

Minutes of the Casitas Municipal Water District
Board of Directors Regular Meeting Held
September 28, 2005

A regular meeting of the Board of Directors was held September 28, 2005 at Casitas' Office, Oak View, California. Directors Hicks, Kaiser, Bennett, Baggerly and Word were present. Also present were John Johnson, General Manager, Rebekah Vieira, Clerk of the Board; and Attorney, Rob Sawyer. There were four staff members and seven members of the public in attendance. Director Hicks led the group in the flag salute.

1. Public comments.

Al Collin from Ojai said that you people are doing a fine job over at the recreation lake. Brent and his group are fine. I am over there every morning with my dog and they don't give me any lip. I clean up after my dog every time and they are nice people and are doing a fine job. Director Kaiser commented that you must have a big dog. Mr. Collin replied that he has a big dog.

2. Board of Director comments.

Director Bennett commented about an article in the arts and literature section there was a chef from Louisiana that moved back to Camarillo and during a fund raiser when asked what he does on his time he stated that he plays disk golf at Lake Casitas. President Hicks said there was a big disc golf article in the LA Times.

Director Baggerly asked John if we have started our wet weather preparations. Mr. Johnson replied that we are always preparing for wet weather. Director Baggerly asked if you have standard SOP's that you go through every year? Mr. Johnson replied that on wet weather preparations it is usually cleaning out Robles and making sure that everything works there. That is what it involves. Director Baggerly asked if the Weir project is done. Mr. Johnson replied that it is done. Director Baggerly asked for a quick run down on the fish passage facility. Mr. Johnson replied that the weirs are done; the siltation removal is still waiting for a permit. We are talking with Gallegly's office on that. The screen and brushes are being worked on today. The problem with the gate seems to have disappeared. We have all of the material cleaned out of the fish passage. All of the screens are back in. We will be doing some training on the fish passage in October as well as some work with our computer person who is supposed to have it all electronically run. The vaki system is back in and the one that we originally designed and the fish guidance device is on your agenda today. Director Baggerly asked if you have any plans for a standard operating procedure manual to have it written much more simply and it probably wouldn't have to read the biological opinion. Mr. Johnson replied that one of the things that we have written down is our approach to it and that approach we are following. Basically the approach is that after the diversion season we go in there and inspect the facility so we are ready for whatever we need to repair, replace or fix. Then whatever those things are we approach it in the fall. Director Baggerly added that

he thought something that would be easier to read rather than the biological opinion to be quick to reference and to quickly find what needs to be done. Mr. Johnson said he is a little concerned about boiling it down because we are required to follow all the requirements in that and the intent of those requirements and we can't put that into a few words. I am afraid it might be misunderstood. We can do it but I am afraid that if someone gets a hold of that they will say you forgot this and that and they won't recall that the idea was to boil it down.

Director Baggerly then said that we had some concerns about ordering chemicals about hurricane stricken areas of the country and I was wondering if there was anything else that we needed to order sooner rather than later so that we don't fall into delays for things that are coming out of that area. Mr. Johnson reported that we received those chemicals yesterday. Chlorine also comes out of that area but we only have one supplier. The other supplies are supplied by our supplier. We did look for someone else to supply the chemicals that we were afraid we would not get. They offered us about 800 gallons of chemical at twice the price and they were doing us a favor.

Director Kaiser asked Mr. Johnson considering that the lake is above 90% capacity and we are now discussing the wet weather season and from what I understand there is a possibility that we will have a pretty wet season coming up. The area below the dam; have we done anything to try to clean that out so there will be the least amount of debris affecting those downstream from our property? Mr. Johnson responded that we have just received the permit for most of that stuff so we can move ahead on that. Director Kaiser said we are ready to move ahead. Mr. Johnson replied we are ready to move ahead.

President Hicks asked Brian Roney if that old trailer has been removed. Brian Roney said he would check. President Hicks then asked how we are going with out employee day at the Museum. Rebekah reported that she had been in contact with Joan and will set a date to do a luncheon out there. President Hicks said lets do it before the display goes down. Director Bennett said we should do it at Christmas. President Hicks wants to make sure we do it. Rebekah asked if they preferred to do it in the holiday season. The consensus was to do it in December.

3. Consent Agenda.

APPROVED

- a. Minutes of regular meeting held September 14, 2005.
- b. Approval of water allocation for Ron & Monique Dedinas.
- c. Approval of attendance at California Project WET (Water Education for Teachers) facilitator Training being held December 2nd in El Cajon.
- d. Approval authorizing board attendance at Camp Comfort opening being held September 29, 2005 from 11:00 a.m. to 1:00 p.m.
- e. Approval of letter opposing SB 686 Wild Animals, Permit Requirements.
- f. Approval of purchase order to Southern California Fabrication in the amount of \$27,500 for the repair of the fish guidance device.

- g. Approval of attendance at ACWA Region 5 meeting.
- h. Approval of purchase order for rodent control device in the amount of \$1,695.00.
- i. Approval of attendance at the World Water Park Conference in Las Vegas for the Park Services Manager.
- j. Approval of attendance at the California Parks and Recreation Conference.
- k. Approval of purchase order for Barge Motors

Director Word abstained from item number a as he was not here. President Hicks asked about item F and the cost to fix the fish guidance system. He asked how much did it cost to begin with. Mr. Johnson said he was not sure what it cost to begin with but the second bid was over \$100,000. These are like blinds that you have on your window and what happened is that the water went through and some of the debris caught those blinds and dropped them over and were bent out of shape. We are straightening them and stiffening them. President Hicks asked what would keep that from happening again. Mr. Johnson replied that we are stiffening them and hopefully they won't bend as much.

On the motion of Director Kaiser, seconded by Director Bennett and passed the consent agenda was approved.

- 4. Bills. APPROVED

On the motion of Director Word, seconded by Director Kaiser and passed the bills were approved.

- 5. Committee/Manager Report(s). APPROVED FOR FILING
 - a. Report on specific issues
 - b. Executive Committee Minutes
 - c. Recreation Committee Minutes
 - d. Report from meeting at the Reagan Library
 - e. Report from trip to Sacramento
 - f. Aquatic Management Group audit report

On the motion of Director Kaiser, seconded by Director Bennett and passed the reports were approved for filing.

- 6. Lakeside Group Camp and Park Store Campground Reconstruction
 - a. Public Hearing on CEQA Exemption

President Hicks stated this is the time and date set for a public hearing to consider input regarding the CEQA exemption regarding the lakeside group and park store campground reconstruction. Will the Clerk of the Board please read the names of the public who called or submitted communications regarding the change? Rebekah Vieira reported that there was a call from a member of the public confirming the time and place of the meeting, contract from Ventura County Star reporters and I received this fax from

Norm Smith that I will pass to you in support of the item. It appears that there are two individuals here would like to speak.

President Hicks asked for the General Manager's report. Mr. Johnson showed a PowerPoint presentation which will be attached to the minutes. Mr. Johnson addressed the board and explained that the district is talking about our group camp area at Lakeside. This lakeside is located generally a little on the other side of the area where we have the park store. A bit beyond that. I will show you the location map when we finally get to it. Basically this is a picture of the lake recreation area. The location of the facility is just about right behind the island there that is almost in the center of the picture. All of the recreation area is on the north side of the lake confined to 300 – 400 acres. Over the years the district signed a contract with Reclamation concerning the Ventura River project back in 1956. The land included in that project was about 7,000 acres of land including the lake. Later on about 3,100 acres of watershed was added. The lake services generally between 2,400 and 2,700 acres and it depends on water level. The recreation area is only 300 – 400 acres representing about 3 – 4% of the total area not counting the lake itself. The district has confined its work in this particular area. The recreation area was always in the project and helped to sell the project. Your board of directors, even back in 1956 and 57 anticipated that they would be responsible for the recreation area and supported it at that time. Your board and boards before you have undertaken improvements at the area. We have had up to 450 campsites and 16 campgrounds. We have a number of campground trails. Trails are those roads that we have out there. The reason we call them trails rather than roads is because roads require a certain standard of performance and we do not provide to that standard not do we attempt to. We have two boat launching ramps, we have vehicle storage area, ten picnic areas, eleven playgrounds, the water adventure, maintenance yard, concessions, a number of toilets and two shower buildings.

One of the greatest facilities we have out there is the Water Adventure enjoyed by many people during the year. We have had a very successful season in terms of number of people attending and enjoying themselves at the Water Adventure.

We do have showers. This is one of our older shower buildings in the area. It does need some paint. The statistics of the park is we had attendance somewhere between 650,000 – 850,000 visitor days per year. This has been in this area since the late 1980's. Prior to 1984 the attendance out there was well over a million. As best I can understand from talking to the employees the way we counted was the same. There have been some small changes over the years but I don't think it accounts for the differences. Our budget has risen from about \$700,000 from an early year I was here to over \$2.7 million dollars. We have nine and a half full time employees out there and up to 72 part time employees. Most of those part time employees are related to the entrance gate and to the water adventure. Your recreation area is self supporting and does not depend on water customers for any of its revenue or paying for its expenses.

The attendance at the park has varied on the low end of 650,000 – 850,000. In 2002 we had 743,000 visitor days. In 2003-04 we had 715,000. This year it went down

to 702,000. the question is how can you have a successful water adventure and still see visitor days go down and that is because we have a lot of folks that are in the campground are also attending the water adventure. In the past we used to allow them in for an hour and then move them out. Now we allow them in all day long. We are very successful with that program.

Group camping areas we have two of them. The one we are talking about is located between camp F and H. Basically it is a relatively large site. Its capacity is about 300 people. Historically the maximum usage has been about 150 people. The facility there include water, pit toilets, roads, tables, fire pits, a small amphitheater and a number of trees. Here is a picture looking down at the lake you can see the small amphitheater there. You can see that this is tent camping that is going on. Very little use of the amphitheater at this time. This is also in the area and you can see that it is being used by RV's already. Generally they are sites that are already existing and people come in and basically set up. There are no hook ups so that they have to run their generator and air conditioning using their own internal power source. Any waste water that they collect inside the trailer they would have to drive down the road and stop at our dump site and dump that before they leave the park. Most people do. We do have a line at the dump station on the days that people are leaving the park.

This is a picture of our old pit toilet. I understand from our staff that the pit toilet has seen its better days. It needs to be changed. We talked about changing it to a flush toilet but decided to wait until this project was done. Unfortunately the project has taken longer than we anticipated as your board first approved this a number of years ago but we decided to delay it because of funding and we still have some issues to take care of. You can see that we are putting chemical toilets in the area. There are a number of campers there. You can see a lot of the area is brown and dry.

The proposal for you to consider today has to do with reconstructing roads. We are not paving them in the standard way we have in the past. We are using more natural ground rock material that will compact real easy but it still more natural like the road s that we have out there. It would just be a little bit more; they would stand up a little bit better to the weather. We are planning to put in up to 40 RV hookups that would include your concrete pad, water, electric sewer and TV. Why we are doing that is because most of our recreational folks that are coming out here they fill up our RV pads first. Those are what are filled most of the time. People want them. Our staff has indicated there is still a demand for them. Adding 40 sites should not go over the demand for those RVs. Some of the other things that we will be putting in there we will be putting in landscaping. We will be putting in an automatic water system. What we find is that the automatic water system minimizes the amount of water that is used in the area and takes care of it as far as keeping it green. Those areas that we want. Then entire site will not be green. We are going to install a dock in the water where people can use it from that place. We have also talked about cabins to be placed at the park store camping area.

Kind of an overhead aerial of group camp right now. In fact it is a combination of two pictures that have been put together. At the bottom of the picture is mostly the group

camp area. On your left is camp G. It is from about right over here to about right over here. Basically if you look at the pads in this picture this is basically what it looks like. We have some trees that will be put in if it doesn't already have trees. You will have a pad with cable and a fire pit area. A hookup for water, sewer, TV and power. The power hook up is this little thing right there and you will have some grass spread around that would be automatically watered. This is a diagram of the actual hook up site. And how that is going to be set up. Basically and generally the two main roads that are already existing are going to be maintained. There are going to be some additional pads put in around the facility for RV sites. You are going to have a little grass area over here, kind of a park and the dock would be down here in the actual lake.

Director Kaiser asked about the cabins that were proposed in relation to this map. Mr. Johnson stated they are next to the park store further around the corner.

Director Word asked where would be the entrance to this. Mr. Johnson explained that you have two entrances, one here to the road and one here to the road. Here is that one entrance right here and the other entrance is off the road right around here. You have two entrances into the area. Director Word asked if you would have to come in from that direction. Mr. Johnson said most would come in that direction and go out the other way. You have a road right here that goes around and you have a road that goes down here for the most part. We are not operating in any of the water area of the lake. All that is being maintained out of the project area. There are some trees that will be removed. Some trees that will be put back in. You may have to take out some of those trees anyway because some of them are in the shape that you need to deal with them. A question from the public was where is the entrance to the park on that map. Mr. Johnson explained that it is not on the map it is off to the side over here. I will show you a little map of where it is at the end. Director Word explained that the lanching ramps would be facing the slope. Mr. Johnson said the launch ramp is over here off the screen. A question was what is that down there. Mr. Johnson explained that is a little dock. We are planning to replace that dock. We have some docks that are movable around the lake. It is something that we already have in the area.

CEQA Evaluation. The CEQA section 15302 of the guidelines allows for replacement and reconstruction of structures and facilities. Basically what we are doing in this particular area is we are simply reconstructing the campground. It is a campground that has been constructed over the years, many years ago. It has far reached its lifetime. From what is reported to me it is not used that often except when we have really expensive weekends or have real large groups that don't have any other way to go. Most groups are going into our campground and camping there. There is also a NEPA exemption for minor changes in size, location and operation under that appendix although this is not a NEPA hearing. The NEPA has to be done by the Federal Government. The environmental benefits of the proposal is that it will eliminate the engines of the recreation vehicles which they have themselves for developing power. Basically they run these engines to run everything in the RV. That could be your TV, air conditioning, it could be the pumps that pump water around and the lights that you have. Instead of developing that form gasoline engines that basically discharge the product of combustion

into the atmosphere around Ojai, you are transferring it into the electrical system and moving it off to a plant that has been permitted to do that. That should help reduce the air pollution in and around the lake. Second is the running of engines for dumping recreational waste at our sewage dump station. Typically what happens is people line up, they stay in line, they run the engine so that they can run their air conditioning while waiting to dump, that would all be eliminated because you wouldn't have to have them sit there and dump. The sewer system is simply a gravity flow for the most part that will drain all the sewage into one particular tank or several tanks. We have just purchased a large pump truck that has larger capacity so that we can pump less often and drive less often ourselves.

The water usage in the area should be less than what we have had in the past. In the district because the automatic controllers seem to keep the amount of water usage down. Usually the water usage is maximized in the summer and there is very little of it in the winter except when you have a real hot spell. Should also reduce trips to the shower houses. Due to the ability to use their own internal showers. Generally recreation vehicles have very water conservation showers and you use less water if you use them in the vehicles than if you use our shower houses. Also any trees that would be removed would be replaced. Generally very few of the trees in the park are natural to the park area.

Previous CEQA. There have been discussions that this is substantial change due to capacity and function in the proposed facility. I think that past comments missed the interpretive of what capacity means. That misinterpretation was that more people would use the existing site than may be previously had. That is not what capacity is. Capacity is your ability in the number of people you can actually bring into the site. The districts total number of campgrounds at the recreation area when we fifteen years ago was about 450. After this project is done it will still be under 450 except we will not have two group camps we will only have one group camp. Capacity is really related to how many people you can fit in, not the number of people coming to the facility and using it. Based upon the past practices at the district and the usage by the community it seems like the district does not see an increase in the number of visitor days from these kinds of improvements.

There was a question from the public regarding the annual total of people that visit now versus the projected with the project. Mr. Johnson answered that again that is a discussion about usage not capacity. The usage is likely to go up although the usage over the whole park is likely to remain the same. What you have done over time is you have reduced the number of total campsites. You are just trying to bring up the total number of campsites back up to the same number you had although we will still have less. The other thing about it is that the visitor days show you year to year that the improvements that we are making are not leading to greater and greater visitor days. The district has had a program to entice people to come to the district. This year our park services manager and his staff had a program over the radio for a time to entice people to come. We have done these kinds of things including advertising in various brochures and other things to entice them. We seem to be in this bracket and it is tough to break out.

There is another discussion about cumulative effects. A cumulative effect is the issue where you kind of take a look back at a number of projects that the district has done over the years. In our mitigated negative declaration of the Water Adventure the district discussed the cumulative effects. Generally those effects were minor and described as not inconsistent on what was going on the proposed facility. You have had that review. Your board has looked and reviewed that and approved that mitigated negative declaration.

As we talk about the issue of capacity and function the commenter has really mistakenly viewed usage as capacity. It is not the same thing. Capacity is the amount of people that the area can take if it is fully utilized whereas which is in the neighborhood of 300 people camping. Usage is really how many people actually come. What is likely to happen is that your usage will go up and your capacity will go down. Jack Gillooly stated that one of the statues cited under CEQA and NEPA says address no expansion of use and what stated as one of your exemptions that you are going to take. In other words expansion of usage is limitation not just the term capacity. Mr. Johnson continued there are, we will talk about the other sections that we have put in there at the end.

Basically where we are going to is we have maximum of 40 sites with the maximum of five to six people per site. That may be over the number that are actually there. A lot of camp people using RV's today only have about two people in them maybe three. Certainly no more than 240. Also the function is camping. Recreational vehicles are in our normal tent camping areas and tents in our RV areas. It is the same type and function as we have had in the past in how people use them today. The cumulative impacts have been reviewed as a part of the Water Adventure improvements. No cumulative impacts or problems were found that were viewed as significant.

The other exemptions get into this issue of what was talked about in the public. One of the other districts will be relying on; one of those three would cover all of the things that we are doing. The other section is 15301 which is an exemption for alteration or repair of existing facilities involving negligible expansion of these facilities. This is basically for streets and highways. The intent of this one is to cover the changes that you are making in the trail. 15303 of the guidelines is for limited numbers of new utilities and accessories. This will cover the site utilities including water, electricity, TV sewer and other things that you have to bring into the area. The utilities themselves are already there. You have water in the area. You have sewer issue in the area that is your pit toilet. Now mostly chemical toilets. You are bringing in and having serviced. You have those kinds of facilities already. The extension of electricity and TV in the area are not considered anything other than limited amounts of extension.

Al Collin asked if the highways are they considered 150 and Santa Ana. What is the highway definition there? Mr. Johnson replied that the exemption talks about street and highways. We are not really putting in a street and highway. We are dealing with a trail. The kind of trail that we are putting in is instead of having bare ground we are

going to have a compactable rock material. It will act and function a lot like bare ground but it won't have some of the bad issues where it will erode real easy.

Al Collins asked if you define a road where you come in the main gate. Mr. Johnson said we call that a trail. What is Santa Ana? The road that goes around to Santa Ana is a trail. The parking lot is a parking lot. 150 is a highway. The difference is that highways and streets have all sorts of criteria that you have to comply with in order to have a street or highway. You have signage, painted markers on them. They have to be constructed at certain widths and you have to provide all that in order to keep yourself from.

A member of the public asked if you are on the trails and not streets and highways how can you use this exemption? This exemption refers to highways and streets. Mr. Johnson said the law looks at those still as a street or highway in effect we call it a trail because it is not a standard street or highway.

Director Baggerly asked what were your findings for class two, 15302. Mr. Johnson replied that 15302 allows you to rebuild all your facilities. If you are reconstructing facilities, you can reconstruct anything there. These are some other sections we are using in case some of those things do not fall in reconstruction.

Mr. Johnson explained that what we are recommending for you to do today is to consider the adoption of the resolution approving the project and the exemptions. Authorize the general manager to file the notice of determination with the County. There are some additional issues that need to be resolved. One is that your board has given direction to staff that we need all these projects approved by reclamation. I am not sure that it is really required because these are among the minimum recreation facilities but we have every intent to move ahead. It is our intent to continue to cooperate with Reclamation. I anticipate they will want to go through a process and we will cooperate on the process with them. Pat Baggerly asked if we had contacted them. Mr. Johnson replied no we have not. We also need to resolve an issue with the Edison Company extending power into the area. We have something like nine or ten meters in the park. For one reason or another Edison thinks there should only be one meter for the entire park. We have had an ongoing discussion with them. Form time to time they assure me they will allow one more meter in there. Unless we get it in writing I do not know if we have that and if that is the case we have an issue there. That resolves that issue.

I would like to show you maybe a little map of the area so you can see what it looks like. Where all these things are located. This gives you an idea of what everything looks like. What the right side area right here in this area is the actual entrance to the park is over here. The Water Adventure is here. You have to drive around this road. A member of the public said that is a trail right. Mr. Johnson said that is a trail and this is the highway in red. You go along the trail and over here roughly right across from the park store maybe a little bit to the south is on the other bank is Lakeside. If you go along here you get to G camp. Lakeside actually extends in this particular area right here.

President Hicks said you mean park Restaurant. Mr. Johnson said yes. That is the location where the facility is being constructed. That completes my report.

President Hicks then thanked John and said the public hearing is now open at 3:45 p.m. Is there anyone present who wished to comment on the CEQA exemption reconstruction please state your name and address for the record. We have two people who indicated they would like to speak. The first is Jack Gillooly.

Jack Gillooly, 2466 Matilija Canyon Road in Ojai. I have two questions concerning the presentation and then a statement from Ventura Audubon Society who I represent today that I will read to the board and submit. The questions have to do with what kind of grading will be needed for this area since most of this is a slope in order to flatten for pads roads and other expansion of the facility. Do you have an estimate on the movement of dirt etcetera? Mr. Johnson replied that he does not have it with him today. I am sure that our engineers have that. The facility is at 90% designed for a while. Jack Gillooly continued that there was not a design included in the agenda packet. Mr. Johnson said we do have a design that has been around the district for some time. It is available. We basically do that map that I showed you on the presentation. Jack asked if that showed accessory facilities. Mr. Johnson said it shows all of the draft design of the facility. It has most everything on it that we have talked about. Jack then asked of the cost for the project. Mr. Johnson said it is in our long term plan at \$750,000. How long will it take for the cost to be recovered? Mr. Johnson said recreation area provides depreciation funding to the water district over years. We haven't built large facilities for a number of years so the money is probably available now. It would take about four years to pay that money back.

Jack Gillooly asked is that the full debt? Mr. Johnson replied that the funding that would come from selling the campsites should pay for the facility in about four years.

Jack Gillooly then submitted his letter for the record and read it to the board. Gentleman of the board of directors on behalf of Ventura Audubon Society and wider community, thank you for holding this hearing. You have received a proposal from your general manager to redevelop the 10 acre Lakeside Group Camp into a full-service RV park. While there appear to be plenty of other RV opportunities at the lake, this group camp is a unique part of the Lake Casitas Recreation Area and services a unique segment of our community; organized groups. Over the years, I would guess this camp has entertained family reunions, girl scouts and boy scouts, church and school groups, service clubs, and probably every other kind of group for a hundred miles.

As for the issue at hand, the general manager's claim of categorical exemptions to state and federal environmental law is patently incorrect and illegal. These exemptions have been narrowly defined in case law and refer to small upgrades, replacement-in-kind, and no expansion of use. Replacing an undeveloped 10 acres of low-use, low-impact camping with high-use, high-impact RV camping, and all the accessories, is far beyond the bounds of the exemptions.

While the manager can debate the definition of capacity until the cows come home, this is a large project that requires the usual level of environmental review expected of both public agencies and private developers – for any construction project of this magnitude. Yet long ago, and out of the public eye, the Casitas Municipal Water District set this pattern of legal abuse, and continues to operate under the primitive standards of the 1970 Lake Casitas Recreation Plan.

Nearly four years ago, the Ventura Audubon Society and Environmental Defense Center challenged this project with six cabins now added. We continue to oppose it, and are concerned that there have been nearly 20 such projects at the lake in the last 15 years, some of them larger than this, and all of them claiming the exemptions.

The projects violate other statutes of CEQA and NEPA as well. In being related recreational projects, they are considered piecemeal development with cumulative impacts. The law specifies that these impacts be inventoried and studied together, to determine if they are significant enough to require mitigation.

Audubon and the community have also noticed that other elements or structures are often added to projects after construction has begun, and/or area is expanded. How many more cabins and concrete pads would be built by the time this one is finished? Overall project size has also been increasing, as seen in the waterpark complex and plans for a full amphitheater and parking lot. Attracting more people to the lake increases traffic and air pollution in the Ojai Valley, another unstudied effect.

This is our drinking water, and common sense dictates that anything that happens lakeside affects the water, especially storm water runoff from paved areas. The lake is also home or stopover to untold thousands of birds and other animals that are sensitive to water quality and habitat changes. The group camp itself becomes a wildlife forage area when the groups leave. For families who happen by, that wildlife moment is an important part of the Casitas experience.

Two years ago, the federal landowner, the Bureau of Reclamation, began developing a comprehensive Resource Management Plan for the lake and watershed. All of the issues stated above are being studied, and the plan will direct future development at the lake. Thus, the Ventura Audubon Society requests that the Casitas Board of Directors table this and other discretionary proposals at the lake, until the plan is completed and the projects undergo proper review.

In a wider sense, removing this piece of undeveloped open space will remove a valuable community asset, and the choice of camping experience at Lake Casitas. For those of us who prefer roughing it in tents with our favorite groups, we'll have to look elsewhere. In the process, we all lose another little bit of our community character. Thank you for your attention.

President Hicks thanked him and then announced Pat Baggerly. Pat Baggerly, 119 S. Poli then addressed the board. Good afternoon President Hicks and members of the

board. My name is Pat Baggerly, I am here on behalf of the Environmental Coalition. I have a letter to submit but I want to let the record show that they claim that there are two group camps but I think you should be aware of what is going to be left for groups or show what the other group camp is. I didn't even know there was another group camp until I went to the picnic. I brought a picture and it is the campground behind where the water park is. A very under utilized spot by the highway. That is where the churches will be left with.

The Environmental Coalition does not agree with the proposed project should be exempt from the California Environmental Quality Act (CEQA). For reference, there will be visual impacts from the proposed project and impacts to biological resources as described below. While mitigation measures have been suggested by staff to reduce the impacts, in a recent case (SPAWN v. County of Marin, 2005) it was found by the court that a project could not be deemed exempt just because it was felt that known impacts were mitigated. For reference, it was held that "Reliance upon mitigation measures whether included in the application or later adopted involves an evaluative process of assessing those mitigation measures and weighing them against potential environmental impacts, and that process must be conducted under established CEQA standards and procedures for EIR's or negative declarations.

In the staff report, page four of the Lakeside camp's new facility it is stated that up to 35 established trees will be eliminated. Unfortunately, no list of types or sizes of trees that are proposed for removal has been provided. It is possible that some of the trees may contain nesting raptors such as the Red-tailed Hawk that are often seen flying over Lake Casitas and are always listed on the Audubon Society annual bird counts.

The staff report also mentions they will install about the same number of trees in different locations to provide shade for the recreational vehicles and to help hide the vehicles visual effects from observation by boaters on the lake. We are also concerned about the visual impacts that will result from changing the Group Camp that currently fit into the scenery into a recreational vehicular area that will be readily seen and cause glare and lighting impacts that are not currently present at that location. The proposed six log cabins of undisclosed size, we have no idea of the size as it is not in the staff report, may also have visual impacts that are impossible to determine without knowing the specific dimensions of the buildings.

Based upon the concerns about bird nesting and visual impact along with other reasons mentioned recently by the Audubon Society the Environmental Coalition respectfully requests that your board wait to proceed with this project until the Bureau of Reclamation completes their Resource Management Plan. Part of that report will be a biological technical report of Lake Casitas which will assist Casitas in determining the best way to protect Lake Casitas natural resources.

President Hicks thanked Pat and asked for any other comments. Larry Yuva, 23 Taromina, Ojai. Asked about funding of the project. As rate payer, you decide rates. What is the point of going in debt? Six or seven months ago you increased rates in water.

What is the point of going in debt for this? President Hicks explained that the best thing about this is we can charge more for each camp site and that mitigates the costs of doing it. Larry asked where is the money coming from. President Hicks said from the people that camp there. We have our reserves budgeted for this.

Al Collins then asked how many people are supposed to be these cabins. President Hicks said they are not big cabins. Mr. Johnson reported that the cabins are supposed to be able to fit on one of these RV pads. I think they were talking about putting them in the area where we have a little trailer camp next to the store. That is where they proposed to do them. They should all fit on a pad of that size. The cabins will be above them and to the right of the park store. Al then asked what you call that area on top of the hill that beautiful view. Is there going to be any cabins around that? Mr. Johnson answered no.

President Hicks asked if there were any comments from the audience and hearing non President Hicks closed the public hearing at 4:00 p.m.

- b. Resolution adopting the Notice of Exemption for Lakeside Group Camp & Park Store Cabin Reconstruction, Authorizing the filing of the Notice of Determination and approving of the project. ADOPTED

Director Kaiser asked Mr. Johnson how he would characterize the existing maintenance that has or has not been occurring in that area. Mr. Johnson replied that the maintenance is probably in general about the same. We have not replaced the pit toilets with flushable as we have in other areas because of the anticipation of this project. Director Kaiser said would you say that the picnic tables that people use for group activities have been kept up to standards as compared to the rest of the park. Mr. Johnson said generally the tables move all around the park. Director Kaiser said a concern has been expressed from his constituents, church groups, youth organization that for whatever reasons they have pointed out that area has been neglected and overlooked in their opinion. I am curious if it had been properly maintained to be inviting to the people it would have been more regularly used through the years. Mr. Johnson said all he could do is go back to the numbers that the district gets for usage versus capacity. The usage is the area where we have RV sites versus the areas of basic camp sites such as group camp and a number of other sites. The usages of our trailer sites are much more heavily used consistently than the basic sites are. Director Kaiser said he is glad you bring that up because the chart indicated that the visitor days have been as low as 2001. That being the case with visitor days being the lowest in spite the improvements we have made throughout the park why would we want to invest anything in this venture now. Mr. Johnson said the reason you want to invest tin this venture is that your improvements will bring in people that will stay and pay a higher prices than those that won't. And so you have a general increase in the amount of money you can afford to pay the bills at the recreation area by doing this. Director Kaiser said that being the case wouldn't that be indicative of the improvements we made in the executive areas. Mr. Johnson said if you look at your revenue over the years in 1991 or 1992 revenue was \$700,000. Now it is at \$2.7 million. You have had a tremendous increase in revenue and that is directly

relatable to the facilities we put in. Director Kaiser said the facilities related to RV's etcetera. Mr. Johnson said you put in new playground areas all over the park because the old areas were determined to be a liability. You put in new facilities in docks, you put in and rebuilt your ramp areas. You improved and put in RV sites, water adventure. You have improved a lot of the pit toilets to flushing toilets. You have put a lot of money in around the facility and I think collectively they have brought you returns in that people want to see newer and better facilities than the old ones.

Director Kaiser said looking at people and what they want to see and what we have been able to achieve in the watershed with the assistance of the Bureau of Reclamation and taking out the urban effect that would attribute to pollution. Would this type of issue be increasing the use or increasing the impact along the shoreline. Are we just transferring what was in our belief or the Bureau's belief an impact from the Teague watershed to the shoreline for potential run off etcetera? Mr. Johnson replied that the construction of this facility has anticipated some of that and will avoid some of that. First of all we are not constructing anything in the water level area of the lake. It is all outside that area. This area has always been used for camping in that area. I don't think you are moving into any new area. You are staying in the same area. The other thing that can be said about the entire recreation area is that the entire area set aside is that you have about or manage or control about 10,000 acres. Of all that 10,000 acres only 300 – 400 acres are provided for recreation. All of the watershed area of 3,100 acres are taking people out of and allowing it to return to total usage by nature. We are not having any of those affects. We are not putting any facilities in.

Director Kaiser then said looking at CEQA and the provisions of CEQA where you are talking about exemptions for reconstruction. Are we truly reconstructing when we are placing in multiple pads, a sewage system, electrical and the like. Is that reconstruction? Mr. Johnson said the answer is yes. There is case law out there where there is a cement plant that tore down their whole 300 acre facility and rebuilt it under an exemption for reconstruction. The view of the court at that point was it is not increasing capacity. You are putting in more efficient facilities so you are more efficient and that ultimately supports the idea that you can reconstruct things and you are building it all in different places. The courts have said that you can rebuild your facility and even though you are adding things that make it more efficient that is not changing the capacity and is not prevented under the exemption law.

Director Word said he did not hear anyone say they have actually camped at Lakeside. In terms of the group camps my understanding is that the majority of groups that camp now want to go into the hookup sites and get clustered camp sites together. They still want hook up sites even though they are groups. Maybe Brian can elaborate on that. When I checked last time for a group it was easier to put campsites together where there were hookups which everyone seemed to want to put them together for a group camping experience. You can do the tent camps the same way. Mr. Johnson added that people that are camping with RVs also have tents that they camp around the RVs with. We have limits on the number of people you can have there but they do that. Director Word added that his grandkids love to be in the tent outside of the RV.

Director Baggerly said that his comments relate to the CEQA process. As a board member I find this to be a very difficult project to deal with because I don't have the stable and finite project description in front of me. I did not see a plot plan or a grading footprint. There was not a map until today. I don't know what it will look like when it is done and that is not a very comprehensive description to have for decision makers to make an informed decision. The CEQA process is to inform the decision makers and the public. And the public did not have anything to review either. I find that to be wanting. The idea that the categorical exemption 15201 that applies to streets and highways brings to mind another issue for me and that I don't see that Casitas is in this limbo area between the unincorporated area of Ventura County and the federal authority. I don't have any idea whether or not there will be uniform construction standards being applied to anything that we do. We are sort of in no mans land here. I don't have anything in front of me to tell me that it is going to happen according to some standards. In regards to the campground itself the replacement of 35 trees that are going to be removed for visual purposes, that is a suggestion that there is a visual impact and for visual impacts you have to determine if it is significant. You have to have a threshold level in order to find out if it is significant or less than significant. We are not told what the threshold level is. Nevertheless there is no such thing as a mitigated categorical exemption. I don't like the idea of sneaking around the Bureau and waiting for statute of limitations to run on this process and then handing it over to them. They are going to have to do the NEPA investigation on this project and they won't move forward without the NEPA investigation. If we do what we plan to do is alienate our federal partner. I don't think that is good business. President Hicks asked for other comments. Director Baggerly stated he was not finished and continued that he had not seen a picture of the cabins and have no idea what they look like. I am not sure where they are supposed to go as there is no map. That is another bad process in my mind. You are trying to accommodate RV campers but yesterday's information on how popular these sites had become. The fact that gas has gone up to over \$3.00 for regular and these land yachts don't get very good gas mileage. If anyone will come to visit they will have to come from a short distance. President Hicks said that is one reason we have had so many campers here. They are coming from Los Angeles and they don't want to drive to so far.

Director Bennett said what we are dealing with is what our customers want. Our customers have wanted to have more of the RV sites. We have known that for all the time I have been on the board. The campsites are readily available. We are not taking away from campers. The issue of taking out 35 trees as you know there is an old orchard there and we will replace them with trees. I think as far as what it will look like I think we have seen photos of what it will look like. It will be a rubber stamp of other parts of the park. We know that the roads are not moving. They are being improved. The campsites are being upgraded. We have heard comments that camping requires water, electricity, toilets. The Bureau of Reclamation was notified on this. When I was on the Recreation committee I was with them on the grounds and they agreed with all of our ideas on that and the Bureau face to face had basically said they liked it and our ideas were good and that we should proceed and they would like to help us along. The paperwork we have been sitting for four years on this issue. I think that we are thinking

of the public and I would suggest it would be an excellent project. There is a lot of work to be done. It will be five years and probably ten years and we should move ahead with the project.

On the motion of Director Bennett, seconded by Director Word and approved with the following roll call vote:

AYES:	Directors:	Hicks, Bennett and Word
NOES:	Directors:	Kaiser and Baggerly
ABSENT:	Directors:	Word

Resolution is numbered 05-63

7. Recommend approval of a Fish Management Plan for Lake Casitas Recreation Area. **APPROVED**

Mr. Johnson reported that the Fish Management Plan is one that we have put together to talk about what we are to do in the fish area at Lake Casitas. This is basically by the request of your board and are trying to comply with the development of such a plan for consideration. Basically the plan has four goals. One is to maintain the world class bass fishery that we already have. The second is to supply multi fish populations. The other fish are trout, catfish, some sun fish and crappie. The idea is that there are other fish in the lake that kids and other people can catch. Some of the bass I understand are very hard to catch in the lake unless you have a lot of experience. The whole idea would be that you would maintain that population through stocking the lake from time to time with fish to help you support that kind of population. The third goal is for surveys. That is we have to get some idea of the numbers of fish and types of fish that we have to know how the lake is doing. We have done a lot of surveys in the past. We have assisted Fish and Game. The trouble is that they seem to go into fish and game and never come out. We have talked to them and tried to get the information from them to help us with our understanding of what is going on. It does appear that we need to keep track of our own surveys as we are providing information to them. We will still work with them but we will keep track of that information so we can make our own evaluation of it. The fourth goal is to provide enhancements. Typically that is habitat enhancements is structures. That is the devices under the water line that don't take up a lot of water but do help protect small fish from larger predator fish. The idea is we have been doing that for a number of years. We have tried a number of different kinds of devices. We have worked with different kinds of fishing clubs in the area to obtain a habitat that will work and we intend to continue that. There are some other proposals that we will be looking at as far as increased public use of the area to try and encourage more people to come back and fish. We have seen over a long term trend that moves up and down but continues to move down is that the number of boats and fishing that is going on at the lake is decreasing so we have to do some things to increase the public use of that resource that we have and we think that there are some ways that we need to look into them. We have included some of those in your proposed plan. The proposal also talked about fee increases. We are going to have to deal with fee increases and try to keep the fees in such

a way that it will entice people to come back. I should go back and mention that the maintaining of that fisheries we are doing more than just stocking. There is some cove closures in there so we do not take the fish off the nest. We are trying to promoter catch and release rather than catch and take. I sometime have questions if catch and release work but if even one fish is saved it is better than taking them all out. The program also describes the fish and what we are doing.

Director Kaiser said that staff put together a comprehensive plan here and it covers how we will manage the fisheries and the lake in the future. Director Word asked if this plan while an excellent plan I did have a couple of questions. If we pass this does it mean that we will install the increase in fees, the angler fees etceteras? I am not sure of that. Mr. Johnson said all fees would be coming to your board at some time in the futures. There are not fees involved in this program. We have talked generally about what the fees might be and we have talked about different types of program. At some point if you want to change fees we would be coming to your board and recommending that we go through the fee setting process. Director Word said the proposed fees are in this plan and if we approve this plan as it stands we are approving the fees and I'm not sure we want to do that. Mr. Johnson said the intent is not to approve the fees. The fees were in there to give you an idea of what is going on. The fees make a certain kind of rate making that your board is familiar with and we would go through that methodology. Director Word said what I see of the plan and the proposed limits in the take and catch all really make a lot of sense. It seems to be well thought out. I can't support his until it has more discussion about fees. If fees are not part of it then I can support it. Mr. Johnson suggested that the motion be to approve the plan but not the implementation of any fees until we go through the rate making process. Director Word said part of that was not having a license and I know that we are not anywhere close to resolving that issue.

On the motion of Director Kaiser, seconded by Director Baggerly and passed the above recommendation was approved with the understanding that plan was approved but not the implementation of any fees.

8. Recommend that the Board of Directors consider and discuss the report on the management study by John Baker and give direction to staff on the implementation of the management recommendations. TABLED

President Hicks asked that this be put off until the planning day for the Long Term Financial part of this thing and I think this will be a two or three hour discussion of how to implement the Baker study. I would prefer to table it to the next meeting or table to the planning day which should be coming up very shortly. Mr. Johnson said we set the first Saturday in November. Mr. Johnson said that would be fine with him. He has a proposal and outline of how it should go together. President Hicks said he thinks it is a two to three hour discussion to try to implement it correctly. Mr. Johnson said maybe you could allow me to give the presentation at the next meeting to have an introduction to it and schedule a real discussion for that at the planning meeting. Director Bennett said that this presentation of John's is that his sense he had a problem with is the fact that the board is almost going to be exclusively going to the manager and I guess my questions

about that is what does staff think about the change there. We talked about the five minute clause. I think some of the things we still need to be able to connect with staff with. I had a constituent and I talked to Steve and we handled it together and the problem got resolved. There are situations like that in the future and I don't know if we want to take the board entirely out of that process. I am also a big fan of streamlining this process and freeing up some more time for you. Director Word said that is part of the discussion. Director Bennett said his suggestion is that staff responds to the first sections of the report. They don't have to put their name to it. I enjoyed the comments at the back. Even so how the staff wants to connect with the board. President Hicks said with your approval I would like to table item number 8 until next week when he can give his report and then have the discussion at the board planning day. Director Kaiser seconded that. Mr. Johnson clarified that would be the next meeting.

10. Resolution approving letter containing two offers of agreement with the County concerning the Matilija Conduit and authorization for the President to sign said letters and adoption of the contract. TABLED

President Hicks said he has been in discussion with Steve Bennett and I think that we will need to take a creative approach to getting this problem settled. Steve has come up with some ideas on what he thinks might work. He has gone on our web site and pulled up the letters. I can get a copy of their proposal next week. He is in Washington today and will be back Friday trying to get funding for the Matilija Project. With your approval I would like to wait til he gets back and try to have discussions and get on the same page with this. We need to move the rhetoric down a notch and try to work together to get this settled in an amicable way. By some further private discussions we will get further on that. With your approval I would like to table that. Director Word said they did ask for some response and offers and that is what we are proposing. President Hicks said he has an idea that could be workable. He also wants to come to the meeting to discuss it with us. The more communication that we have the more closely we can come to getting an agreement that will work for everybody. We will have to get it settled one way or the other and I would rather be on friendly terms. We are not going to get there where we are at right now. With your approval I would like to table that item also to the next meeting. Director Word said assuming we will have more information. President Hicks said he would get the proposal to you next week and we can discuss if at the meeting.

11. Information items:

Level of lake -09/2105 - -560.60 feet above mean sea level (6.40 feet below spill elevation); present storage is 236,975 acre feet (17,025 acre feet below full capacity of 254,000 acre feet, 109,975 acre feet above half capacity, or 93.3% full capacity.

- a. Ventura County Regional Energy Alliance energy Assessment of Lake Casitas Water Park.
- b. Recreation Area Monthly Report for August.
- c. Presentation of Casitas redesigned web site

- d. Presentation of Lake Casitas Recreation Area redesigned web site.
- e. Investment Report of September 21, 2005, 2005.

12. Closed Session

- a. Conference with Legal Council- Anticipated Litigation
Significant exposure to Litigation-Facts and Circumstances that might result in litigation against the agency, but which the Agency believes are not yet known to a potential plaintiff or plaintiffs. Government Code Section 54956.9(b)(3)(A).
Agency Claimed against: Casitas Municipal Water District
- b. Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Section 54956.9 Name of Case: Casitas Municipal Water District vs. United States.
- c. Conference with Real Property Negotiators (Section 54956.8):
District Designated Negotiators: John Johnson, James Word, Chuck Bennett
Property: Appropriative water rights, including future appropriative water rights, to the waters of Matilija Creek, and associated appurtenances including Matilija Conduit.
Negotiating Parties: Ventura County Watershed Protection District, County of Ventura, and California State Water Resources Control Board
Under Negotiation: Price, identification and nature of consideration other than cash, and terms of payment.

President Hicks adjourned the meeting at 4:30 p.m. There was no closed session held.

Secretary