

**UPPER VENTURA RIVER GROUNDWATER AGENCY  
MINUTES OF REGULAR MEETING JUNE 10, 2021**

The Board meeting was held via teleconference, in accordance with California Executive Order N-25-20 (Zoom Meeting ID: 952 4553 1367 Passcode: 977506). Directors present were Bruce Kuebler, Larry Rose, Susan Rungren, Pete Kaiser, Glenn Shephard, and Chair Diana Engle. Director Emily Ayala was absent. Also present: Executive Director Bryan Bondy, Agency Counsel Keith Lemieux, and Administrative Assistant Maureen Tucker.

**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, Pete Kaiser, Glenn Shephard, and Diana Engle

Directors absent: Emily Ayala

Public: Burt Handy Kevin DeLano, Mike Flood, Mary Bergen, Jim Kentosh, Jennifer Tribo, and Steve Slack

**4) APPROVAL OF AGENDA**

Chair Engle asked for any proposed changes to the agenda. No changes were suggested.

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

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

Director Absent: E. Ayala

Noes: None.

**5) PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**

Chair Engle asked for public comments on items not appearing on the agenda.

No public comments were offered.

**6) CONSENT CALENDAR**

- a. Approve Minutes from May 13, 2021 Regular Board Meeting**
- b. Approve Minutes from May 27, 2021 Special Board Meeting**
- c. Approve Financial Report for May 2021**
- d. Approve Caveat Language for Multi-Year Budget Projection Adopted May 27, 2021.**

Director Kuebler said he would like to discuss Item 6b.

Director Rose moved approval of consent calendar items a, c, and d. Director Shepherd seconded the motion.

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

Director Absent: E. Ayala

Noes: None.

Director Kubler explained that he disagrees with Agency Counsel’s interpretation of the Agency Bylaws concerning his abstention during the last meeting.

Agency Counsel Lemieux reviewed the applicable sections of the Joint Powers Agreement and Agency Bylaws and explained why a unanimous vote of the Board is required to approve an item during a first reading.

Director Kubler said he thinks it is important for directors to be able to abstain without holding up the process.

Executive Director Bondy said the Board could consider modifying the JPA and Bylaws to address Director Kuebler’s concern.

Director Shepherd said he recalled that the intent was for unanimous approval during a first reading.

Chair Engle expressed concerns about allowing abstentions because it would allow decisions to be made by a subset of the Board.

Chair Engle asked for clarification of the term “unanimous.” Agency Counsel Lemieux said unanimous means a yes vote by all Directors present at a given meeting.

Director Kuebler moved approval of consent calendar item b. Director Engle seconded the motion.

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

Director Absent: E. Ayala

Noes: None.

## **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: Attended the SWRCB modeling webinar. He expressed concerns about the accuracy of the SWRCB model. He also attended an Ad Hoc Stakeholder Engagement Committee meeting (0.75 hour).

Director Rungren: No announcement. No time to report.

Director Rose: Attended the Ad Hoc Stakeholder Engagement Committee meeting with Directors Kuebler and Ayala (0.75 hour).

Director Shephard: Announced that DWR released reviews of four GSPs. Two of the four had deficiencies.

Director Kaiser: Announced that he is now the primary director for Casitas MWD and Mary Bergen is the new alternate. A Casitas MWD Board resolution will be forwarded to UVRGA.

Director Engle: Gave a presentation to the Ventura River Watershed Committee concerning her analysis of the algae TMDL monitoring data.

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

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

Director Engle asked about the upcoming SWRCB deadline for commenting on the modeling webinar series. Executive Director Bondy said the deadline is June 25<sup>th</sup> but finishing the draft GSP needs to take precedent over commenting on the SWRCB webinars. He added that there will be other opportunities to comment on the SWRCB model before it is finalized.

Kevin Delano, SWRCB, said they understand the situation and will be flexible in receiving comments after June 25. The sooner, the better, but after June 25 is better than not receiving any feedback. Mr. Delano thanked UVRGA for its participation in the SWRCB process.

Director Kuebler thanked Executive Director Bondy for a question he asked during the SWRCB webinar about SWRCB's expectations concerning use of their model for future GSP updates. Director Kuebler expressed concerns about the SWRCB model and said that UVRGA should not be expected to use the SWRCB model if it is not the best available

science. Executive Director Bondy explained that the SWRCB and UVRGA models have different resolutions and that it may be beneficial to use the models together in some cases.

No further 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 briefly reviewed the written staff report with the Board. He said the GSP Development Team is focused on writing the preliminary draft GSP. He asked the Directors to reserve time in late June and July to review the preliminary draft GSP. Three meetings are scheduled in July for the Board to provide feedback on the document before opening a 60-day public comment period in early August. Executive Director Bondy proposed reviewing GSP sections 1-3 during the July 8 Regular Board Meeting and reviewing GSP sections 4-7 during the July 22 Special Board Meeting. A second Special Board meeting is scheduled on July 29, as needed. Sections 1-3 will be posted in late June and sections 4-7 in early July.

No public comments.

No motion.

## **11. COMMITTEE REPORTS**

### **a. Ad Hoc Stakeholder Engagement Committee**

Director Rose said the Stakeholder Engagement Committee met to discuss outreach to private pumpers concerning the projected Agency budget and fees.

Director Kuebler said that Director Ayala and he are very concerned about the projected pumping fees. He wants to discuss scaling back scientific interests and wants to consider placing a cap future extraction fees at \$80 or \$100 per acre foot. He asked for the Executive Director's thoughts.

Executive Director Bondy said that the Agency is charged with meeting a regulatory mandate. SGMA requires the Agency to implement monitoring networks in the Basin and to identify data gaps that impact sustainable management. Those activities are driving the costs. He believes the GSP Development Team has identified the actions necessary to meet the minimum requirements. He added that the Agency must budget to complete everything that is included in the GSP because there is no guarantee that other parties will do the work. If some tasks end up being completed by others, the Agency will not

duplicate those efforts and the fees would be less than projected. He said that capping the fees would signal to DWR that the Agency may not be serious about implementing the GSP, which may not be the message that the Agency wants to send. He added that he spoke with Director Ayala, and they discussed alternative funding options that may be more palatable to agricultural entities. Those options can be considered when the Agency begins reviewing fee options later this year.

Director Shepherd said Executive Director Bondy has good points. He said we need to explain to the stakeholders what the requirements are, how we will comply, and that we are looking into grants and other means of keeping fees as low as possible.

Director Rungren shared her perspective from the City's recent water and wastewater rate setting process. It is a similar situation - the City must comply with regulations and the compliance costs are increasing. She said stakeholder outreach is important.

Chair Engle expressed concerns about getting off of the subject of the agenda item. She said the Board previously discussed beginning work on funding issues during the 60-day GSP public comment period.

Director Kaiser said he agrees with Chair Engle, we need to review the draft GSP first.

Director Kuebler said the Board should discuss the regulatory requirements and affordability. He said outreach to stakeholders is very important.

No public comments.

No motion.

## 12. FUTURE AGENDA ITEMS

Director Kuebler said he is now the only check signer because of the new Casitas MWD appointments. Two check signers are needed pursuant to the Bylaws. He asked for an item on the next agenda to address this and to extend check signing eligibility to all Member Directors instead of just Officers.

Funding issues will be scheduled during the GSP comment period.

## 13. ADJOURNMENT – The meeting was adjourned at 2:24 p.m.

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

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

B.Kuebler \_\_\_ D.Engle \_\_\_ P. Kaiser \_\_\_ S.Rungren \_\_\_ G.Shephard \_\_\_ E.Ayala \_\_\_ L.Rose \_\_\_