

**UPPER VENTURA RIVER GROUNDWATER AGENCY
MINUTES OF REGULAR MEETING MAY 13, 2021**

The Board meeting was held via teleconference, in accordance with California Executive Order N-25-20. Directors present were Bruce Kuebler, Larry Rose, Susan Rungren, Richard Hajas, Glenn Shephard, Emily Ayala, 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

<https://zoom.us/j/91702357683?pwd=eC9ZV055VDNQZHd1RWNMYS9OZnhVUT09>

Meeting ID: 917 0235 7683 Passcode: 561751

1) CALL TO ORDER

Chair Engle called the meeting to order at 1:02 p.m.

2) PLEDGE OF ALLEGIANCE

Executive Director Bondy led the Pledge of Allegiance.

3) ROLL CALL

Executive Director Bondy called roll.

Directors present: Bruce Kuebler, Larry Rose, Susan Rungren, Richard Hajas, Glenn Shephard, Emily Ayala, and Diana Engle.

Directors absent: None.

4) APPROVAL OF AGENDA

Chair Engle asked if there are any proposed changes to the agenda. No changes were suggested.

Director Rose moved agenda approval. Director Rungren seconded the motion.

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

Motion passed.

5) PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

Chair Engle asked if there were any public comments on items not appearing on the agenda.

No public comments were offered.

6) CONSENT CALENDAR

- a. Approve Minutes from April 8, 2021 Regular Board Meeting**
- b. Approve Minutes from April 22, 2021 Special Board Meeting**
- c. Approve Minutes from April 29, 2021 Special Board Meeting (GSP Workshop No. 3).**
- d. Approve Financial Report for April 2021**

Director Hajas moved approval of the consent calendar. Director Rungren seconded the motion.

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

Motion passed.

7) 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 no time.

Director Rungren: The City water and wastewater rates public hearing will occur on Monday. No time.

Director Rose: No report and no time.

Director Shephard: The County has located information concerning monitoring wells at the Ojai Burn Dump site. 0.5 hours.

Director Rajas: No report and no time.

Director Engle: No report and no time.

Director Ayala: No report and no time.

8) EXECUTIVE DIRECTOR'S REPORT

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

Director Engle asked if any other entities in watershed received a Wildlife Conservation Board grant. Executive Director Bondy said he did not know.

No public comments.

No motion.

9) ADMINISTRATIVE ITEMS

No items.

10) GSP ITEMS

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

Executive Director Bondy reviewed the written staff report concerning groundwater sustainability plan development status. He emphasized the importance of releasing the draft GSP for public comment in late July to stay on schedule. To meet that target, the sustainable management criteria need to be approved in May or early June. At this point, there is little to no contingency remaining in the schedule.

Director Engle asked if any comments or questions were received following the GSP workshop. Executive Director Bondy said he did not receive any but noted that Director Rose told him that he received some inquiries.

No public comments.

No motion.

b. Groundwater Level and Storage Sustainable Management Criteria (Grant Category (d); Task 11: GSP Development and Preparation)

Executive Director Bondy prefaced Items 10b and 10c by reminding everyone that the sustainable management criteria (SMC) for the GSP are a starting point. Data gaps need to be addressed, the SMC must be reassessed every five years, and SGMA requires adaptive management. He added that the SMC proposals in Items 10b and 1c were developed using the best available science and that they are the result of where the science led the GSP Development Team. He also emphasized that the GSP Development Team has strived to frame the issues but that the Board must decide what the SMC should be. Executive Director Bondy briefly reviewed the SMC requirements for the GSP, including undesirable results, minimum thresholds, and measurable objectives.

Executive Director Bondy asked if the Board is ready to discuss the proposed groundwater levels and storage SMC or if they would like him to review the presentation slides prepared for the item. The Board briefly discussed and asked Executive Director Bondy to review the slides.

Executive Director Bondy reviewed the slides, which were posted to the Agency's website prior to the meeting at <https://uvrgroundwater.org/wp-content/uploads/2021/05/20210513-Presentations-Items-10b-and-10c.pdf>.

The presentation covered proposed SMC to address the groundwater levels and groundwater storage sustainability indicators. Beneficial users of groundwater were reviewed, including municipal, agricultural, and domestic water supply and the two riparian groundwater dependent ecosystems identified in the basin. The presentation explained what is known, including information about the frequency of basin refilling and assessment of potential effects on beneficial users during periods of low groundwater levels. The GSA is not aware of significant and unreasonable effects on municipal, agricultural, and domestic water supply. Riparian GDEs experience stress during periods of low groundwater levels but have recovered without permanent or prolonged impacts. Information gaps include limited input from domestic well owners during the GSP process, groundwater levels within and upstream of the South Santa Ana GDE Unit, and impact of proposed the SCM on the measurable objective for the depletions of interconnected surface water sustainability indicator. Executive Director Bondy described proposed monitoring wells to address the groundwater level data gaps.

Executive Director Bondy presented the proposed SMC, including minimum thresholds based on historical low groundwater levels and measurable objectives based on typical high groundwater levels in years when the basin refills completely. Undesirable results would be based minimum threshold exceedances in seven wells located along the Ventura River. These seven wells were selected because they have sufficient data to establish the minimum thresholds and measurable objective and are screened in the alluvial aquifer. No projects or management actions are needed to meet the proposed measurable objectives. Addressing groundwater level data gaps and a domestic well survey is recommended.

Director Rose asked why the minimum threshold is not set higher than the historical low and why undesirable results requires all seven wells to exceed the minimum thresholds. Executive Director Bondy explained that the minimum thresholds should not be set above historical low levels because significant and unreasonable effects have not been observed with groundwater levels at or above the historical lows. The reason for using all seven wells is to indicate that the conditions are widespread, not localized.

Director Engle asked for clarification on the measurable objective line. Executive Director Bondy explained that the line represented a full basin condition. The goal would be for the Basin continue to refill under similar hydrologic conditions as it has in the past. The measurable objective does not need to be met all the time.

Director Kuebler said the measurable objective should be the same as the minimum threshold. Executive Director Bondy explained that the idea is to have the Basin refill like it has in the past so that there is groundwater in storage to avoid minimum threshold exceedances. If the measurable objective were the same as the minimum threshold, there would be no groundwater storage to prevent minimum threshold exceedances.

Director Shephard commented that the range between the minimum threshold and measurable objective is the operating zone. The measurable objective should be at the top to establish the operating zone.

Director Hajas agreed that we want to see the basin refill and the measurable objective is appropriate.

Public comments/questions:

Ben Pitterle asked for further explanation of the minimum threshold, specifically why minimum threshold it is proposed to be the lowest recorded level even through Meiners Oaks wells went dry. Executive Director Bondy explained that because alternative water supply is available from Casitas MWD, the temporary well production issues were not considered to be significant and unreasonable. In basins that lack alternative water supply, this would be handled differently.

Director Engle said we may not always be able to assume alternative water supply will be available. Executive Director Bondy said that is a factor that should be considered during each 5-year GSP assessment.

Chair Engle moved the staff recommendation to include the proposed sustainable management criteria from the staff report in the draft GSP. Seconded by Director Kuebler.

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

Motion passed.

c. Depletion of Interconnected Surface Water Sustainable Management Criteria (Grant Category (d); Task 11; GSP Development and Preparation)

Executive Director Bondy reviewed the slides, which were posted to the Agency’s website prior to the meeting at <https://uvrgroundwater.org/wp-content/uploads/2021/05/20210513-Presentations-Items-10b-and-10c.pdf> covering proposed SMC to address the depletions of interconnected surface water (ISW) sustainability indicator.

Executive Director Bondy reminded the Board that the ISW depletion SMC are to address depletion caused by groundwater pumping. UVRGA is only responsible for addressing depletion as opposed to total stream flow. Estimated depletion rates were developed using the numerical model by running the future projection simulation twice, once with pumping and once without pumping. The difference between the stream flow from the two simulations is estimated depletion due to pumping.

Beneficial users of surface water were reviewed, including municipal and agricultural diversions, aquatic groundwater dependent ecosystems, and recreation. ISW depletion at the diversion locations is small compared to stream flow. It was proposed that effects of ISW depletion on diversions is not significant and unreasonable. ISW depletion rates at the five aquatic GDE areas were reviewed. ISW depletion rates at three areas (North Robles Habitat

Area, South Robles Critical Riffle, and the South Santa Ana Critical Riffle) are small. It was proposed that effects of ISW depletion at these three locations is not significant and unreasonable. The remaining locations (Confluence Aquatic Habitat Area and Foster Park Aquatic Habitat Area) are potentially significant and unreasonable.

In the Confluence Aquatic Habitat Area, ISW causes stream flow to cease sooner in most dry seasons and occasionally causes stream flow to cease when it would not have otherwise. The GSP Development Team was unable to assess the effects of ISW depletions in the Confluence Aquatic Habitat Area because it is known whether aquatic species become stranded during critical periods or take refuge in perennial areas (i.e., San Antonio Creek or Foster Park). Monitoring is needed to make this determination. Another data gap is the lack of stream flow and groundwater level monitoring in the Confluence Aquatic Habitat Area. Biological monitoring is proposed to assess whether ISW depletion causes significant and unreasonable effects on aquatic GDEs in the Confluence Aquatic Habitat Area. Monitoring wells are proposed within and upstream of the Confluence Aquatic Habitat Area to address groundwater level data gaps. A stream flow gage is also proposed for the Confluence Aquatic Habitat Area to address the streamflow data gap. Updated modeling is proposed to better assess indirect depletion in the Confluence Aquatic Habitat Area. The need for SMC for the Confluence Aquatic Habitat Area would be revisited during the first 5-year GSP assessment.

Director Engle asked for clarification on the term “dry.” Executive Director Bondy said the term is being used to indicate the absence of flowing water in the stream channel. Director Engle suggested using a different term to avoid potential confusion because stagnant water can be present in the channel.

Director Hajas asked about the correlation between groundwater objectives and surface water flows when groundwater is near lowest points. How does that affect surface water? Executive Director Bondy explained that the groundwater levels and stream flows are related, but there are data gaps in the areas where the correlations would be of most relevant. This will need to be revisited after addressing the data gaps.

Director Kuebler asked if it is possible to separate natural groundwater outflow from depletion by pumping. Executive Director Bondy said yes and explained that the presented depletion rates are only the pumping depletion.

Public comments/questions:

Ben Pitterle asked what the no-pumping model is based on. Executive Director Bondy briefly summarized the pumping assumptions used in the future baseline model and explained that the no-pumping model is the same model run but with all pumping turned off. Executive Director Bondy referred Mr. Pitterle to the December 2020 board meeting packet online for more information about the pumping assumptions.

Ben Pitterle said there is water entering the basin from the upper watershed year-round and wonders how the confluence area can go dry on a regular basis. Executive Director Bondy showed a diagram to illustrate areas where bedrock is shallow and the basin fully desaturates.

Ben Pitterle asked what would cause elevation to fall below bottom of the aquifer absent pumping? Executive Director Bondy said there are other outflows than pumping, including transpiration by plants in the Kennedy Area.

Director Engle asked about depletion of San Antonio Creek flow. Executive Director Bondy said that is not considered in analysis because those data are not available, but that can be addressed going forward in partnership with others in the watershed.

Director Ayala had similar comments about flow depletion in San Antonio Creek and would like to see the GSP include measures to better understand it.

Executive Director Bondy reviewed the available information for the Foster Park Aquatic Habitat Area. The best available science concerning the effects of ISW depletions is the Hopkins 2013 study, which suggests that significant and unreasonable effects may occur when stream flow falls below 2 cfs (measured at the USGS Casitas Vistas Rd. bridge gage). The modeling results indicate that projected pumping during the next 50 years will cause stream flows to fall below 2cfs 10.1% of the time, compared with only 2.7% without pumping. The depletions include direct depletion by the City of Ventura's Foster Park pumping facilities and indirect depletion caused by pumping elsewhere in the Basin. Proposed SMC for ISW depletions in Foster Park were presented. The minimum threshold would be to avoid causing stream flow to drop below critical flow (2cfs at USGS gage) when undepleted flow would not otherwise fall below 2 cfs and to avoid depletion when undepleted flows would be below 2cfs at USGS gage to avoid exacerbating critical conditions for aquatic species. The proposed measurable objectives are the same as the minimum thresholds. Both would be determined through modeling.

Executive Director Bondy explained that the modeling results suggest the minimum thresholds will be exceeded approximately 7.5% of the time. He noted that direct depletions will be addressed through the City's implementation of the Foster Park Protocols. However, addressing indirect depletions will require a different project and/or management action. He presented a long-term plan to address the indirect depletions with proposed interim milestones for the GSP. In summary, the long-term plan to address indicted depletions includes addressing groundwater level and stream flow data gaps, updating the numerical model to better estimate indirect depletions, performing a feasibility study of projects and management actions to address indirect depletions, and select, design and implement the preferred project or management action before the end of the 20-year GSP implementation timeframe.

Director Rose asked why 2 cfs is used for the minimum threshold given that the California Department of Fish and Wildlife (CDFW) says flow should be higher? Executive Director Bondy explained that the CDFW recommendations are from a standpoint of trying to create optimum conditions for steelhead. SGMA is asking a different question – what are significant and unreasonable effects that need to be avoided. The significant and unreasonable effects, like mortality, occur at low flow conditions. The Hopkins 2013 study focusses on effects at low flow conditions, so it is appropriate for defining a threshold for significant and unreasonable effects.

Director Rose asked why the Foster Park Protocols were used in the modeling? Executive Director Bondy said that the model pumping rates are based on the City's planning documents and their best estimate of planned future pumping operations. The modeling only approximates the Foster Park Protocols.

Public Comments:

Ben Pitterle expressed concerns about whether 2 cfs is protective enough and that he expected the GSA would adopt a more conservative minimum threshold to ensure no mortality happens. He added that CDFW evaluated sensitive period indicators and higher values. Executive Director Bondy replied the GSP Development Team reviewed the CDFW sensitive period indicators and concluded that the Hopkins 2013 study is the best available information because it is site specific and is based on observed habitat conditions instead of empirical relationships. Executive Director Bondy said the proposed SMC are a starting point and the GSA and others will collect data and the SMC will be reevaluated every 5-years as required by SGMA.

Ben Pitterle asked when the Foster Park Protocols will be implemented in the GSAs plan as it is not showing in the implementation slide. He also said the protocols are based on 3 and 4 cfs at an upstream gage, not 2 cfs. Executive Director Bondy agreed that the protocols are keyed to an upstream gage, but that the upstream gages are correlated with 2 cfs at the USGS gage, which is referred to in the Hopkins study. Executive Director Bondy said he is open to using whichever gage/flow combination that makes the sense most. Executive Director Bondy said he defers to the City concerning timing for implementation of the Foster Park Protocols.

Director Rungren said the City is working on the date.

Director Engle asked Executive Director Bondy what he is seeking from the Board today. Executive Director Bondy said that a decision will need to be made concerning the ISW depletion SMC and related matters by early June to keep the GSP process moving. He suggested taking the temperature of the Board today and identify issues that require more discussion or information.

Director Engle asked for feedback from the directors.

Director Ayala said she feels fairly comfortable with approach but wonders if there is more information about the 2 cfs threshold. She said the monitoring will be expensive and is concerned about the costs; outreach to the pumpers will be needed understand the plan. Another newsletter will be needed.

Executive Director Bondy noted that staff is planning to have a budget workshop at the next meeting. He suggested that the Ad Hoc Stakeholder Engagement Committee begin planning for outreach.

Director Ayala said the science is good and there are many gaps that need to be filled that will not be addressed before December. She does not want to exclude the environmental groups but feels the proposed SMC may be as good as we have at this time, and it will be updated over time.

Director Kuebler said he is ready to proceed with writing up the presentation in the draft GSP. Director Kuebler proposed using 3 cfs instead of 2 cfs to address the environmental concerns.

Executive Director Bondy asked for clarification on the flow value. He said flowrate is relative when you measure it. 2 cfs is correlated the USGS gage and 3 cfs is correlated with the upstream gage.

Director Kuebler thanked Executive Director Bondy for the clarification and retracted the recommendation.

Director Rose said the 5-year periods allow for adjustment and we can re-run model with higher flows or integrate CDFW information or other flows. He said this is the critical element of the GSP. He is agreeable with using 2 cfs in the draft GSP.

Director Pete Kaiser, alternate for Director Hajas who left during the presentation, said he is ready to move ahead with content in the draft GSP.

Director Rungren said she is good with moving forward with the draft GSP based on what was presented.

Director Shephard said he is also ready to move forward and is sensitive to Emily's concerns about costs.

Director Engle said she is also ready to move forward with the draft GSP and would like to see the San Antonio Creek questions addressed during the first 5-year period.

Executive Director Bondy said it sounds like there may be a consensus with moving forward today.

Director Engle moved to direct staff to prepare the draft GSP with caveats and adjustments discussed today.

Director Rungren seconded the motion.

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

Motion passed.

The directors thanked Executive Director Bondy, Rincon, and Intera for all their hard work.

11) COMMITTEE REPORTS

a. Ad Hoc Stakeholder Engagement Committee

No report from Director Rose.

12) **FUTURE AGENDA ITEMS** – None

13) **ADJOURNMENT** – The meeting was adjourned at 4:23 p.m.

Action: _____

Motion: _____ Second: _____

B.Kuebler____ D.Engle____ R. Hajas ____ S.Rungren____ G.Shephard____ E.Ayala____ L.Rose____