

Report on Task 1: Stakeholder Issue Assessment

Prepared by: Gina Bartlett, Senior Mediator, Consensus Building Institute
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Overview

The Consensus Building Institute (CBI), an independent, impartial mediation and facilitation services firm, conducted stakeholder interviews on groundwater management in the Fox Canyon Las Posas Valley Basin in early 2020. The California Department of Water Resources funded CBI's work under its Facilitation Support Services Program in cooperation with the Fox Canyon Groundwater Management Agency (GMA). The Las Posas Valley Basin is designated high priority under the Sustainable Groundwater Management Act. The basin has active litigation, moving the basin toward adjudication.

The purpose of the assessment was to explore stakeholder issues and interests as well as solicit suggestions for collaborating on groundwater management generally and groundwater sustainability plan implementation specifically. Given conditions, CBI would recommend the GMA proceed with public workshops on Groundwater Sustainability Plan (GSP) implementation, providing the GMA with an opportunity to share implementation concepts and solicit feedback from stakeholders. CBI could provide independent facilitation and notetaking to document input.

Basin Setting

In Ventura County, the Las Posas Valley Basin, bordered by the Santa Clara River Valley, is composed of three management areas: West Las Posas Basin (WLPB), East Las Posas Basin (ELPB) and the Epworth Gravels Management Area (EGMA). The Epworth Gravels aquifer—located within the EGMA—is a perched aquifer that is disconnected from the Fox Canyon aquifer, which occurs at a greater depth. The Las Posas Valley Basin is a high priority basin under SGMA. The basin has three groundwater sustainability agencies: the Fox Canyon Groundwater Management Agency, the Camrosa Water District GSA—Las Posas Valley, and the Las Posas Valley Outlying Areas GSA.

Interviews Conducted and 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 Las Posas 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.

CBI conducted 15 interviews with 27 individuals. The list of interviewees is captured in the appendix. Although invited, the plaintiffs to the lawsuit in Las Posas Valley declined to interview thus this assessment did not benefit from the plaintiffs' viewpoints.

Interviews were confidential; interviewees gave CBI permission to share insights without attribution. CBI shared this draft report with interviewees and incorporated clarifications and corrections. CBI has only characterized the issues at a high level, which does not do justice to the many in-depth interesting conversations that took place with interviewees. Consistent with CBI's contract with Stantec and the Department of Water Resources, CBI will destroy all notes and associated documents from the assessment.

Key Issues

The Fox Canyon GMA requested that CBI facilitate stakeholder engagement related to groundwater sustainability plan implementation, including basin optimization programs and projects, addressing data gaps, and replenishment fees. Since conducting these interviews, the GMA is in the process of developing an allocation ordinance for the basin.

Interviewees highlighted a number of issues and concerns related to groundwater sustainability. Issues discussed during interviews include:

- Effective groundwater management and the challenge of achieving sustainability.
- Recognition that efforts are necessary to achieve sustainability.
- Water rights, pumping allocation, and sustainable yield.
- Transparency in allocations and ramp down method.
- Developing projects to increase supply.
- Managing water quality.
- Resources for the GMA to be able to implement the Groundwater Sustainability Plan (GSP) fully, including staff, data, and other infrastructure.
- The challenges and opportunities of the GMA as part of the County of Ventura.
- Frustration with the lawsuit and resources spent on legal fees rather than on GSP implementation and project development.
- Insights and lessons learned on the Las Posas Users Group (LPUG) process.
- Lack of trust among stakeholders.

Conditions for a Collaborative Facilitated Process

When conducting a stakeholder issue assessment, CBI evaluates the situation to determine whether conditions exist to support successful collaborative problem solving.

In Las Posas Valley, CBI has determined that some conditions are present that would support collaborative problem solving:

- Potential areas for agreement and multiple Issues for value creation and negotiation.
- Parties anticipate future dealings with each other.
- Adequate resources to support negotiations.

However, in Las Posas Valley, two absent conditions limit the potential of a collaborative problem solving:

- Primary parties are unwilling to participate.
- Parties are engaged in an adjudication that is addressing key concerns.

These conditions will limit consensus building and the ability of a focused collaborative problem solving process to produce outcomes with widespread support. CBI understands that this assessment is a source of frustration for interviewees who reviewed this report and would advocate for a “peaceful consensus toward moving forward” to address groundwater management issues.

Recommendations for Proposed Next Steps

Proceed with Public Workshops

The GMA has substantial work ahead to implement the GSP. CBI would recommend proceeding with a series of public workshops on key aspects of GSP implementation: allocation, basin optimization, project implementation, replenishment fees, and other topics as needed. The purpose of these public workshops would be for the GMA to share proposed approaches and solicit feedback for consideration. CBI could provide impartial facilitation and documentation of each workshop. The independent facilitation and meeting notes could provide value to the GMA and interested parties.

These public workshops would give an opportunity for the GMA to share information and for those interested stakeholders to provide feedback and guidance to the GMA on potential policies that would affect groundwater management and achieve sustainability.

Appendix: List of Interviewees

(Alphabetical by last name)

1. Supervisor Steve Bennett, Fox Canyon GMA Director
2. Bryan Bondy, Bondy Groundwater Consulting, Inc.
3. Dave Borchard, Fox Canyon GMA Director
4. Calleguas Water District: Tony Goff and Henry Graumlich
5. John Grether, Grether Farming
6. Fox Canyon GMA Staff: Executive Officer Jeff Pratt, Director Glen Sheppard, Deputy Director Arne Anselm, Groundwater Manager Kim Loeb
7. Mike Mobley, Fox Canyon GMA Director
8. Lynn Maulhardt, United Water Conservation District Board Member

9. Joe Pope, Ventura County Waterworks Districts
10. Tony Trembley, Fox Canyon GMA Board and Mayor of Camarillo
11. United Water Conservation District: General Manager Mauricio Guardado, Dan Detmer, John Lindquist
12. Jane Donlon Waters, Donlon Ranch, Director at Berylwood Heights Mutual Water Company, Las Posas User Group
13. Andy Waters, Waters Family Farms
14. Gene West, Chair, Fox Canyon Board of Directors
15. Zone Mutual Water Company and Berylwood Heights Mutual Water Company: John Borchard, Alden Broome, Berylwood General Manager Mandi Freitas, Zone General Manager Alma Quezada, Craig Underwood, Jane Donlon Waters