

Sustainable Groundwater Management Act Implementation

# Oxnard Subbasin and Pleasant Valley Basin Stakeholder Issue Assessment

Findings and Recommendations

August 18, 2020



Developed by Senior Mediator Gina Bartlett and Senior Associate Ekow Edzie, Consensus Building Institute

## **About this Document**

The intent of this document is to outline the breadth of issues and interests of stakeholders in the subbasins and outline recommendations to inform next steps for moving forward with a facilitated process. For any comments or questions, please contact Gina Bartlett ([Gina@cbi.org](mailto:Gina@cbi.org)) or Ekow Edzie ([EEdzie@cbi.org](mailto:EEdzie@cbi.org)).

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## Executive Summary

**Stakeholders across the Oxnard Subbasin and Pleasant Valley Basin, representing a broad range of water interests, report a common need for certainty about future water supply to allow for long-term planning.**

Further, stakeholders believe that encouraging robust conjunctive water use is a key component of sustainable groundwater management and would like groundwater management to incentivize and incorporate conjunctive use as part of the overall water resources management. While views differ among stakeholders about which methodology is most appropriate to establish initial groundwater allocations, many stakeholders suggest that equity and burden-sharing are key principles that should guide these decisions. Some stakeholders stress that a stakeholder-driven allocation and ramp-down strategy is fundamental to broader groundwater sustainability planning efforts.

Broadly speaking, stakeholders are motivated to work towards achieving groundwater sustainability; they understand this will involve reducing water consumption but want to approach the issue from a problem-solving mindset and embrace all opportunities that increase water supply and reduce groundwater depletion. Stakeholders believe that regional groundwater management authorities can incentivize basin-wide collaboration on projects and initiatives that will advance groundwater sustainability by adopting meaningful stakeholder engagement practices, by cultivating trust, and by employing a transparent process that is grounded in science for all technical analyses that inform policy decisions.

The Consensus Building Institute, an independent nonprofit organization that helps groups collaborate, conducted 22 interviews with 45 people in the Oxnard and Pleasant Valley Basins. CBI finds conditions within Oxnard and Pleasant Valley basins to be amenable to a facilitated process for stakeholders to build toward consensus on a path to achieve regional groundwater sustainability.

**CBI recommends moving forward with a facilitated process with a focus on transparency and diverse representation across interest groups. The facilitated process should encompass a broad set of issues to maximize opportunity and build value for all stakeholders.** Recommended issues to be discussed include allocation ramp-down strategy, sustainable yield calculation, project development, replenishment fees and water governance.

Key to success would be designing and implementing a robust public engagement strategy.

## Introduction

In early spring 2020, the Consensus Building Institute (CBI), a nonprofit organization that provides impartial facilitation services to help groups collaborate, conducted a stakeholder issue assessment on groundwater management in the Oxnard Subbasin and Pleasant Valley Basin (collectively referred to as "basins" in this report) in Fox Canyon in Ventura County, California. The California Department of Water Resources has prioritized these basins to require compliance with California's Sustainable Groundwater Management Act (SGMA). The Fox Canyon Groundwater Management Agency (GMA) secured the services of CBI via the Department of Water Resources, which funds independent facilitation services to foster discussions among groundwater sustainability agencies and local stakeholders to assist in implementing SGMA. This findings report represents the first step in CBI's work on this effort: an in-depth assessment of local stakeholder perspectives on the range of issues and opportunities tied to sustainable groundwater management under SGMA. The assessment summarizes interview findings to inform the potential formation of a facilitated process. CBI has also determined that the conditions exist to convene a facilitated process. CBI recommends that the GMA convene a Core Stakeholder Group with broad engagement to support problem solving and build widespread support for policy recommendations that the GMA board would consider adopting. Immediate next steps would involve CBI and stakeholders working together to identify representatives of a Core Stakeholder Group and to develop a charter, work plan, and engagement plan.

## Methodology

On Feb. 26, 2020, CBI facilitators Gina Bartlett and Ekow Edzie met with staff of the Fox Canyon GMA to learn about groundwater sustainability planning in the Oxnard Subbasin, Pleasant Valley Basin, and Las Posas Valley Basin to prepare to conduct a stakeholder issue assessment and explore a potential facilitated process. CBI worked with GMA staff to identify initial contacts in the Oxnard Subbasin and Pleasant Valley Basin. Then, CBI began conducting interviews, inviting interviewees to recommend others to participate in the assessment process. CBI invited many of those recommended to interview, aiming to speak with individuals or organizations representing a range of interests, deepen CBI's

understanding, and ultimately make recommendations for if or how to proceed with a facilitated process. Facilitators typically continue the interview process until no significant new information is emerging or, alternatively, much of the information being discussed is similar to what others have shared.

During this time period, CBI conducted 22 interviews with 45 individuals. The Appendix has a complete list of interviewees. Interviews were confidential; interviewees gave CBI permission to share insights without attribution in this findings report. Interviewees were provided a preliminary draft of interview findings to have an opportunity to identify any major omissions or mischaracterization of any shared concepts. Once CBI received interviewee feedback, CBI presented draft findings at a GMA board special meeting on June 12, 2020, inviting the board and the public to learn about the assessment process together. CBI then incorporated a few additional ideas shared during the board special meeting and shortly thereafter to complete this report.

CBI has done its best to summarize the major themes and insights shared during interviews. However, these few pages cannot do justice to all of the in-depth conversations and perspectives shared. Rather, the intent of this document is to outline the breadth of issues and interests of stakeholders in the subbasins to inform next steps in a facilitated process.

## Part 1: Interview Findings

This section of the assessment report presents the central themes, interests, and concerns that stakeholders expressed in the Oxnard and Pleasant Valley Basins. It presents discussion of opportunities to build towards agreement on key issues and makes clear the areas of contention. This section concludes with a synopsis of stakeholders' recommendations for the convening process.

### Certainty for Long-term Planning and Sustainable Yield

Stakeholders representing all major interest groups in Fox Canyon express the importance of projecting their near-term and future water supply for planning and investment. Stakeholders from all sectors across both basins understand that groundwater-use reductions are coming in the future. That being said, many water users are typically planning six to 20 years ahead to ensure the success of their business or fulfillment of their mandates. As such, a first-order priority for stakeholders is clear establishment of the sustainable yield of the basin. Stakeholders understand that this figure will shape both the end goal of water conservation measures as well as the slope of the water reduction path. Therefore, stakeholders believe the sustainable yield should be calculated

through a transparent scientific process that includes meaningful dialogue with all stakeholders. Further, some interviewees suggest that stakeholders' ability to plan their future water use is a necessary precursor to their engagement with regional groundwater sustainability initiatives, noting that the lack of clarity about their future supply handicaps their ability to strategize on projects and potentially jeopardizes support for funding regional water supply projects.

### Public Resource and Benefit

A few stakeholders tie water resources to public interest and benefit. These stakeholders believe that groundwater management needs to be thought about with a long-term interest of supply over time and as a public resource. These stakeholders feel compelled to employ management actions to curtail saltwater intrusion and realize sustainability. One stakeholder notes that the GMA board is concerned with equity, a viable economy, and the overall health of the community. Another interviewee recommends that everyone work for the aquifer – suggesting that if the aquifer is healthy, the community and economy will also enjoy health and prosperity. Most characterize the suite of issues as a consummate supply and demand challenge – demand far exceeds supply.

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*"If we make good policy for the aquifer, it's good for everyone."*

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### Transparency, Data, and Management

Stakeholders report that the new Advance Metering Infrastructure (AMI) system and water market approach have the potential to realize a higher degree of transparency and ability to set and follow through on pumping limits, improving groundwater management. Some stakeholders express frustration with reports of inaccurate voluntary reporting and regulated entities pumping beyond allowances. Stakeholders acknowledge that adequate infrastructure and accounting are necessary components to manage and, in reality, regulate groundwater pumping. Most concur that past systems have been complicated and made reporting difficult even for those who wanted to comply.

### Ramp Down

Stakeholders express the importance of a ramp-down strategy that extends logically from the sustainable yield calculations. Interviewees believe that stakeholders should form the ramp-down strategy to manage for different beneficial uses, including municipal, differing crop types, and

surface water. Some stakeholders highlight the diversity of agriculture and broad range of water demand across farming operations in the Oxnard Subbasin and Pleasant Valley Basin. These stakeholders suggest that the ramp-down plan should take this agricultural diversity into account and aim for a strategy that results in equitable burden-sharing across high, medium, and low water-use operations. Stakeholders suggest that determining how to factor surface water into the ramp down will be key.

As of now, stakeholders report that they do not have clarity on either the sustainable yield or the ramp-down process. Most stakeholders are optimistic, however, and believe that if these cornerstones of groundwater sustainability planning are addressed with strong stakeholder input and a transparent scientific process, water users will be able to do their part in adapting their operation to the needs of the basin.

### Equity and Burden Sharing

Many have a long, multi-generational history in Fox Canyon agriculture and express appreciation for the region's ability to continue farming on the edge of high density urban life, recognizing that the area has become more and more urban over the years. And, newcomers express commitment to the investments that they have made in Fox Canyon. These perspectives likely shape the notion that many stakeholders suggest: the principles of equity and burden-sharing should guide initial groundwater allocations. Stakeholders report that initial groundwater allocations have significant implications across many of the key dimensions of their water management strategies, including near term water-use (demand) reduction requirements, the availability of water credits to sell on the water market, decision making around conjunctive-use water practices, and, more generally, flexibility in water supply in the future. Because initial groundwater allocations have such broad implications for stakeholders' water management decisions and opportunities, many suggest that an equitable groundwater allocation design is essential to build a foundation for constructive collaboration on groundwater sustainability initiatives in the future. Most stakeholders discuss the allocation plan as a primary driver for any collaborative process, and several mentioned GMA Board Chair Gene West's direction to this effect at the February GMA board meeting.

### Allocation

As a starting point for an equitable groundwater allocation, many stakeholders suggest that allocations should reflect the best available estimates of stakeholders' current and future total water needs. Stakeholders generally acknowledge that any water-need estimation method will have trade-offs and limitations. Stakeholders do, however,

offer insights as to which dimensions of water-need estimation they value. Some stakeholders stress the importance that the estimation methodology incorporate water-use data that reflects a broad range of inter-year climate variation. Other stakeholders highlight the value of an estimation method based on data that reflect stakeholders' most recent water-use patterns. And, others remind that General Plans and Regional Housing Needs Assessment drive municipal water needs.

As an additional variable, many stakeholders highlight the importance of appropriate consideration of water rights as fundamental to an equitable groundwater allocation scheme. Stakeholders observe that the recent allocation ordinance triggered concerns about water rights when landowners viewed the ordinance as stranding land with a “zero allocation.” Many stakeholders view “zero allocations” as counter-productive to incentivizing collaboration on groundwater sustainability efforts; instead, these stakeholders argue that allocation strategy should aim to bring stakeholders to the table to avoid a scenario with stark winners and losers. The thinking behind this perspective broadly captures most stakeholders' attitudes on the topic of groundwater allocations: despite differences in stakeholders' views on water-need estimation methods, most stakeholders feel that more work is needed on allocation (“...the process is incomplete...”), and stakeholders need to come together to facilitate cooperation.

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*“We know we have to give something up; others do too. We are ready to work together.”*

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Some stakeholders point out that the allocation ordinance's treatment of stakeholders' historical conjunctive use practices will have implications for the future of conjunctive use in the region. Broadly speaking, most stakeholders view holistic water management and robust conjunctive use as key factors to sustainable water management. These stakeholders report that many water users in the region chose to embrace conjunctive use practices and water efficiency technologies in the past – water management decisions that have yielded benefits to regional groundwater supply. Stakeholders underscore the importance of respecting these contributions to groundwater sustainability within the allocation ordinance as a means to incentivize these practices in the future.

Another variable is the negotiated 60-40 split between agriculture and municipal and industrial users. This negotiation took place as part of

crafting a proposed plan for allocation. One stakeholder cites the rumors that this split is being questioned as indicative of the lack of communication among different water user groups.

Lastly, stakeholders acknowledge the lack of agreement within the agricultural community on how to manage allocation. One stakeholder observed that the GMA board attempted to bridge the gap. Some agriculture stakeholders express disappointment, frustration, and significant upset and anger about this course of events to establish the base period and allocation ordinance and the implications for groundwater management. Other interests express an ambivalence toward the allocation ordinance and preference to look forward to advance active groundwater management.

### Managing for Conjunctive Use: Groundwater and Surface Water

Stakeholders broadly express the importance of managing groundwater and surface water together. They report that this approach to water management provides stakeholders the flexibility to rely on surface water when possible – a net benefit for the basins – without sacrificing the flexibility to turn to groundwater when needed. Many stakeholders suggest that this flexibility is essential to their ability to effectively steward their farm or city. Some stakeholders specifically recommend moving towards adoption of the “One-Water” concept, a framework that supports and promotes cohesive, full-spectrum water management.

As discussed, many stakeholders suggest that the first step in building the groundwork for a future of robust conjunctive water use practice is to avoid penalizing early-adopters of conjunctive use in practices in the allocation ordinance and ramp-down planning. This sentiment was particularly poignant for some municipal stakeholders; going forward, those stakeholders specifically would like to discuss the treatment of credits under Emergency Ordinance E. Stakeholders who have made investments and management decisions in favor of conjunctive use are keen to continue along this pathway in the future, so long as doing so will not introduce additional risk into their water-supply planning as compared to stakeholders who primarily rely on groundwater.

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*“You can't start an initiative about sustainability projects in the future in an environment where people have been punished for being proactive on sustainability projects in the past.”*

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Further, some stakeholders suggest that, with the right incentives in place, there is significant opportunity to expand conjunctive use practices in the future through infrastructure projects and creative financing solutions.

## Proactive Project Development

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*"Name the problem and then design projects to achieve the objectives in the plan...the projects are bigger than any one agency."*

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Generally, stakeholders feel that the Oxnard and Pleasant Valley basins should take a more proactive stance towards projects that have the potential to increase regional water supply, as part of groundwater sustainability planning. Additionally, some stakeholders highlight existing water supply projects that are being under-utilized. As context to these comments, many stakeholders mention the region's historical success building infrastructure projects to increase water supply. These stakeholders convey a desire to rekindle this spirit of creativity and forward-thinking optimism. Some stakeholders specifically highlight water-infrastructure project planning as an opportunity to coalesce Oxnard and Pleasant Valley water users around sustainability planning efforts. Some stakeholders direct that projects that increase supply must link directly to any ramp-down scenario, while others caution that the region has a tendency to "kick the can down the road," so projects should only be factored into the ramp down if they are funded and "shovel-ready."

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*"Once people start seeing new water flowing, attitudes change."*

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When factoring projects into groundwater sustainability planning, many stakeholders stressed the importance of pursuing the most cost-effective and efficient options first. One aspect of this approach is fully utilizing the projects that currently exist to their maximum potential. Another aspect is – all things held equal – prioritizing economic projects over extravagant ones. As one stakeholder states, "We don't want to do a million-dollar project if we can do a half-million dollar one that's better." Some envision that state grants will be able to contribute significantly to projects, especially if the GMA or other project proponents are able to leverage funds that pumpers contribute.

## Regional Approach

When talking about projects, nearly all stakeholders highlight the importance of a regional approach. Stakeholders suggest that, because groundwater sustainability is a regional issue, water-supply projects need to be led by a regional entity. Stakeholders suggest that, otherwise, projects are likely to be too small in scale to make a significant contribution to groundwater planning efforts and, further, that the water users would be less likely to identify the highest-value opportunities. To cultivate the conditions for strong regional cooperation on project development, many stakeholders specifically point to the importance of trust between water users and water supply project leadership.

Stakeholders also underscore the importance of an equitable project finance strategy. Most stakeholders express a willingness to pay a replenishment fee as means to support water supply projects, for example, but stress the importance of having stakeholder input on project strategy. Others question whether pumpers will be willing to share the burden of project costs across the region if those pumpers perceive a lack of direct benefit. Some stakeholders noted saltwater intrusion as a prime reason for urgency in structuring an equitable replenishment fee structure. These stakeholders suggest that there are projects that are “low-hanging fruit” that could address saltwater intrusion.

In addition to cultivating infrastructure-oriented projects, some stakeholders highlight that if groundwater management were approached more holistically, there could be opportunity to creatively deploy an equitable system of fees and/ or credits to incentivize some stakeholders to put additional water into the ground for the benefit of the basins.

## Governance and Administration

A number of stakeholders raise questions around groundwater management governance and administration. Stakeholders explain that the GMA was designated as the Groundwater Sustainability Agency in the SGMA legislation, pre-supposing that the GMA was the appropriate structure to manage groundwater under a new regulatory framework over the next 50 years. Several stakeholders lament that the broader community did not have an opportunity to evaluate what form of governance might best serve groundwater management going forward. That being said, many view the expanded authorities that SGMA provides the GMA on the water supply side as positive developments that the region will need to draw upon to achieve sustainability.

Some stakeholders express concern that because GMA staff are Ventura County employees, staff could be inclined to advocate a groundwater management strategy that favors the County's interests or conflates the Water and Sanitation Department, the County Waterworks Districts<sup>1</sup>, well permitting, and the GMA. However, when delving deeper, the more fundamental concern seems to be tied to stakeholders questioning the adequacy of GMA resources and staffing. Many stakeholders express concern that the level of resources and budget is not adequate to do the work that needs to advance to sustainability. On the other hand, some suggest that lack of stakeholder support has limited the ability of the GMA to raise funds necessary to expand GMA capacity.

Stakeholders articulate another concern related to the GMA's connection to the county: they worry that if questioning governance structure or policy decisions, they may jeopardize permits or other processing with the County that is necessary to run their businesses.

### Regional Leadership: Stakeholder-Oriented and Water-Management-Focused

Many stakeholders suggest that regional leadership is an important factor for groundwater sustainability planning across the Oxnard Subbasin and Pleasant Valley Basin. Stakeholders suggest that visionary, persuasive leadership will be needed to overcome turf battles on projects and other sustainability decisions. Stakeholders describe the qualities that they believe to be important, including: 1) commitment to meaningful stakeholder engagement and 2) a clear focus on groundwater management. Given the complexity and need for active management, many stakeholders highlight that effective stewardship of regional water resources into the future will require even greater attention on the part of leadership. These stakeholders suggest that this type of leadership structure would permit groundwater policy makers the purview to fully capitalize on the myriad win-win opportunities available for regional groundwater management, technological, economic, and otherwise.

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*"We need to be in this together; we sink or swim together."*

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<sup>1</sup> The service area for the County Waterworks Districts is outside of Oxnard and Pleasant Valley and in Las Posas Valley Basin.

## Views on Stakeholder Engagement and Trust

Though stakeholders are optimistic about the potential for water users to coalesce around regional groundwater management and leadership, many express frustrations with what they have perceived to be ineffective stakeholder engagement practices in the past. Many interviewees cite low trust as a significant factor to overcome in order to collaborate on future groundwater management policy. Some stakeholders highlight, for example, having invested significant energy and resources to support groundwater sustainability efforts only to feel that their work and input was not valued or not meaningfully considered in final groundwater policy decisions. Others have different viewpoints, highlighting the value and importance of stakeholder engagement as fundamental to shaping policy and approaches to groundwater management. One interviewee observes that the GMA has done a good job listening to stakeholders who may not be water experts. These divergent perspectives and perceptions have led to very low trust and complicated relationships within and across interest groups and organizations, both private and public.

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*“Users feel like they are not being heard.”*

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A few stakeholders suggest that, in the past, policy-development timelines have constrained the scope, depth, and overall quality of stakeholder engagement efforts. As such, going forward, these stakeholders hope to see more proactive stakeholder engagement through the full life-cycle of groundwater sustainability planning and for the GMA to embrace practices that allow for fluid exchange with stakeholders. This approach, they argue, will ensure that stakeholder voices are more meaningfully considered in policy decisions. These stakeholders express that an expansive outreach strategy will yield more inclusive, equitable, and, ultimately, more durable policy.

Nearly all stakeholders recognize the fundamental importance of trust between groundwater leadership and the community of water users. Trust, many stakeholders argue, is an essential precursor to the type of region-wide collaboration that leaders will need to foment if the Oxnard and Pleasant Valley basins are to be successful in achieving groundwater sustainability. Without trust, some stakeholders question whether pumpers will sign on to pay for projects. Stakeholders suggest that leveraging transparent processes for policy decisions and striving for an independent organizational structure might cultivate greater trust with the water-use community.

## Stakeholder Recommendations on the Process

Most interviewees recommend that stakeholders represent themselves rather than having attorneys represent them in a facilitated process (i.e., “the principals should participate”). Many stakeholders perceive that attorneys have contributed to conflict in Fox Canyon. These stakeholders recommend that the principals could consult with attorneys only as needed. However, one stakeholder believes that the presence of attorneys is necessary to keep the parties inside the legal “fence posts.” This interviewee worries that the facilitated process could go astray without clear legal guidance.

A few stakeholders advise engaging an independent technical or policy expert to assist the stakeholder process, citing the importance of the independence of the contributor as adding value and supporting the stakeholder process.

Lastly, most stakeholders recommend that any facilitated process grapple with the range of issues outlined in this findings summary, suggesting that the issues are interwoven so best addressed together.

## Part 2: CBI Recommendations

### Proceed with Facilitated Process

CBI recommends that the Fox Canyon Groundwater Management Agency (GMA) convene a facilitated process to grapple with the range of issues tied to groundwater management and achieving groundwater sustainability in the Oxnard Subbasin and Pleasant Valley Basin (OPV).

Based on theory and best practice in the field of conflict resolution, CBI conducted an assessment and then analyzed the findings to determine if the conditions are present to support potential success of a facilitated process. CBI has determined that the following conditions are present:

- + Potential areas for agreement and multiple issues for trade-off exist.
- + Primary parties are identifiable and willing to participate.
- + Parties have legitimate spokespeople.
- + Potential deal-breakers are willing to come to the table.
- + Parties do not have an assurance of a much better deal elsewhere.
- + Parties anticipate future dealings with each other.
- + There are external pressures to reach agreement.
- + The timeline is realistic for completion.
- + Funding and resources are adequate to support negotiations.

With these conditions in mind and present, CBI recommends proceeding with a facilitated process.

### Transparency

CBI would structure the facilitated process to promote transparency. This is vital given the low levels of trust articulated in the interview process. To create transparency, CBI would document the terms of engagement in a charter, and all participants, including the GMA as convener, would agree on those terms as conditions of participation. And, all meetings and materials would be available to the public.

CBI would provide impartial facilitation services. CBI would work with *all* stakeholders to advance a fair, credible, and effective process. CBI would coordinate with the GMA as the process convener on project management, logistics coordination, and board briefings.

### Issues under Consideration

CBI recommends that the facilitated process grapple with the range of issues necessary to address regional water resources management as well as allocation. As discussed in the findings, stakeholders are keen to tackle the approach and ramp down associated with allocation. Stakeholders would also like to work together on defining sustainable yield as this will guide long-term investment and operations planning. As stakeholders suggest during the interview process, project development is a key facet of sustainable yield calculation, the ramp-down process, and water management in general. Project development also intersects with governance and administration, as successful project implementation depends on strong governance structures.

Costs, fees, and willingness to pay are linked to sustainable yield, ramp down, and projects. Thus, CBI recommends that these issues, discrete yet inter-connected, be managed and negotiated together to produce agreements to realize sustainability.



## Convene Representative Core Stakeholder Group with Broad Engagement

CBI recommends convening a group of 12-20 stakeholders that represent diverse interests in groundwater management. This Core Stakeholder Group would play a primary role negotiating policy recommendations and briefing key constituents to share information and solicit feedback along the way.

### Recommended Stakeholder Representation

CBI recommends that beneficial interests related to groundwater management, consistent with the Sustainable Groundwater Management Act, have representation to participate in the facilitated process as part of the Core Stakeholder Group. Individuals might represent multiple interests, and interests could have more than one representative. CBI recommends these interests and associated considerations:

- + Agriculture: different crop type / water demand; landowner / renter; packer-shipper
- + Environmental: community-based or nonprofit organizations
- + Governmental: federal, county
- + Municipal & Industrial: cities
- + Public Interest and Public Resource: disadvantaged communities, small water systems
- + Water Resources Management: FCGMA, Pleasant Valley County Water District, United Water Conservation District

CBI would work with interest groups to identify representatives that have credibility in the community and among others within that interest group. The overall composition of the Core Stakeholder Group would also be critical. While many assume that limiting negotiations to narrow or the most "important" stakeholders, CBI cautions that this limited focus could create vulnerability later in the process – if one or more interest groups are not considered in the solutions or proposed recommendations, those interest groups could sabotage or jeopardize any recommended policies through opposition, upset, or potential litigation. For that reason, CBI recommends creating a Core Stakeholder Group

#### Stakeholder Group Participation Criteria

- Strong effective advocate
- Demonstrated ability to work collaboratively with others
- Open and flexible to problem solving and new ideas
- Able to commit time needed for ongoing discussions
- Collectively reflect diversity of interests
- Maintain group size to support focused deliberations

that has representation from all beneficial users of groundwater.

### GMA and the Facilitated Process

The GMA would have a multi-faceted role in the facilitated process.

**GMA as Convener:** The GMA would sponsor the Core Stakeholder Group and public forum meetings, garner necessary funding to complete activities associated with the facilitated process, and provide in-kind staff support to manage this effort. The GMA has signed an agreement with the California Department of Water Resources to secure facilitation services with the Consensus Building Institute via Stantec.

**GMA Representation:** The GMA would have a representative participate in the Core Stakeholder Group. The goal is for negotiated outcomes to be inclusive of GMA interests. The GMA representative should be able to communicate the interests of the agency and the board to the best of his or her ability. The representative should be able to negotiate directly on the issues under discussion on behalf of the GMA. The representative should be part of the leadership of the agency, either board or executive staff.

**Staff Support to Core Stakeholder Group:** A staff member, other than the GMA representative, would conduct staff work in support of the facilitated process and stakeholder group. One role would be technical: staff might make technical presentations on GMA policies or the groundwater sustainability plans. GMA staff would also work with the facilitation team on project management, including developing a work plan, organizing meeting locations, and logistics. Technical staff would be able to advise the Core Stakeholder Group, but not weigh in on final decisions.

### Task Groups

The Core Stakeholder Group may form task groups to develop detailed proposals for consideration. The Core Stakeholder Group will set the charge or purpose and deliverables for each task group. Members of the Core Stakeholder Group can participate in task groups as can others who have expertise or interest in the subject matter. CBI recommends forming a project development task group early in the process. CBI might also request that several form a task group to advise on the engagement plan and implementation.

### Role of Legal Counsel

CBI recommends that principals represent their own interests in the facilitated process and consult with their respective legal teams as needed. CBI also recommends that the Core Stakeholder Group discuss

the role of legal counsel in an early organizing meeting and determine how to integrate legal guidance into the process as needed. For example, the group may wish to convene a legal work group to assist with legal issues. Or, the group may wish to call in legal counsel at particular meetings to inform discussions. The Core Stakeholder Group could weigh the pros and cons and costs of these options or some other configuration and agree on the best use of resources and funds to secure legal guidance.

### Technical / Scientific Advisor

The Core Stakeholder Group may decide to identify a technical advisor to answer group inquiries and questions and make and document recommendations on groundwater and water resources technical issues and policy. All Core Stakeholder Group members would collectively agree to the technical advisor. (CBI understands that individual members may also consult their own technical experts to advise on substantive content.) The Core Stakeholder Group would carefully consider the input of technical advisors, factoring guidance into agreements and decision making. However, technical / scientific advisors would not participate in formal decision making.

### Design and Implement an Engagement Plan

CBI would design an engagement plan, in collaboration with the Core Stakeholder Group, to ensure an intentional plan for broader feedback throughout the process. Engaging stakeholders effectively will be vital to this effort. CBI would plan focused public engagement activities in the lead-up to key milestones to share information and solicit input on proposed recommendations. The Core Stakeholder Group would then incorporate this feedback into its proposed recommendations before presenting them to the GMA board. CBI would also likely work with the GMA to establish an independent project website to host all materials.

### Develop Charter to Confirm Decision-Making and How Input will be Used

#### Decision Making

The Core Stakeholder Group in the facilitated process would be consensus-seeking, striving to reach outcomes that all stakeholder group members could at least “live with.” The Core Stakeholder Group would develop recommendations for the GMA board to consider adopting.

The Core Stakeholder Group would need to decide how to manage its decision-making when the group is unable to reach consensus on a particular issue under consideration. For example, the group may wish to identify a small subcommittee to consider all the perspectives discussed

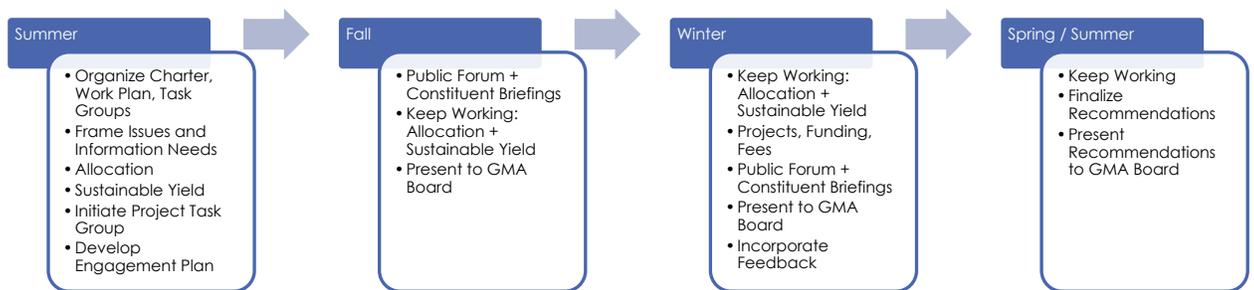
and develop a refined proposal for the full group's consideration. And, the group may wish to have a back-up voting decision-rule to clarify who supports the proposed recommendation.

Upon reaching an outcome, the Core Stakeholder Group would document its recommendations in the case of a consensus agreement or outcomes. If the Core Stakeholder Group is unable to reach consensus, it would document areas of agreement and divergent opinions as well as the corresponding rationale to inform GMA board decision-making. This process of documenting agreements and disagreements and associated pros and cons would help the GMA board benefit from the Core Stakeholder Group's deliberations.

The Core Stakeholder Group would present its recommendations or outcomes directly to the GMA board. It is important to note that GMA staff would be advising the GMA board on its vote on the Core Stakeholder Group's recommendations.

### Develop Work Plan

CBI would work with the Core Stakeholder Group and GMA staff to develop a work plan. The work plan would identify issues to address and integrate with the engagement plan. Below is a preliminary, high-level work plan.



### Immediate Next Steps

**Work with Interest Groups to Identify Representatives:** CBI would work with groundwater stakeholders to identify representatives who meet the criteria and determine collectively that all interests have representation in the Core Stakeholder Group.

**Develop Draft Charter and Work Plan:** CBI would consult with stakeholders and GMA staff to develop a charter and work plan, which the stakeholder group would finalize at its first few meetings.

**Plan First Facilitated Process Meeting:** CBI would recommend convening the first facilitated process meeting very soon after the presentation of this report at the GMA board meeting on June 12, 2020. The early meetings will be held virtually. All meetings will be announced publicly via the GMA's interested parties list.

## Conclusion

The diverse water users of Oxnard and Pleasant Valley would like to build towards a forward-looking and problem-solving-oriented frame for groundwater management that leverages all available tools and opportunities to improve outcomes for Fox Canyon's water and the people who depend on it. Interviewees are realistic about the difficulty of these decisions but recognize that addressing water resources constructively is essential to the future.

Based on these findings, the Consensus Building Institute recommends working with the GMA and stakeholders to convene a facilitated process that has a clear role and purpose, functions with transparency, engages a range of stakeholders, implements broad-scale engagement, grounds itself in science and technical expertise, and relies on interest-based decision making.

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## About the Consensus Building Institute

CBI is a nonprofit organization with decades of experience helping leaders collaborate to solve complex problems.

Founded in 1993, staff are experts in facilitation, mediation, capacity building, citizen engagement, and organizational strategy and development. CBI is committed to using its staff's skills to build collaboration on today's most significant social, environmental, and economic challenges. CBI works within and across organizations, sectors, and stakeholder groups, internationally.

Senior Facilitator Gina Bartlett works on some of California's most vexing natural resource disputes, with more than 20 years' experience working on collaborative planning efforts. Ms. Bartlett has significant experience in California water, facilitating statewide efforts, such as the California Water Plan and SGMA implementation; regional integrated regional water management; and local groundwater planning and groundwater

sustainability agency formation. She has extensive experience facilitating organizational strategy and governance, as well as mediating high-stakes, multi-party negotiations.

## Appendix: Interviewee List

Interviews Conducted (alphabetized by agency name for groups or last name of individual)

1. Supervisor Steve Bennett, Fox Canyon GMA Director
2. Bryan Bondy, Bondy Groundwater Consulting, Inc.  
Dave Borchard, Fox Canyon GMA Director
3. Alden Broome, Broome Ranches and Guadaluca Mutual Water Company
4. Camrosa Water District and GSA: Tony Stafford and Ian Prichard
5. City of Ventura: General Manager Susan Rungren, Water Manager Jennifer Tribo, City Attorney Miles Hogan
6. City of Oxnard: Public Works Director Rosemarie Gaglione, Asst. Public Works Director Thien Ng, Assistant City Attorney Tara Mazzanati, Special Counsel Greg Newmark, Attorney Robin Baral
7. James Dubois, Driscolls
8. Fox Canyon GMA Staff: Executive Officer Jeff Pratt, Director Glenn Shephard, and Groundwater Manager Kimball Loeb
9. Jurgen Gramckow, Marathon Land and Southland Sod Farm
10. Nathan Jacobsen, U.S. Navy
11. Marz Farms: David Martinez, Renato Martinez, Audelio Martinez, and Jorge Reyes
12. Lucia McGovern, City of Camarillo
13. Mike Mobley, Fox Canyon GMA Director
14. Lynn Maulhardt, Director, United Water Conservation District and former GMA Board Chair
15. OPV Landowners Coalition: President Greg Lewis, Gary Arnold, Paul DeBusschere, Terri L. Ferro, John Grether, Hank Laubacher, Jr., John Menne, and Bill Reiman
16. Pleasant Valley County Water District: General Manager Jared Bouchard and General Counsel John Mathews, and Outside Counsel Robert Sapperstein
17. Eric Reiter, Reiter Affiliated Companies
18. E.J. Remson, The Nature Conservancy
19. Tony Trembley, Fox Canyon GMA Board and Mayor of Camarillo
20. United Water Conservation District: General Manager Mauricio Guardado, Dan Detmer, John Lindquist
21. Gene West, Chair, Fox Canyon GMA Board