

## **UPPER VENTURA RIVER GROUNDWATER AGENCY**

### **NOTICE OF MEETING**

**NOTICE IS HEREBY GIVEN** that the Upper Ventura River Groundwater Agency (“Agency”) Board of Directors (“Board”) will hold its regular **Board Meeting** at **1 P.M. on Thursday, March 9, 2017** at **Casitas Municipal Water District Board Room, 1055 Ventura Avenue, Oak View, California, 93022.**

### **UPPER VENTURA RIVER GROUNDWATER AGENCY BOARD OF DIRECTORS** **AGENDA**

**Thursday, March 9, 2017**

- 1. CALL TO ORDER.**
- 2. PLEDGE OF ALLEGIANCE.**
- 3. DIRECTOR ANNOUNCEMENTS**
- 4. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**

The Board will receive public comments on items not appearing on the agenda and within the subject matter jurisdiction of the Agency. The Board will not enter into a detailed discussion or take any action on any items presented during public comments. Such items may only be referred to the Executive Director or other staff for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on specific agenda items should do so at the time specified for those items. The presiding Chair shall limit public comments to three minutes.

#### **5. CONSENT ITEMS**

- a. Approve Minutes from February 1, 2017 meeting**
- b. Approve Minutes from February 9, 2017 meeting**
- c. Approve Transfer of BHFS Invoice (Amount: \$9,972.53) Dated February 9, 2017 from Formation Committee’s Budget to Agency’s Budget**

#### **6. ACTION ITEMS**

- a. Receive Update on Appointment of Treasurer/Auditor**

Staff will provide the Board with an update on the options for appointing a treasurer/auditor.

- b. Coordination for the Development of a Letter Proposal to the Bureau of Reclamation for a Basin Study for the Ventura River.**

Staff will update the Board on the potential for a Basin Study to be developed for the Ventura River and discuss the level of involvement of the Agency.

*\* In compliance with the Americans with Disabilities Act, all possible accommodations will be made for individuals so they may attend and participate in meetings.*

**c. Appointment of Ad Hoc Committee to Interface with California Water Action Plan Representatives**

The Board shall consider creating an ad hoc committee to discuss the relationship between the groundwater sustainability plan development process and the instream flow study being conducted pursuant to the California Water Action Plan.

**d. Discussion of Desired Roles and Responsibilities of Executive Director and Creation of Ad Hoc Committee to Identify and Recommend Individuals to Act as Executive Director**

The Board shall discuss the roles and responsibilities of the Executive Director and consider creation of an ad hoc committee to recommend individuals to be considered for this position.

**7. COMMITTEE REPORTS**

**a. Report from Ad Hoc Committee to Develop Annual Budget**

**b. Report from Ad Hoc Committee to Draft Bylaws**

**c. Report from Ad Hoc Committee to Draft Conflict of Interest Code**

**8. EXECUTIVE DIRECTOR'S REPORT**

**9. ADJOURNMENT**

**UPPER VENTURA RIVER GROUNDWATER AGENCY  
MINUTES OF REGULAR MEETING February 1, 2017**

Directors present were: Jeff Pratt, Mike Krumpschmidt, Shana Epstein, Bruce Kuebler, Mary Bergen, Larry Rose, and Emily Ayala. Also present were: Interim Executive Director Jennifer Tribo and Attorney Jena Acos.

- 1) **CALL TO ORDER**- Acting Chairperson Mary Bergen called the meeting to order at 3:05 P.M.
- 2) **PLEDGE OF ALLEGIANCE** – Led by Mary Bergen.
- 3) **PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA** – No public comments were received.
- 4) **a. Review and Approve Minutes from January 5, 2017 meeting** – There were no comments provided.

Bruce Kuebler moved to approve the January 5, 2017 meeting minutes. Seconded by Jeff Pratt.

Ayes: Bruce Kuebler, Mary Bergen, Jeff Pratt, Mike Krumpschmidt, Shana Epstein. Nos: none, Abstentions: none.

- 4) **b. Determine Member Director Terms** – Jennifer Tribo summarized the staff report. The member directors drew straws to determine which three directors would serve initial terms of three years. Directors Pratt, Epstein, and Krumpschmidt selected the straws with three year terms. The Board of Directors Upper Ventura River Groundwater Agency Resolution No. 2017-1 was updated to state that Directors Pratt, Epstein, and Krumpschmidt will serve an initial term of three years.

Bruce Kuebler moved to approve the resolution with Directors Pratt, Epstein, and Krumpschmidt serving initial three year terms. Seconded by Mary Bergen.

Ayes: Bruce Kuebler, Mary Bergen, Jeff Pratt, Mike Krumpschmidt, Shana Epstein. Nos: none, Abstentions: none.

- 4) **c. Appoint Environmental Stakeholder Director** – Jennifer Tribo summarized the staff report and Director Kuebler provided a summary of the interviews and the committee's decision to recommend Larry Rose as the Environmental Stakeholder Director. Director Pratt asked Mr. Rose to provide the Board with his answers to some of the interview questions.

Jeff Pratt moved to approve the interview committee's recommendation to appoint Larry Rose as the Environmental Stakeholder Director. Seconded by Mike Krumpschmidt.

Ayes: Bruce Kuebler, Mary Bergen, Jeff Pratt, Mike Krumpschmidt, Shana Epstein. Nos: none, Abstentions: none.

- 4) **d. Appoint Agricultural Stakeholder Director** - Jennifer Tribo summarized the staff report and Director Epstein provided a summary of the interviews and the committee's decision to recommend Emily Ayala as the Agricultural Stakeholder Director. Director Bergen commented that she agreed with the committee's recommendation as she has known Ms. Ayala for a long time and recognizes her as a prominent member of the agricultural community.

Jeff Pratt moved to approve the interview committee's recommendation to appoint Emily Ayala as the Agricultural Stakeholder Director. Seconded by Mary Bergen.

Ayes: Bruce Kuebler, Mary Bergen, Jeff Pratt, Mike Krumpschmidt, Shana Epstein. Nos: none, Abstentions: none.

- 4) **e. Appointment of Officers** – Jennifer Tribo summarized the staff report and opened the floor for officer nominations.

Mike Krumpschmidt moved to elect Bruce Kuebler as the chair. Seconded by Mary Bergen.

Ayes: Bruce Kuebler, Mary Bergen, Jeff Pratt, Mike Krumpschmidt, Shana Epstein, Larry Rose, Emily Ayala. Nos: none, Abstentions: none.

Mike Krumpschmidt moved to elect Mary Bergen as the vice chair. Seconded by Jeff Pratt.

Ayes: Bruce Kuebler, Mary Bergen, Jeff Pratt, Mike Krumpschmidt, Shana Epstein, Larry Rose, Emily Ayala. Nos: none, Abstentions: none.

Shana Epstein moved to elect Mike Krumpschmidt as the secretary. Seconded by Bruce Kuebler.

Ayes: Bruce Kuebler, Mary Bergen, Jeff Pratt, Mike Krumpschmidt, Shana Epstein, Larry Rose, Emily Ayala. Nos: none, Abstentions: none.

- 4) **f. Discussion re Options for Appointing Treasurer and Auditor** – Jennifer Tribo summarized the staff report and Jena Acos provided additional details on the duties of the treasurer and auditor and the options for appointing a treasurer and auditor for the Agency. After discussion, the directors instructed staff to provide additional information on option 1) appointing the treasurer of one of the member agencies and 4) appointing an officer or employee of the agency. Specifically, the directors would like additional information on Ventura County or the City of Ventura providing the treasurer/auditor and the possibility of Cece VanDerMeer (the OBGMA treasurer) being hired as the Agency's treasurer.

Staff will investigate options 1 and 4 and bring this item back for discussion at the March board meeting.

- 4) **g. Adoption of Meeting Location and Regular Meeting Schedule-** Jennifer Tribo summarized the staff report and reviewed the availability and facilities at each meeting location option. Emily Ayala stated that she would like to keep the meeting in the valley by meeting either in the City of Ojai council chambers or the Casitas board room. Bruce Kuebler added that the Ojai council chambers have only been offered on the first Thursday of the month and a fee may be required in the future. Mike Krumpshmidt added that the majority of users are in the City of Ventura.

Russ Baggerly added a public comment that the Casitas board room is moving upstairs in the near future which would allow for evening meetings and video recording.

Shana Epstein moved that regular meetings be held in the Casitas Municipal Water District Board Room with a special meeting at the City of Ventura at least once per year. Seconded by Jeff Pratt.

Ayes: Bruce Kuebler, Mary Bergen, Jeff Pratt, Mike Krumpschmidt, Shana Epstein, Larry Rose, Emily Ayala. Nos: none, Abstentions: none.

Mary Bergen moved that regular meetings take place on the second Thursday of the month from 1-4pm. Seconded by Jeff Pratt.

Ayes: Bruce Kuebler, Mary Bergen, Jeff Pratt, Mike Krumpschmidt, Shana Epstein, Larry Rose, Emily Ayala. Nos: none, Abstentions: none.

**4) h. Public Hearing to Serve as the Groundwater Sustainability Agency (“GSA”)**

Jennifer Tribo summarized the staff report. Jena Acos added that if the Agency does not form the GSA, then the County would be the backstop or the State would step in after June 30, 2017. The Agency’s request to DWR to be the GSA must include a list of beneficial uses and users. This list should be prepared ahead of the hearing if the Directors would like to receive public comment on the beneficial uses and users.

Diana Engle provided a public comment that the hearing should be held in the evening. The Directors discussed that the hearing should be noticed in both the Ventura County Star and the Ojai Valley News.

Bruce Kuebler moved that the hearing be held at 6:30 pm at the Oak View Community Center during the first two weeks of March 2017. Mike Krumpschmidt seconded.

Ayes: Bruce Kuebler, Mary Bergen, Jeff Pratt, Mike Krumpschmidt, Shana Epstein, Larry Rose, Emily Ayala. Nos: none, Abstentions: none.

**5) ADJOURNMENT** – The meeting was adjourned at 4:45 pm and agenda items 4i through 6 were continued to a special meeting scheduled for Thursday February 9, 2017 at 1:00pm in the Casitas Municipal Water District board room.

Attested:

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Bruce Kuebler, Chair

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Mary Bergen, Vice Chair

**UPPER VENTURA RIVER GROUNDWATER AGENCY  
MINUTES OF REGULAR MEETING February 9, 2017**

Directors present were: Jeff Pratt, Mike Krumpschmidt, Shana Epstein, Bruce Kuebler, Mary Bergen, Larry Rose, and Emily Ayala. Also present were: Interim Executive Director Jennifer Tribo and Attorney Jena Acos.

- 1) **CALL TO ORDER**- Chairperson Bruce Kuebler called the meeting to order at 1:05 P.M.
- 2) **PLEDGE OF ALLEGIANCE** – Led by Bruce Kuebler.
- 3) **PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA** – No public comments were received. Chair Kuebler distributed a handout detailing consensus procedures for the Board of Directors to the Directors and the public.
- 4) **a. Authorize Contract with Brownstein Hyatt Farber Schreck (Brownstein) for legal services** – Jennifer Tribo summarized the staff report. Directors discussed that they would like to keep costs down by limiting note taking and agenda writing. The Directors requested that the contract be written as not to exceed \$6,000 per month unless a major legal issue arises. Ms. Acos clarified that the contract is not a retainer. Work will be billed only as needed and it does not have a minimum term.

Larry Rose moved to execute a contract with Brownstein. Seconded by Jeff Pratt.

Ayes: Bruce Kuebler, Mary Bergen, Jeff Pratt, Mike Krumpschmidt, Shana Epstein, Larry Rose, Emily Ayala. Nos: none, Abstentions: none.

- 4) **b. Adoption of Interim Budget** – Jennifer Tribo summarized the staff report. Each Director verified that they received approval to contribute \$10,000 to the interim budget.

Mary Bergen moved to adopt the interim budget. Seconded by Mike Krumpschmidt.

Ayes: Bruce Kuebler, Mary Bergen, Jeff Pratt, Mike Krumpschmidt, Shana Epstein, Larry Rose, Emily Ayala. Nos: none, Abstentions: none.

- 4) **c. Creation of Committees to Develop Annual Budget, Bylaws, and Conflict of Interest Code** – Jennifer Tribo summarized the staff report and the Directors decided to establish ad hoc committees composed of three Directors or Alternates each.

Bert Rapp, Mike Hollebrands, and Mary Bergen were nominated to serve on the Annual Budget Committee.

Jeff Pratt moved that the Annual Budget Committee be established and composed of Mary Bergen (chair), Bert Rapp, and Mike Hollebrands in order to develop the annual budget. The Annual Budget Committee will be dissolved once the annual budget is approved by the Board of Directors on or before May 5, 2017. Seconded by Larry Rose.

Ayes: Bruce Kuebler, Mary Bergen, Jeff Pratt, Mike Krumpschmidt, Shana Epstein, Larry Rose, Emily Ayala. Nos: none, Abstentions: none.

Larry Rose, Joe McDermott, and Jeff Pratt were nominated to serve on the Bylaws Committee.

Jeff Pratt moved that the Bylaws Committee be established and composed of Larry Rose (chair), Joe McDermott, and Jeff Pratt in order to draft the Agency Bylaws. The Bylaws Committee will be

dissolved once the Bylaws are approved by the Board of Directors on or before January 4, 2018.  
Seconded by Mary Bergen.

Ayes: Bruce Kuebler, Mary Bergen, Jeff Pratt, Mike Krumpschmidt, Shana Epstein, Larry Rose, Emily Ayala. Nos: none, Abstentions: none.

Shana Epstein, Mike Krumpschmidt, and Larry Rose were nominated to serve on the Conflict of Interest Code Committee.

Bruce Kuebler moved that the Conflict of Interest Code Committee be established and composed of Shana Epstein (chair), Mike Krumpschmidt, and Larry Rose in order to develop the Conflict of Interest Code for the Agency. The Conflict of Interest Code Committee will be dissolved once the Conflict of Interest Code is adopted by the Board of Directors on or before August 1, 2017. Seconded by Jeff Pratt.

Ayes: Bruce Kuebler, Mary Bergen, Jeff Pratt, Mike Krumpschmidt, Shana Epstein, Larry Rose, Emily Ayala. Nos: none, Abstentions: none.

- 4) **d. Thank You Letters to the Center for Collaborative Policy and the California Department of Water Resources** - Jennifer Tribo summarized the staff report and asked the Directors if there were any edits to attached letters.

Emily Ayala moved that the letters be accepted as written and sent to CCP and DWR. Seconded by Jeff Pratt.

Ayes: Bruce Kuebler, Mary Bergen, Jeff Pratt, Mike Krumpschmidt, Shana Epstein, Larry Rose, Emily Ayala. Nos: none, Abstentions: none.

- 4) **e. Preparation of Comments on the Ojai Basin Groundwater Management Agency's ("OBGMA") Alternative Submittal under Sustainable Groundwater Management Act ("SGMA")** – Jennifer Tribo summarized the staff report. Chair Kuebler added that OBGMA passed a motion at its January board meeting to enter into a cooperative agreement with the UVRGSA (once it is formed). The Directors discussed the tone and content of the comments to DWR.

Public Comment: Diana Engle, Meiners Oaks Water District Board of Directors, submitted a written comment. "The GSA member agencies (or GSA) may want to comment to DWR on the important areas of nexus between the future Upper Ventura River GSP and the existing management of OBGMA that are not addressed by OBGMA pursuing the "Alternative Plan" route of compliance with SGMA."

Jeff Pratt moved that Bruce Kuebler, Mary Bergen, and Emily Ayala draft the comment letter based on the meeting discussion and submit the letter to DWR. Seconded by Emily Ayala.

Ayes: Bruce Kuebler, Mary Bergen, Jeff Pratt, Mike Krumpschmidt, Shana Epstein, Larry Rose, Emily Ayala. Nos: none, Abstentions: none.

- 4) **f. Coordination with California Water Action Plan** – Jennifer Tribo summarized the staff report. Chair Kuebler led the Directors in a brainstorming session on the interconnectedness of the GSP and the California Water Action Plan. Chair Kuebler will update the Board of Directors after his March 14, 2017 call with the State Water Board.

- 5) **DIRECTOR ANNOUNCEMENTS** – Jennifer Tribo announced that the doodle poll to choose a date for the public hearing to serve as the GSA indicated that Thursday March 9 at 6:30 pm was the best date. The Directors agreed the meeting should be held on March 9, 2017.

Jennifer Tribo provided the Directors with information about the Bureau of Reclamation's (USBR) Basin Study Program. Ventura Water responded to USBR's call for letter's of interest in January and requested that USBR conduct a Basin Study in the Upper Ventura River Watershed to complement the State's instream flow study. Ms. Tribo will provide additional details and an update at the March meeting of the UVRGA.

**6) ADJOURNMENT** – The meeting was adjourned at 3:16pm.

Attested:

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Bruce Kuebler, Chair

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Mary Bergen, Vice Chair



## **UPPER VENTURA RIVER GROUNDWATER AGENCY**

### **Item No. 6(a)**

**DATE:** March 9, 2017  
**TO:** Board of Directors  
**SUBJECT:** Receive an Update on Appointment of Treasurer/Auditor

#### **SUMMARY**

Article 7 of the Joint Exercise of Powers Agreement (“JPA Agreement”) requires the Agency to appoint a treasurer and auditor consistent with the requirements in the Government Code.

Depending upon the option selected, there may be a fiscal impact associated with this agenda item.

#### **RECOMMENDED ACTION**

Receive staff update on treasurer/auditor options and provide input to staff to prepare an action on this item for the next Board Meeting.

#### **BACKGROUND**

Section 13.3 of the JPA Agreement requires the Agency to appoint a treasurer and auditor consistent with sections 6505, 6505.5 and 6505.6 of the Government Code.

The Government Code identifies the following four options for appointment of a treasurer. Requirements for appointment of an auditor depends on which option the Agency chooses regarding appointment of a treasurer.

1. Appoint the treasurer of one of the member agencies;
2. Appoint the treasurer for Ventura County;
3. Contract with a certified public accountant; or
4. Appoint an officer or employee of the Agency.

Staff reviewed the above options in detail at the February 1, 2017 meeting. The Board of Directors instructed staff to bring forward additional information regarding the feasibility of options 1 and 4. Staff has contacted the City of Ventura and Ventura County to obtain information on the availability and fees associated with the City or County Treasurer serving as the Treasurer/Auditor for the Agency. Staff has also contacted CeCe VanDerMeer, Secretary of Ojai Basin Groundwater Management Agency, to determine her availability and eligibility to serve as treasurer. Staff will provide an update on information received at the meeting.

#### **FISCAL SUMMARY**

Depending upon the option selected, there may be a fiscal impact associated with this agenda item.

Action: \_\_\_\_\_

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

B. Kuebler\_\_\_\_ M. Bergen\_\_\_\_ J. Pratt\_\_\_\_ M. Krumpschmidt\_\_\_\_ S. Epstein\_\_\_\_

L. Rose\_\_\_\_ E. Ayala\_\_\_\_

## **UPPER VENTURA RIVER GROUNDWATER AGENCY**

### **Item No. 6(b)**

**DATE:** March 9, 2017  
**TO:** Board of Directors  
**SUBJECT:** Coordination for the Development of a Letter Proposal to the Bureau of Reclamation for a Basin Study for the Ventura River.

### **SUMMARY**

The Bureau of Reclamation is seeking non-federal partners to participate in the development of new basin studies. The City of Ventura's water department ("Ventura Water") responded with a letter of interest in January proposing a basin study for the Ventura River to complement the State Water Board's instream flow study. Staff will update the Board on the potential for a Basin Study to be developed for the Ventura River and discuss the level of involvement of the Upper Ventura River Groundwater Agency.

### **RECOMMENDED ACTION**

Authorize Agency staff to coordinate with Ventura Water on the development of a Letter Proposal for a Basin Study for the Ventura River including submitting a Letter of Support if necessary.

### **BACKGROUND**

In December 2016, the Bureau of Reclamation sought letters of interest from eligible non-federal entities interested in participating in a new basin study. Ventura Water responded with the attached letter of interest proposing a basin study for the Ventura River to complement the State Water Board's instream flow study.

Through basin studies, Reclamation works with state and local partners to conduct comprehensive water supply and demand studies of river basins. Basin studies include four main elements:

1. Projections of water supply and demand, including the risks of climate change.
2. Analysis of how existing water and power infrastructure will perform in response to changing water realities.
3. Development of adaptation and mitigation strategies to improve operations and infrastructure to supply adequate water in the future.
4. Trade-off analysis of the strategies identified and findings.

Entities must contribute at least half of the total cost as cash or in-kind services. This is not a financial assistance program and Reclamation's share of the study costs will only be used to support the work done by Reclamation or its contractors. Those selected for consideration will then work with Reclamation to develop a joint study proposal for evaluation and prioritization by a Reclamation review committee.

If the Ventura River is selected to develop a letter proposal, then Ventura Water will work with stakeholders including the State Water Board and the UVRGA to prepare and submit the document to the Bureau of Reclamation. Ventura Water staff is scheduled to discuss the study in greater detail with State Water Board staff next week. Notifications to proceed are expected on March 7, 2017 and letter proposals are due April 19, 2017. Additional information on the Basin Study process and examples of previously funded studies are available at <https://www.usbr.gov/watersmart/bsp/>.

### **FISCAL SUMMARY**

There is no fiscal impact associated with this agenda item.

Action: \_\_\_\_\_

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

B. Kuebler\_\_\_\_ M. Bergen\_\_\_\_ J. Pratt\_\_\_\_ M. Krumpschmidt\_\_\_\_ S. Epstein\_\_\_\_

L. Rose\_\_\_\_ E. Ayala\_\_\_\_

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January 19, 2017

Arlan Nickel  
Basin Study Program Coordinator  
2800 Cottage Way, Sacramento, CA 95825  
Bureau of Reclamation Mid-Pacific Region  
anickel@usbr.gov

Re: Letter of Interest for Bureau of Reclamation Basin Study Selection Process

Dear Mr. Nickel:

The City of Ventura (Ventura Water) would like to propose that the Bureau of Reclamation develop a basin study for the Ventura River Watershed. The Ventura River Watershed comprises approximately 223 square miles of land in Ventura and Santa Barbara counties in California. Although the Ventura River Watershed is relatively small, largely undeveloped, and serves less than 200,000 people, it is a good candidate for a basin study due to regular cycles of drought that create conflict between agricultural users, urban users, and ecosystem needs. Future increases in temperature and more frequent droughts associated with climate change will only increase competition for increasingly limited water supplies. An active watershed council and several recently completed, ongoing, and upcoming studies and projects provide a wealth of hydrological information and opportunities for cost-share. Past studies include: Algae TMDL for the Ventura River; Ventura River Watershed Hydrology Model; Groundwater Budget and Approach to Groundwater Management Plan: Upper and Lower Ventura River Basin; Ojai Basin Groundwater Model; Ventura River Watershed Management Plan; Matilija Dam Ecosystem Restoration Feasibility Study; and Sustainable Water Use in the Ventura River Watershed, a monthly time step water management WEAP model. Ongoing and future projects include: Instream flow study for the Ventura River; Groundwater Sustainability Plan for the Upper Ventura River Basin; and removal of the Matilija dam.

The Ventura River Watershed provides water supplies to the City of Ojai, portions of the City of Ventura, communities of Meiners Oaks, Mira Monte, Oak View, Live Oak Acres, Casitas Springs, Matilija Canyon, and unincorporated areas of Ventura County. Lake Casitas which diverts water from the Ventura River is the primary water supply in the watershed. The City of Ventura also diverts subsurface water from the Ventura River in the Foster Park area. Groundwater from the four major basins (Ojai Valley, Upper Ventura River, Lower Ventura River, and Upper Ojai) is also an important water source in the watershed. Aquifers in the watershed tend to drain relatively quickly, but also recharge quickly with sufficient rain. The watershed is home to numerous protected species and habitats, including 137 plants and animals protected at either the federal, state, or local level. The federally endangered Southern California steelhead is of particular importance, given the watershed's often dry and always variable climate.

The watershed is largely undeveloped with the northern half lying within the Los Padres National Forest. The Ventura River is formed at the junction of Matilija Creek and North Fork

Matilija Creek and receives flow from San Antonio Creek, Coyote Creek, and Canada Larga before discharging to the ocean. Five percent of the land is classified as residential and approximately 20 percent is agriculture and grazing. Rainfall in the watershed varies geographically, seasonally, and from year to year. The watershed's upper area (Matilija Canyon) receives over twice as much rainfall, almost 20 inches more, as its lower areas (downtown Ventura). A few significant storms between October 15 and April 1 typically make up 90 percent of the annual rainfall. Average rainfall is heavily influenced by relatively few wet years. Most years are drier than average.

The Casitas Dam was completed in 1958 to create the Lake Casitas Reservoir and is operated by the Casitas Municipal Water District (CMWD). The lake first reached its full capacity of 254,000 acre-feet and spilled in 1978. CMWD serves directly and indirectly a population of approximately 70,847. Population within CMWD service area is anticipated to reach approximately 85,431 by 2040. The last time water spilled over the Casitas Dam was in 1998. Lake Casitas is currently at 35 percent of capacity and users are under stage 3 drought restrictions.

The City of Ventura operates facilities within the Ventura River Watershed at Foster Park that provide subsurface and shallow groundwater to residents throughout the year. Historic production was 6,700 acre-feet per year (AFY), but has dropped to approximately 1,300 AFY in recent years due to continued drought conditions, heightened environmental requirements, and recent litigation that have limited pumping from the Ventura River.

The Ventura River Watershed Council (Council) was formed in May of 2006 as a coalition of stakeholders addressing critical issues in the watershed. It is an open group with active participation by local, state, and federal government agencies, water and sanitation districts, environmental and educational nonprofits, agricultural organizations, community volunteer groups, as well as engineers, biologists, businesses, students, and other private citizens. The Council serves as the stakeholder group for a variety of local watershed planning efforts, including the development of the Integrated Regional Water Management Plan and the Ventura River Watershed Management Plan in 2015. The watershed plan describes six priority campaigns for the watershed that build on existing work and lay out priority projects for improvements in the watershed.

The Ventura River was recently identified as a priority stream in the California Water Action Plan (WAP), which was signed by Governor Edmund G. Brown Jr. and released to the public on January 22, 2014. The State Water Resources Control Board (State Water Board) and California Department of Fish and Wildlife (CDFW) are currently working to identify potential actions that may be taken to enhance and establish instream flow for anadromous fish in these five priority streams while balancing the other beneficial uses of water. The State Water Board is currently soliciting proposals to develop or refine existing water resource modeling tools including surface water, groundwater, water quality, and other water management for the Ventura River Watershed. The models shall incorporate elements from existing modeling efforts and include simulation of baseline, unimpaired, and alternative scenario flow and water quality conditions. The project will focus on the update and expansion of existing groundwater and surface water models, and the development of a nutrient transport model. The model will then be used to evaluate at least four surface water scenarios:



1. Unimpaired flow conditions in the watershed.
2. Existing conditions in the watershed.
3. Effects of climate change on surface water resources in the watershed.
4. Effect of Matilija Dam removal on surface water resources in the watershed.

California enacted the Sustainable Groundwater Management Act (SGMA) in 2014 to strengthen local control and management of groundwater basins throughout the state. The legislation provides a framework for sustainable management of groundwater supplies by local authorities to protect the long-term reliability of the resource. SGMA requires the 127 high- and medium-priority basins to develop groundwater sustainability plans. The Upper Ventura River and Ojai groundwater basins have been ranked a medium-priority basin. Local groundwater sustainability agencies must be formed by June 2017 and groundwater sustainability plans must be developed by January 2022. Groundwater sustainability plans must outline measurable objectives and interim milestones to achieve the sustainability goal for the basin within a 20-year time frame. The existing Ojai Basin Groundwater Management Agency (OBGMA) will serve as the GSA for the Ojai Basin and they have submitted an alternative demonstration to fulfill the requirements of the GSP. The City of Ventura, Ventura County, CMWD, Ventura River Water District, and Meiners Oaks Water District are in the process of forming the Upper Ventura River Groundwater Sustainability Agency (UVRGSA). The UVRGSA will likely utilize the models being developed by the State Water Board for the instream flow study to guide development of the groundwater sustainability plan.

Given the current drought conditions, groundwater regulations, and the instream flow study, Ventura Water believes that the Ventura River Watershed is a prime candidate for Basin Study development. The State Water Board is committed to spend \$750,000 over the next three years to develop hydrologic models to support the instream flow study and install flow monitoring stations throughout the watershed. The Bureau of Reclamation could enhance this work and contribute to sustainable water management in the Ventura River Watershed by developing a Basin Study in coordination with the State Water Board and local stakeholders. The Ventura Watershed Council, OBGMA, and UVRGSA provide an engaged group of stakeholders and potential cost-share partners. Ventura Water looks forward to discussing additional details about the Basin Study development for the Ventura River Watershed with the Bureau of Reclamation.

Should you have any questions for us, please contact Jennifer Tribo, Management Analyst, at (805) 652-4563

Sincerely,

A handwritten signature in blue ink, appearing to read "Joe McDermott", is written over a horizontal blue line.

Joe McDermott  
Assistant General Manager  
Ventura Water

## **UPPER VENTURA RIVER GROUNDWATER AGENCY**

### **Item No. 6(c)**

**DATE:** March 9, 2017  
**TO:** Board of Directors  
**SUBJECT:** Creation of Ad Hoc Committee to Interface with California Water Action Plan Representatives

### **SUMMARY**

The Ventura River was recently identified as a priority stream in the California Water Action Plan (“WAP”). The State Water Resources Control Board (“State Water Board”) and California Department of Fish and Wildlife (“CDFW”) are working to identify potential actions that may be taken to enhance and establish instream flow for anadromous fish in five priority streams, including the Ventura River. Chair Kuebler has scheduled a conference call with State Water Board staff on March 14, 2017 to discuss coordination between the Upper Ventura River Groundwater Agency (“Agency”) and the State Water Board during the development of the instream flow study.

There is no fiscal impact associated with this agenda item.

### **RECOMMENDED ACTION**

Create an Ad Hoc Committee to interface with State Water Board and CDFW staff regarding implementation of the WAP in the Ventura River. A motion creating an Ad Hoc Committee should include the following details:

- Purpose of Ad Hoc Committee
- Individuals appointed to Ad Hoc Committee, including at least one Director
- Date of Ad Hoc Committee’s termination

### **BACKGROUND**

The State Water Board and the CDFW are currently working to identify potential actions that may be taken to enhance and establish instream flow for anadromous fish in five priority streams. The Ventura River was recently identified as a priority stream in the WAP, which was signed by Governor Edmund G. Brown Jr. and released to the public on January 22, 2014. The State Water Board solicited proposals in December 2016 to develop or refine existing water resource modeling tools including surface water, groundwater, water quality, and other water management tools for the Ventura River.

At the February 9, 2017 Board meeting, Chair Kuebler shared his concerns with the Board regarding coordination between the WAP’s instream flow study and Agency’s development of the Groundwater Sustainability Plan (“GSP”). Chair Kuebler also mentioned that a conference call had been scheduled with State Water Board staff on March 14 to discuss coordination between the Agency and the State Water Board in greater detail. As preparation for that call, Chair Kuebler led the Board through a brainstorming session to clarify thinking about how the GSP will evolve and interface with the State’s efforts. In order to effectively coordinate with the WAP representatives,



staff recommends that the Agency consider creating an ad hoc committee to interact with the State Water Board and CDFW staff.

**FISCAL SUMMARY**

There is no fiscal impact associated with this action.

Action: \_\_\_\_\_

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

B. Kuebler\_\_\_\_ M. Bergen\_\_\_\_ J. Pratt\_\_\_\_ M. Krumpschmidt\_\_\_\_ S. Epstein\_\_\_\_

L. Rose\_\_\_\_ E. Ayala\_\_\_\_

## **UPPER VENTURA RIVER GROUNDWATER AGENCY**

### **Item No. 6(d)**

**DATE:** March 9, 2017  
**TO:** Board of Directors  
**SUBJECT:** Discussion of Desired Roles and Responsibilities of Executive Director and Creation of Ad Hoc Committee to Identify and Recommend Individuals to Act as Executive Director

#### **SUMMARY**

The Joint Exercise of Powers Agreement (“JPA Agreement”) requires the Board of Directors to appoint an Executive Director to act as the chief administrative officer of the Upper Ventura River Groundwater Agency. At its first meeting on January 5, 2017, the Board appointed an interim Executive Director to serve until the annual budget for 2017-2018 is approved. The annual budget must be adopted before May 5, 2017. The Board should discuss the roles and responsibilities of the Executive Director, so that an individual can be appointed shortly after the budget is approved.

There is no fiscal impact associated with this agenda item.

#### **RECOMMENDED ACTION**

Create an Ad Hoc Committee to (1) develop a job description and qualification for an Executive Director and (2) identify and recommend individuals to act as the Agency’s Executive Director. A motion creating an Ad Hoc Committee should include the following details:

- Purpose of Ad Hoc Committee
- Individuals appointed to Ad Hoc Committee, including at least one Director
- Date of Ad Hoc Committee’s termination

#### **BACKGROUND**

Article 10 of the JPA Agreement provides that the Board of Directors shall appoint an Executive Director, who may be, though need not be, an officer, employee, or representative of one of the Members. The Executive Director’s compensation, if any, shall be determined by the Board of Directors.

The Executive Director shall be the chief administrative officer of the Agency, shall serve at the pleasure of the Board of Directors, and shall be responsible to the Board for the proper and efficient administration of the Agency. The Executive Director shall have the powers designated by the Board, or otherwise as set forth in the Bylaws, which are in the process of being developed. The Executive Director shall serve until he/she resigns or the Board of Directors terminates his/her appointment.

At its first meeting on January 5, 2017, the Board appointed an interim Executive Director to serve until the annual budget for 2017-2018 is approved. The annual budget must be adopted before May 5, 2017. The Board should discuss the roles, responsibilities,

and qualifications of the Executive Director so that an individual can be appointed shortly after the budget is approved.

**FISCAL SUMMARY**

There is no fiscal impact associated with this agenda item.

Action: \_\_\_\_\_

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

B. Kuebler\_\_\_\_ M. Bergen\_\_\_\_ J. Pratt\_\_\_\_ M. Krumpschmidt\_\_\_\_ S. Epstein\_\_\_\_

L. Rose\_\_\_\_ E. Ayala\_\_\_\_

## UPPER VENTURA RIVER GROUNDWATER AGENCY

### Item No. 7

**DATE:** March 9, 2017  
**TO:** Board of Directors  
**SUBJECT:** Committee Reports

**a. Report from Ad Hoc Committee to Develop Annual Budget**

The Budget Committee has prepared the attached report and will review budget options with the Directors, so that an annual budget can be approved at the April Board meeting.

**b. Report from Ad Hoc Committee to Draft Bylaws**

The Bylaws Committee will update the Board of Directors on their progress at the meeting.

**c. Report from Ad Hoc Committee to Draft Conflict of Interest Code**

The Conflict of Interest Committee will update the Board of Directors on their progress at the meeting.

## ***UPPER VENTURA RIVER GROUNDWATER AGENCY***

**DATE:** March 9, 2017  
**TO:** Board of Directors  
**FROM:** Mary Bergen, Mike Hollebrands, Bert Rapp  
**SUBJECT:** 25% BUDGET REVIEW

### **BACKGROUND**

Section 14.1 of the JPA requires that a budget be adopted within 120 days of the first meeting of the Board of Directors which was held on January 5, 2017. Therefore, a budget needs to be adopted by May 5, 2017 however our closest meeting before that date is our next meeting April 13<sup>th</sup> unless the Board elects to schedule a special meeting. The Fiscal Year is from July 1<sup>st</sup> to June 30<sup>th</sup> per section 13.2 of the JPA.

Attached is a draft budget concept for the GSA the Budget committee for the period January 5, 2017 to June 30, 2017 and a draft budget for FY 2017/18. The Budget committee includes Director Mary Bergen and Alternate Directors Mike Hollebrands and Bert Rapp. The Budget committee based the draft on the OBGMA budget and estimated needs for the next 16 months.

This 25% budget is being presented because there are many options for staffing and the work plan during the next 16 months. These items will significantly affect the budget. The 25% draft budget is intended as the starting point for discussion.

Items for discussion include:

1. Office space and staffing, including the possibility of sharing office space and staff with OBGMA
2. Hiring an Executive Director
3. Provision of legal services
4. Development of data for the Proposition 218 process
5. Development of data for water basin modeling and management

### Office space and staffing

The following are options for housing the GSA:

- a. The GSA could be housed in a shared office with OBGMA
- b. The GSA could rent a small office space, equip it and hold office hours at specified times during the work week.
- c. A Member Agency could dedicate office space, provide phone and internet access.

The Budget sub-committee recommends option a, sharing both office space and staff with OBGMA starting July 1, 2017.

### Hiring an Executive Director

The Board can continue to use the services provided by the City of Ventura or hire an Executive Director. The Budget committee is recommending hiring John Mundy to serve as Executive Director and to start the process of developing information needed for promulgating extraction fees.

John Mundy is the retired General Manager for Las Virgenes Water District and is currently assisting the OBGMA with technical tasks. Mr. Mundy is willing to assist the Upper Ventura River GSA and charges \$125/hour. Utilizing the services of Mr. Mundy should be discussed with the OBGMA as part of the discussion of sharing office space and staff. Mr. Mundy would be an excellent person to prepare an Extraction Fee analysis and Protest Hearing notice for publication in spring or summer 2017. This work could also be performed by a consulting firm or by staff of one of the Member Agencies.

### Provision of Legal Services

Beginning in July 2017 it is anticipated that the GSA will move out of start-up and into normal operation. The legal counsel for normal GSA operations does not necessarily need to have water law expertise and may be less expensive. The GSA may be well served to advertise for a Request for Qualifications and Cost Proposals from legal firms to provide the day-to-day legal services for the GSA. When issues arise, requiring water law expertise the GSA may well choose to use legal counsel with expertise in that field.

The Budget subcommittee recommends that the Board assign a subcommittee to prepare an RFQ & RFP for legal services to begin 7-1-2017.

### Development of Data for the Extraction Fee & Protest Hearing

Prior to implementing an extraction fee the agency needs to determine which wells are extracting more than 2 acre feet per year, determine the quantity of water expected to be extracted per year, develop an anticipated budget and the amount of revenues needed, determine how quickly meters will be installed, who will own and maintain the meters, who will read the meters, how often they will be read and how with the usage be reported and billed. All of these item significantly affect the budget and Extraction Fee.

The Budget committee has requested a cost proposal from Eagle Aerial to determine the quantity of water used on each parcel in the basin that has a well. Once the domestic usage for each parcel is deducted from the parcel's estimated usage then the wells extracting more than 2 acre feet per year should be able to be identified.

Once the wells, extractions and budget have been determined, a Protest Hearing notice needs to be prepared and readied for publication.

### Development of data for water basin modeling and management

During the coming months the GSA will be needing professional hydrologic input to advise the GSA on well monitoring, data gaps, monitoring of the Ventura River Flow Study, data acquisition and organization for the annual reports and future Groundwater Sustainability Plan. The Budget subcommittee recommends that the GSA solicit a cost proposal from Kear Groundwater and have the ability to initiate these services as needed during the period from April 14, 2017 to June 30, 2017.

### **FISCAL IMPACT**

The draft budget currently shows total expenses by June 30<sup>th</sup> of \$71,000 and revenues of \$50,000 based upon an initial contribution of \$10,000 per Member Agency. If a budget is adopted on April 13<sup>th</sup> for more than \$50,000 Member Agencies will need to make additional contributions. Additional contributions will also be required until Extraction Fee revenues are realized.

### **RECOMMENDED ACTIONS**

The Budget Committee recommends that the Board take the following actions:

1. Review and comment on the proposed draft budget.
2. Enter into negotiations with OBGMA regarding office and administrative/clerical staff commencing July 1, 2017.
3. Request a proposal from John Mundy to prepare an Extraction Fee analysis and Protest Hearing notice for publication in spring or summer 2017 and to possibly serve as the Executive Director beginning July 1, 2017.
4. Assign a subcommittee to prepare an RFQ & RFP for legal services to begin 7-1-2017.
5. Request a cost proposal from Kear Groundwater to provide hydrological services to the GSA from April 14, 2017 to June 30, 2017.



**UPPER VENTURA RIVER GROUNDWATER AGENCY  
FISCAL YEAR BUDGET  
2016-2017**

**DRAFT BUDGET 3/9/2017**

**REVENUES**

<b>BEGINNING CASH BALANCE:</b>	January 1, 2017	
	<b>\$0</b>	

ACCOUNT NUMBER	REVENUES	BUDGET 2016/2017	BUDGET 2017/2018	Comments
1	Contributions from Member Agencies	\$50,000	\$0	\$10,000 contribution per member agency
2	Extraction Fee	\$0		Begin summer 2017
<b>TOTAL INCOME</b>		<b>\$50,000</b>	<b>\$0</b>	

**OPERATING EXPENSES**

ACCOUNT NUMBER	OPERATING EXPENSE	BUDGET 2016/2017	BUDGET 2017/2018	Comments
<b>Labor Costs (Book Keeper/Office Management):</b>				Assume an office will be established in July 2017
1	Workers Comp	\$0	\$400	\$400/year
2	Payroll/Labor	\$0	\$36,000	
3	Medical Reimbursement	\$0	\$4,000	\$4,000 per year
<b>Total Labor Cost:</b>		<b>\$0</b>	<b>\$40,400</b>	
<b>Office Costs:</b>				
4	Rent	\$0	\$2,200	Share OBGMA rent of \$4,400 per year
5	Telephone/Internet/website	\$0	\$1,000	
6	Utilities	\$0	\$100	
7	Supplies	\$0	\$4,000	Start Up = \$4,000 Future Years = \$2,200
8	Postage	\$1,500	\$1,500	High at start up because of special outreach
9	Office Equipment	\$0	\$10,000	Computer, printer, Microsoft Office, Accounting Program, Billing Program, Start up Year = \$10,000 is place holder # for now. \$2,500 every two years
10	Bank Charges	\$0	\$300	
<b>Total Office Cost:</b>		<b>\$1,500</b>	<b>\$19,100</b>	
<b>Professional Services:</b>				
11	Audits	\$0	\$3,500	\$7,000 Once every two Years
12	CPA/Treasurer	\$0	\$4,000	Oversight of finances
13	Website maintenance	\$0	\$1,500	
14	Public Outreach/218 publications	\$3,000	\$3,000	
15	Liability Insurance	\$600	\$2,400	
16	Executive Director (Consultant)	\$10,000	\$15,000	10hrs per month @ \$125/hr
17	Legal Services	\$30,000	\$15,000	\$6,000 per month for 5 months to June 2017, \$15,000/yr afterwards
18	Annual Report	\$500	\$1,000	
19	Hydro Geologist	\$10,000	\$20,000	
20	Extraction Data Management/Collection/Billing	\$5,000	\$5,000	Place Holder \$ - Need to obtain estimates & determine ongoing costs
21	Training and Membership		\$1,000	
22	Ventura River Watershed Coalition			
23	Meters. Data loggers	\$0	\$30,000	One time cost, future years maintenance only
24	DWR filing fees/etc.	\$500	\$500	
25	Extraction Fee Development/218 notice	\$10,000	\$0	Need to determine: Wells/properties to be included, Qty to be pumped each year, Extraction fee for two years?
26	Funding for Reserves	\$0	\$10,000	Need to set reserve goals.
<b>Total Professional Services Cost:</b>		<b>\$69,600</b>	<b>\$111,900</b>	

**TOTAL EXPENSES** **\$71,100** **\$171,400**

Minus Start up Costs:

\$1,800 Start up supplies

\$8,750 Initial Office equipment

\$7,500 50% of Executive Director because work load should decrease

\$30,000 Intsalling meters is a one time cost

Soecial Start up costs: \$48,050

**Typical Annual Expenses: \$123,350** (OBGMA = about \$129,000 so this initial budget appears to be in the ballpark )

## **UPPER VENTURA RIVER GROUNDWATER AGENCY**

### **Item No. 8**

**DATE:** March 9, 2017  
**TO:** Board of Directors  
**SUBJECT:** Executive Director's Report

**a. Comments on Ojai Groundwater Basin Groundwater Management Agency's ("OBGMA") Alternative Submittal under Sustainable Groundwater Management Act ("SGMA")**

At the February 9, 2017 Board Meeting, the Director's decided that Emily Ayala, Bruce Kuebler, and Mary Bergen would prepare a comment letter to DWR on behalf of the Agency. The attached letter was submitted to DWR on February 19, 2017.

**b. Update on meeting space availability at Casitas Municipal Water District Boardroom**

Due to upcoming construction at the Casitas Municipal Water District, the boardroom may temporarily be unavailable for meetings of the Upper Ventura River Groundwater Agency. Staff will update the Directors on the construction schedule and discuss alternative meeting locations/dates if necessary.

## Upper Ventura River Groundwater Agency Comments on the OBGMA Alternative Demonstration

On December 12, 2016, a Joint Exercise of Powers Agreement took effect, establishing the Upper Ventura River Groundwater Agency (Agency). The Agency was formed to serve as the Groundwater Sustainability Agency for the Upper Ventura River Groundwater Basin (Basin 4-003.01). On February 9, 2017, the Board of Directors voted unanimously to submit comments on the OBGMA Alternative Plan.

OBGMA and JPA member agencies worked cooperatively to establish the location of the shared boundary between the two basins. DWR approved boundary modifications to both basins.

In terms of hydrology, the Ojai and the Upper Ventura River Basins are, for the most part, not directly connected. However, outflow from the Ojai Basin runs down San Antonio Creek to the Ventura River and through the downstream portion of the Upper Ventura River Basin. Our concern and our comments are related to the nexus between the outflow from the Ojai Basin and the Ventura River, particularly in relation to habitat for southern steelhead.

The OBGMA Alternative Demonstration is an analysis of existing conditions. The Demonstration has no minimum thresholds, measureable objectives or management actions. The functional equivalency analysis portion of the Demonstration states an environmental baseline has been established for each sustainability indicator but the Demonstration contains no such information.

During their January 26, 2017 meeting, the OBGMA discussed updating their current management plan to include minimum thresholds, measurable objectives, and management actions, as well as analysis of the effect of groundwater extraction on steelhead habitat in San Antonio Creek. They also voted to enter into a cooperative agreement with our Agency at the appropriate time. The intent of the cooperative agreement is to prevent management actions that interfere with sustainable management of both the Upper Ventura River and Ojai Basins.

We support approval of the Alternate Plan with the understanding that important information needed to achieve sustainability is the subject of studies being conducted by SWRCB and CDFW under the California Water Action Plan. Completion is expected in three to four years. OBGMA's management plan could be updated at that time. Meanwhile, approval of the Alternative Demonstration would facilitate OBGMA in updating their current plan.

Sincerely, Bruce Kuebler Chair  
Upper Ventura River Groundwater Agency