report Recommendation Report
- Item 4B – Watermaster GSP Annual Report Response Report

Gene West, Chair
Fox Canyon Groundwater Management Agency/Las Posas Basin Watermaster

March 14, 2024

Chair West:

On February 29th 2024, the Watermaster submitted to the PAC the draft 2024 Las Posas Basin Groundwater Sustainability Plan (GSP) Annual Report for committee consultation. This letter serves as our Recommendation Report. The PAC has the following recommendations.

- 1. Request a 60-day extension on submission of the annual report to the California Department of Water Resources (DWR).** In addition to the following specific comments, PAC members found errors and had questions regarding the contour maps and various other portions of the annual report. Given the subject matter, much of the report is beyond individual PAC members' ability to comment on substantively; given the compressed timeline, it was infeasible to get secondary review by technical experts. The PAC's nominees for the Watermaster Technical Advisory Committee were recently confirmed by the Watermaster. **The PAC believes it would be in the best interest of the Basin for the TAC to review the annual report.** Due to the unique circumstances of being the first filed and currently only settled adjudication after the passage of the Sustainable Groundwater Management Act (SGMA); to the requirements of the Judgment; and to where we are in adhering to the Judgment, in terms of having just constituted the TAC, the PAC considers it fully justifiable to request from DWR a 60-day extension beyond the April 1, 2024 deadline for this annual report. As Dudek notes in its March 5, 2024 letter to Watermaster, future annual reports will be delivered to the PAC and TAC for review in January of each year, which should assure DWR that such an extension is a one-time request.
- 2. "Best-available science" requirement unmet.** SGMA directs DWR to evaluate and assess GSPs, and attendant annual reports, to determine that the contents are based on the best available science and technology. It appears that much of the monitoring data collected by Calleguas Municipal Water District from across the Las Posas Basin and provided to the FCGMA/Watermaster is missing from the datasets used to build the contour maps. The PAC recommends that Dudek review its dataset to ensure all pertinent data provided to the FCGMA/Watermaster is used.
- 3. Change in Storage analysis limited to Fox Canyon Aquifer.** SGMA requires that the GSP address every principal aquifer as well as the aquifer as a whole. It appears that the change in storage analysis is limited to the Fox Canyon Aquifer, omitting Grimes, Epworth, and Upper San Pedro in the east, and the shallow alluvial system in the west. As such, the analysis appears incomplete.
- 4. ASR Wellfield operations poorly characterized.** The annual report discusses operation of the ASR Wellfield during 2022-2023, but the discussion is limited to recitation of volumes of water injected and extracted and is missing important context. Calleguas Municipal Water District receives 100 percent of its supply from Metropolitan Water District. Calleguas is in a portion of the Metropolitan system that relies almost entirely on State Water Project (SWP) water. DWR limited SWP allocations to five percent in 2022—for the second year in a row.

This was an unprecedented restriction of access to SWP supplies, which led Metropolitan to impose severe demand management actions on Calleguas as part of its Emergency Water Conservation Program. Under these conditions, including a Drought Emergency declaration from the Governor, Calleguas produced approximately 4,000 acre feet of its pre-stored water in the Basin. Since that time, Calleguas has re-injected an equal amount of water, bringing total stored water to similar levels as before the drought emergency of 2022. Given that this document represents a public record of Basin conditions and activity, it is important that ASR Wellfield operations are correctly characterized in this emergency context. Calleguas would be happy to provide detail regarding the ASR Wellfield operations for Dudek to include in the annual report.

We appreciate the opportunity to review the GSP annual report—brief as the opportunity, by nature of the timeline, was. Should the FCGMA/Watermaster desire letters of recommendation or any other kind of support in petitioning DWR for this one-time extension, we would be happy to participate.

Thank you for your consideration,

A handwritten signature in blue ink, appearing to read "Ian Prichard", is positioned above the typed name.

Ian Prichard, Chair
LPV Basin Watermaster Policy Advisory Committee

MEMORANDUM

To: Farai Kaseke, Ph.D., PMP, CSM
From: Trevor Jones, Ph.D., Jill Weinberger, Ph.D., P.G.
Subject: PAC Recommendation Report on the Draft 2024 the Annual Report for the LPVB
Date: March 20, 2024

Dudek has reviewed the March 14, 2024 Policy Advisory Committee (PAC) recommendation report regarding the Draft 2024 Las Posas Valley Basin (LPVB) Groundwater Sustainability Plan (GSP) Annual Report. The recommendation report lists four recommendations on the Draft 2024 LPVB GSP Annual Report, which covers groundwater conditions and GSP implementation efforts in water year 2023 (October 1, 2022 through September 30, 2023). This memo serves as our response to the PAC recommendation report.

PAC Recommendation #1: Request a 60-day extension on submission of the annual report to the California Department of Water Resources (DWR).

Dudek recommends that the Fox Canyon Groundwater Management Agency (FCGMA) continue to adhere to the Sustainable Groundwater Management Act (SGMA), which requires that annual reports be submitted to DWR by April 1 of each year following the adoption of the GSP (California Water Code, §10728). This date is specifically written into the SGMA legislation, as well as the DWR Emergency Regulations (23 CCR §356.2). There is no process provided in either SGMA or the DWR Emergency Regulations for a Groundwater Sustainability Agency (GSA) to request an extension for submitting an annual report, and it is not clear that DWR would be able to grant an extension because the legislation itself requires that GSAs submit an annual report by April 1. By requesting an extension, FCGMA may jeopardize its reputation, built over many years of responsible basin management, and bring extra scrutiny from DWR just as the LPVB is beginning to be managed under both SGMA and the adjudication. FCGMA was the first GSA in the state to receive approval for all GSPs it submitted to DWR, and has submitted annual reports to DWR prior to the April 1 deadline since the LPVB GSP was adopted. Dudek recommends that FCGMA submit the 2024 LPVB GSP Annual Report by April 1 and demonstrate to DWR that the additional requirements imposed by the judgement will not impede FCGMA's ability to continue to comply with SGMA.

PAC Recommendation #2: "Best-available science" requirement unmet.

Dudek revised the contour maps in the 2024 LPVB GSP Annual Report. The PAC review of the annual report found that data from eleven wells was erroneously omitted from the Fall 2022 and Spring 2023 contour maps. Dudek has revised these maps to include the data, and thanks the PAC for its careful review. The revised maps are similar to the contour maps reviewed by the PAC as the additional water levels generally conformed with the posted water levels in the maps reviewed by the PAC. Thus, the interpretation of groundwater conditions in the LPVB did not require revision after the contour maps were adjusted. Additionally, the wells that were not initially contoured are not wells that are used to calculate the change in storage in the Fox Canyon aquifer. Therefore, the change in storage calculations remain unchanged from the draft report reviewed by the PAC.

PAC Recommendation #3: Change in Storage analysis limited to Fox Canyon Aquifer.

Insufficient data exist to calculate the change in storage for any aquifer other than the Fox Canyon aquifer. The LPVB GSP identified several data gaps, including the number and spacing of dedicated groundwater monitoring wells, screened in a single aquifer, at which groundwater elevations can be used to calculate change in storage. The constraints imposed by the lack of data were discussed in the 2020 LPVB Annual Report and again, in detail, in the 2022 LPVB GSP Annual Report. Since the GSP was submitted to DWR, FCGMA applied for, but was not awarded, grant funding through DWR's Sustainable Groundwater Management grant program to fill the identified data gaps in the LPVB. The overall data coverage is reflected in the representative monitoring well network with the Epworth Gravels aquifer and Grimes Canyon aquifer each having one representative monitoring well, and the shallow alluvial aquifer having two representative monitoring wells. In contrast, there are 11 representative monitoring wells the Fox Canyon aquifer. We also note that the PAC requested change in storage calculations for the Upper San Pedro Formation in the East Las Posas Management Area and the shallow alluvial system in the West Las Posas Management Area. Neither of these are considered principal aquifers in the GSP.

PAC Recommendation #4: ASR Wellfield operations poorly characterized.

Change in storage discussion was revised to provide context for the ASR wellfield operations. Dudek added the following sentences, based on the information provided by the PAC, to Section 2.6.1 of the 2024 LPVB GSP Annual Report: "In 2021 and 2022, in response to limited State Water Project allocations and a Drought Emergency declaration from the Governor, CMWD produced approximately 4,000 AF of its pre-stored water in the LPVB. The injection of 4,058 AF in water year 2023 brings the total temporary stored water in the LPVB back to similar levels as before the drought emergency of 2022."