

**UPPER VENTURA RIVER GROUNDWATER AGENCY**

**NOTICE OF REGULAR MEETING**

**NOTICE IS HEREBY GIVEN** that the Upper Ventura River Groundwater Agency (“Agency”) Board of Directors (“Board”) will hold a **Regular Board Meeting at 1 P.M. on Thursday, April 9, 2020 via TELECONFERENCE:**

**DIAL-IN (US TOLL FREE) [1 866 899 4679](tel:18668994679)**

**JOIN BY COMPUTER, TABLET OR SMARTPHONE:**

<https://www.gotomeet.me/MOWD/uvrgaregularboardmeetingapril>

**ACCESS CODE:** 743-410-189

**New to GoToMeeting, go to:** <https://global.gotomeeting.com/install/743410189>

**PER CALIFORNIA EXECUTIVE ORDER N-29-20, SECTION 3: A local legislative body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body. A physical location accessible for the public to participate in the teleconference is not required.**

**UPPER VENTURA RIVER GROUNDWATER AGENCY BOARD OF DIRECTORS**  
**REGULAR MEETING AGENDA**

**April 9, 2020**

**1. MEETING CALL TO ORDER AND ROLL CALL**

**2. PLEDGE OF ALLEGIANCE**

**3. PUBLIC COMMENT FOR 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. In accordance with Government Code § 54954.3(b)(1), public comment will be limited to three (3) minutes per speaker.

**4. APPROVAL OF AGENDA**

## **5. CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered routine by the Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board member pulls an item from the Calendar. Pulled items will be discussed and acted on separately by the Board. Members of the public who want to comment on a Consent Calendar item should do so under Public Comments.

- a. Approve Minutes from March 12, 2020 Regular Board Meeting**
- b. Approve Minutes from March 23, 2020 Special Board Meeting**
- c. Approve Financial Report for March 2020 – REVISED 4/8/20**

## **6. DIRECTOR ANNOUNCEMENTS**

- a. Directors may provide oral reports on items not appearing on the agenda.**
- b. Directors shall report time spent on cost-share eligible activities for the 2017 Proposition 1 Sustainable Groundwater Management Planning (SGWP) Grant.**

## **7. EXECUTIVE DIRECTOR'S REPORT**

The Board will receive an update from the Executive Director concerning miscellaneous matters and Agency correspondence. The Board may provide feedback to staff.

## **REGULAR AGENDA**

### **8. ADMINISTRATIVE ITEMS**

#### **a. Agency Counsel Introduction**

The Board will welcome new Agency Counsel and conduct introductions. The Board will also discuss legal services needs and cost control measures.

#### **b. Extraction Fee Status and Penalty and Interest Waiver**

The Board will receive an update from the Executive Director concerning extraction fee payment status and consider waiving penalties and interest for a timeframe deemed appropriate by the Board.

#### **c. Ventura River Watershed Instream Flow Enhancement and Water Resilience Framework (VRIF) Participation**

The Board will consider designating a representative to participate in the VRIF planning process.

### **9. GSP ITEMS**

#### **a. Groundwater Sustainability Plan Update (Grant Category (d); Task 11: GSP Development and Preparation)**

The Board will receive an update from the Executive Director concerning groundwater sustainability plan development and consider providing feedback.

#### **b. Groundwater Sustainability Plan Workshop No. 1 (Grant Category (c); Task 10: Stakeholder Outreach and Engagement)**

The Board will consider canceling the Workshop No. 1 and directing staff to roll the workshop content into Workshop No. 2.

**c. Sustainable Groundwater Management Planning Grant Proposed Amendments (Grant Category (a); Grant Administration)**

The Board will receive an update from the Executive Director concerning proposed amendments to the Agency's Sustainable Groundwater Management Grant and consider authorize the Executive Director and Board Chair to negotiate execute a grant agreement amendment.

**10. COMMITTEE REPORTS**

**a. Ad Hoc Stakeholder Engagement Committee**

The committee will provide an update on Stakeholder Engagement Plan implementation activities since the last Board meeting and receive feedback from the Board.

**11. ADJOURNMENT**

The next scheduled Board meeting is May 14, 2020.

**DRAFT UPPER VENTURA RIVER GROUNDWATER AGENCY  
MINUTES OF REGULAR MEETING MARCH 12, 2020**

The Board meeting was held at the Ventura River Water District Conference Room, 409 Old Baldwin Road, Ojai, CA 93023. Directors present were: Bruce Kuebler, Emily Ayala, Diana Engle, Larry Rose, Susan Rungren (arrived at 1:05 pm) and Angelo Spandrio. Also present were: Executive Director and GSP Project Manager Bryan Bondy and Agency Administrator Summer Ward. The following members of the public were present: Bert Rapp (Alternate Director), Tori Klug (Stantec). Director Glenn Shephard was absent.

- 1) **CALL TO ORDER AND ROLL CALL** – Chairperson Diana Engle called the meeting order at 1:02 pm.
- 2) **PLEDGE OF ALLEGIANCE** – Led by Chairperson Diana Engle.
- 3) **PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**

Lori Klug (Stantec), introduced herself and briefly described facilitation support services available through the Department of Water Resources.

- 4) **APPROVAL OF AGENDA** – No changes were proposed.

- 5) **CONSENT CALENDAR**

- a. **Approve Minutes from February 13, 2020**
- b. **Approve Financial Report for February 2020**

Director Rose made the motion to approve the consent calendar. Director Kuebler seconded the motion.

No public comments.

Ayes: Bruce Kuebler, Emily Ayala, Larry Rose, and Angelo Spandrio.

Absent: Glenn Shephard, Susan Rungren.

Noes: None.

- 6) **DIRECTOR ANNOUNCEMENTS**

- a. **Directors may provide oral reports on items not appearing on the agenda.**
- b. **Directors shall report time spent on cost-share eligible activities for the 2017 Proposition 1 Sustainability Groundwater Management Planning (SGWP) Grant.**

Director Rungren arrived during the item.

Director Spandrio: No report and no time to report.

Director Rungren: No report and no time to report.

Director Ayala: met with pumpers to share the newsletter and discussed upcoming extraction fee billing. Director Ayala requested an update regarding the concern brought forward by Mr.

Cromer, involving work with Kear Groundwater. Executive Director Bondy stated that he spoke with Jordan Kear to establish a process for mitigating future misunderstandings. Director Ayala asked if there have been any concerns from pumpers regarding the 2<sup>nd</sup> extraction fee billing. Ms. Ward replied that Tico Mutual requested clarification on the process of moving from the estimated extraction amount to metered extractions. Executive Director Bondy to follow up with counsel. Director Ayala spent 30 minutes on \Stakeholder Outreach.

Director Rose: No report and no time to report.

Director Kuebler: Attended the framework development meeting related to the Wildlife Conservation Board grant. He would like to discuss Agency representation in the framework process at the next Regular Board meeting. Director Kuebler to send the meeting information to Staff for inclusion in the next agenda.

Director Engle: Follow-up to last meeting, Director Engle compiled and emailed to the Directors the different references concerning reaches of the Ventura River. Executive Director Bondy stated that the GSP Team is developing four segments or "zones" to describe the basin with recognizable geographic features. Director Engle requested that future meetings be scheduled in a larger meeting room to meet the new CA Department of Public Health's social distancing recommendations. Ms. Ward to research available large meeting spaces. No time to report.

## **7) EXECUTIVE DIRECTOR'S REPORT**

Executive Director Bondy explained that he will be providing a written staff report for this item starting with the current Board meeting so the Board can have time to prepare questions for him at the meetings. He then reviewed the staff report with the Board.

The Board briefly discussed the scope of presentation for the April 2 Ventura River Watershed Council (VRWC) meeting. Board feedback to staff was to present an update on status, schedule, and a preview of GSP Workshop No. 1. Executive Director to coordinate with VRWC staff.

The Board briefly discussed the County General Plan update. Board feedback was agreement with staff recommendation not to comment.

No public comments.

## **8) ADMINISTRATIVE ITEMS**

### **a. Legal Services Proposals**

The Executive Director explained that the the Agency issued the approved RFP on January 31, with a deadline for questions and proposals were February 19 and March 4, respectively. The RFP was posted on the Agency website and sent to twelve firms. Four proposals were received. The Executive Director reviewed the summary of propals (Table 2 of the staff report) with the Board. The Board discussed the four firms.

No Public Comments

Director Rungren state that the City believes all of the firms are qualified and could do the work, but expressed concerns about the potential conflict for Lagerlof and the rates proposed by Price, Postal, and Parma.

Director Ayala stated she has minimal experience selecting an attorney, agrees with Director Rungren.

Director Keubler stated that he felt that Oliverz, Madruga, Lemieux, O'Neil was the top candidate and is prepared to select them.

Director Engle would like to get MOWD's Board and Legal Counsel input before selecting a firm and would like an interview process to be implemented.

Executive Director Bondy stated that Staff would like an opportunity to check references.

Director Spandrio agrees with Director Rungren.

Director Rose had no comment.

The Board discussed whether the list could be narrowed. The Board reached consensus to eliminate Lagerlof from further consideration due to the potential conflict issues. The Board discussed formation of an ad hoc committee as a means of addressing Director's Engle's desire to obtain MOWD feedback and conduct interviews.

Director Kuebler made the motion to schedule an Ad Hoc Committee consisting of Directors Kuebler, Engle and Rose, to interview firms Klein, DeNatale & Goldner, and Olivarez, Madruga, Lemieux & O'Neill, and Price, Postal & Parma if requested by MOWD. Director Rungren seconded the motion.

Ayes: Bruce Kuebler, Emily Ayala, Larry Rose, Susan Rungren, and Angelo Spandrio.

Absent: Glenn Shephard

Noes: None.

## **9) GSP GRANT ELIGIBLE ITEMS**

### **a. Groundwater Sustainability Plan Update (Grant Category (d); Task 11: GSP Development and Preparation)**

Executive Director Bondy reported that work on the GSP has continued and review the staff report with the Board, including the updated GSP development schedule. The Board requested that a footer with acronym definitions be added before posting to the Agency website.

No public comments.

No motion.

**b. Groundwater Sustainability Plan Workshop No.1 (Grant Category (c); Task 10: Stakeholder Outreach and Engagement)**

The Executive Director reviewed the draft GSP Workshop agenda (Attachment A of the staff report) with the Board. Staff recommends scheduling the first GSP Workshop on Thursday, May 7, 2020, from 6-8 pm at the Oak View Resource Center.

Director Engle asked how Staff will capture questions and comments during the workshop. Executive Director Bondy replied that Staff would plan for workshop facilitation, including a flipchart to capture questions and comments.

Public Comments:

Tori Klug (Stantec) was interested in hearing what hot buttons items are being addressed and appreciated the comprehensive draft agenda. She recommended including opportunities for the public to share concerns or hot buttons early on in the workshop, build public confidence that their voice is being heard.

Director Kuebler made the motion to approve the GSP Workshop No.1 agenda and schedule the workshop for Thursday, May 7, 2020, from 6-8 pm at the Oak View Resource Center. Director Rose seconded the motion.

Director Ayala recommended sending out Save the Date postcards in advance of the workshop. Additionally, include a way for the public to submit questions or comments if they are unable to attend, as well as notification in Ojai Valley Newspaper.

Ayes: Bruce Kuebler, Emily Ayala, Larry Rose, Susan Rungren, and Angelo Spandrio.

Absent: Glenn Shephard

Noes: None.

**c. Groundwater Dependent Ecosystems (Grant Category (d); Task 11: GSP Development and Preparation)**

Executive Director Bondy explained that Director Rose had requested that the Board consider adopting the Nature Conservancy (TNC) groundwater-dependent ecosystems (GDEs) guidance document to serve as procedures to be followed during Groundwater Sustainability Plan (GSP) development. He then reviewed the staff report with the Board and explained that staff recommends generally following the TNC GDE guidance but not formally adopting it because it might create an expectation that all recommendations contained therein should or must be followed even though some recommendations may not be necessary given basin-specific considerations.

Director Engle asked a question about surface water and GDEs. Executive Director explain that, to the extent surface water is the result of rising groundwater, the ecological community in the surface water would be considered a GDE. Director Engle stated that she was trying to ask something different, but will need to reformulate her question later.

The Board was in agreement to continue using the TNC GDE guidance document as a guidance tool.

No motion.

**10) COMMITTEE REPORTS**

**a. Ad Hoc Stakeholder Engagement Committee** – No update.

**11) ADJOURNMENT** – The meeting was adjourned at 3:40 pm. The next Regular Board is scheduled for April 9, 2020, at 1:00 pm, location to be determined.

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

Motion: \_\_\_\_\_ Second: \_\_\_\_\_

B.Kuebler \_\_\_ D.Engle \_\_\_ A.Spandrio \_\_\_ S.Rungren \_\_\_ G.Shephard \_\_\_ E.Ayala \_\_\_ L.Rose \_\_\_

DRAFT



**DRAFT UPPER VENTURA RIVER GROUNDWATER AGENCY  
MINUTES OF SPECIAL MEETING MARCH 23, 2020**

The Board meeting was held via Teleconference, in accordance with California Executive Order N-25-20. Directors present were: Bruce Kuebler, Emily Ayala, Diana Engle, Larry Rose, Susan Rungren and Glenn Shephard. Also present were: Executive Director and GSP Project Manager Bryan Bondy and Agency Administrator Summer Ward. The following members of the public were present: None. Director Angelo Spandrio was absent.

**Teleconference:** (Toll free 1-866-899-4679 or <https://global.gotomeeting.com/join/262691605>)

- 1) **CALL TO ORDER AND ROLL CALL** – Chairperson Diana Engle called the meeting order at 2:08 P.M.
- 2) **PLEDGE OF ALLEGIANCE** – Did not recite.
- 3) **PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**
- 4) **APPROVAL OF AGENDA** – No changes were proposed.
- 5) **ADMINISTRATIVE ITEMS**
  - a. **Legal Services Proposals**

Executive Director Bondy described the actions taken since the last Board meeting. Following receipt of feedback from Meiners Oaks Water District concerning the legal firms, the ad hoc committee determined that interviews were not necessary. The ad hoc committee asked staff to schedule a Special Board Meeting to consider selecting a firm.

Chair Engle asked for each director to provide their thoughts on the legal firms.

Director Rungren stated that all firms are qualified, but is concerned about the labor rates for Price, Postal & Parma.

Director Shephard agreed with Director Rungren.

Director Rose prefers OMLO because they are affordable, experienced, and nearby.

Director Kuebler believes OMLO is the best choice because they are local and he was impressed with their proposal.

Director Ayala stated that OMLO is local and affordable.

Director Engle – reviewed with MOWD attorneys and both independently recommended OMLO.

Director Kuebler made a motion to select of Olivarez, Madruga, Lemieux & O’Neill and direct the Executive Director to negotiate and execute a contract. Director Rose seconded the motion.

No public comment.

Roll Call Vote:

Kuebler – Y   Engle – Y   Spandrio – Absent   Rungren – Y   Shephard – Y  
Ayala – Y   Rose- Y

- 6) **ADJOURNMENT** – The meeting was adjourned at 2:22 pm. The next Regular Board is scheduled for April 9, 2020 at 1:00 pm via teleconference pending COVID-19.

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

Motion: \_\_\_\_\_ Second: \_\_\_\_\_

B.Kuebler \_\_\_ D.Engle \_\_\_ A.Spandrio \_\_\_ S.Rungren \_\_\_ G.Shephard \_\_\_ E.Ayala \_\_\_ L.Rose \_\_\_

**UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 5(c) \*\*\*REVISED\*\*\***

**DATE:** April 8, 2020  
**TO:** Board of Directors  
**FROM:** Carrie Troup C.P.A., Treasurer  
**SUBJECT:** Approve Financial Report for March 2020 \*\*\*REVISED\*\*\*

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**February 2020 UVRGA Balance** \$ 227,198.31

**March 2020 Activity:**

**Revenues:**

CA Dept. of Water Resources - DWR Grant Invoice No. 2 payment	\$ 14,337.00
Groundwater Extraction Fees	\$ 126,657.71

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**February Expenditures Paid:** \$ -

**Checks Pending Signature:**

2099 Bartlett, Pringle & Wolf, LLP	June 30, 2019 Audit services	\$ 5,764.00
2100 Bondy Groundwater	March services	\$ 13,287.60
2101 Brownstein Hyatt Farber Schreck	February services	\$ 2,638.35
2102 Carrie Troup, C.P.A.	March services	\$ 3,806.25
2103 Intera Incorporated	January & February services	\$ 34,132.00
2104 MOWD	March services	\$ 1,326.00
2105 Intera Incorporated	January & March services	\$ 37,800.00
2106 Kear Groundwater	February & March services	\$ 35,900.00
2107 Brownstein Hyatt Farber Schreck	March services	\$ 419.74

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Total Expenditures Paid & To Be Paid - April \$ 135,073.94

**March 2020 UVRGA Ending Balance:** \$ 233,119.08

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

Motion: \_\_\_\_\_ Second: \_\_\_\_\_

B. Kuebler\_\_\_ G. Shephard\_\_\_ D. Engle\_\_\_ A. Spandrio\_\_\_ S. Rungren\_\_\_ L. Rose\_\_\_ E. Ayala\_\_\_

The financial report omits substantially all disclosures required by accounting principles generally accepted in the United States of America; no assurance is provided on them.

**UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 7**

**DATE:** April 9, 2020

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** Executive Director's Report

**SUMMARY**

The following are updates on Agency matters since the last Board meeting:

1. Administrative:
  - a. The Agency Administrator is working on obtaining a new phone number for the Agency. The Agency has been using Meiners Oaks Water District's phone number on an interim basis since last summer. ***No change in status.***
2. Financial:
  - a. The second round of groundwater extraction fee invoices was mailed on March 6. The Agency's winter newsletter was included in the mailings. ***The Executive Director will provide an update on payment progress during the Board meeting (see Item 8b).***
  - b. GSP Grant Progress Report and Invoice No. 2 were approved by DWR on January 27. ***Payment in the amount of \$14,337 was received.***
  - c. GSP Grant Progress Report and Invoice No. 3 were submitted to DWR on February 14. The expected payment (after approval) is \$17,194.90. ***Currently pending DWR review.***
  - d. ***Work on the 2018/2019 fiscal year audit continued.***
  - e. Budget: ***Staff began work on the annual budgeting process. In order to keep pace on GSP development, the Fiscal Year 20/21 budget should be adopted early this year, i.e. the May Regular Board meeting. It is anticipated that a budget workshop (Special Board Meeting) will need to be scheduled in late April to meet this schedule.***
3. Legal:
  - a. ***The Executive Director held a kickoff call with Steve O'Neill and Keith Lemieux of Olivarez Madruga Lemieux O'Neill, LLP (OMLO) on April 1. Contracting with OMLO is pending review by outgoing counsel.***
4. Sustainable Groundwater Management:
  - a. **Groundwater Sustainability Plan Development - See Items 9a-c.**

- b. Outreach – The Ventura River Watershed Council (VRWC) has requested a presentation by the Agency at its April 2<sup>nd</sup> meeting. ***The Board directed the Executive Director to make a presentation at the meeting, but it was subsequently cancelled due to the State of California Stay at Home Order issued on March 19, 2020. The Executive Director is tentative scheduled to make a presentation at the June 4 VRWC meeting.***
- c. Camino Cielo Crossing Stream Gauge – The encroachment permitting process has been initiated with the Ventura County Watershed Protection District (VCWPD). VCWPD has agreed to a no-fee permit provided the Agency shares data collected. ***The permit application was filed in early April.***
- d. Highway 150 Bridge Gauge – DWR Southern Branch staff have favorably reviewed the Agency’s request for a stream gage at this location and are moving forward with the next steps to obtain formal approval (see Attachment A). ***The site visit with DWR scheduled for March 24 was cancelled due to the State of California Stay at Home Order issued on March 19, 2020. The site visit will be rescheduled.***
- e. Pump Test Opportunity - Ventura River Water District (VRWD) was awarded a Wildlife Conservation Board grant to plan a pump test that would potentially help fill data gaps and calibrate groundwater models. The grant is for \$40,000 with a \$46,238 local match required, for a total project cost of \$86,238. Following completion of the pump test plan, VRWD intends to apply for an implementation grant to perform the test. Testing would occur sometime in 2023 or 2024 and would help inform the first GSP update due in 2027. The test would potentially assist the Agency in filling data gaps and improving understanding of the basin, including surface water and ground water interactions. VRWD has asked if the Agency would like to partner on this project. ***The Executive Director and VRWD have discussed this opportunity further. VRWD is working on clarifying the grant requirements with the primary grantee (Ventura County Resource Conservation District) and will then follow-up with the Executive Director.***

**RECOMMENDED ACTIONS**

Receive an update from the Executive Director concerning miscellaneous matters and Agency correspondence. Provide feedback to staff.

**BACKGROUND**

Not applicable

**FISCAL SUMMARY**

Not applicable

**ATTACHMENTS**

None

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

Motion: \_\_\_\_\_ Second: \_\_\_\_\_

B. Kuebler \_\_\_ D. Engle \_\_\_ A. Spandrio \_\_\_ S. Rungren \_\_\_ G. Shephard \_\_\_ E. Ayala \_\_\_ L. Rose \_\_\_

**UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 8(a)**

**DATE:** April 9, 2020

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** Agency Counsel Introduction

**SUMMARY**

Staff is pleased to introduce Olivarez Madruga Lemieux O'Neill (OMLO) as new Agency Counsel. Steve O'Neill and/or Keith Lemieux will introduce themselves during the April 9 Board meeting conference call. It is recommended that the Board members introduce themselves and the member agency or stakeholder constituency they represent.

The Executive Director has briefed OMLO on the Agency's legal service needs. Routine needs were discussed as well as the need to pick up where outgoing counsel left off on the analysis of the Agency's options concerning the Ventura River Watershed Adjudication. The Board may wish to provide input on legal services needs.

The Board previously directed staff to work with outgoing counsel to control legal services costs as possible. The Board adopted two specific cost control measures:

1. Request lower cost attorneys for general counsel services and reserve higher cost attorneys for advice on complex procedural, SGMA issues, etc.
2. Request that counsel attend Agency meetings only upon request.

Concerning the first measure, OMLO will be charging the Agency the same labor rate for associates and partners, so this measure is no longer necessary. The second measure can continue to be implemented at the discretion of the Executive Director.

**RECOMMENDED ACTIONS**

- (1) Welcome new Agency Counsel and conduct introductions.
- (2) Discuss legal services needs and cost control measures.

**BACKGROUND**

On March 23, 2020 the Board selected OMLO to serve as Agency Counsel and directed the Executive Director to negotiate and execute a contract with OMLO.

**FISCAL SUMMARY**

The current fiscal year budget for legal services is \$50,000, with \$29,938.80 remaining as of February 29, 2020.

**ATTACHEMENTS**

None.

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

Motion: \_\_\_\_\_ Second: \_\_\_\_\_

B. Kuebler \_\_\_ D. Engle \_\_\_ A. Spandrio \_\_\_ S. Rungren \_\_\_ G. Shephard \_\_\_ E. Ayala \_\_\_ L. Rose \_\_\_



**UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 8(b)**

**DATE:** April 9, 2020

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** Extraction Fee Status and Penalty and Interest Waiver

**SUMMARY**

The second round of groundwater extraction fee invoices was mailed on March 6. The extraction fees were due April 8. As of March 31, nine of the fifteen accounts, including one Member Agency, were unpaid (\$42,395). Updated payment status will be provided during the Board meeting.

Assuming any unpaid accounts remain as of April 9, it is recommended that the Board waive penalties and interest for an appropriate period of time. Pursuant to Resolution 2019-4, late payers are subject to a 10% penalty and 1% interest per month until payment is made. Resolution 2019-4 also allows the Board to waive any interest payments and penalties upon a finding of good cause by the Board of Directors. In light of the current COVID-19 emergency, it would be more than reasonable to provide a grace period for payment. Staff intends to mail statements next week. Staff will consult with the Ad Hoc Funding committee if additional outreach assistance is deemed necessary.

**RECOMMENDED ACTIONS**

Receive an update from the Executive Director concerning extraction fee payment status consider waiving penalties and interest for a timeframe deemed appropriate by the Board.

**BACKGROUND**

Groundwater extraction fees were established by the Board via Resolution 2019-4 on June 13, 2019.

**FISCAL SUMMARY**

No late fees or penalties are assumed in the Agency’s budget. Waiving penalties and interest effectively extends the extraction fee payment due date, but is not anticipated to create a cash flow issue for the Agency.

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

Motion: \_\_\_\_\_ Second: \_\_\_\_\_

B. Kuebler\_\_\_ D. Engle\_\_\_ A. Spandrio\_\_\_ S. Rungren\_\_\_ G. Shephard\_\_\_ E. Ayala\_\_\_ L. Rose\_\_\_

**UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 8(c)**

**DATE:** April 9, 2020

**TO:** Board of Directors

**FROM:** Director Kuebler  
Executive Director (editing and Staff Comment section)

**SUBJECT:** Ventura River Watershed Instream Flow Enhancement and Water Resilience Framework (VRIF) Participation

**SUMMARY**

A \$1.78 million planning grant was awarded by the Wildlife Conservation Board to the Ventura County Resource Conservation District. The administrator for the grant is the District's Jamie Whiteford. Assisting is Regina Hirsch, Watershed Progressive, who helps organize activities and shares in chairing meetings with Jamie Whiteford. Completion deadline is March 2022. Among the five tasks is a water resilience Framework (Task 2), which is an integrated voluntary strategy to address water and resource depletion in a landscape shaped by prolonged drought and unprecedented wildfire and erosional events. Building on the recent momentum of collaborations between key water agencies and local jurisdictions, the Framework will coalesce and synthesize opportunities, thus optimizing efficiencies by streamlining efforts and interactions between organizations to maximize watershed resources for instream flow enhancements and water availability. Additionally, the Framework will be scalable and immediately applicable at the statewide level.

The other Tasks are Administration (Task 1), Planning and Design (24 planning and design projects) (Task 3), Agency – Landowner Collaborations (Task 4), and Education and Outreach (including development of an online data and project assessment portal [Dashboard]) (Task 5).

Most of the work involves the 24 projects (2 of which are studies) focused primarily on increasing streamflow with the District and Watershed Progressive staff working directly with sponsors of those 24 projects. Estimated benefit is 3,800 acre feet per year for instream flow and multi-beneficial uses. For Task 3 Project Planning, there is no committee structure and decisions are made by those undertaking each project.

Supporting agencies include Meiners Oaks Water District (MOWD), Ventura River Water District (VRWD), and Ojai Basin Groundwater Management Agency (OBGMA). VRWD has two projects: Pumping regime balancing (aquifer test to help determine surface-groundwater connection and aquifer flow rate); and Rainwater and greywater reuse/ocean friendly gardens landowner incentive program. MOWD has one project; pumping regime/balancing and nutrient assay for instream flow quantity/quality. The other projects are listed in Table A on the following page.

## Task 2 Details

The Framework contains the following elements:

- Articulate goals and objectives for the VRIF
- Stakeholder meetings
- Project type identification: conjunctive use; conservation; peak flow; infiltration
- Evaluation/prioritization of actions and funding strategies
- Opportunities and constraints analysis
- Regional monitoring platform tie in (Dashboard)
- Provide instream flow and multiple benefit resilience recommendations

**Table A: List of VRIF Projects and Responsible Entities**

	Agency/Landowner	Planning Project Title
1	Cjai City	East Topa Topa Aggregate Neighborhood Recharge for Instream Flows
2		Downtown South Aggregate Neighborhood Instream Flow Recharge Project
3		Signal Street/Grande Avenue Recharge Project
4		Incentive Plan for Rainwater and Greywater to Promote a Healthy Ventura Watershed
6	VRWD	Pumping Regime/Balancing
7		Rainwater and Greywater Reuse/Ocean Friendly Gardens Landowner Incentive Program
8	OVLC	Ventura Watershed Temporal Management Plan for Removal of Arundo donax for Instream Flow
9	Katz Farms	Katz Orchard Best Management Efficiency for Reduced Consumptive Use and Recharge for San Antonio Creek
10	OBGMA	Baseline Monitoring of Projects for Instream Flow Evaluation
11	USFS	Fire Restoration Best Management Practices (BMPs) to Enhance Instream Flow
12	CREW	Oranges to California Native Water Efficiency Program
13	SCMWC	East End Instream Flow Time Management Planning
14	THACHER	The Thacher School Peak Flow Pilot Project
15		Orchard BMP Laboratory for Thacher Creek Flow Enhancement
16	OUSD	Matilija Middle School Stormwater LID Demonstration Project
17		Matilija Rainwater Capture Demonstration for a Hydrated Ventura River
18		Meiners Oaks Elementary Stormwater BMP/Learning Lab Demo
19	OVI	Cjai Valley Inn Golf Course Redesign for Healthy Habitats and Communities
20		Cjai Valley Inn Central Landscape Redesign for Healthy Habitats and Communities
21		Cjai Valley Inn Water Reuse for Healthy Habitats and Communities
22		Invasive Tree Removal and Oak Woodland Health Habitat Plan
23		Cjai Valley Inn Stormwater Detention/Retention Plan: San Antonio Instream Flows
24	WP	VCRCD Ventura Bike Path (Planning for Instream Flow BMPs)
25	MOWD	Pumping Regime/Balancing and Nutrient Assay for Instream Flow Quantity/Quality

Subcontractor
Northstar Engineering
Eagle Aerial
Flip Labs
Stillwater Science
South Coast Habitat Restoration
Hicks Law
Trout Unlimited
Watershed Progressive

Director Kuebler has been attending VRIF meetings as a VRWD representative and sees participation in the Framework as an opportunity to engage more resources organizations beyond those involved with the 24 projects and improve coordination among those organizations. Additional projects and collaborative funding strategies will be identified for potential grant funding, which could include actions related to the Groundwater Sustainability Plan (GSP). It is not possible to identify those until further along in the GSP process. With the simultaneous actions under the SWRCB's instream flow program and the watershed adjudication litigation, solutions to the water resources problems are likely to overlap with the GSP, creating opportunities for not yet imagined projects. The Wildlife Conservation Board's enthusiasm for VRIF and interest in funding implementation projects creates the likelihood of additional WCB investments here, possibly including new planning grants.

#### Upcoming VRIF Grant Opportunities

1. STRATEGIC NETWORK: Participate In Framework, Integrate UVRGA strategies
2. OUTREACH: Build on VRIF educational outreach with UVRGA GSP development (August 2020-March 2022)
3. FUNDING: Potential to build multiple agency proposal for regional grants for Instream Flow/Water Resilience
  - a. Wildlife Conservation Board August 2020/21 (proposal writing late June-August 2020/21)
  - b. CDWR Prop 1/68 Wildlife and Drought Solicitations October 2020
  - c. Private funding leverage
  - d. Other opportunities, as Identified by Framework
4. POLICY: Leverage GSP action plans with landowner protections through VRIF Policy Task

#### **RECOMMENDED ACTIONS**

Discuss designating a representative to attend the Framework meetings to show the Agency's support for regional coordination with the proviso that such participation does not imply support for any specific project or action taken under the VRIF grant. The representative could not make any Agency policy statements.

#### **BACKGROUND**

The Board took no action on October 11, 2018 on whether to be listed as a supporter of the WCB grant application. Several Directors expressed concerns and it was noted that there were many support letters and it was probably too late in the review process.

**STAFF COMMENTS**

Staff believes it is important to stay apprised of planning activities and grant opportunities that may have a potential nexus with GSP implementation. Participation may result in funding for actions that contribute to fulfilling the Agency’s sustainability mandate and may result in cost savings to Agency stakeholders and others in the region. Staff agrees with Director Kuebler that it is not possible to identify specific GSP projects or management actions until the Agency is further along in the GSP process. Staff also agrees that solutions to water resources problems in the region are likely to overlap with the GSP, creating opportunities for not yet imagined projects. Because staff is working on the GSP, it will likely be in the best position to provide most direct and timely feedback to the VRIF process concerning such potential opportunities. Furthermore, staff is coordinating closely with the State Water Resources Control Board. For the reasons, staff recommends designating the Executive Director to serve as the Agency’s representative. The Executive Director would use his judgment concerning how much time to spend on the VRIF process based on the subject matter relevance to the Agency as the process unfolds.

**FISCAL SUMMARY**

Note from Staff: Director Kuebler did not provide a fiscal summary or ask staff to provide one. If the Board decides to designate the Executive Director as the Agency representative, staff would need more information about meeting frequency, etc. to estimate participation costs.

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

Motion: \_\_\_\_\_ Second: \_\_\_\_\_

B. Kuebler \_\_\_ D. Engle \_\_\_ A. Spandrio \_\_\_ S. Rungren \_\_\_ G. Shephard \_\_\_ E. Ayala \_\_\_ L. Rose \_\_\_

## UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 9(a)

**DATE:** April 9, 2020

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** Groundwater Sustainability Plan Update (Grant Category (d); Task 11: GSP Development and Preparation)

### SUMMARY

The Groundwater Sustainability Plan (GSP) Development Team (Bondy, Kear, and Intera) has continued working on the GSP and data gap tasks since the last Board meeting:

- **GSP:** The hydrogeologic conceptual model (HCM) and description of current and historical groundwater conditions remains the focal point of current GSP development efforts. As previously discussed, the Agency intends to leverage the data and information being developed by the State Water Resources Control Board (SWRCB) for its Instream Flow Study of the Ventura River. One aspect that SWRCB has developed is the basin geometry, which includes the alluvium thickness distribution and subsurface bedrock profile that forms that bottom of the basin. The basin geometry is a critical aspect of the HCM and GSP in general because it exerts a strong control on groundwater flow, groundwater storage, and the interaction of groundwater with surface water. The GSP Development Team had hoped to simply reuse the SWRCB basin geometry, but after detailed review of the geometry using geographic information systems (GIS) software, it has been concluded that the SWRCB's interpolation (1) is too coarse for evaluating GSP aspects (300 feet by 300 feet grid), (2) does not rely on all available data, and (3) contains geologic interpretations that do not appear to be supported by the best available geologic data. The GSP Development Team is updating and refining basin geometry to include increased resolution (10 feet by 10 feet), all available data, and the team's updated geologic interpretations. This level of effort was not anticipated and will have an impact on budget and schedule. The budget impact will be addressed during the upcoming annual budgeting process. The schedule impact will largely be addressed if Workshop No. 1 is rolled into Workshop No. 2, as discussed below and in Item 9(b).
- **Data Management System (DMS):** The DMS was completed and will be reviewed by the Executive Director in the near future. DMS documentation is under development.
- **GSP Workshop No. 1:** The workshop was scheduled for May 7, but will need to be cancelled due to the ongoing COVID-19 emergency. This will be discussed further under Item 9(b).
- **GSP Development Schedule:** The GSP Development Schedule was updated assuming the content of GSP Workshop No. 1 will be rolled into the second GSP workshop (Attachment A). The timing of the workshop will be assessed based on GSP development progress and COVID-19 status.

- **GSP Grant Data Gap Tasks:**

1. Establish Well Monitoring Network: The Water Year 2019 Annual report was finalized and posted to the Agency website. Monitoring is ongoing. The third, and final, annual report required under the grant will be submitted after Water Year 2020.
2. Project Monitoring Plan: On hold pending access for monitoring wells near San Antonio Creek confluence with Ventura River (Task 6). Staff proposes to negotiate with DWR to remove this grant task. Please see Item 9(c) for further information.
3. Surface Water – Groundwater Interface Monitoring: The Water Year 2019 Annual report was finalized and posted to the Agency website. Monitoring is ongoing. The grant requirements for this task will be complete upon DWR’s acceptance of the report.
4. Groundwater Extraction Estimates: The Executive Director reviewed and edited the Ad Hoc Funding Committee’s draft report in March. During that process, the Executive Director identified 38 wells that were not previously known to the committee. Director Rose is researching these wells to determine if they are actively pumping. The grant deliverable for this task will be finalized after Director Rose completes his research.
5. Water Year Hydrologic Data Analysis: This task consists of updating the document “Understanding More About Surface and Groundwater in the Upper Ventura River Basin Between Meiners Oaks and Oak View” prepared by Bruce Kuebler in 2016. Staff proposes to negotiate with DWR. Please see Item 9(c) for further information.
6. Subsurface Inflow Data:
  - San Antonio Creek: Monitoring wells are on hold pending access. Staff proposes to negotiate with DWR to remove this grant task. Please see Item 9(c) for further information.
  - Northern Basin Boundary: Staff proposes to negotiate with DWR to remove this grant task. Please see Item 9(c) for further information.
7. Surface Water Flow Data: The Water Year 2019 Annual report was finalized and posted to the Agency website. Monitoring is ongoing. The grant requirements for this task will be complete upon DWR’s acceptance of the report.
8. Natural Habitat Evapotranspiration Analysis: Staff proposes to negotiate with DWR to remove this grant task. Please see Item 9(c) for further information.

**RECOMMENDED ACTIONS**

Receive an update from the Executive Director concerning groundwater sustainability plan development and consider providing feedback.

**BACKGROUND**

Not applicable.

**FISCAL SUMMARY**

Not applicable.

**ATTACHEMENTS**

A. GSP Schedule

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

Motion: \_\_\_\_\_ Second: \_\_\_\_\_

B. Kuebler \_\_\_ D. Engle \_\_\_ A. Spandrio \_\_\_ S. Rungren \_\_\_ G. Shephard \_\_\_ E. Ayala \_\_\_ L. Rose \_\_\_

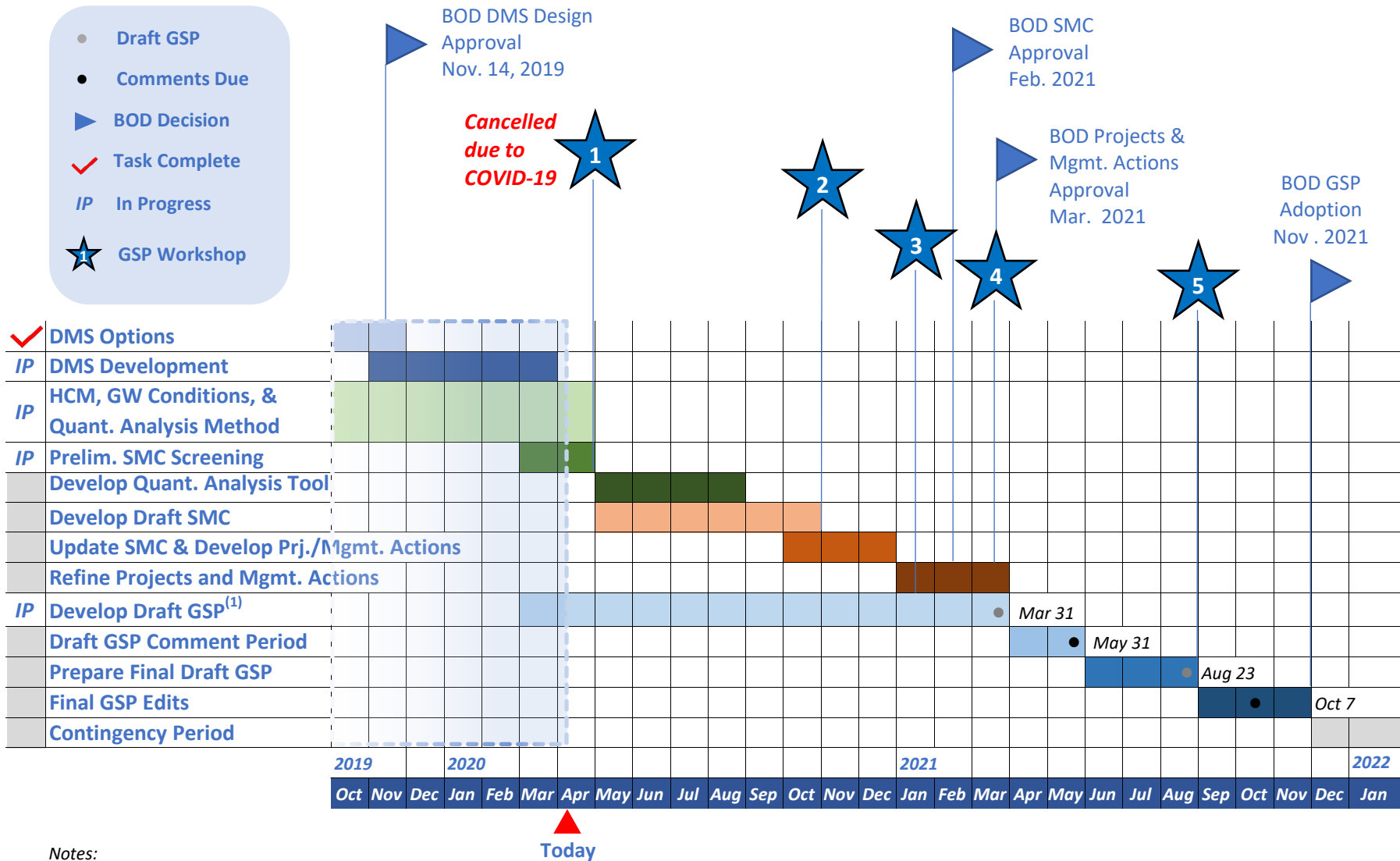


Item 9A

Attachment A

GSP Development Schedule

## Upper Ventura River Groundwater Agency GSP Development Schedule



**Notes:**

(1) GSP topics not listed above generally consist of background or supporting information and will be prepared concurrently with the above-listed tasks.

BOD = Board of Directors; DMS = Data Management System; HCM = Hydrogeologic Conceptual Model; GSA = Groundwater Sustainability Agency;

GSP = Groundwater Sustainability Plan; GW = Groundwater

**UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 9(b)**

**DATE:** March 12, 2020

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** Groundwater Sustainability Plan Workshop No. 1 (Grant Category (c); Task 10: Stakeholder Outreach and Engagement)

**SUMMARY**

During its March 12, 2020 meeting, the Board approved the GSP Workshop No.1 agenda and scheduled the workshop for Thursday, May 7, 2020. Shortly thereafter, the County of Ventura and State of California issued “Stay at Home” orders in response to the COVID-19 emergency. The County of Ventura order remains in effect until at least April 20, 2020. The State order will remain in place until further notice. By all accounts, it appears that gatherings, such as stakeholder workshops, will likely be prohibited until at least the end of April, if not longer. Even after the orders are lifted, it is likely that some people will not be comfortable attending gatherings for some time. Staff has considered options for holding an on-line workshop. However, staff believes that a critical aspect of the workshops is interacting and developing relationships with the stakeholders, which cannot be accomplished very effectively via an on-line workshop.

Based on the GSP development status and uncertain duration of the COVID-19 emergency, Staff recommends canceling GSP Workshop No. 1 and rolling the workshop content into a larger Workshop No. 2. The timing of Workshop No. 2 can be decided in the coming months based on GSP development progress and COVID-19 status. The topics and timing of the remaining workshops can then be adjusted, as needed, as GSP planning progresses.

**RECOMMENDED ACTIONS**

Cancel GSP Workshop No. 1 and direct staff to roll the workshop content into GSP Workshop No. 2.

**BACKGROUND**

Not applicable

**FISCAL SUMMARY**

Not applicable

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

Motion: \_\_\_\_\_ Second: \_\_\_\_\_

B. Kuebler\_\_\_ D. Engle\_\_\_ A. Spandrio\_\_\_ S. Rungren\_\_\_ G. Shephard\_\_\_ E. Ayala\_\_\_ L. Rose\_\_\_

**UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 9(c)**

**DATE:** April 9, 2020

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** Sustainable Groundwater Management Planning Grant Proposed Amendments (Grant Category (a); Grant Administration)

**SUMMARY**

The Agency’s 2017 Proposition 1 Sustainable Groundwater Planning (SGWP) Grant includes four budget categories, as summarized in Table 1 below.

**Table 1.  
SGWP Grant Budget.**

Budget Category	Title	Grant Amount	Cost Share	Total Cost
(a)	Grant Administration	\$72,883	\$0	\$72,883
(b)	Data Gap Analysis	\$120,260	\$49,160	\$169,420
(c)	Planning Activities	\$37,037	\$10,197	\$47,234
(d)	GSP Development and Preparation	\$399,881	\$94,756	\$494,637
(e)	GSP Reviews and Approvals	\$0	\$67,260	\$67,260
Total Costs		\$630,061	\$221,373	\$851,434

Category (b) - Data Gap Analysis is comprised of eight tasks originally developed by Director Kuebler, with input from Kear Groundwater and Lorraine Walter. These tasks are described in Table 2 on the next page.

Staff has reviewed the Category (b) tasks and is recommended deleting Tasks 2, 5, 6, and 8 in whole or in part. Justification for each proposed deletion is provided below.

- Task 5 - Water Year Hydrologic Data Analysis: This task consists of updating the document “Understanding More About Surface and Groundwater in the Upper Ventura River Basin Between Meiners Oaks and Oak View” prepared by Director Kuebler in 2016 (<https://uvrgroundwater.org/wp-content/uploads/2016/02/Surface-Groundwater-B.Kuebler.pdf>). The GSP Development team has determined that it will be utilizing different analysis methods and that updating the Kuebler memo would be overlap with efforts to develop certain GSP sections. For these reasons, staff proposes to negotiate with DWR to remove this deliverable.

**Table 2. Summary of Category (b) Data Gap Analysis Tasks**

<b>Task</b>	<b>Name</b>	<b>Description</b>	<b>Required Deliverable</b>
1	Establish Well Monitoring Network	Procure and install transducers in wells throughout the basin and monitor groundwater levels. Prepare three (3) annual data transmittal reports.	•Data Logger Annual Reports (3)
2	Project Monitoring Plan	Develop and submit a Project Monitoring Plan, for the installation of the new monitoring-well(s) under Task 6.	•Final Project Monitoring Plan
3	Surface Water – Groundwater Interface Monitoring	Perform weekly visual tracking of the position of the continuously wetted extent of the river in the transition between the wet and dry reaches. Conduct periodic continuous surveys of river extent to validate weekly tracking procedures. Compile data collected from upstream surveys by others, perform data analysis, and prepare one summary technical memorandum.	•Surface Water – Groundwater Interface Monitoring Report
4	Groundwater Extraction Estimates	Perform an infrared (IR) aerial photography survey and data processing and analysis to estimate groundwater production. Prepare inventory of wells and meters and ground truth IR estimate. Prepare a technical memorandum.	•Groundwater Extraction Estimates technical memorandum
5	Water Year Hydrologic Data Analysis	A paper titled “Understanding More About Surface and Groundwater in the Upper Ventura River Basin Between Meiners Oaks and Oak View.” Perform additional analysis and prepare a technical memorandum.	•Kuebler Paper •Water Year Hydrologic Data Analysis tech. memo.
6	Subsurface Inflow Data	Perform data compilation and analysis to estimate the upgradient underflow to the Basin. Estimate underflow from the San Antonio Creek alluvium by installing a groundwater monitoring well(s) near the confluence of San Antonio Creek and Ventura River, with a transducer, and by performing data compilation and analysis. Prepare a technical memorandum. CEQA compliance and permitting.	•Subsurface Inflow TM • CEQA documents, permits, access agreements • Well Completion Report • Final specs. and design
7	Surface Water Flow Data	Monitor surface water flow in the transition zone between wet and dry reaches and groundwater levels in a nearby monitoring well monthly. Prepare technical memorandum covering data collected.	•Surface Water Flow Technical Memorandum
8	Natural Habitat Evapotranspiration Analysis	Perform data compilation and analysis to estimate to evaluate evapotranspiration. Prepare a technical memorandum.	•Natural Habitat ET Technical Memorandum

- Task 6 - Subsurface Inflow Data: This purpose of this task is to estimate subsurface inflow to the basin (a.k.a. “underflow”) at San Antonio Creek and the northern basin boundary.

Installation of three groundwater monitoring wells was proposed on what was thought to be Ojai Valley Land Conservancy (OVLC) property near the confluence of San Antonio Creek and Ventura River. Data collected during drilling and subsequent groundwater level monitoring would have been used to estimate underflow. Access for monitoring well installation has been on hold because the property where the wells would be drilled has not yet been transferred to OVLC. The GSP Development Team has reviewed the geology near the San Antonio Creek confluence and determined that Ventura County Watershed Protection District Streamflow Station No. 605a can be used instead to estimate underflow into the basin. Bedrock outcrops at the gauge location force groundwater to the surface. Thus, the gage measures all water entering the basin.

Review of available data suggests that the alluvium is very thin at the northern basin boundary. Therefore, virtually all of the inflow to the basin is surface water. Thus, efforts to estimate underflow are unnecessary. Instead the Agency will focus on monitoring surface water flow into the basin at this location. The Agency is in the process obtaining a permit to install and maintain a surface water gauge at the Camino Cielo crossing, as previously approved by the Board.

Based on the foregoing, Staff proposes to negotiate with DWR to remove Task No. 6 and any roll remaining fund into other grant tasks. It is noted that, even though monitoring wells are not needed to estimate underflow near the San Antonio Creek, it will remain desirable to construct a monitoring well in this area to fill a gap in the groundwater level monitoring network. Staff proposes to install a monitoring well as part of GSP implementation, outside of the grant. Doing so would not likely result in any additional cost to the Agency because the costs for signage and additional documentation required for construction under the grant agreement would be avoided.

- Task 2 - Project Monitoring Plan: This task was added to the grant agreement by DWR and consists of developing and submitting documentation required prior to constructing the monitoring wells for Task No. 6. This task would be eliminated if DWR agrees to remove the Task 6.
- Task 8 - Natural Habitat Evapotranspiration Analysis: This task involves data compilation and analysis to estimate evapotranspiration and a corresponding technical memorandum. Similar to Task 5, Staff has determined that the work for this task would be overlap with efforts to develop certain GSP sections. For these reasons, staff proposes to negotiate with DWR to remove this Task.

## **RECOMMENDED ACTIONS**

Receive an update from the Executive Director concerning proposed amendments to the Agency’s Sustainable Groundwater Management Planning Grant and consider authorizing the Executive Director and Board Chair to negotiate and execute a grant agreement amendment.

## **BACKGROUND**

Grant agreement no. 4600012714 was executed on February 4, 2019.

**FISCAL SUMMARY**

As of March 31, 2020 work remains on all Category (b) tasks except Task Nos. 3 and 7. The Agency’s current long range budget includes \$66,000 for the remaining work on Category (b) tasks, of which approximately \$20,000 would be offset by Category (b) grant funding. Based on GSP progress to date and staff’s preliminary analysis for the upcoming long range budget update, it appears that GSP costs will be higher than anticipated. If the proposed grant amendments are approved by the Board and DWR, approximately \$66,000 could be reallocated to help address anticipated increased GSP costs.

**ATTACHEMENTS**

**None**

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

Motion: \_\_\_\_\_ Second: \_\_\_\_\_

B. Kuebler \_\_\_ D. Engle \_\_\_ A. Spandrio \_\_\_ S. Rungren \_\_\_ G. Shephard \_\_\_ E. Ayala \_\_\_ L. Rose \_\_\_