

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY



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INTERIM EXECUTIVE OFFICER

Jeff Palmer

June 13, 2025

Board of Directors
Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, CA 93009-1610

SUBJECT: Las Posas Valley Policy Advisory Committee (PAC) Member Attendance [LPV Watermaster] – (New Item)

RECOMMENDATIONS: (1) Receive a presentation from Watermaster staff on the LPV Adjudication Judgment's attendance and participation requirements for the Policy Advisory Committee (PAC) and the Technical Advisory Committee (TAC); (2) Remove the East Las Posas Management Area Small Agriculture representative from the PAC for failing to meet attendance requirements; and (3) Notify the East Las Posas Management Area Constituent Group to convene a meeting and hold a vote to elect a new representative to fill the vacancy.

BACKGROUND:

The judgment entered in *Las Posas Valley Water Rights Coalition, et al. v. Fox Canyon Groundwater Management Agency*, Santa Barbara Sup. Ct. Case No. VENC100509700 (Judgment), creates two stakeholder committees, the PAC and TAC. The committees' function "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.) While the TAC is "the primary advisory body to Watermaster on all matters requiring technical expertise," the PAC is "the primary advisory body to Watermaster on policy-related matters of a non-technical nature." (Judgment, §§ 6.10.1, 6.11.1.) In addition, the PAC's objectives are to "[p]rovide all Water Right Holders with a meaningful voice and representation on policy matters" and "[p]rovide input and recommendations to Watermaster to assist Watermaster in fulfilling its duties." (Judgment, §§ 6.10.1.1, 6.10.1.2.)

The PAC is an 11-member body that consists of 5 basin wide representatives from Zone Mutual Water Company, Ventura County Water Works Districts Nos. 1 & 19, Calleguas Municipal Water District, Commercial Water Right Holders, and the LPV Watermaster (*non-voting*) and 6 representatives from the East and West Management Areas (Large Agriculture, Small Agriculture and Mutual Water Companies) of the Las Posas Valley Groundwater Basin. (Judgment, § 6.10.2.) Pursuant to the provisions of the Judgment,

PAC representatives were nominated and elected by their respective Landowner Constituency Groups between October 17 and 23, 2023 and the Fox Canyon Groundwater Management Agency Board of Directors, acting as Watermaster, appointed those representatives to serve on the PAC at its November 17, 2023, special meeting. Each member of the PAC serves until that member resigns or is replaced according to the Judgment. (Judgment, § 6.10.2, Exh. A, § 3.1.6.) In the event of a vacancy, the applicable Landowner Constituency nominates a replacement pursuant to the procedure set forth in the Judgment. (Judgment, § 6.10.2, Exh. A, § 3.1.6.)

Because of the important policy and technical advisory roles PAC and TAC play to inform Basin Management decisions, the Judgment provides attendance and participation requirements for PAC and TAC members: “Members of the Committee must regularly attend all Committee meetings. Any Committee member who fails to attend at least 75 percent of regular Committee meetings in a calendar year shall be removed by action of Watermaster.” (Judgment, § 6.6.) While this requirement applies to both PAC and TAC members, Section 6.10.2 of the Judgment provides the specific process for removing a PAC member that fails to comply with the attendance and participation requirement:

A member of PAC also may be removed by Watermaster, following consultation with PAC, for cause where a PAC member fails to comply with requirements for Committee Attendance and Participation in Section [6.6] or otherwise is preventing PAC or Watermaster from carrying out their respective duties and responsibilities under the Judgment. (Judgment, § 6.10.2.)

In addition to attendance requirements, the Judgment imposes participation requirements on PAC members, including to be “present and represent the view of his or her Constituency Group on issues being discussed and be willing to engage in respectful, constructive dialogue with other members of the Committee” and “keep his or her [C]onstituency [G]roup informed about ongoing issues and actively seek their input.” (Judgment, §§ 6.6.1.3, 6.6.1.4.)

DISCUSSION:

In calendar year 2024, PAC held 17 regular meetings. PAC meeting minutes indicate that not all members met the 75% requirement for regular meeting attendance (Exhibit 19A). Specifically, the East Las Posas Management Area (ELPMA) Small Agriculture representative attended only 9 of 17 (approximately 53%) of regular PAC meetings in 2024.

On May 06, 2025, Watermaster staff submitted a committee consultation to the PAC requesting policy recommendations on whether the ELPMA Small Agriculture representative, Mr. Waters, should continue to serve on the PAC (Exhibit 19A). The PAC deliberated on this issue at its May 15, 2025, meeting and provided recommendations in a recommendation report dated May 15, 2025 (Exhibit 19B). The PAC recommends that, “in the case of a PAC representative whose attendance has not met the threshold outlined in the Judgment, the Watermaster, in coordination with the PAC member, shall convene a meeting of the Constituency Group to nominate a representative to the PAC. If the

Constituency Group nominates the individual currently serving as the PAC representative, the Watermaster shall permit them to continue serving on the PAC.” In addition, the PAC will begin the practice of including an attendance record in meeting minutes.

The PAC’s recommendations are not consistent with the Judgment’s requirements and language. Section 6.6 of the Judgment is clear, “Any Committee member who fails to attend at least 75 percent of regular Committee meetings in a calendar year shall be removed by action of Watermaster.” Further, Section 6.10.1 of the Judgment provides for removal, following PAC consultation, of “a PAC member [that] fails to comply with requirements for Committee Attendance and Participation...” Here, the ELPMA Small Agriculture representative, failed to attend 75% of regular PAC meetings in 2024 (Item 18A). This failure requires Watermaster to remove the ELPMA Small Agriculture representative from the PAC. Moreover, the ELPMA Small Agriculture representative’s nonattendance prevents him from satisfying the Judgment’s participation requirements. As a PAC member, the Judgment requires the ELPMA Small Agriculture representative to be “present and represent the view of his or her Constituency Group on issues being discussed” and “keep his or her [C]onstituency [G]roup informed about ongoing issues and actively seek their input.” (Judgment, §§ 6.6.1.3, 6.6.1.4.) The ELPMA Small Agriculture representative’s failure to attend PAC meetings prevents him from representing the views and interests of the ELPMA Small Agricultura Constituency Group at PAC meetings and precludes him from reporting on PAC activities to the group. The PAC recommendation should not be followed because it is Watermaster’s responsibility (not PAC’s responsibility) to appoint and remove committee members. (See Judgment, § 6.6, 6.10.2.)

CONCLUSION:

Staff recommends that your Board 1) receive and file this presentation on the LPV Adjudication Judgment’s attendance and participation requirements for the PAC and TAC; 2) remove the East Las Posas Management Area Small Agriculture representative from the PAC for failing to meet attendance requirements; and 3) notify the East Las Posas Management Area Constituent Group to convene a meeting and hold a vote to elect a new representative to the PAC.

Sincerely,



Kudzai Farai Kaseke (Ph.D., PH, PMP, CSM)
Assistant Groundwater Manger

Attachments:

- Exhibit 19A – Watermaster Memo to PAC and 2024 Rooster (05/06/25)
- Exhibit 19B – PAC Recommendation Report (05/15/2025)

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

LAS POSAS VALLEY WATERMASTER



MEMORANDUM

Date: May 06, 2025
To: Las Posas Valley Watermaster Policy Advisory Committee
From: Kudzai F. Kaseke, Assistant Groundwater Manager
Subject: Policy Advisory Committee Member Attendance

Dear Las Posas Valley Watermaster Policy Advisory Committee (PAC):

The Las Posas Valley Adjudication (LPV) Judgment (Judgment) creates two stakeholder committees, the PAC and the Technical Advisory Committee (TAC), “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.) While the TAC is “the primary advisory body to Watermaster on all matters requiring technical expertise,” the PAC is “the primary advisory body to Watermaster on policy-related matters of a non-technical nature.” (Judgment, §§ 6.10.1, 6.11.1.) In addition, the Judgment provides that PAC’s objectives are to “[p]rovide all Water Right Holders with a meaningful voice and representation on policy matters” and “[p]rovide input and recommendations to Watermaster to assist Watermaster in fulfilling its duties.” (Judgment, §§ 6.10.1.1, 6.10.1.2.)

The PAC’s membership is prescribed by the Judgment. The PAC consists of 5 basin wide representatives (Zone Mutual Water Company, Ventura County Water Works Districts Nos. 1 & 19, Calleguas, Commercial and Watermaster Representative (*non-voting*)) and 6 representatives from Large Agriculture, Small Agriculture and Mutual Water Companies from the East and West Management Areas. (Judgment, § 6.10.2.) Following entry of the Judgment, Watermaster notified Water Right Holders to inform them of their placement in specific Constituent Groups according to the Judgment’s requirements (see Judgment, § 6.10.2), and thereafter coordinated and noticed Constituent Group meetings for Constituent Groups to elect their respective PAC representatives. (See Judgment, Exh. A, § 3.1.) Constituent Groups elected their PAC representatives between October 17 and October 20, 2023, and the Fox Canyon Groundwater Management Agency Board of Directors, acting as Watermaster, appointed those PAC representatives at its November 17, 2023 special meeting.

Because of the important policy and technical advisory roles PAC and TAC play to inform Basin Management decisions, the Judgment provides attendance and participation requirements for PAC and TAC members: “Members of the Committee must regularly attend all Committee meetings. Any Committee member who fails to attend at least 75 percent of regular Committee meetings in a calendar year shall be removed by action of Watermaster.” (Judgment, § 6.6.) While this requirement applies to both PAC and TAC members, Section 6.10.2 of the Judgment provides the specific process for removing a PAC member that fails to comply with the attendance and participation requirement:

A member of PAC also may be removed by Watermaster, following consultation with PAC, for cause where a PAC member fails to comply with requirements for Committee Attendance and Participation in Section [6.6] or otherwise is preventing PAC or Watermaster from carrying out their respective duties and responsibilities under the Judgment. (Judgment, § 6.10.2.)

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In addition to attendance requirements, the Judgment requires PAC members to “present and represent the view of his or her Constituency Group on issues being discussed and be willing to engage in respectful, constructive dialogue with other members of the Committee” and “keep his or her [C]onstituency [G]roup informed about ongoing issues and actively seek their input.” (Judgment, §§ 6.6.1.3, 6.6.1.4.)

In 2024, PAC held 17 regular meetings. PAC meeting minutes indicate that not all members met the 75% requirement for regular meeting attendance. (See Attachment A.). Specifically, the East Las Posas Management Area (ELPMA) Small Agriculture representative attended only 9 of 17 (approximately 53%) of regular PAC meetings in 2024. Watermaster requests PAC’s policy recommendations on whether the ELPMA Small Agriculture representative should continue to serve on the PAC. An item regarding this issue will be included on the next Fox Canyon Board Groundwater Management Agency Board of Directors (acting as the Watermaster Board) regular meeting agenda. Watermaster requests your committee’s recommendations and feedback via the email below by May 20, 2025.

Please contact me at 805 654 2010 or LPV.Watermaster@ventura.org with any questions or concerns.

Watermaster Policy Advisory Committee 2024 Regular Meeting Attendance Roster

Constituency Group	18-Jan-24	1-Feb-24	15-Feb-24	07-Mar-24	21-Mar-24	4-Apr-24	2-May-24	16-May-24	6-Jun-24	1-Aug-24	15-Aug-24	5-Sep-24	19-Sep-24	17-Oct-24	7-Nov-24	21-Nov-24	19-Dec-24	Attendance	% Attendance
Zone Mutual Water Company	x	x	x	x	x	-	x	x	x	x	x	-	x	x	x	x	x	15	88
Calleguas Municipal Water District	x	x	x	x	x	x	x	x	x	x	x	x	x	-	x	x	x	16	94
VC Waterworks D 1 & 19	x	x	x	-	-	x	x	x	vacant				x	x	x	-	-	9	
Commercial	x	x	x	x	x	-	-	-	vacant							x	-	6	
Watermaster	x	x	x	x	x	x	x	-	-	x	x	-	x	x	x	x	x	14	82
East Las Posas Large Agriculture	x	x	x	x	-	x	-	x	x	x	x	x	x	x	x	x	x	15	88
East Las Posas Small Agriculture	x	x	-	-	x	x	x	-	-	x	x	-	x	-	-	-	x	9	53
East Las Posas Mutual Water Company	x	x	x	x	x	x	x	x	x	x	x	-	x	x	-	x	x	15	88
West Las Posas Large Agriculture	x	x	x	x	x	x	x	-	x	x	x	x	x	x	x	x	x	16	94
West Las Posas Small Agriculture	x	x	x	x	x	x	x	x	x	-	x	x	x	x	x	x	x	16	94
West Las Posas Mutual Water Company	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	17	100
Total Meetings																		17	

FCGMA Board Special Meeting, June 13, 2025
Item 19B - 20250515 PAC Recommendation Report

TO: Las Posas Valley Watermaster

FROM: Las Posas Valley Watermaster Policy Advisory Committee

RE: Recommendation Report – Committee Attendance

DATE: May 15, 2025

The Las Posas Valley Watermaster Policy Advisory Committee (PAC) provides this Recommendation Report on Committee Attendance.

Recommendation:

See memo below for recommendation.

Policy Rationale for Recommendation:

See memo below for rationale.

Summary of Facts in Support of Recommendation:

See memo below for complete summary of facts.

Tally of Committee Member Votes:

	YES	NO	ABSTAIN	ABSENT
Ian Prichard, Calleguas MWD	X			
Jeff Palmer, VC WWD No. 1 & 19				X
John Menne, Zone MWC	X			
Rob Grether, West LPV Large Ag	X			
David Schwabauer, East LPV Large Ag	X			
Josh Waters, East LPV Small Ag	X			
Richard Cavaletto, West LPV Small Ag	X			
Laurel Servin, East LPV MWC	X			
Steven Murata, West LPV MWC	X			
Arturo Aseo, Commercial				X

Report of Bases for Majority and Minority Committee Member Positions:

PAC Recommendation Report Regarding Committee Attendance

On May 6, 2025, Watermaster sent the Las Posas Valley Basin Watermaster Policy Advisory Committee (PAC) a committee consultation request regarding the procedure for Committee members failing to meet the attendance requirement outlined in the Judgment.

At its May 15, 2025 meeting, the PAC voted to recommend that, in the case of a PAC representative whose attendance has not met the threshold outlined in the Judgment, the Watermaster, in coordination with the PAC member, shall convene a meeting of the Constituency Group to nominate a representative to the PAC. If the Constituency Group nominates the individual currently serving as the PAC representative, the Watermaster shall permit them to continue serving on the PAC.

For its part, the PAC will begin the practice of including an attendance record in meeting minutes.