

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, December 10, 2020 via**

ON-LINE OR TELECONFERENCE:

DIAL-IN (US TOLL FREE) 1-669-900-6833

JOIN BY COMPUTER, TABLET OR SMARTPHONE:

<https://zoom.us/j/99387946489?pwd=c3VSbVJxbkhEd0dveUNPeU1URmVDUT09>

Meeting ID: 993 8794 6489 Passcode: 136580

New to Zoom, go to: <https://support.zoom.us/hc/en-us/articles/206175806>

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

December 10, 2020

1. MEETING CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF AGENDA

5. 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.

CLOSED SESSION - Adjourn to Closed Session (1:05 pm): *It is the intention of the Board of Directors to meet in Closed Session to consider the following items:*

6. CLOSED SESSION ITEMS

- a. Conference with Legal Counsel – Pending Litigation
Government Code § 54956.9, subdivision (a), (c) and (d)(1):
Upper Ventura River Groundwater Agency v. Casitas Municipal Water District
(VCSC Case No. 56-2020-00545336-CU-WM-VTA)

SECOND OPEN SESSION (*)Estimated Time 1:45 pm(***)**

7. 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 November 12, 2020 Regular Board Meeting**
- b. **Approve Financial Report for November 2020**
- c. **Approve 2021 Regular Board Meeting Schedule**

8. 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.**

9. 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.

10. ADMINISTRATIVE ITEMS

- a. **Access For Proposed Monitoring Facilities**
The Board will consider directing an existing or new ad hoc committee to assist staff with pursuing access for monitoring facilities proposed in a recent grant application and providing feedback on a proposed template access agreement.

11. 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. **Subsidence Sustainability Indicator Discussion (Grant Category (d); Task 11: GSP Development and Preparation)**

Staff will present a proposed approach for addressing the subsidence sustainability indicator in the forthcoming groundwater sustainability plan and the Board will consider providing feedback to staff.

c. Discussion of Assumptions for 50-Year Future Model Simulations (Grant Category (d); Task 11: GSP Development and Preparation)

Staff will present proposed assumptions for model simulations of 50-year future conditions for the forthcoming groundwater sustainability plan and the Board will consider providing feedback to staff.

12. 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.

13. FUTURE AGENDA ITEMS

This is an opportunity for the Directors to request items for future Board meeting agendas.

14. ADJOURNMENT

The next scheduled Regular Board meeting is December 10, 2020.

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

The Board meeting was held via teleconference, in accordance with California Executive Order N-25-20. Directors present were Bruce Kuebler, Larry Rose, Emily Ayala, Susan Rungren, Angelo Spandrio, Glenn Shephard and Chairperson Diana Engle. Also present: Executive Director Bryan Bondy, Agency Counsel Keith Lemieux and Administrative Assistant Maureen Tucker.

**ON-LINE OR TELECONFERENCE:
DIAL-IN (US TOLL FREE) 1-669-900-6833
JOIN BY COMPUTER, TABLET OR SMARTPHONE:
<https://zoom.us/j/95543293635?pwd=NHdiQnI4NTVHVk1Pc2k1cnduU3M2QT09>
Meeting ID: 955 4329 3635 Passcode: 584326
New to Zoom, go to: <https://support.zoom.us/hc/en-us/articles/206175806>**

1) CALL TO ORDER

Chair Engle called the meeting to order at 1:03 p.m.

2) ROLL CALL

Executive Director Bondy called the roll.

Directors present: Bruce Kuebler, Larry Rose, Emily Ayala, Susan Rungren, Angelo Spandrio, Glenn Shephard, Diana Engle.

Directors absent: None.

Note: Director Rose experienced technical difficulties and temporarily dropped off the web meeting following roll call. Director Rose reconnected during Item 7.

3) APPROVAL OF AGENDA

Chair Engle asked if there are any proposed changes. None changes were proposed.

Director Rungren motioned to approve the agenda. Director Ayala seconded the motion.

Roll Call Vote:	B. Kuebler – Y	E. Ayala – Y	D. Engle - Y
	S. Rungren – Y	G. Shephard – Y	A. Spandrio – Y

Absent: L. Rose

4) PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

Chair Engle asked if there were any public comments. No public comments were offered.

5) CONSENT CALENDAR

- a. Approve Minutes from October 8, 2020 Regular Board Meeting**
- b. Approve Financial Report for October 2020**
- c. Receive and File Fiscal Year 2020/2021 1st Quarter Budget Report**

Director Shepherd motioned to approve the consent calendar. Director Kuebler seconded the motion.

Roll Call Vote: B. Kuebler – Y E. Ayala – Y D. Engle - Y
 S. Rungren – Y G. Shephard – Y A. Spandrio – Y

Absent: L. Rose

6) DIRECTORS ANNOUNCEMENTS

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

Director Kuebler: No report and time: one hour for 10/28/2020 Ad Hoc Funding Committee meeting.

Director Spandrio: No report and no time.

Director Rungren: No report and no time.

Director Ayala: Congratulated Diane Engle for being reelected. Time: 1 ½ hours for meeting with Bryan Bondy regarding mapping groundwater use (Ad Hoc Funding Committee meeting) and for stakeholder outreach.

Director Shephard: No report and no time.

Director Engle: No report and no time.

Director Rose: No report. Time: one hour for Ad Hoc Funding Committee meeting (reported upon return to meeting during Item 7.)

7) EXECUTIVE DIRECTOR'S REPORT

Executive Director Bondy reviewed the written staff report with the Board.

No public comments.

Director Kuebler asked about development of model scenarios by the State Water Resources Control Board (SWRCB). Executive Director Bondy explained that SWRCB will be reaching out to stakeholders for input on the model scenarios some time in 2021.

No motion.

8) ADMINISTRATIVE ITEMS

a. Adjudication Coordination Update

Executive Director Bondy reviewed the written staff report, which summarizes recent adjudication coordination activities by the Executive Director and Agency Counsel and associated costs.

Agency Counsel Lemieux added to Executive Director Bondy's summary. He stated that a preliminary meeting was requested by the City of Ventura regarding the Physical Solution. UVRGA staff and counsel were invited to listen in to the web meetings to receive more background information which was provided in conjunction with the meet and confer process. Five informational web meetings were attended, which provided background that helped inform the recommended physical solution comments ultimately submitted by the Agency. He stated that, at this point, there is nothing further and they are in a "wait and see" mode.

Chair Engle asked if there were any public comments. No public comments were offered.

Director Spandrio thanked Executive Director Bondy for the report and explained that his primary concern was execution of the confidentiality agreements by the Executive Director Bondy and Agency Counsel. He stated that he felt that Board approval should have been sought first.

Director Angelo wanted to know why the board approval was not requested. Executive Director Bondy explained he believed the confidentiality agreement did not obligate the agency directly based on how it was worded. He added that the confidentiality was specific to the information presented by the expert consultants during the web meetings. He stated that he believes it is a gray area in the joint powers agreement and bylaws and the timing of events was such that it necessitated use of his judgment. He added that the City of Ventura representative had informed the Board on its intent to share information with UVRGA staff and Counsel in August and this was part of that process.

Agency Counsel Lemieux stated that he believed that staff and counsel were instructed by the Board to receive information regarding the Physical Solution. They did not offer anything beyond the comments by the Board regarding the Physical Solution. He said they will handle things differently going forward. Should they get comments back, they will bring to the Board for direction.

Director Spandrio noted that the meet and confer period ended October 30 but has apparently been extended. Executive Director Bondy and Agency Counsel stated that they have not been notified of an extension. Director Spandrio stated the he would like to have the Board review and approve any future confidentiality agreements, if any are required for further coordination with the litigation process.

Chair Engle expressed concerns about staff and counsel being privy to information and negotiations not open to the public. Executive Director Bondy stated that the web meetings

were limited to presentations of background information to explain the physical solution approach and that no negotiations occurred.

Chair Engle asked the Directors for feedback on the situation. The consensus of the Board was to review confidentiality agreements with the Board in the future.

Executive Director Bondy requested clarification from the Board regarding potential future adjudication coordination aside from the confidentiality issue. Chair Engle expressed concerns about future communications by staff and/or counsel without prior Board authorization, but wanted to hear from the other Directors. Directors Kuebler, Rose, Shephard, Ayala, and Rungren expressed supported for staff and counsel coordinating with the adjudication effort and trust they will bring issues that require Board input or approval to the Board.

Public Comments: Burt Handy agrees that everyone should know what is going on and open to everyone.

No motion.

b. Rincon Consultants Work Order No. 3 for Camino Cielo Stream Flow Gauge Installation and 2021 Stream Flow Monitoring

Executive Director Bondy reviewed the scope and costs for proposed Rincon Work Order No. 3 for Camino Cielo stream flow gauge installation and 2021 stream flow monitoring.

Director Ayala noted the increased silt content in the river associated with the Matilija Dam draining event. She asked if silt would impact the equipment. Executive Director Bondy said the he did not think so because the equipment has screens to protect the pressure sensor.

Director Kuebler asked if the data will be used in the groundwater sustainability plan (GSP). Executive Director Bondy stated that the data would probably not be available for the GSP and that the purpose of the proposed monitoring is to begin collecting data to improve the modeling for the first GSP update in 2027.

Director Kuebler asked about the difference between the due dates in work order versus the consultant proposal. Executive Director Bondy explained that he want to give the consultant more time to complete the data report than they gave themselves.

Public Comments: Burt Handy asked about surface water inflows to the Ojai Basin. Executive Director Bondy explained that the Ojai Basin is not part of the Upper Ventura River Basin.

Recommended Actions:

1. Authorize the Executive Director to execute Rincon Consultants Work Order No. 3 for an amount not to exceed \$18,050 for stilling well installation and 2021 stream flow monitoring at the Camino Cielo Ventura River crossing.

2. Approve up to \$1,800 for potential unanticipated costs, to be authorized at the discretion of the Executive Director.

Director Kuebler motioned to approve the recommended actions. Director Rose seconded the motion.

Roll Call Vote: B. Kuebler – Y L. Rose – Y E. Ayala – Y D. Engle - Y
 S. Rungren – Y G. Shephard – Y A. Spandrio – Y

Absent: None.

9) GSP ITEMS

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

Executive Director Bondy reviewed the staff report with the Board concerning Groundwater Sustainability Plan (GSP) development status and provided the additional updates discussed below.

Executive Director Bondy explained that he met with the Ad Hoc Funding Committee to help estimate agriculture pumping in basin for the model 2005 – 2019 model calibration period. He felt the meeting was very productive and he thanked the committee for their help. He feels they have a good path going forward.

Director Kuebler commented on the GSP development schedule (Attachment A of the staff report). He wants to make sure that the Agency avoids a perception that the Board is not transparent on the sustainable management criteria (SMC). Executive Director Bondy stated that the SMC will be the subject multiple public meetings and noted that the SMC discussion was already started during the September Board meeting.

Director Engle asked if there were any public comments. None were offered.

No motion.

10) COMMITTEE REPORTS

a. Ad Hoc Stakeholder Engagement Committee

Director Rose stated there was nothing to report.

11) FUTURE AGENDA ITEMS

No future items were offered by the Directors.

12) ADJOURNMENT – The meeting was adjourned at 2:12 pm.

DRAFT

Action: _____

Motion: _____ Second: _____

B.Kuebler____ D.Engle____ A.Spandrio____ S.Rungren____ G.Shephard____ E.Ayala____ L.Rose____

UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 7(b)

DATE: December 3, 2020
TO: Board of Directors
FROM: Carrie Troup C.P.A., Treasurer
SUBJECT: Approve Financial Report for November 2020

October 2020 UVRGA Balance \$ 279,352.13

November 2020 Activity:
Revenues:

Groundwater Extraction Fees	\$ 856.79
Void uncleared check # 2130 Kear Groundwater Dated 07/31/20	<u>\$ 1,510.00</u>

September Expenditures Paid:

\$ -

Checks Pending Signature:

2150	Olivarez, Madruga, Lemieux, O'Neill, LLP	October services	\$ 6,690.00
2151	Carrie Troup, C.P.A.	November services	\$ 1,447.10
2152	Rincon Consultants, Inc.	October services	\$ 6,202.00
2153	Rincon Consultants, Inc.	October services	\$ 2,723.55
2154	Bondy Groundwater Consulting, Inc.	November services	\$ 6,288.75
2155	Kear Groundwater	Replacement for check #2130	<u>\$ 1,510.00</u>

Total Expenditures Paid & To Be Paid November \$ 24,861.40

November 2020 UVRGA Ending Balance: \$ 256,857.52

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(c)

DATE: December 10, 2020

TO: Board of Directors

FROM: Agency Staff

SUBJECT: Approve 2021 Regular Board Meeting Schedule

SUMMARY

The Board of Directors currently meets monthly, as needed, on the second Thursday of the month at 1pm. By maintaining this consistent meeting schedule, the Board would reinforce the public's expectation for Board meetings to occur on a regular schedule, which provides for greater predictability and may facilitate greater public engagement.

Staff reviewed the current schedule and notes that the second Thursday of November 2021 will be Veterans Day, which is a public holiday. It is recommended that the November regular meeting be scheduled for Friday November 12.

The Board may also choose to approve a different schedule.

RECOMMENDED ACTIONS

Approve a regular board meeting schedule for the 2021 calendar year.

BACKGROUND

Please see summary.

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

DATE: December 10, 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: *Nothing to report.*
2. Financial:
 - a. Groundwater Extraction Fees: *No change in status.* The third round of extraction fee invoices was mailed on July 16. Payments were due August 16. Two entities remain unpaid, totaling \$1,781.
 - b. Audit: *Fiscal Year 19/20 audit activities continued.*
 - c. GSP Grant: *Grant Progress Report and Invoice No. 6 were submitted to DWR on November 5. Payment in the amount of \$80,848.22 is expected 1-2 months following DWR approval.*
3. Legal:
 - a. *Counsel worked on privileged and confidential matters.*
 - b. Legal review and recommendations for addressing Endangered Species Act and Public Trust Doctrine issues in the GSP is ongoing.
4. Sustainable Groundwater Management:
 - a. Groundwater Sustainability Plan Development: *Please see Item 11a.*
 - b. Groundwater and Surface Water Monitoring: *Groundwater level data collected during water year 19/20 are being processed.*
 - c. Camino Cielo Crossing Surface Water Flow Gauge: *Preparations for gauge installation were made. Gauge installation is scheduled for later this month.*
 - d. DWR Surface Water Flow Gauge: *DWR continues to work on CEQA compliance. The gauge will be installed and maintained at no cost to UVRGA.*

5. SWRCB / CDFW Instream Flow Enhancement Coordination:
 - a. *The Executive Director reviewed SWRCB's Draft Sensitivity Analysis Approach Memo and submitted comments on behalf of the Agency. (Attachment A).*
 - b. *The monthly status call was cancelled.*
6. Ventura River Watershed Instream Flow & Water Resilience Framework (VRIF): *No activity since the last Board meeting.*
7. Miscellaneous: *Nothing to report.*

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

ATTACHEMENTS

- A. UVRGA Comment Letter on SWRCB Sensitivity Analysis Approach Memo

Action: _____

Motion: _____ Second: _____

B. Kuebler___ D. Engle___ A. Spandrio___ S. Rungren___ G. Shephard___ E. Ayala___ L. Rose___

Item 9

Attachment A

**UVRGA Comment Letter on SWRCB Sensitivity Analysis
Approach Memo**



202 W. El Roblar Dr.
Ojai, CA 93023
(805) 640-1247
<https://uvrgroundwater.org/>

November 14, 2020

Kevin DeLano
State Water Resources Control Board
Division of Water Rights
1001 I Street 14th Floor
Sacramento, CA 95814

RE: Comments on State Water Resources Control Board Draft Sensitivity Analysis Approach Memo
for the Development of the Groundwater-Surface Water Model of the Ventura River Watershed

Dear Kevin,

Thank you for the opportunity to submit comments on the above referenced document (Sensitivity Analysis Approach Memo). This letter presents Upper Ventura River Groundwater Agency's (UVRGA's) comments on the Sensitivity Analysis Approach Memo. The comments presented in this letter were prepared by a State of California licensed Professional Geologist and Certified Hydrogeologist. The five public agencies that comprise the UVRGA (Casitas Municipal Water District, the City of San Buenaventura, the County of Ventura, the Meiners Oaks Water District, and the Ventura River Water District) reserve the right to submit separate, standalone comments.

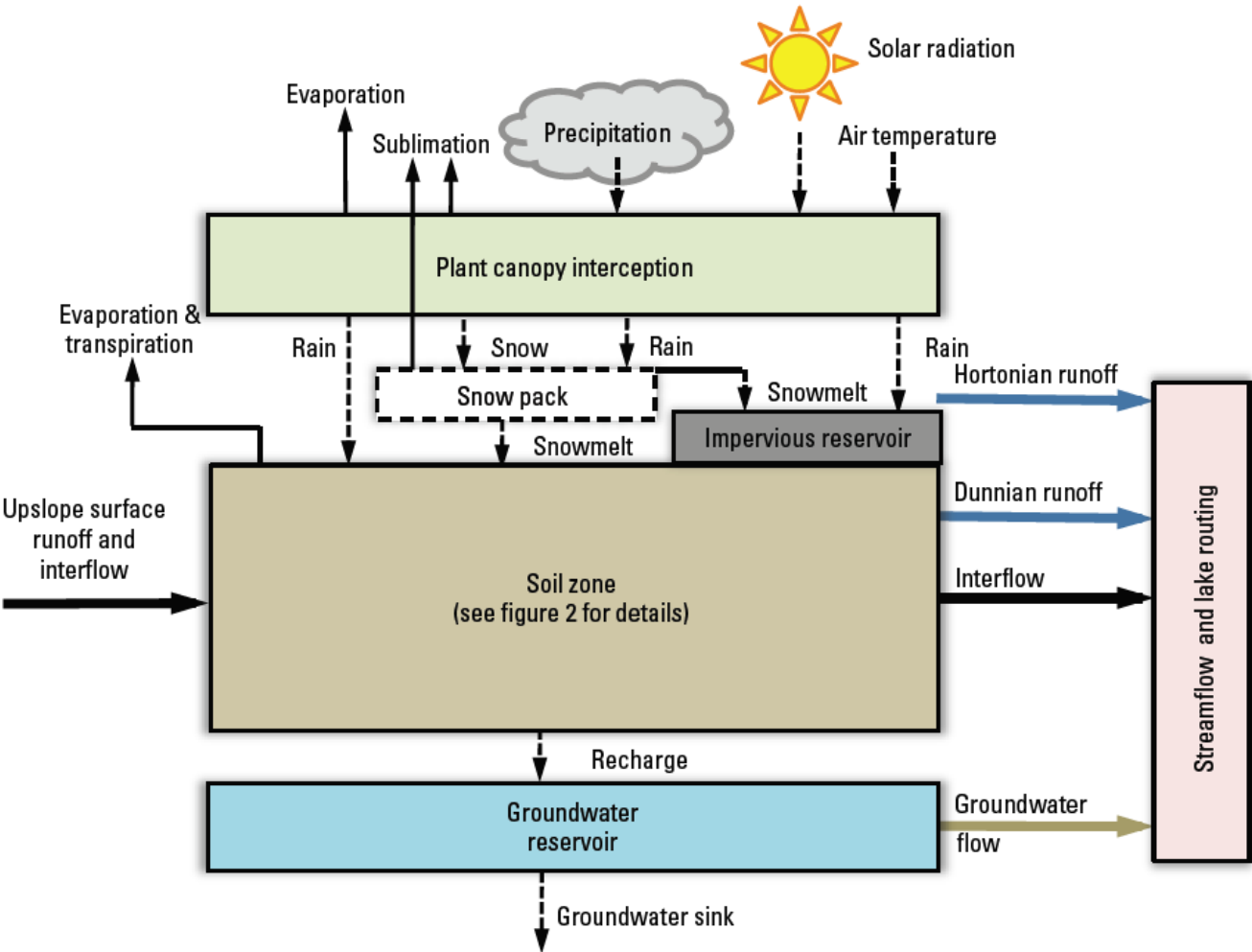
Comments:

1. Section 3.1.1 Water Balance and Groundwater-Surface Water Exchange: The proposed approach includes calculating the watershed-wide water balance and the groundwater-surface water exchange in the gaining and losing reaches of the main stem Ventura River and San Antonio Creek for each sensitivity analysis simulation. UVRGA agrees with breaking out the groundwater-surface water exchange as described, but suggests additionally breaking out evapotranspiration for the gaining reaches because groundwater uptake by phreatophytes is believed to be a significant component of the water balance in the gaining reaches during the study focus period (i.e. low flows).
2. Section 3.1.2 Streamflow: It is important to understand the sensitivity of the model inputs to simulation of the total stream flow entering the main stem Ventura River (and, coincidentally, the Upper Ventura River Basin) from the upper portion of the watershed. The total stream flow entering the main stem Ventura River is essentially the sum of stream flow from both forks of Matilija Creek. To this end, UVRGA suggests that SWRCB consider including analysis of Gage 602/602B (Matilija Creek at Matilija Hot Springs) and the combined flows from both forks (i.e. Gage Nos. 602/602B and 604).

3. Table 3-1, GSFLOW Model Inputs to be Varied: Table 3-1 does not appear to include input parameters that would directly impact estimation of groundwater uptake by phreatophytes in areas with shallow groundwater, such as the gaining reaches of the main stem Ventura River and San Antonio Creek.

It is noted that Section 5.5 of the Study Plan states: “Riparian evapotranspiration will come from the PRMS model in the final integrated GSFLOW model.” Based the PRMS citation in the Study Plan, it appears that PRMS does not calculate phreatophyte uptake of groundwater (please see Figure 1 below). Thus, it appears that phreatophyte uptake of groundwater is not considered in the GSFLOW model. Because groundwater uptake by phreatophytes is believed to be a significant water component of the water balance in the gaining reaches during the study focus period (i.e. low flows), it is recommended that this apparent oversight be addressed before completing the model calibration and sensitivity analysis. It is further suggested that consideration be given to including parameters in the sensitivity analysis that control phreatophyte uptake of groundwater, such as spatial distribution of phreatophytes, maximum evapotranspiration rates, and rooting depths.

Figure 1: Figure 1 from the PRMS Manual (USGG Modeling Techniques and Methods 6-B7)



Thank you again for the opportunity to submit comments on the Sensitivity Analysis Approach Memo.

Sincerely,

A handwritten signature in black ink that reads "Bryan Bondy". The script is cursive and fluid, with the first name "Bryan" and last name "Bondy" clearly distinguishable.

Bryan Bondy, PG, CHG
Executive Director

UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 10

DATE: December 10, 2020

TO: Board of Directors

FROM: Agency Staff

SUBJECT: Access For Proposed Monitoring Facilities

SUMMARY

Twenty monitoring sites were proposed in the recently submitted Wildlife Conservation Board (WCB) grant application, including seventeen monitoring well cluster sites and three stream gauge sites (Attachment A). If grant funding is awarded, UVRGA must have access (easement) agreements in place for each site before executing a grant agreement next summer. A template access (easement) agreement was developed for the grant application for this purpose (Attachment B). Staff is requesting Board feedback on the agreement.

California Environmental Quality Act (CEQA) compliance must be completed fifteen days before the WCB Board Meeting in which the grant awards are approved, which is scheduled for April 22, 2021. Staff anticipates CEQA compliance will consist of a streamlined analysis and execution of a Notice of Exemption (NOE). CEQA compliance can be completed prior to execution of the access (easement) agreements. However, if access to any site(s) is ultimately not obtained, WCB may not accept a new CEQA NOE for replacement/alternative site(s). Thus, funding for those site(s) may be lost. Thus, it is in the Agency's best interest to secure as many access commitments as possible prior to completing CEQA, which needs to be completed and approved by the Board in March 2021.

Eight of the twenty monitoring sites included in the grant application would be located on land owned by the Ojai Valley Land Conservancy (OVLC). OVLC has already tentatively agreed to provide access. Another site, the Camino Cielo stream gauge site, already has access via an encroachment permit. UVRGA would need to pursue access for the remaining eleven sites. Four of the remaining proposed sites would be located on property owned by either the City of Ventura or the County of Ventura. One site would be located on property owned by a UVRGA Board Member. The six remaining sites would be located on private property (5) or school district land (1).

It is noted that certain Board Members (or the organizations they represent) have relationships in the region that may facilitate access negotiations with the private land owners and school district. For this reason, they are probably in a better position to negotiate access than staff. Additionally, having a committee seek access would reduce costs to the Agency in the event that the grant is not awarded (the WCB grant proposal includes costs to obtain access, but those costs would not be reimbursed if the grant is not awarded). For the above-listed reasons, staff is requesting that the Ad Hoc Stakeholder Engagement Committee (Ayala, Kuebler, and Rose) take the lead on negotiating access, with input and assistance from the Executive Director.

RECOMMENDED ACTIONS

1. Provide feedback on the proposed template access agreement.
2. Consider directing an existing or new ad hoc committee to assist staff with pursuing access for proposed monitoring facilities.

BACKGROUND

Please see summary.

FISCAL SUMMARY

In the event that the WCB grant is not awarded, assigning the recommended duties to an ad hoc committee would reduce future budget increases necessary to cover unreimbursed labor expenses for access negotiations.

ATTACHMENTS

- A. Map Showing Proposed Monitoring Sites Included in WCB Grant Application
- B. Template Agreement to Install Monitoring Well

Action: _____

Motion: _____ Second: _____

B. Kuebler____ D. Engle____ A. Spandrio____ S. Rungren____ G. Shephard____ E. Ayala____ L. Rose____

Item 10

Attachment A

**Map Showing Proposed Monitoring Sites Included in WCB Grant
Application**

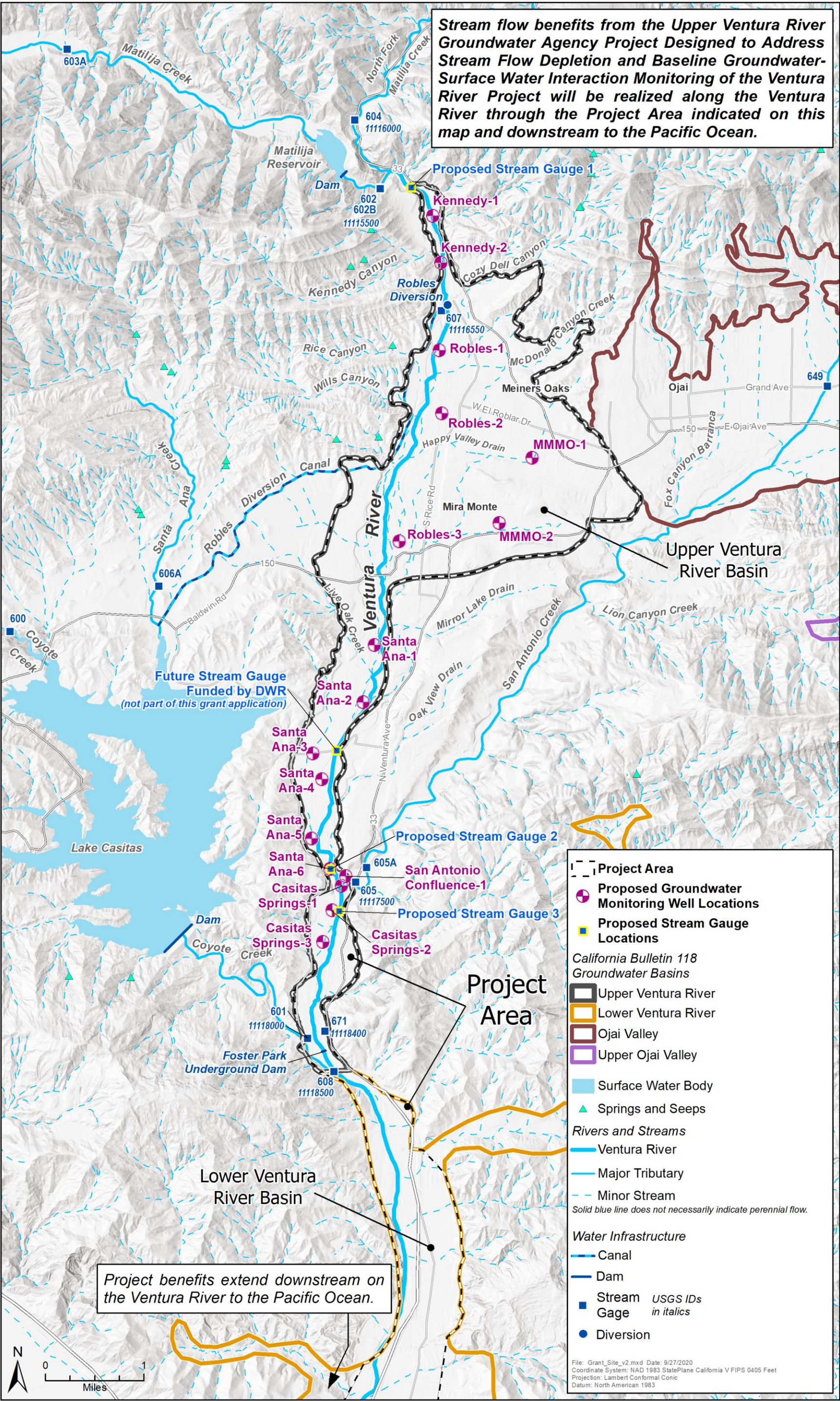


Figure 3. Site Scale Map.

Item 10

Attachment B

Template Agreement to Install Monitoring Well

Project: Upper Ventura River Groundwater Agency – Proposition 1 Grant –
Monitoring Well No. [REDACTED]
APN: [REDACTED]
Grantor: [REDACTED]

AGREEMENT TO INSTALL MONITORING WELL

This Agreement to Install Monitoring Well (“Agreement”) is made and entered into by and between Upper Ventura River Groundwater Agency (“UVRGA”) and [REDACTED] (“Grantor”).

RECITALS:

- A. Grantor owns certain real property located in Unincorporated Ventura County, CA, which is identified by the Ventura County Assessor’s office as Assessor’s Parcel Number [REDACTED], and which is hereinafter referred to in the Agreement as the “Property”.
- B. UVRGA seeks to install a groundwater monitoring well (“Monitoring Well”) on Grantor’s Property for the purpose of monitoring water levels and water quality data necessary for effective management of the Upper Ventura River Basin pursuant to the Sustainable Groundwater Management Act.
- C. Grantor agrees to permit the installation of the Monitoring Well on Grantor’s Property, and agrees to grant an easement for the installation, monitoring, maintenance, and use of the Monitoring Well (the “Easement”), in the form attached hereto as Attachment 1 (the “Easement Deed”), under the following terms and conditions.

The parties to this Agreement hereby mutually agree as follows:

1. The parties have herein set forth the whole of their agreement. The performance of this Agreement constitutes the entire consideration for the Monitoring Well and Easement and shall relieve the UVRGA of all further obligation or claims arising from or related to the Monitoring Well and Easement and the subject matter of this Agreement.

2. The UVRGA shall:

A. PAYMENT. Pay to the Grantor the sum of [REDACTED] Dollars (\$ [REDACTED]), as consideration in full for entering into this Agreement. One half of said sum (\$ [REDACTED]) shall be paid within [REDACTED] ([REDACTED]) days of the date this Agreement is signed by Grantor. The remaining one half (\$ [REDACTED]) shall be paid following the UVRGA’s acceptance of a signed Easement Deed delivered and executed by the Grantor in accordance with the provisions of this Agreement.

B. MISCELLANEOUS COSTS. Pay any and all transactional costs associated with this Agreement and the acceptance and recordation of the Easement Deed, including any escrow, title insurance, and recording fees incurred in this transaction, and all costs of preparing the Easement Deed and associated legal descriptions and maps that describe and depict the Easement.

C. INSTALLATION OF MONITORING WELL. Design, drill, develop, and test the Monitoring Well within that specific portion of the Property defined and shown as the Work Area in Attachment 2. The Monitoring Well may consist of several closely spaced wells, as shown in Attachment 2, drilled to different depth in separate boreholes. The required easement footprint shall not exceed that stated in paragraph 2.E below. In conjunction with installing the Monitoring Well within the Work Area, UVRGA agrees to reasonably protect in place any existing improvements, including crops outside of the Work Area, and irrigation and drainage facilities on the Property. UVRGA shall have the right to use the Work Area for a period of () months (the "Well Installation Period") to drill, develop, and test the Monitoring Well. The UVRGA may extend the Well Installation Period up to an additional () months, in one month increments. The UVRGA shall pay to the Grantor the sum of () (\$) for each one month extension. UVRGA shall provide Grantor () days' advance written Notice of Construction Commencement, by US Mail, in advance of entering the Property to initiate the Monitoring Well installation process. The ()-month Well Installation Period is initiated by the Notice of Construction Commencement.

D. INDEMNIFICATION AND RESTORATION ASSURANCES. Indemnify and hold Grantor harmless from liability to any third person or entity to the extent that such liability is caused solely by UVRGA's entry and operations upon Grantor's Property for the purpose of installing, monitoring, maintaining, and removing the Monitoring Well. UVRGA agrees to reasonably restore Grantor's Property to the condition that it was in prior to the installation of the Monitoring Well. UVRGA further agrees to pay Grantor the cost of repair, or diminution in value, for damage to Grantor's property which is caused solely by UVRGA while performing the activities described herein. Any election to pay cost of repair or diminution in value shall be solely in the discretion of UVRGA.

E. EASEMENT DEED RECORDATION. Once the installation of the Monitoring Well has been completed, prepare a legal description and a map describing and depicting the "As Built" location of the Monitoring Well, and prepare the Easement Deed, with said "As Built" legal descriptions attached, for Grantor's signature and notarization. The area of the easement so depicted shall not exceed () square feet. After Grantor's execution of the Easement Deed, UVRGA shall accept and record the Easement Deed in the office of the Ventura County Recorder.

F. MONITORING WELL DATA. Provide Grantor a paper copy of all data collected from the Monitoring Well at least (). The UVRGA is not responsible for Grantor's analysis or interpretation of the information provided or for how Grantor chooses to use the information.

3. The Grantor:

A. RIGHT OF ENTRY/ WORK AREA. Hereby grants to UVRGA, its agents, and contractors a right to enter the Property to conduct site investigations, surveying, or other preliminary activities for design and bidding, and to install the Monitoring Well in the general location defined and shown as the Work Area in Attachment 2, in accordance with the provisions of Paragraph 2.C of this Agreement. Said Right of Entry shall include the right to temporarily park and operate construction equipment and vehicles necessary to complete the Monitoring Well installation, and the right to temporarily stockpile pipe, equipment, dirt, and/or other

materials related to the Monitoring Well installation. Since the soils composition will be unknown until the drilling of the Monitoring Well begins, Grantor hereby agrees to allow the UVRGA flexibility in selection and establishment of the final Monitoring Well location, subject to the final location being mutually acceptable to both parties and within the depicted Work Area, which acceptance shall not be unreasonably withheld.

B. RIGHT OF ENTRY/ ACCESS ROUTE TO PROPERTY. Hereby conveys to UVRGA, its agents, and contractors a right to enter the access road shown as the Access Route in Attachment 3, to reach the Property for purposes indicated in Paragraphs 2.C and 3.A of this Agreement. Said Right of Entry shall also include the right to temporarily park construction water trucks along the shoulder of the Access Route and adjacent to existing County of Ventura water system blow-offs to facilitate water tank filling operations.

C. EXECUTION OF EASEMENT DEED. Agrees to execute the herein referenced Easement Deed after the Monitoring Well installation is complete and "As Built" legal descriptions are prepared by UVRGA describing the final location of the Monitoring Well. Grantor agrees to execute the Easement Deed within [REDACTED] days of UVRGA's presentation of said Deed to Grantor, and Grantor authorizes recordation of Easement Deed in the Ventura County Recorder's Office following UVRGA's acceptance of the Easement Deed.

D. LEASE INDEMNIFICATION. Warrants there are no oral or written leases on all or any portion of the Property that would conflict with the rights granted herein. If there are any leases, Grantor agrees to hold the UVRGA harmless and reimburse UVRGA for any and all of its losses and expenses occasioned by reason of any conflicting lease of the Property held by tenant of Grantor.

E. GRANTOR WARRANTIES. Warrants that they are the owner(s) of the Property, that the signatories below are the authorized signatories on behalf of Grantor, and by signatures hereon bind Grantor, and Grantor's assigns and successors in interest, to this Agreement, and that Grantor is acting on behalf of all parties having any title, interests, or rights to possession of the Work Area and Easement. Grantor further warrants that Grantor will provide notice of this Agreement and its terms to any assignee or successor in interest, prior to such assignment or transfer of interest.

4. The Parties agree:

A. ARTICLE HEADINGS. Article headings in this Agreement are for convenience only and are not intended to be used in interpreting or construing the terms, covenants, and conditions of this Agreement.

B. COMPLETE UNDERSTANDING. This Agreement constitutes the entire understanding between the parties with respect to the subject matter hereof, superseding all negotiations, prior discussions, and preliminary agreements or understandings, written or oral. This Agreement may not be amended, changed or modified, except in writing signed by the parties hereto or their successors or assigns.

C. UVRGA BOARD APPROVAL. This Agreement is subject to and conditioned upon approval and ratification by the Board of the Upper Ventura River Groundwater Agency. This Agreement is not binding upon the UVRGA until executed by the appropriate UVRGA official(s) acting in their authorized capacity.

No Obligation Other Than Those Set Forth Herein Will Be Recognized.

GRANTOR:

By: _____ Date: _____
[Redacted]

By: _____ Date: _____
[Redacted]

UPPER VENTURA RIVER GROUNDWATER AGENCY:

By: _____ Date: _____
President, Board of Directors

By: _____ Date: _____
Bryan Bondy, Executive Director

MAILING ADDRESS OF GRANTOR:	MAILING ADDRESS OF UVRGA:
Name	UVRGA
Address 1	202 W. El Roblar Dr.,
Address 2	Ojai, CA 93023

Recorded at request of and
when recorded return to:

UVRGA
202 W. El Roblar Dr.,
Ojai, CA 93023

A.P. No. [REDACTED]

No fee pursuant to Government Code § 6103
No Documentary Transfer Tax per R&T Code § 11922
No Recording Fee per Government Code § 27383

Upper Ventura River Groundwater Agency

EASEMENT DEED

Project No. 527 – Las Posas Basin Deep Groundwater
Monitoring Project, Monitoring Well No. [REDACTED]

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

[REDACTED], hereinafter referred to as “Grantor,”

do(es) hereby GRANT to the

UPPER VENTURA RIVER GROUNDWATER AGENCY (“UVRGA”)

the following interests in real property:

A **Temporary Easement** to install, access, maintain, monitor, remove, repair, replace, and retrieve data from a ground water monitoring well (“Monitoring Well”) and related facilities. These related facilities may include, but are not limited to, markers, manholes, monitoring devices, data logging devices, and all related incidents, fixtures, and appurtenances necessary for the use of the Monitoring Well. The markers, manholes, and other related facilities may be located above ground or partially above ground. This easement shall be in, over, on, through, within, under, and across the Easement Area of the Real Property as defined in this paragraph. The “Real Property” is in the County of Ventura, State of California and is specifically described in Exhibit “A” (x page(s)), attached hereto and incorporated by reference herein. The “Easement Area” which comprises the Temporary Easement is described and depicted in Exhibit “B” page(s) 1 to x, attached hereto and incorporated by reference herein.

Item 10, Attachment B

Attachment 1

The Temporary Easement(s) described herein shall be SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

1. The facilities and improvements installed in the Easement Area collectively are referred to herein as "UVRGA Facilities." Plans for UVRGA Facilities as they exist from time to time shall be maintained at the UVRGA's principal offices.

2. The Temporary Easement shall remain in place for a 50 year term and shall be effective on the date UVRGA formally accepts this Easement Deed, as evidenced by a Certificate of Acceptance attached hereto. Upon expiration of the 50 year term, UVRGA shall have the right and obligation to enter the property to remove UVRGA Facilities and to destroy the Monitoring Well per California Water Code Section 13700 et seq and Ventura County Well Ordinance Nos. 4184 and 4468. Said destruction will be done at UVRGA's sole cost and expense. UVRGA shall additionally relinquish and quitclaim any and all rights, title, interests, liabilities and obligations which are being granted herein after such time when all UVRGA Facilities are removed.

3. UVRGA shall not utilize the Monitoring Well for any purpose other than to collect groundwater data during the Temporary Easement term described in paragraph 2.

4. UVRGA shall have the right of ingress and egress for personnel, vehicles, and construction equipment to, from, and along the Easement Area. This shall include the right to use lanes, drives, rights-of-way, and roadways within the Real Property which now exist or which hereinafter may be constructed, as shall be convenient and necessary for the purpose of exercising the rights herein set forth; provided, however, that nothing herein shall prevent or limit Grantor's rights to close such roadways, lanes, or rights-of-way, and to provide UVRGA with comparable alternative access to the Easement Area, as deemed reasonable by the UVRGA.

5. UVRGA shall have the right of ingress and egress for personnel, vehicles, and construction equipment to and from the Real Property, [ADD DESCRIPTION OF ACCESS ROUTE], and which Grantor acknowledges and affirms that Grantor has the right to use.

6. This easement(s) is subject to all existing fencing, canals, irrigation ditches, laterals, pipelines, roads, electrical transmission facilities, and communication lines existing on the date this easement is granted, and all future uses which do not directly or indirectly interfere with or endanger UVRGA's exercise of the rights described herein, including the right to use the Easement Area for agricultural purposes excepting vegetation which endangers the integrity of UVRGA Facilities; provided, however, that UVRGA shall have the right to clear and keep clear from the Easement Area all explosives, buildings, structures, walls, and other facilities of a permanent nature, and any earth cover or stockpile of material placed without the UVRGA's written consent, which interfere with UVRGA's use of the Easement Area. Grantor shall not construct, nor permit others to construct, such permanent facilities which conflict with UVRGA's ability to use the Easement Area. In addition to any other legal and equitable remedies for violations of this paragraph, UVRGA shall have the right to do all things necessary and proper to remove any such vegetation, explosives, improvements, and materials, at the Grantor's expense.

7. Subsequent to the grant of this Easement, Grantor shall not grant any easements of any kind whatsoever to others in, over, on, through, within, under and across the Easement Area without the prior written approval of the UVRGA, which approval shall not be withheld unreasonably.

8. Grantor shall not install any groundwater production wells within 500 feet of the Easement Area during the Temporary Easement term described in paragraph 2.

Item 10, Attachment B

Attachment 1

9. In the event that this easement is abandoned by UVRGA prior to the term described in paragraph 2 above, and the uses for which it has been granted cease, UVRGA shall have the right and obligation to enter the property to remove UVRGA Facilities and to destroy the ground water monitoring well as indicated in paragraph 2 above.

GRANTOR:

By: _____ Date: _____
[Redacted]

By: _____ Date: _____
[Redacted]

Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of _____

On _____ before me, _____, Notary Public,
personally appeared _____, who proved to me on the basis of
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged
to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their
signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the
instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is
true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

Item 10, Attachment B

Attachment 1

State of California
County of _____

On _____ before me, _____, Notary Public,
personally appeared _____, who proved to me on the basis of satisfactory
evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the
instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is
true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

DRAFT

CERTIFICATE OF ACCEPTANCE
(Government Code §27281)

This is to certify that the interest in real property conveyed by the deed or grant dated _____, from _____, is hereby accepted by order of the Board of Directors of Upper Ventura River Groundwater Agency on _____, pursuant to authority conferred by the Joint Exercise of Powers Agreement by and among The Casitas Municipal Water District, the City of San Buenaventura, the County of Ventura, the Meiners Oaks Water District, and the Ventura River Water District, dated December 2016, and the grantee consents to the recordation thereof by its duly authorized officers.

Dated: _____

UPPER VENTURA RIVER GROUNDWATER AGENCY

By: _____, President, Board of Directors

By: _____, Executive Director

STATE OF CALIFORNIA)

COUNTY OF VENTURA)

SS

I, _____, Secretary of Upper Ventura River Groundwater Agency, DO HEREBY CERTIFY that the attached and foregoing is a full, true and correct copy of the Joint Exercise of Powers Agreement by and among The Casitas Municipal Water District, the City of San Buenaventura, the County of Ventura, the Meiners Oaks Water District, and the Ventura River Water District, dated December 2016, and the same has not been amended or repealed.

By: _____
Secretary

Dated: _____

Attachment 2 - Work Area

Upper Ventura River Groundwater Agency – Proposition 1 Grant

Monitoring Well No.

APN

INSERT MAP

Attachment 3 – Access Route

Upper Ventura River Groundwater Agency – Proposition 1 Grant

Monitoring Well No.

APN

INSERT MAP

UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 11(a)

DATE: December 10, 2020

TO: Board of Directors

FROM: Executive Director

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

SUMMARY

Progress on the Groundwater Sustainability Plan (GSP) since the last update includes the following:

1. **GSP:**
 - a. Groundwater-surface water model construction and calibration continued.
 - b. The Executive Director worked on evaluating sustainable management criteria.
2. **Outreach:** The Executive Director gave a brief status update during the December 3, 2020 Ventura River Watershed Council meeting.
3. **GSP Development Schedule:** The updated GSP Development Schedule is provided in Attachment A. The schedule was updated based on progress to date.
4. **GSP Grant Data Gap Tasks:**
 - a. **Establish Well Monitoring Network:** The third, and final, water year annual report required under the grant is under preparation and is scheduled to be submitted in early 2021.
 - b. All other data gap tasks in the grant have been completed or were deleted upon approval of the grant agreement amendment.

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 Development Schedule

Action: _____

Motion: _____ Second: _____

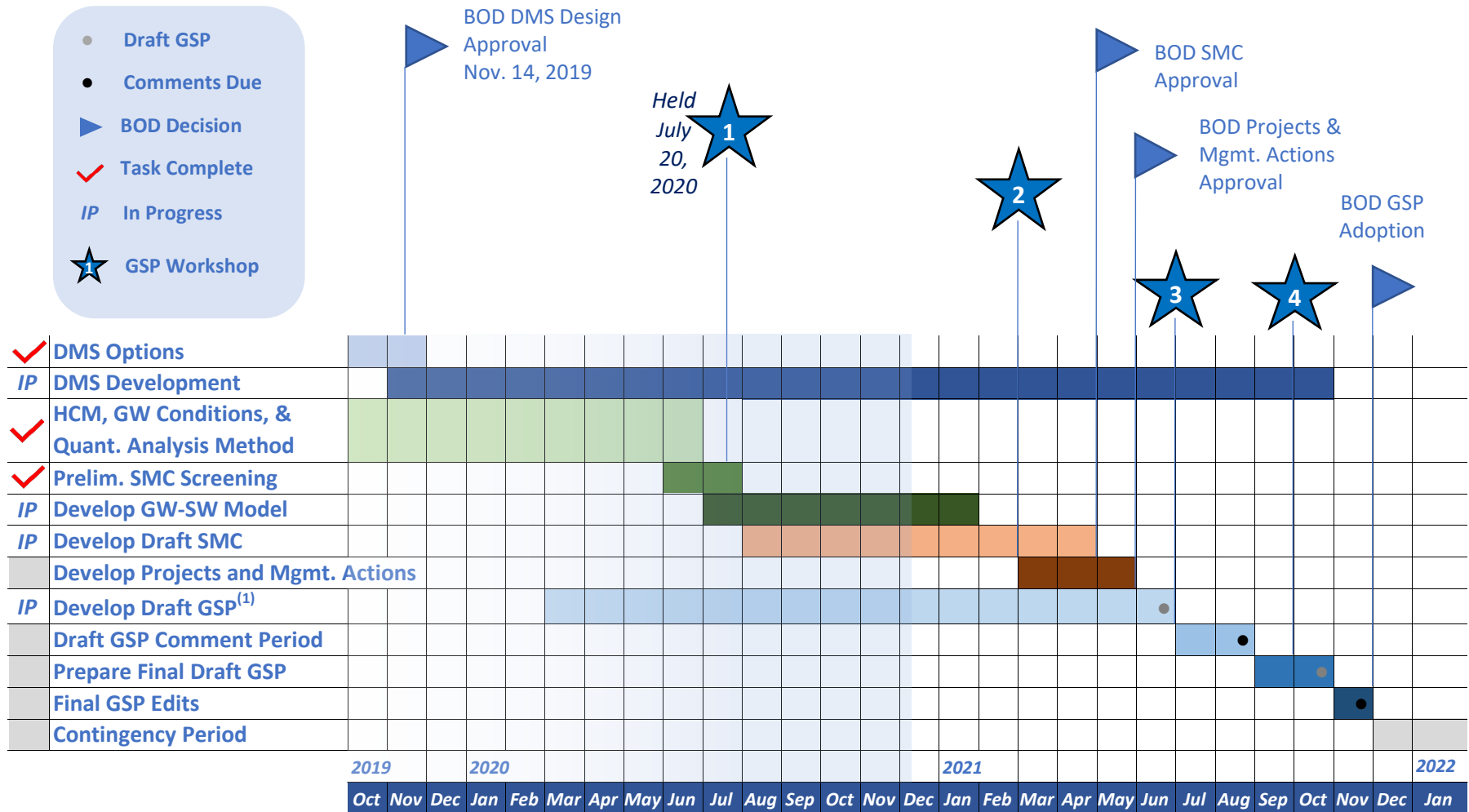
B. Kuebler____ D. Engle____ A. Spandrio____ S. Rungren____ G. Shephard____ E. Ayala____ L. Rose____

Item 11a

Attachment A

GSP Development Schedule

Upper Ventura River Groundwater Agency GSP Development Schedule Updated December 4, 2020



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; SW = Surface Water

UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 11(b)

DATE: December 10, 2020

TO: Board of Directors

FROM: Executive Director

SUBJECT: Subsidence Sustainability Indicator Discussion (Grant Category (d); Task 11: GSP Development and Preparation)

SUMMARY

As discussed in the draft GSP Basin Setting, there is no evidence of historical land subsidence in the Basin, including during the recent severe drought. The draft GSP Basin setting also explains there is very minimal risk for significant and unreasonable land subsidence from groundwater pumping because the aquifer is relatively thin and generally lacks clay layers that could compact under low groundwater levels. Where the aquifer is thickest (i.e. the Mira Monte / Meiners Oaks Area), it appears that wells may actually be perforated in the Ojai Conglomerate, a moderately to well-consolidated bedrock unit that underlies the intermediate-age alluvium. The Ojai Conglomerate has little potential for compaction.

In August, staff presented a preliminary screening of the sustainability indicators. At that time, staff was not ready to recommend whether to screen out¹ the land subsidence sustainability indicator or fully address it in the GSP. While available information suggests that subsidence has not occurred historically and the geologic data suggests it should not be an issue going forward, staff was concerned because DWR has been critical of other agencies that have screened out the subsidence sustainability indicator, including the adjacent Ojai Basin. A primary reason for staff's hesitancy to screen out the land subsidence sustainability indicator is related to the fact that DWR could disagree and potentially reject the GSP, which would require UVRGA to repay its grant funds. In August, Staff told the Board that it would reach out to DWR for input and return with a recommendation.

The Executive Director has since had a conversation with the Sustainable Groundwater Management Act lead in DWR's southern region office. Although DWR staff is prohibited from providing advice on GSP development, the contact was able to provide helpful insight on DWR's thinking about their GSP adequacy reviews. Based on that feedback, staff proposes the following approach. The land subsidence sustainability indicator would be screened out, meaning that sustainable management criteria would not be developed for the land subsidence sustainability indicator. However, subsidence monitoring would be included in the GSP monitoring program and the data will be used to determine whether sustainable management criteria for subsidence should be added during each five-year GSP update. The monitoring

¹ GSP Emergency Regulations §354.26(d): An Agency that is able to demonstrate that undesirable results related to one or more sustainability indicators are not present and are not likely to occur in a basin shall not be required to establish criteria for undesirable results related to those sustainability indicators.

program would rely on satellite-based interferometric synthetic aperture radar (InSAR) subsidence estimates, which will be provided free-of-charge by DWR.

RECOMMENDED ACTIONS

Consider providing feedback to staff concerning the proposed approach for addressing the subsidence sustainability indicator.

BACKGROUND

The draft GSP Basin Setting section can be viewed at:

<https://uvrgroundwater.org/sgma-overview/>

The GSP Emergency Regulations can be viewed at:

<https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I39F024FCA7874BCE8FB056C895CDCFD5&transitionType=Default&contextData=%28sc.Default%29#I55673D782DE74CD5BA1E9A6CBC881A98>

Additional information concerning SMC can be found in DWR's draft Sustainable Management Criteria Best Management Practice document (SMC BMP) available at:

https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Sustainable-Groundwater-Management/Best-Management-Practices-and-Guidance-Documents/Files/BMP-6-Sustainable-Management-Criteria-DRAFT_ay_19.pdf

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. 11(c)

DATE: December 10, 2020

TO: Board of Directors

FROM: Executive Director

SUBJECT: Discussion of Assumptions for 50-Year Future Model Simulations (Grant Category (d); Task 11: GSP Development and Preparation)

SUMMARY

Groundwater Sustainability Plan (GSP) regulations require 50-year projected water budgets to “estimate future baseline conditions of supply, demand, and aquifer response to GSP implementation, and to identify the uncertainties of these projected water budget components.” The water budget evaluation will be completed using the Agency’s forthcoming numerical model¹. The water budget evaluation will consist of multiple 50-year model simulations to meet the requirements of the GSP regulations. A baseline simulation will be performed that employs the Agency’s best estimate of future water conditions absent climate change. Additional simulations will be performed to evaluate the impact of climate change and uncertainty in other factors, as needed. Lastly, if any projects and/or management actions are deemed necessary to meet the Agency’s sustainability goal, additional simulations will be conducted to assess the performance of such measure(s) and the water budget impact (“project simulations”). Assumptions for any projects and/or management actions would be developed with the Board and stakeholders prior to performing “project simulations”. The remainder of this staff report focusses on assumptions for the “non-project simulations”.

The numerical model is anticipated to be completed next month. In order to stay on schedule, the GSP development team will need to immediately begin performing the “non-project simulations”. In fact the modelers are already preparing model input files for the “non-project simulations” in parallel with model calibration. The purpose of this item is to obtain Board feedback on assumptions for the “non-project simulations” so the GSP Development team can continue making progress without delay and without the risk of having to “redo” the simulations. Any delays or redos would significantly impact GSP schedule and/or budget.

The key assumptions and recommendations for the “non-project simulations” are described below. As you review the specific items, please consider the following:

- (1) The intent of the future modeling analysis is to evaluate the range of conditions that might be expected during the next 50-years to inform planning. The analysis is *not* intended to predict what conditions will be in any particular future year (that would be impossible). I have observed this misconception in other GSP development processes lead to unnecessary and costly debate and analysis.

¹ GSP Emergency Reg. §354.18(e) requires the use a numerical model to quantify and evaluate the projected water budget or an equally effective method, tool, or analytical model.

- (2) Baseline pumping assumptions are being used as planning estimates only, they are not proposed pumping allocations of any kind and are in no way related to water rights.
- (3) Lastly, in other GSP planning processes, I have observed considerable time and expense spent debating and/or analyzing details that do not significantly impact the overall results of the future simulations and the resulting GSP. In these cases “perfection was the enemy of progress,” as Churchill would say and the bigger picture was lost. It is critical for UVRGA to avoid such pitfalls because of the limited budget and time remaining for GSP development. I encourage the Board and stakeholders to embrace Einstein’s famous quote “Everything should be made as simple as possible, but not simpler.” In the GSP planning context, this means considering whether analysis of any particular issue or detail will have a significant impact on sustainable management of the Basin.

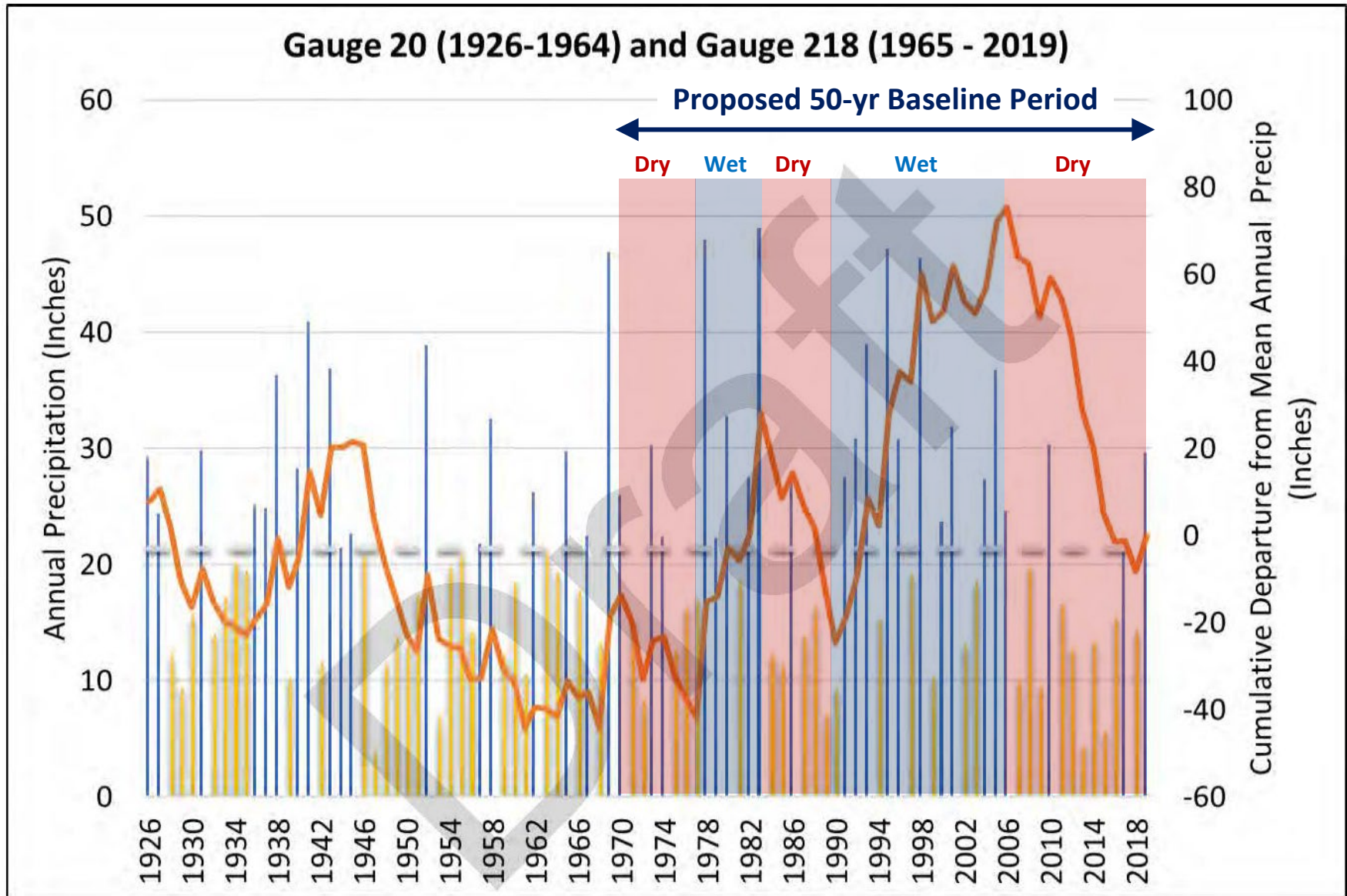
Projected Hydrology

Groundwater Sustainability Agencies (GSAs) are required to use 50 years of historical precipitation, evapotranspiration, and streamflow information as the baseline condition for estimating future hydrology (GSP Emergency Regulations §354.18(c)(3)(A)). Factors that should be considered when selecting this baseline period include data availability, stream alterations that impact flows (e.g. dams), changes in land use that impact runoff and percolation, watershed fires that impact runoff, and wet-dry cycles.

The most recent 50-years of hydrology (1970-2019) has the greatest data availability and best reflects the runoff, streamflow, and percolation characteristics that can be expected going forward. This period starts after the dams were constructed, starts after much of the development in the watershed occurred, and includes the 1985 Wheeler and 2017 Thomas fires. The 1970-2019 period includes several wet-dry cycles and has an overall near average precipitation, as evidenced by the similar starting and ending values on the cumulative departure from mean annual precipitation line (Figure 1). For these reasons, the GSP Development Team recommends using 1970-2019 as the baseline hydrology period.

GSAs are also required to evaluate future scenarios of hydrologic uncertainty associated with projections of climate change and sea level rise (GSP Emergency Regulations §354.18(c)(3)(A)). Sea level rise is obviously not a consideration for the Upper Ventura River Basin (UVRB). For climate change, the Department of Water Resources (DWR) has developed climate change factors that GSAs can directly apply to the historical hydrologic data to account for climate change. The DWR change factors are based on the central tendency estimates from a suite of global climate change models (GCMs), were developed specifically for use by GSAs, and are cost-effective to use. DWR developed the change factors for predicted 2030 and 2070 climate change conditions. Most GSAs are utilizing the DWR change factors, as opposed to completing a costly analysis of the GCMs on their own. Other local GSAs have not found climate change to be a driving factor in sustainable management of their basins. Based on the foregoing, the GSP Development Team feels the DWR change factors are appropriate for the UVRB GSP and we have budgeted accordingly. If there is a strong interest in investigating alternative approaches, further analysis could potentially be performed during the first 5-year GSP update. Such a decision should be informed by the results of the simulations utilizing the DWR change factors.

Figure 1: Historical Precipitation in UVRB (adapted from Draft Basin Setting Fig. 3.1-6)



Water Demand

GSAs are required to use the most recent land use, evapotranspiration, and crop coefficient information as the baseline condition for estimating future water demand (GSP Emergency Regulations §354.18(c)(3)(B)).

It is important to note that although water demand must be reported in the GSP, it is not a critical element of the numerical modeling because groundwater pumping is generally being estimated separately from demand using other approaches. Thus, the water demand estimates primarily impact the calculation of return flows², which are not a major component of the water budget.

Agricultural water demand has been estimated by mapping crop acreage from aerial photos and applying the 2.0 acre-foot per acre water demand factor recommended by the UC Agricultural Cooperative expert, as documented in the Ad Hoc Funding Committee's extraction estimate memorandum.

Non-agricultural water demand consists of domestic and commercial uses. The bulk of the domestic and commercial demand is met by the three public water purveyors operating in the Basin (Casitas Municipal Water District (CMWD), Meiners Oaks Water District (MOWD), and Ventura River Water District (VRWD)). Estimating baseline future water demand is challenging for several reasons. First there is a general lack of data concerning domestic/commercial demands in UVRB. Total water demands are available for VRWD. Requests to MOWD and CMWD have not been addressed to date. Given the available data, average domestic demands have been calculated within the VRWD service area and are assumed to be representative of domestic and commercial demands elsewhere in UVRB. The second complication is uncertainty concerning what level of water conservation should be assumed. Figure 2 shows historical water demands within the VRWD service area. VRWD does not serve any large agricultural uses; therefore, VRWD demands are a good representation of domestic water conservation patterns. As can be seen in Figure 2, conservation resulted in an approximate 50% decrease in demand during the recent drought. It is expected that demand will rebound to a degree following the drought; however, it is anticipated that ongoing local and State-level efforts to increase water conservation³ will prevent water demands from returning to pre-drought levels. Based on the foregoing, the following assumptions for future demands are proposed:

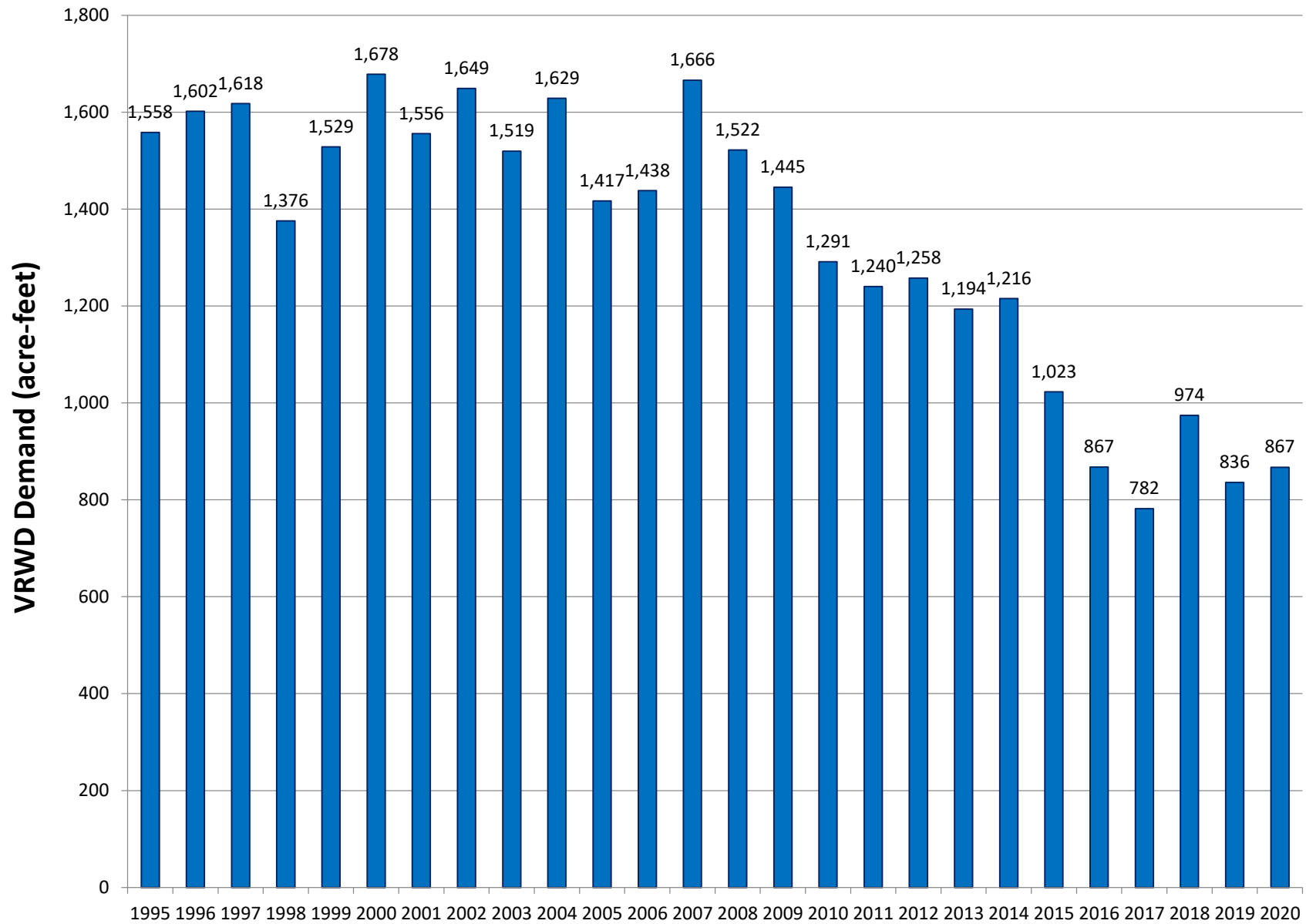
- Dry Period Water Purvey Demands: Use 2015-2020 demands.
- Non-Dry Period Water Purveyor Demands: Assume 10% less than 1995-2009 demands.

These assumptions will be applied to the VRWD data. A unit demand will then be developed from the VRWD data and will be used to estimate baseline domestic/commercial water demand throughout the Basin.

² Return flow is water that irrigation water (agricultural or residential/commercial landscape) that percolates past the root zone and becomes groundwater recharge.

³ 2018 State water conservation legislation (i.e. AB 1668 and SB 606)

Figure 2: Historical Water Demand in the VRWD Service Area



GSAs are also required to evaluate future scenarios of water demand uncertainty associated with projected changes in local land use planning, population growth, and climate. These factors are analyzed in the following paragraphs.

Climate Change Effects on Water Demand:

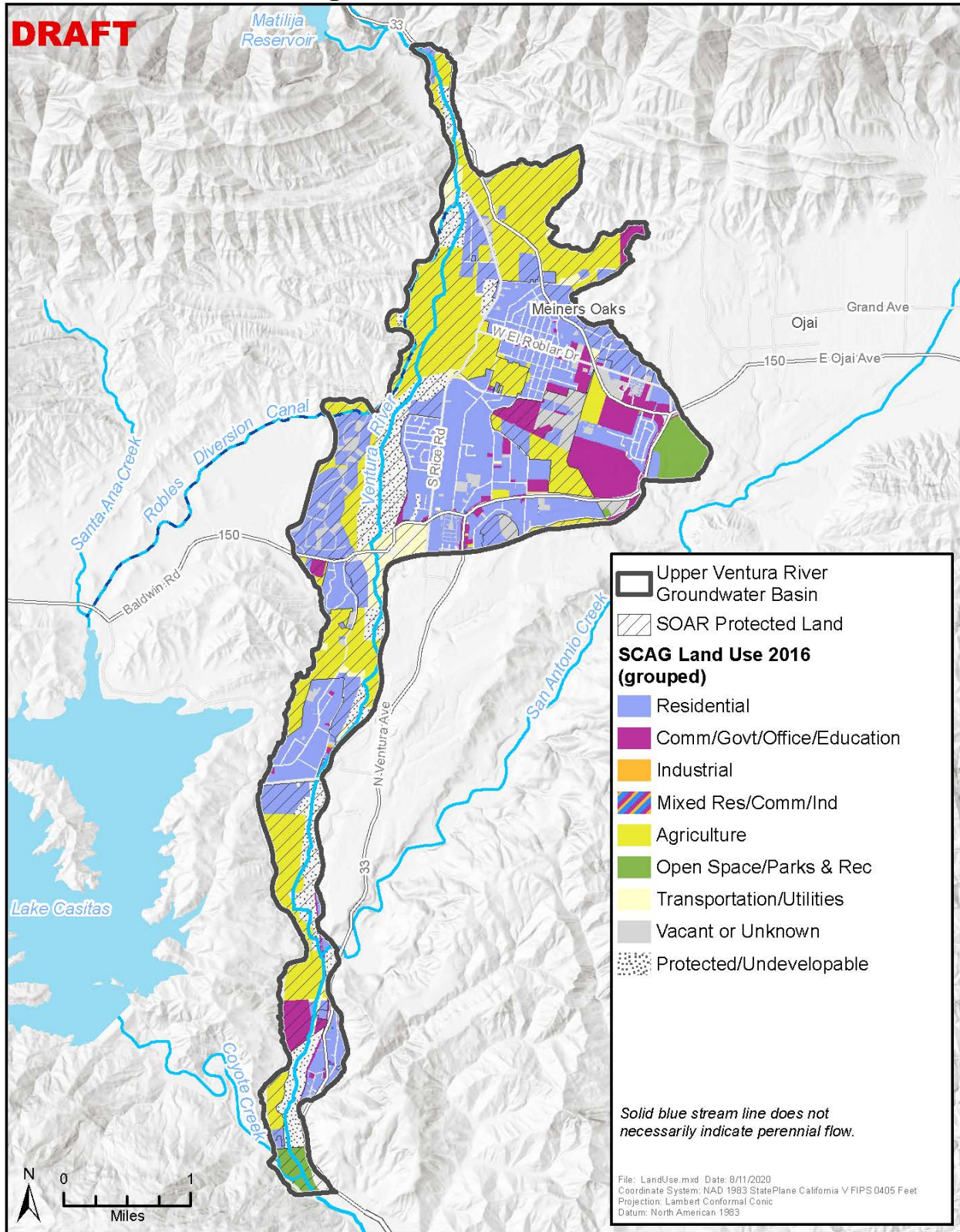
Climate change will impact agricultural water demand. The anticipated increase in agricultural water demand will be adjusted based on the DWR climate change factors.

Climate change will impact the outdoor component of domestic/commercial water demands. The anticipated increase in domestic/commercial water demand will be adjusted based on the DWR climate change factors and an assumption of 50% outdoor water use.

Land Use Effects on Water Demand:

Current land use is shown in Figure 3. As can be seen on Figure 3, the vast majority of agricultural and undeveloped land in the basin lies with the County's Save Open Space and Agricultural Resources (SOAR) boundaries. The County's SOAR initiative requires a majority vote of the people in order to rezone unincorporated open space, agricultural or rural land for development. The initiative is currently approved through 2050. The existence of the SOAR makes it very unlikely that a material change in land use that would affect the GSP analysis will occur during the foreseeable future. Because agricultural land is not expected to convert to other uses, it is assumed that there is little potential for new development and that agricultural activities will continue. Given the historical preponderance of permanent crops, it is assumed that there will not be a significant change in cropping. Based on the foregoing, it is concluded that there is little uncertainty in future water demand related to land use change. The above-listed assumptions and conclusion can be re-visited during the GSP updates that are required every 5-years.

Figure 3: Land Use in UVRB



Population Change Effects on Water Demand:

City of Ojai population trends were evaluated as a proxy for population in the Basin⁴ (Table 1).

Table 1: City of Ojai Population

Census	Population
1970	5,591
1980	6,816
1990	7,613
2000	7,862
2010	7,461
2019*	7,470
* = Estimated	
Source: US Census Bureau	

As can be seen in Table 1, the City of Ojai population peaked around 2000 and has declined slightly since. Based on these data and understanding that significant land use changes are not anticipated that could support significant population increases, it can be concluded that there is little uncertainty in future water demand related to population change.

Groundwater Extraction

Baseline Groundwater Extractions

Agricultural water demand is met primarily by groundwater extraction and deliveries from CMWD and MOWD. The portion of the agricultural demand that is met by extraction from private groundwater wells was previously determined for 2017 by the Ad Hoc Funding Committee's and was documented in their extraction estimate memorandum. Staff and the Ad Hoc Funding Committee have made additional inquiries to agricultural landowners to assess whether the 2017 values are representative of longer term operations. The results of these efforts have been used to establish baseline private agricultural groundwater extractions for the 50-year future simulations. The balance of agricultural water demand is assumed to be supplied by CMWD and MOWD. The committee has been able to confirm this is an accurate assumption with key landowners.

A portion of the domestic demands in the Basin are met by 92 active domestic wells and several small mutual water companies that also extract groundwater. Given the large lots typically associated with domestic wells, two acre-feet per year (AFY) of extraction is assumed. The mutual water companies in the basin pump a very small quantity of groundwater: therefore it is proposed that they 2017 extractions simply be assumed for the 50-year future simulations. The balance of the domestic demand is met by MOWD, VRWD, or CMWD.

⁴ City of Ojai population data are readily available, whereas population data for the unincorporated area that comprises the Basin would require data compilation at the tract or block level. City of Ojai data were used as a proxy in an effort to conserve budget.

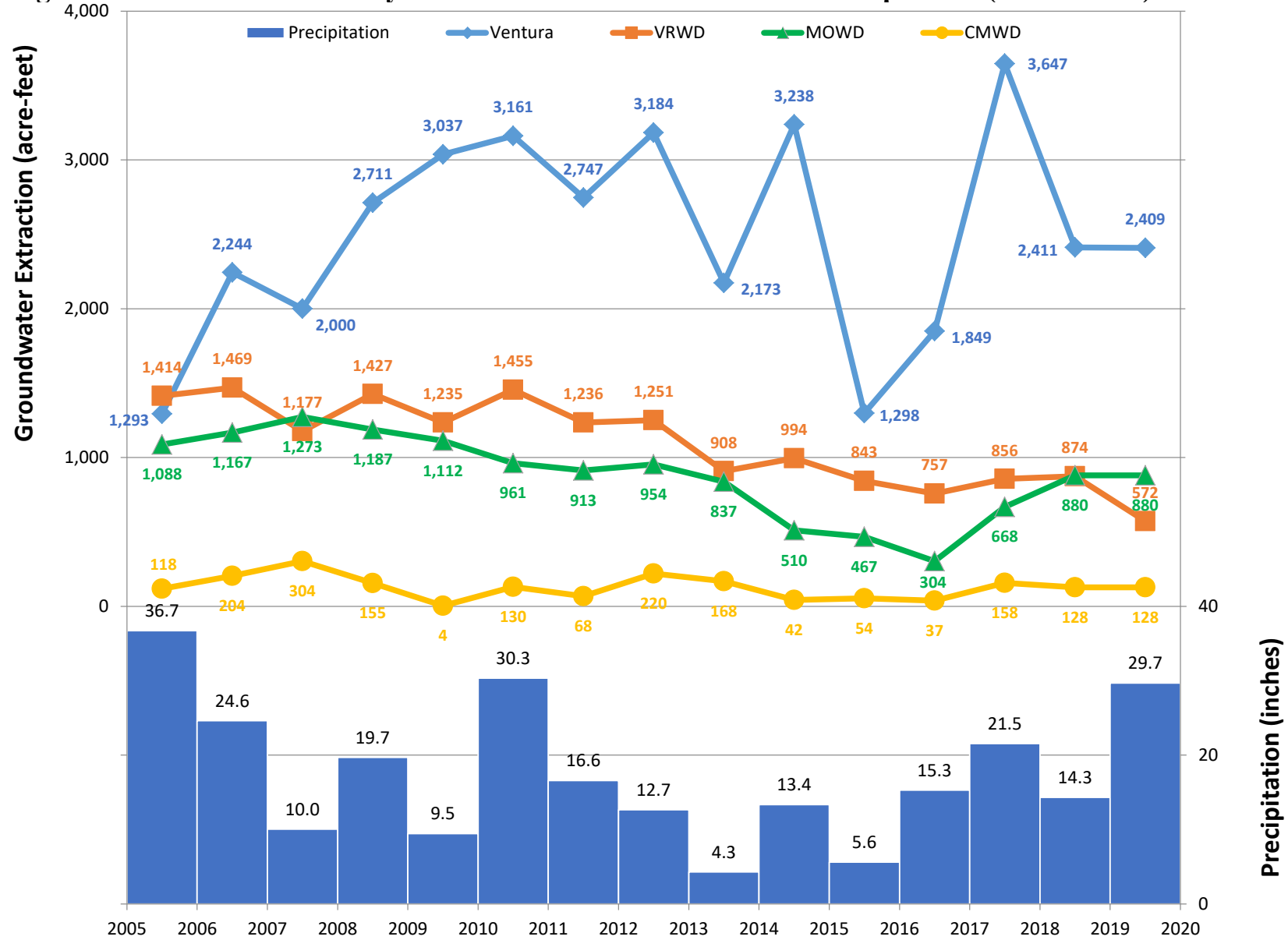
Baseline pumping by MOWD, VRWD, CMWD, and the City of Ventura will be estimated based on historical pumping patterns (Figure 4). This approach is used because historical pumping patterns account for drought limitations on pumping rates and conjunctive use with other water supplies. Figure 4 shows the public water purveyor well production during the 2005 – 2019 numerical model calibration period together with precipitation measured at the Meiners Oaks County Fire Station (Ventura County Precipitation Station No. 218). As can be seen in Figure 4, purveyor pumping has three different patterns.

VRWD and MOWD pumping is not well correlated precipitation (linear correlation R^2 values of 0.09 and 0.07, respectively). However, their data show a notable decreasing in pumping during the drought. Based on discussions with VRWD and MOWD staff, demands are generally met first using groundwater and CMWD water is generally purchased to supplement groundwater supplies. Thus, the decrease in pumping during the drought is assumed to be primarily a reflection of decreased well production capacity resulting from low groundwater levels. This assumption has been confirmed by VRWD staff. Based on the foregoing, it is proposed that the future modeling use two pumping rates for VRWD and MOWD wells, one rate for drought conditions and another for non-drought conditions. The proposed drought pumping rates are the averages of actual 2014 – 2017 pumping rates. The proposed non-drought pumping rates are the averages of the actual pre-drought pumping rates (i.e. 2005-2013). The resulting rates are shown in Table 2. If VRWD or MOWD believes that different baseline pumping rates would be more appropriate, they should provide recommended values with an explanation that can be used in the GSP to UVRGA staff at this time.

CMWD pumping is also not correlated with precipitation (linear correlation $R^2 = 0.005$). CMWD pumping does not show a water conservation trend during the drought and instead has a seemingly random pattern. This may be related to the fact that CMWD must blend the pumped groundwater with water from Lake Casitas to reduce nitrate concentrations and/or other operational issues. CMWD's 2015 Urban Water Management Plan (<https://www.casitaswater.org/Home/ShowDocument?id=163>) states that CMWD's planned groundwater supply for 2020 – 2040 is 300 AFY. However, this volume of pumping has only been achieved once since 2005 (Figure 4). Based on visual inspection of Figure 4, it is proposed that the baseline drought pumping be set at 45 acre-feet per year (AFY). Non-drought baseline pumping is proposed to be 188 AFY based on feedback provided by CMWD during the extraction fee setting process. These values are shown in Table 2. If CMWD believes different baseline pumping rates would be more appropriate, it should provide recommended values with an explanation that can be used in the GSP to UVRGA staff at this time.

City of Ventura extractions are also not well correlated precipitation (linear correlation R^2 values of 0.00004, respectively). The data also lack a clear drought vs. non-drought trend like the VRWD and MOWD data. This suggests that facility status and operational factors, such as facility damages during the high flow events in 2005, had a strong impact extraction rates.

Figure 4: Public Water Purveyor Groundwater Extractions and Precipitation (2005 – 2019)



The City of Ventura publishes projected future water supplies for its various water sources in its annual Comprehensive Water Resources Reports (CWRR), the most recent of which can be found here: (<https://www.cityofventura.ca.gov/DocumentCenter/View/21208/2020-Comprehensive-Water-Resources-Report>). The 2020 CWRR states that drought supply from its Foster Park facilities is 1,573 AFY. Non-drought supplies are projected to be 4,200 AFY for 2025 and 2030. These extraction rates proposed for the 50-year simulations and are shown in Table 2. If the City of Ventura believes that different baseline pumping rates would be more appropriate, it should provide recommended values with an explanation that can be used in the GSP to UVRGA staff at this time.

It noted that the City of Ventura has tentatively agreed to certain operational rules that would limit extractions during periods of low flow in the Ventura River. However, UVRGA staff is unaware of a firm commitment to implementing those rules. Therefore, the operational rules should be considered a potential management action, not part of the baseline condition. Management actions should be modeled separately and compared to the baseline runs.

Table 2: Proposed Water Purveyor Baseline Groundwater Extractions for 50-Year Future Conditions Modeling

Purveyor	Extraction Drought (AFY)	Extraction Non-Drought (AFY)
CMWD	45	188
MOWD	487	1,055
VRWD	863	1,286
City of Ventura*	1,573	4,200
* Includes subsurface intake		

Uncertainty in Baseline Groundwater Extractions

GSAs are required to evaluate groundwater supply (extractions) uncertainty associated with projected changes in local land use planning, population growth, and climate.

As discussed earlier for demands, land use and population growth are not anticipated to impact groundwater extractions.

Climate change impacts on agricultural extractions will be addressed in the climate change simulations, as discussed earlier. Climate change is not anticipated to impact groundwater extractions for domestic and commercial uses, as discussed earlier.

Assessing climate change impacts on pumping for domestic/commercial uses is complex for several reasons. First, only the outdoor component of domestic/commercial water use will be impacted by climate change and the effects on outdoor demands is expected to be small compared to total water use (on the order of a few tens of AFY). Second, all four public water purveyors have at least two sources of water supply – groundwater and Lake Casitas. The City of Ventura has additional sources. Thus, it is unclear whether any increase in water demand

would be satisfied by increased groundwater production as opposed to increased use of Lake Casitas or other supplies in the case of the City of Ventura. Third, given the ongoing focus on increasing water conservation, it is unclear whether climate change will result in a net increase in water demand to begin with, let alone groundwater extractions. Lastly, it is noted that public water purveyor well production capacities decrease during dry periods when the effects of climate change on outdoor water demands would be the greatest. Thus, the public water purveyors might not be able to produce more groundwater to address increased demands anyway. Based on the foregoing, it appears unlikely that climate change will have a significant impact on public water purveyor pumping for domestic/commercial uses.

The uncertainty associated with climate change effects on domestic well and mutual water company extractions is too small (on the order of several AFY) to justify consideration in the modeling.

RECOMMENDED ACTIONS

Consider providing feedback to staff concerning proposed assumptions for model simulations of 50-year future conditions for the forthcoming groundwater sustainability plan.

BACKGROUND

The draft GSP Basin Setting section can be viewed at:

<https://uvrgroundwater.org/sgma-overview/>

The GSP Emergency Regulations can be viewed at:

<https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I39F024FCA7874BCE8FB056C895CDCFD5&transitionType=Default&contextData=%28sc.Default%29#155673D782DE74CD5BA1E9A6CBC881A98>

Additional information concerning water budgets can be found in DWR's Water Budget Best Management Practice document available at:

https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Sustainable-Groundwater-Management/Best-Management-Practices-and-Guidance-Documents/Files/BMP-4-Water-Budget_ay_19.pdf

County SOAR Initiative:

<https://www.soarvc.org/wp-content/uploads/2016/09/Ventura-County-Initiatives.pdf>

FISCAL SUMMARY

Not applicable.

Action: _____

Motion: _____ Second: _____

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