

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, August 12, 2021 via**

ON-LINE OR TELECONFERENCE:

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

Find your local number: <https://us06web.zoom.us/j/82425685216?pwd=K1Bsd3JQYlhWaFIUcXVpZjFsS251QT09>

JOIN BY COMPUTER, TABLET OR SMARTPHONE:

<https://us06web.zoom.us/j/82425685216?pwd=K1Bsd3JQYlhWaFIUcXVpZjFsS251QT09>

Meeting ID: 824 2568 5216

Passcode: 563227

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

August 12, 2021

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.

6. 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 July 8, 2021 Regular Board Meeting**
- b. Approve Minutes from July 22, 2021 Special Board Meeting**
- c. Approve Financial Report for July 2021**

7. DIRECTOR ANNOUNCEMENTS

Directors may provide oral reports on items not appearing on the agenda.

8. 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.

9. ADMINISTRATIVE ITEMS

- a. Request for Comments - Request for Waiver of Ventura County Water Well Permit Prohibitions, Assessor Parcel Number 017-0-160-150 (El Roblar Dr. & La Luna Ave., Meiners Oaks, CA)**

The Board will consider providing feedback on a draft comment letter for the well permit prohibition waiver request for APN 017-0-160-150.

- b. Fiscal Year 2020/2021 Year End Budget Report**

The Board will consider receiving and filing the year-end budget report.

- c. Agency Funding Discussion**

The Board will receive an overview of options for agency funding beginning fiscal year 2022/2023 and provide direction to staff.

10. 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 to staff.

- b. Degraded Water Quality Sustainable Management Criteria (Grant Category (d); Task 11: GSP Development and Preparation)**

The Board will receive a summary of potential changes to the degraded water quality sustainable management criteria for the groundwater sustainability plan and consider providing feedback to staff.

11. 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.

12. FUTURE AGENDA ITEMS

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

13. ADJOURNMENT

The next Regular Board meeting is September 9, 2021.

**DRAFT UPPER VENTURA RIVER GROUNDWATER AGENCY
MINUTES OF REGULAR MEETING JULY 8, 2021**

The Board meeting was held via teleconference, in accordance with California Executive Order N-25-20 (Zoom Meeting ID 915 5152 8503 Passcode: 967638). Directors present were Bruce Kuebler, Larry Rose, Susan Rungren, Emily Ayala, Pete Kaiser, Glenn Shephard, and Diana Engle. Also present: Executive Director Bryan Bondy, Agency Counsel Steven O'Neill, and Administrative Assistant Maureen Tucker.

1) CALL TO ORDER

Chair Engle called the meeting to order at 1:01 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, Diana Engle, and Emily Ayala

Directors absent: None

Public: Burt Handy, Mary Bergen, Jennifer Tribo, Steve Slack, and Claire Archer

4) APPROVAL OF AGENDA

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

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

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

Director Absent: none

Noes: None.

5) PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

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

No public comments were offered.

6) CONSENT CALENDAR

a. Approve Minutes from June 10, 2021 Regular Board Meeting

b. Approve Financial Report for June 2021

Director Rose moved approval of the consent calendar. Director Shephard seconded the motion.

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

Director Absent:

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: No announcement. No time to report.

Director Rungren: No announcement. No time to report.

Director Rose: No announcement. No time to report.

Director Shephard: Construction is underway on the Santa Ana Blvd. bridge replacement project. No time to report.

Director Kaiser: No announcement. No time to report.

Director Engle: No announcement. No time to report.

Director Ayala: No announcement. No time to report.

8) EXECUTIVE DIRECTOR'S REPORT

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

No discussion.

Public comments: None

9) ADMINISTRATIVE ITEMS

a. Agency Officer Appointment

The board discussed officer appointments for the period of July 1, 2021 through June 30, 2022. Director Engle said she would be happy to continue serving as Chair if that was agreeable to the other directors. Director Kuebler said he would be happy to continue serving as Vice-Chair. Director Kuebler asked Director Kaiser if he is willing to serve as Secretary because the position has been filled by the Casitas MWD director in the past. Director Kaiser agreed.

No public comments were offered.

Director Kuebler moved to appoint Director Diana Engle as Chair, Director Bruce Kuebler as Vice-Chair, and Director Pete Kaiser as Secretary. Director Rungren seconded the motion.

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

Director Absent: none

Noes: None.

b. Authorized Check Signers

Executive Director Bondy explained that there is only one check signer due to the departure of former Director Hajas. Current Agency policy is for checks to be signed by two directors. He explained that Director Kuebler suggested modifying the bylaws so that any two member directors can sign checks instead of any two officers. This would increase the number of eligible check signers providing more flexibility during vacations, etc. Executive Director Bondy said adopting Resolution 2021-03 would make this change. He added that Resolution 2021-04 also needs to be adopted to provide required documentation to the bank when adding directors to the Agency's account.

Director Kaiser moved adoption of Resolution 2021-03. 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	E. Ayala - Y

Director Absent:

Noes: None

Public comments: None

The board discussed Resolution 2021-04. Executive Director Bondy said that any member directors who are not willing to be check signers should be removed from the draft resolution because the bank will not approve anyone until everyone completes the onboarding form. He said Director Engle had concerns in the past. The Board discussed striking Director Engle from the resolution.

Director Kuebler moved adoption of Resolution 2021-04 without Director Engle. Director Shephard seconded the motion.

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

Director Absent: None

Noes: None

Public Comments: None

Director Kuebler said he wants to get Resolution 2021-04 to bank as soon as possible. Executive Director Bondy said he will add “for” on the resolution signature blocks so that Steven O’Neill can sign on behalf of Keith Lemieux in his absence.

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 added that the complete preliminary draft GSP is now available on the website.

No discussion.

Public comments: None

b. Preliminary Draft Groundwater Sustainability Plan Review (Grant Category) (d); Task 11: GSP Development and Preparation

Executive Director Bondy explained that the purpose of the item is to obtain Board feedback on the Preliminary Draft GSP Executive Summary and Sections 1 through 3. He added that the July 22 and 29 special Board meetings are scheduled to obtain feedback on Sections 4 through 7. Once the Board is finished providing feedback on the preliminary draft GSP, a revised draft will be issued, and a 60-day comment period will begin. To stay on schedule, the 60-day comment period must begin in early to mid-August.

The Board discussed sections 1 through 3 of the preliminary draft GSP. Executive Director Bondy captured the comments, which are summarized in the table attached to these minutes. During the discussion, Executive Director Bondy showed a draft video animation of the basin that illustrates the water table and streamflow relationships. He said that the video will be posted to the website and included in the next draft of the GSP as still shots with a link to the website for the full video.

Public comments:

Alternate Director Mary Bergen said she really likes video.

Director Ayala asked about the deadline for Board member comments. Executive Director Bondy requested comments no later than last week of July.

11. COMMITTEE REPORTS

a. Ad Hoc Stakeholder Engagement Committee

Director Rose said there is nothing to report.

Public comments: None.

12. FUTURE AGENDA ITEMS

None.

13. **ADJOURNMENT** – The meeting was adjourned at 3:15 p.m.

Action: _____

Motion: _____ Second: _____

B.Kuebler____ D.Engle____ P. Kaiser____ S.Rungren____ G.Shephard____ E.Ayala____ L.Rose____

Date	Comment
7/8/2021	Section 1 - briefly describe regulatory boxes
7/8/2021	Add a callout box with diagram/cartoon to show interconnection and depletion concepts
7/8/2021	Discussion of springs vs daylighting groundwater in Ventura River (ES and other locations) - seeking consistency in terminology. Springs may be confusing to some readers.
7/8/2021	Need to define term "conjunctive use"
7/8/2021	Section 3.1.1.3 Imported Water: add sentence or two about CMWD plans related to imported water
7/8/2021	Section 3.3.1.1 and elsewhere(?) - discussion of historical demands and supplies is hard to follow and not clear. Specifically, need to clarify when talking about CMWD retail deliveries vs agency-wide.
7/8/2021	Animation - river is blending in - hard to see - consider changing color or making thicker.
7/8/2021	Animation - add weblink in GSP and create an appendix with still shots at various points in time. Create a video and do the same with pumping turned on.
7/8/2021	Water budget figures legends - group inflows under an "Inflow" heading and same for outflows.
7/8/2021	Water budget historical/current figures vertical line separating historical and current is not vertical
7/8/2021	Figure 3.2-03 explain what "?" means in legend
7/8/2021	Figure 3.2-05 explain what reference point is
7/8/2021	Figure 3.2-05 and hydrograph appendix - add horizontal line showing riverbed elevation at location on river directly east or west of the well.
7/8/2021	Figure 3.2-08 - purple bars need to be explained in the legend. Why is the 2016 bar purple (all other >0 bars are blue)?
7/8/2021	Possible confusion about the term depletion - natural versus pumping depletion. Suggest using "groundwater pumping related depletion" everywhere the term "depletion" is used.

**DRAFT UPPER VENTURA RIVER GROUNDWATER AGENCY
MINUTES OF SPECIAL MEETING JULY 22, 2021**

The Board meeting was held via teleconference, in accordance with California Executive Order N-25-20 (Zoom Meeting ID 938 8949 3825 Passcode: 584271). Directors present were Bruce Kuebler, Larry Rose, Susan Rungren, Emily Ayala, Mary Bergen, and Diana Engle. 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, Mary Bergen, Diana Engle, and Emily Ayala

Directors Absent: Glenn Shephard

Public: Burt Handy, Eddie Pech, Steve Howard, Kelly Dyer, Kieran Brtalik, Steve Howard, Abhishek Singh, and Jennifer Tribo

4) APPROVAL OF AGENDA

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

Director Kuebler moved agenda approval. Director Ayala seconded the motion.

Roll Call Vote:	B. Kuebler – Y	L. Rose – Y	D. Engle - Y
	S. Rungren – Y	M. Bergen– Y	E. Ayala - Y

Director Absent: G. Shephard

Noes: None.

5) PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

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

No public comments were offered.

6) GSP ITEMS

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

Executive Director Bondy explained that the purpose of the item is to obtain Board feedback on the Preliminary Draft GSP sections 4 through 7, but that any additional comments on sections 1 through 3 could be taken as well. Once the Board is finished providing feedback on the preliminary draft GSP, a revised draft will be issued, and a 60-day comment period will begin. To stay on schedule, the 60-day comment period must begin in early to mid-August. Executive Director Bondy would like to open the public comment period around August 9th, no later than August 11th so that the comment period closes before the October regular Board meeting.

Chair Engle asked about documentation of changes to the GSP. Executive Director Bondy said the changes between the preliminary draft and public comment draft made pursuant to Board feedback are being tracked in a table. Changes between the public comment draft and final draft will also be tracked in redline-strikeout. Chair Engle said that is great.

The Board discussed sections 4 through 7 of the preliminary draft GSP. Executive Director Bondy captured the comments, which are summarized in the table attached to these minutes.

Chair Engle asked for public comments. No public comments were offered.

Executive Director Bondy asked whether the Board wants to discuss the preliminary draft GSP further at the tentative July 29 special Board meeting or proceed directly to preparing the public comment draft and opening the public comment period.

Director Kuebler said he is ready to proceed.

Director Ayala said she is ready to proceed but would like consideration of a one-page summary for the stakeholders.

Director Bergen said she is very comfortable with the document. She supported the idea of a 1–2-page summary.

Director Rungren said she is ready to move forward. She mentioned that the City of Ventura does not have any substantial comments, but they did send the Executive Director some minor comments already.

Executive Director Bondy said that Director Shephard called him today and said he is comfortable moving forward.

Director Kuebler asked about timing of the animation video. Executive Director Bondy stated that it will be posted on the website in the next day or two.

Executive Director Bondy clarified that he will post the revised draft GSP and open the public comment period without further discussion or action. The Board concurred. Executive Director Bondy requested any additional Board member comments by July 29.

7) FUTURE AGENDA ITEMS

The Board would like to begin discussing Agency funding options if it does not interfere with GSP process.

Executive Director Bondy said it does appear that the special Board meeting tentatively scheduled for July 29 will be needed, but he reserves the right to hold the meeting if he identifies any issues that require Board discussion prior to issuing the public draft GSP and opening the public comment period.

Director Kuebler congratulated Director Ayala on her opinion published in the Ojai Valley News.

8) ADJOURNMENT – The meeting was adjourned at 2:22 p.m.

Action: _____

Motion: _____ Second: _____

B.Kuebler____ D.Engle____ P. Kaiser ____ S.Rungren____ G.Shephard____ E.Ayala____ L.Rose____

Attachment to Minutes of UVRGA Board Meeting, July 22, 2021
Board Comments on Preliminary Draft GSP

Date	Comment
7/22/2021	Table 3.3-03 total supply values are incorrect.
7/22/2021	Table 4.9-02 has a period where there should be a comma in one of the numbers (1,356). Note the annual pumping amounts for context
7/22/2021	Table 4.9-04 hard to understand MTs (add chart/cartoon/graph/example). Second column header should say MT and MO, not just MT.
7/22/2021	Table 4.9-04: Add a third column with a text description for each row.
7/22/2021	Figures Appendix L Consider adding DTW on the right axis.
7/22/2021	Appendix L figures - add arrow between MT and MO and label "Range of Operational Flexibility"
7/22/2021	Appendix L figures - extend y-axis higher so land surface is not at top - some people did not notice land surface because it was at the top of the chart.
7/22/2021	Consider developing a "Stakeholder Summary" (in addition to ES).
7/22/2021	Add footnote on tables and figures that define the term depletion.
7/22/2021	Page 128: 960 AF of depletion - clarify that this is a total volume over the entire 50 year simulation period.
7/22/2021	Page 128: Delete 270% increase.
7/22/2021	Degraded water quality 2/3 and 1/3 criteria for undesirable results and meeting sustainability goal - more explanation/justification for 2/3 and 1/3 criteria.

UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 6(c)

DATE: August 5, 2021
TO: Board of Directors
FROM: Carrie Troup C.P.A., Treasurer
SUBJECT: Approve Financial Report for July 2021

June 2021 UVRGA Balance \$ 162,874.66

July 2021 Activity:

Revenues:

Groundwater Extraction Fees \$ 1,827.91

July Expenditures Paid:

\$ -

Checks Pending Signature:

2235	Rincon Consultants Inc	July services	\$ 450.00
2236	Bondy Groundwater Consulting, Inc	July services	\$ 11,276.25
2237	Void		\$ -
2238	Carrie Troup, C.P.A.	July services	\$ 1,720.51
2239	Olivarez Madruga Lemieux O'Neill LLP	June services	\$ 1,305.00
2240	Intera Incorporated	July services	\$ 34,548.50

Total Expenditures Paid & To Be Paid \$ 49,300.26

July 2021 UVRGA Ending Balance: \$ 115,402.31

Action: _____

Motion: _____ Second: _____

B. Kuebler___ G. Shephard___ D. Engle___ P.Kaiser___ 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.

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UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 8

DATE: August 12, 2021

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:
 - i. *The fifth round of semi-annual extraction fee invoices were mailed in mid-July and are due in mid-August.*
 - ii. The fourth round of semi-annual extraction fee invoices was mailed on January 15, 2021. Payments were due on February 19, 2021. *The three remaining unpaid invoices were paid in early August.*
 - iii. The third round of semi-annual extraction fee invoices was mailed on July 16, 2020. Payments were due August 16, 2020. *The last remaining unpaid invoice was paid in early August.*
 - b. GSP Grant: *There are no outstanding invoices.*
3. Legal: *No reportable activity.*
4. Sustainable Groundwater Management:
 - a. Groundwater Sustainability Plan Development: *Please see Item 10a.*
 - b. Groundwater and Surface Water Monitoring:
 - i. The property on which well 04N23W20A01S is located changed ownership in early 2021. Staff sent a request for continued access to the new property owner on February 24, 2021. *The request is still pending.*

ii. The owner of well 04N23W09B01S replaced the Agency's monitoring device with their own equipment. *The owner has agreed to provide groundwater level data from its transducer going forward.*

c. Camino Cielo Crossing Surface Water Flow Gauge: *Due to the lack of rainfall, gauge activation was deferred until Spring 2022.*

5. SWRCB / CDFW Instream Flow Enhancement Coordination: *No reportable activity.*

6. Ventura River Watershed Instream Flow & Water Resilience Framework (VRIF): *No reportable activity.*

7. Miscellaneous: N/A

RECOMMENDED ACTIONS

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

BACKGROUND

Not applicable

FISCAL SUMMARY

Not applicable

ATTACHMENTS

None

Action: _____

Motion: _____ Second: _____

B. Kuebler___ D. Engle___ P. Kaiser___ S. Rungren___ G. Shephard___ E. Ayala___ L. Rose___

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

DATE: August 12, 2021

TO: Board of Directors

FROM: Executive Director

SUBJECT: Request for Comments - Request for Waiver of Ventura County Water Well Permit Prohibitions, Assessor Parcel Number 017-0-160-150 (El Roblar Dr. & La Luna Ave., Meiners Oaks, CA)

SUMMARY

Currently the County Well Ordinance prohibits new wells in the Upper Ventura River Basin until the groundwater sustainability plan is adopted and submitted to the Department of Water Resources. However, the prohibition may be waived on a case-by-case basis by the County Public Works Director if certain findings are made. The County of Ventura sent the attached correspondence requesting comments on a waiver request (Attachment A).

The waiver request is associated with assessor parcel number 017-0-160-150, which is located near the intersection of El Roblar Dr. & La Luna Ave. in Meiners Oaks. The proposed well would be a new agricultural well that would presumably supply irrigation water to an approximate eight-acre parcel, with an estimated annual extraction volume of 10-20 acre-feet per year. The applicant is requesting a waiver on the basis that the well would be drilled into and draw water from one or more bedrock formations that underlie the Upper Ventura Groundwater Basin. The applicant asserts that extraction of groundwater “would not significantly adversely impact the surface or subterranean supply of water in the basin.”

Staff has prepared a draft comment letter and is seeking Board feedback prior to finalizing (Attachment B). As discussed in the draft comment letter, staff is concerned that “bedrock” wells could draw water from the Upper Ventura River Groundwater Basin if they are not screened sufficiently deep below the basin and/or are not sealed appropriately. Additionally, the cumulative effect of groundwater extraction from bedrock formation wells could, at some point, have significant impacts on the Basin and/or surface water and is not addressed by the Groundwater Sustainability Plan or current County ordinances. Looking ahead, staff recommends that the Agency staff coordinate with County Staff to address the concerns raised in the comment letter.

RECOMMENDED ACTIONS

Provide feedback on a draft comment letter for the well permit prohibition waiver request for APN 017-0-160-150.

BACKGROUND

Please see summary.

FISCAL SUMMARY

Not applicable.

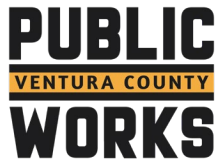
ATTACHMENTS

- A. Letter from Ventura County dated July 19, 2021
- B. Draft Comment Letter

Action: _____

Motion: _____ Second: _____

B. Kuebler____ D. Engle____ P. Kaiser____ S. Rungren____ G. Shephard____ E. Ayala____ L. Rose____



COUNTY *of* VENTURA

Jeff Pratt
Agency Director

David Fleisch
Assistant Director

Central Services
Joan Araujo, Director

Engineering Services
Christopher Cooper, Director

Roads & Transportation
Anitha Balan, Acting Director

Water & Sanitation
Joseph Pope, Director

Watershed Protection
Glenn Shephard, Director

July 19, 2021

VIA EMAIL

Bryan Bondy, Executive Director
Upper Ventura River Groundwater Agency
202 W. El Roblar Dr.
Ojai, CA 93023

SUBJECT: Request for Comment
Request for Waiver of Ventura County Water Well and Water Well
Permit Prohibitions, APN 017-0-160-150, Intersection of El Roblar Dr.
& La Luna Ave., Meiners Oaks, CA

Dear Mr. Bondy:

Ventura County Ordinance Code Section 4826.1 prohibits issuance of permits for, and the construction of, new water wells within groundwater basins designated by the California Department of Water Resources as High or Medium Priority Basins. Section 4826.3 identifies specific circumstances under which the Public Works Agency (PWA) Director can consider granting a waiver:

A waiver of the water well and permit prohibitions in Section 4826.1 may be granted by the Director on a case-by-case basis, upon receipt of an application for a waiver and upon the Director's determination that the application demonstrates that:

- a. There are special circumstances or exceptional characteristics of the real property and groundwater which do not apply generally to comparable real property and groundwater conditions in the same vicinity, and that the granting of such waiver will not be detrimental to the condition of groundwater resources; or
- b. Strict application of the prohibition as it applies to the real property or its groundwater conditions will result in practical difficulties or unnecessary hardships inconsistent with the purpose and findings of Ventura County Ordinance No. 4466 and that the granting of such waiver will not be detrimental to the condition of groundwater resources.



Bryan Bondy
July 19, 2021
Page 2 of 2

The PWA Director's policy is to request comments from the applicable Groundwater Sustainability Agency (GSA) prior to making his determination on the waiver request.

PWA has received a request for a waiver of the well prohibition to install a new agricultural well at the subject property, which is within the Upper Ventura River Groundwater Basin. The property owner's consultant, Kear Groundwater, requested the waiver on behalf of the property owner, Griffin Barkley.

PWA requests the Upper Ventura River Groundwater Agency's comments regarding the subject well prohibition waiver request. We would appreciate a response by August 3, 2021. Please contact me at Kim.Loeb@ventura.org or (805) 650-4083 if you have any questions.

Sincerely,



Kimball R. Loeb, CEG, CHG
Groundwater Manager
Water Resources Division

Enclosure: Kear Groundwater Waiver Request, May 4, 2021

Cc: Jordan Kear, Kear Groundwater (via email w/o enclosures)

KRL:jd/K:\Programs\Groundwater\Permits\Well Permits\Waivers\2021_Barkley_APN 017-0-160-150\20210719_PWA_Bryan_Bondy_UVRGA_Barkley_Waiver_Req0170160150.docx





May 4, 2021

Ventura County Well Ordinance No. 4468 – Variance Request APN 017-0-160-150 New Well

To Whom It May Concern,

Kear Groundwater (KG) presents the following request for variance of Ordinance No. 4468, Section 4826.1 (Water Well and Water Well Permit Prohibitions) that restricts the construction of new water wells in portions of Ventura County. A new well is required at the property due to an insufficient allocation volume available from the local water purveyor.

Per Section 4826.2 (Exceptions to Water Well and Permit Prohibitions), the Ventura County Watershed Protection District (VCWPD) can issue a variance if the District determines that the construction of a new water well is able to occur in the groundwater basin without significant adverse impact on the surface or subterranean supply of waters within the watershed in which the groundwater basin. Further, Section 4826.3 (Waters of the Water Well and Permit Prohibitions), a waiver may be granted on a case-by-case basis, if there are special circumstances or exceptional characteristics of the real property and groundwater which do not apply generally to comparable real property and groundwater conditions in the same vicinity, and that the granting of such waiver will not be detrimental to the condition of groundwater resources.

The new well at APN 017-0-160-150 will produce exclusively “percolating groundwater” contained within the fractured bedrock aquifers at depth. As defined by the Department of Water Resources’ Bulletin 118, local groundwater of the Upper Ventura River Basin (No. 4-3.01) occurs in unconfined aquifers within Holocene and Pleistocene age alluvium¹. The basin’s preliminary Groundwater Sustainability Plan² (GSP) refers to this as the “one principal aquifer” of the basin. Per the GSP, “the vertical extent, or bottom of the Basin, is considered to be the contact between alluvium and the various tertiary bedrock formations” (pg. 22). The cement sanitary seal in the annulus around the new well would extend from ground surface entirely through the unconsolidated alluvium, so that the basin fill material is completely isolated from the bedrock well production at depth. Thus, the new well would not significantly adversely impact the surface or subterranean supply of water in the basin, and that the bedrock well design could be considered an exceptional characteristic that is not be detrimental to the condition of groundwater resources.

Best Regards,

Jordan Kear
Principal Hydrogeologist
Professional Geologist No. 6960
California Certified Hydrogeologist No. 749



Timothy Becker
Professional Geologist No. 9589

¹Department of Water Resources, (2004), Ventura River Valley Groundwater Basin, Upper Ventura River Subbasin: Bulletin 118, South Coast Hydrologic Region.

²UVRGA (2020), DRAFT Groundwater Sustainability Plan.



County of Ventura
APPLICATION FOR WELL PERMIT
 800 South Victoria Avenue, Ventura, CA 93009-1610



	Property Owner*	Driller	Registered Inspector
Name	Griffin Barkley	Hansen Well-Do Service Inc.	<div style="border: 2px solid red; padding: 5px; text-align: center;"> RECEIVED JUL 13 2021 WATERSHED PROTECTION DIST. </div>
Address	Owner Address: 143 West Fifth Street Oxnard, CA 93030	P.O. Box 729 Oak View, CA 93022	
Telephone	(805) 896-8521	(805) 646-4802	
License No.	Near Intersection of El Roblar Dr & La Luna Ave	C57-707975	
Lic. Exp. Date	Meiners Oaks, CA 93023	06/30/2021	
APN(s)	017-0-160-150		

Type of Work	Use	Proposed Construction
<input type="checkbox"/> <u>Water Supply Well</u> <input checked="" type="checkbox"/> New (No. _____) <input type="checkbox"/> Replacement Well SWN of well to be replaced _____ <input type="checkbox"/> Backup or Standby Well SWN of well to be backed up _____ <input type="checkbox"/> Destruction (No. _____) SWN _____ <input type="checkbox"/> Repair/Modify (No. _____) SWN _____	<input checked="" type="checkbox"/> Agricultural <input type="checkbox"/> Cathodic <input type="checkbox"/> Domestic <input type="checkbox"/> Industrial <input type="checkbox"/> Monitoring <input type="checkbox"/> Municipal Estimated anticipated annual pumping in acre feet per year 10-20	Well Depth <u>1200'</u> Bore Diameter <u>16"</u> Casing <input type="checkbox"/> Steel Diameter (in.) <u>8"</u> <input checked="" type="checkbox"/> PVC Wall Gauge (in.) <u>0.508"</u> <input type="checkbox"/> Other (Describe) _____ Perforations From <u>240</u> to <u>540</u> ft From <u>600</u> to <u>900</u> ft From <u>1000</u> to <u>1180</u> ft Water Level Measuring Port <input type="checkbox"/> Sounding Tube <input type="checkbox"/> Steel Diameter (in.) _____ <input checked="" type="checkbox"/> PVC Diameter (in.) <u>2"</u> <input type="checkbox"/> Tap hole with plug <input type="checkbox"/> Other _____ Estimated Start Date <u>1-July-2021</u>
<input type="checkbox"/> <u>Monitoring Well</u> <input type="checkbox"/> New (No. _____) <input type="checkbox"/> Destruction (No. _____)	<u>Equipment</u> <input checked="" type="checkbox"/> Rotary <input type="checkbox"/> Hollow Stem <input type="checkbox"/> Geoprobe <input type="checkbox"/> Other (Describe) _____	
<input type="checkbox"/> <u>Engineering Test Hole</u> (No. _____)		
<input type="checkbox"/> <u>Cathodic Protection Well</u> <input type="checkbox"/> New (No. _____) <input type="checkbox"/> Destruction (No. _____)		

*NOTE: If proposed water supply well is within the area referenced in the Ventura County Well Ordinance No. 4468 Sec 4826.1-Water Well and Water Well Prohibition, your permit application must be accompanied by documentation explaining the reason for a variance request. If the proposed water supply well is in an area that is exempt from the prohibition (e.g. FCGMA), your permit application must be accompanied by the proper agency permit/approval.

I hereby agree to comply with all provisions of Ventura County Ordinance No. 4468, and all applicable State of California and local regulations pertaining to well construction, repair, modification and destruction. I agree to comply with all conditions of the issued permit to submit required post-work documents and reports. I understand that any modification of the issued permit requires approval by the Manager, Water Resources Division, and that the information contained herein becomes a part of the permit when issued.

Property Owner Signature		Date	
Driller Signature	 Brandon Hansen	Date	04-May-2021
Registered Inspector Signature (Applies to monitoring wells and borehole work)		Date	

NOTE: VARIANCE REQUEST LETTER ATTACHED



RECEIVED

JUL 13 2021

WATERSHED PROTECTION DIST.

County of Ventura

APPLICATION FOR WELL PERMIT

800 South Victoria Avenue; Ventura, CA 93009-1610

PUBLIC
VENTURA COUNTY
WORKS

Well Location Map / Site Plan: Indicate exact location of proposed well, all existing wells of all types (regardless of whether they are subject to regulation under Article 1 of Ventura County Ordinance No. 4468), drainage pattern of the property, all intermittent or perennial, natural or artificial water bodies or water courses, property lines (with APN number), sewage disposal systems or works carrying or containing sewage, access roads, livestock and animal keeping areas, composting or mulching operations areas, and solid waste disposal sites. Setbacks from potential sources of contamination shall comply with the California Department of Water Resources *California Well Standards Bulletin 74-90* available at the following website address:

http://www.water.ca.gov/groundwater/well_info_and_other/california_well_standards/well_standards_content.html



Application Page 2 of 2
Permit No. _____

Revised October 2020



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

August 12, 2021

Kimball R. Loeb, CEG, CHG
Groundwater Manager
Water Resources Division, Public Works
County of Ventura
800 S. Victoria Ave.
Ventura, CA 93009

RE: Comments on Request for Waiver of Ventura County Water Well and Water Well
Permit Prohibitions, APN 017-0-160-150, Intersection of El Roblar Dr. & La Luna Ave.,
Meiners Oaks, CA

Dear Kim,

Thank you for requesting Upper Ventura River Groundwater Agency (UVRGA) comments on the above-referenced well permit prohibition waiver request. We understand the applicant is requesting a waiver on the basis that the well would be drilled into and draw water from one or more bedrock formations that underlie the Upper Ventura Groundwater Basin. The applicant asserts that extraction of groundwater “would not significantly adversely impact the surface or subterranean supply of water in the basin.” Our comments are as follows:

1. UVRGA is concerned that the well could draw water from the Upper Ventura River Groundwater Basin (UVRB or Basin) even though it will be screened in one or more bedrock formations beneath the Basin. As such, we request that the permit approval include appropriate measures to address this concern. Specifically, we request that the applicant be required to install a permanent conductor casing installed completely through the alluvium and weathered bedrock horizon and an appropriate distance into competent bedrock to ensure there is no short-circuit pathway for UVRB groundwater to enter the well. Further, we request that the permit approval include a requirement to provide sufficient groundwater level and quality data to demonstrate that the well is not in hydraulic communication with the UVRB.
2. Bigger picture, UVRGA is concerned about the potential cumulative effects of increasing groundwater extraction from the bedrock formations, particularly if additional bedrock wells are drilled through the Basin over time. Increased bedrock production would increase the groundwater flow gradient between the Basin and the bedrock system, which may induce flow from the Basin into the bedrock system to supply the wells. The cumulative effect of inducing flow out of the Basin could result in significant impacts to

the Basin and/or surface water flow that are not addressed by the Groundwater Sustainability Plan or County ordinances. Looking ahead, UVRGA would welcome an opportunity to work with County Staff to address this apparent loophole.

Thank you again for the opportunity to submit comments on the waiver request. We look forward to working with you on measures to address the bigger picture concerns about groundwater pumping from bedrock formations within and surrounding the Upper Ventura River Basin.

Sincerely,

DRAFT

Bryan Bondy, PG, CHG
Executive Director

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

DATE: August 12, 2021

TO: Board of Directors

FROM: Executive Director and Treasurer

SUBJECT: Fiscal Year 2020/2021 Year End Budget Report

SUMMARY:

The fiscal year 2020/2021 year-end financial reports are attached for Board review. The following is a description of key budget performance items:

- Revenue:
 - Extraction Fee Revenue was in-line with budget projections.
 - Grant Revenue was 82% of budget. Grant revenue booked during fiscal year 2020/2021 was less than budgeted because the year-end fiscal year 2019/2021 grant revenue was significantly greater than estimated, which reduced the amount of grant revenue that could be booked in FY 2020/2021.
- Expenses:
 - Administrative Expenses were 89% of budget.
 - Executive Director and GSP Related Professional Fees were collectively \$64,027 over budget. The overage is related to the timing of work completed – more work on the GSP was completed during fiscal year 2020/2021 than anticipated. A like amount of work will not occur during the fiscal year 2021/2022 unless the GSP scope of work increases.
 - Legal and Accounting Fees were collectively under budget by \$13,435. Most of the difference was in legal fees.

- Net Income was \$100,766 less than budgeted due to the issues described above.
- Cash Position: Cash decreased by \$3,619 during the fiscal year (Attachment B). The year-end cash balance on June 30 was \$162,875, which compares favorably with the \$74,000 reserve target. It is noted that the accounts receivable balance on June 30 was \$68,474; however, \$60,897 is grant retention, which will not be received until mid-2022. It is also important to remember that the agency has a \$90,000 liability (member agency loans). Please see the balance sheet for further information (Attachment C).

RECOMMENDED ACTION

It is recommended that the Board approve receiving and filing the year-end budget report.

BACKGROUND

The Fiscal Year 2020/2021 budget was last updated on February 11, 2021.

FISCAL SUMMARY

Please see Summary and Attachments.

ATTACHMENTS

- A. Year End Income Statement – Budget vs. Actual
- B. Year End Statement of Cash Flows
- C. Year End Balance Sheet

Action: _____

Motion: _____ Second: _____

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

Upper Ventura River Groundwater Agency
FY 21 Budget v Actual Q1 - Q 4
July 2020 through June 2021

	TOTAL				
	Jul '20 - Jun 21	Budget	\$ Over Budget	% of Budget	Comments
Ordinary Income/Expense					
Income					
Interest/Penalties	86.39	0.00	86.39	100.0%	
41100 · DWR GSP Grant Income	254,446.97	308,604.00	-54,157.03	82.45%	FY 19/20 year-end grant income was greater than expected, thereby reducing grant revenue booked on FY 20/21.
43000 · Groundwater Extraction Fee	343,617.74	343,618.00	-0.26	100.0%	
Total Income	598,151.10	652,222.00	-54,070.90	91.71%	
Expense					
55000 · Administrative Exp					
55011 · Computer Maintenance	241.25	1,000.00	-758.75	24.13%	
55015 · Postage & Shipping	0.00	750.00	-750.00	0.0%	
55020 · Office Supplies & Software	499.90	750.00	-250.10	66.65%	
55025 · Minor Equipment	0.00	1,000.00	-1,000.00	0.0%	
55035 · Advertising and Promotion	335.00	750.00	-415.00	44.67%	
55055 · Insurance Expense-SDRMA	6,183.18	4,000.00	2,183.18	154.58%	
55060 · Memberships-CSDA	1,464.00	1,500.00	-36.00	97.6%	
Total 55000 · Administrative Exp	8,723.33	9,750.00	-1,026.67	89.47%	
58000 · Professional Fees					
58005 · Executive Director /GSP Manager	190,559.55	186,500.00	4,059.55	102.18%	
58010 · Legal Fees	42,906.34	55,000.00	-12,093.66	78.01%	
58015 · Website	2,629.48	4,000.00	-1,370.52	65.74%	
58020 · Accounting	18,658.40	20,000.00	-1,341.60	93.29%	
58030 · Agency Administrator	1,618.00	1,618.00	0.00	100.0%	
58040 · Audit Expense	12,500.00	14,000.00	-1,500.00	89.29%	
58050 · Other Professional Services	426,805.57	366,838.00	59,967.57	116.35%	More work GSP completed in FY 20/21 versus FY 21/22 than anticipated.
Total 58000 · Professional Fees	695,677.34	647,956.00	47,721.34	107.37%	
Total Expense	704,400.67	657,706.00	46,694.67	107.1%	
Net Ordinary Income	-106,249.57	-5,484.00	-100,765.57	1,937.45%	Please see comments above.
Net Income	-106,249.57	-5,484.00	-100,765.57	1,937.45%	

Upper Ventura River Groundwater Agency
Statement of Cash Flows
July 2020 through June 2021

	<u>Jul '20 - Jun 21</u>
OPERATING ACTIVITIES	
Net Income	-106,249.57
Adjustments to reconcile Net Income	
to net cash provided by operations:	
11000 · Accounts Receivable	128,323.05
11000 · Accounts Receivable:11001 · DWR Grant Retention 10%	-25,444.70
13000 · Prepaid Expenses	2,017.51
20000 · Accounts Payable	-2,265.00
Net cash provided by Operating Activities	<u>-3,618.71</u>
Net cash increase for period	-3,618.71
Cash at beginning of period	166,493.37
Cash at end of period	<u><u>162,874.66</u></u>

Upper Ventura River Groundwater Agency
Balance Sheet Prev Year Comparison
As of June 30, 2021

	<u>Jun 30, 21</u>	<u>Jun 30, 20</u>	<u>\$ Change</u>	<u>% Change</u>
ASSETS				
Current Assets				
Checking/Savings				
Bank of the Sierra	162,874.66	166,493.37	-3,618.71	-2.17%
Total Checking/Savings	<u>162,874.66</u>	<u>166,493.37</u>	<u>-3,618.71</u>	<u>-2.17%</u>
Accounts Receivable				
11000 · Accounts Receivable				
11001 · DWR Grant Retention 10%	60,897.06	35,452.36	25,444.70	71.77%
11000 · Accounts Receivable - Other	4,576.96	132,900.01	-128,323.05	-96.56%
Total 11000 · Accounts Receivable	<u>65,474.02</u>	<u>168,352.37</u>	<u>-102,878.35</u>	<u>-61.11%</u>
Total Accounts Receivable	<u>65,474.02</u>	<u>168,352.37</u>	<u>-102,878.35</u>	<u>-61.11%</u>
Other Current Assets				
13000 · Prepaid Expenses	4,888.67	6,906.18	-2,017.51	-29.21%
Total Other Current Assets	<u>4,888.67</u>	<u>6,906.18</u>	<u>-2,017.51</u>	<u>-29.21%</u>
Total Current Assets	<u>233,237.35</u>	<u>341,751.92</u>	<u>-108,514.57</u>	<u>-31.75%</u>
TOTAL ASSETS	<u>233,237.35</u>	<u>341,751.92</u>	<u>-108,514.57</u>	<u>-31.75%</u>
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities				
Accounts Payable				
20000 · Accounts Payable	1,305.00	3,570.00	-2,265.00	-63.45%
Total Accounts Payable	<u>1,305.00</u>	<u>3,570.00</u>	<u>-2,265.00</u>	<u>-63.45%</u>
Total Current Liabilities	<u>1,305.00</u>	<u>3,570.00</u>	<u>-2,265.00</u>	<u>-63.45%</u>
Long Term Liabilities				
28000 · Notes Payable				
28100 · Member Agency Zero-Int Loan	90,000.00	90,000.00	0.00	0.0%
Total 28000 · Notes Payable	<u>90,000.00</u>	<u>90,000.00</u>	<u>0.00</u>	<u>0.0%</u>
Total Long Term Liabilities	<u>90,000.00</u>	<u>90,000.00</u>	<u>0.00</u>	<u>0.0%</u>
Total Liabilities	<u>91,305.00</u>	<u>93,570.00</u>	<u>-2,265.00</u>	<u>-2.42%</u>
Equity				
32000 · Retained Earnings	248,181.92	124,558.09	123,623.83	99.25%
Net Income	-106,249.57	123,623.83	-229,873.40	-185.95%
Total Equity	<u>141,932.35</u>	<u>248,181.92</u>	<u>-106,249.57</u>	<u>-42.81%</u>
TOTAL LIABILITIES & EQUITY	<u>233,237.35</u>	<u>341,751.92</u>	<u>-108,514.57</u>	<u>-31.75%</u>

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

DATE: August 12, 2021

TO: Board of Directors

FROM: Executive Director

SUBJECT: Agency Funding Discussion

SUMMARY

As discussed during the fiscal year 2021/2022 budgeting process, the current groundwater extraction fee will be insufficient to fund agency activities beginning in fiscal year 2022/2023 unless one or more grants are obtained. Even so, the current fee is based on 2017 extraction estimates, which are becoming dated, and several stakeholders have expressed displeasure with using estimated extractions as the fee basis. For these reasons, it is recommended that the Agency develop a new approach to funding the Agency for implementation effective July 1, 2022. The purpose of this item is to begin the discussion concerning a new Agency funding structure.

Aside from grants, there are four basic funding approaches that can be considered, which are detailed further in the attached memorandum from Agency Counsel:

1. Member Agency Contributions (i.e., pass through to Member Agency rate payers);
2. Groundwater Extraction Fees;
3. Parcel-Based Charge (parcel fee, tax, or assessment); or
4. Combination of the above options (note: implementation of multiple fee mechanisms will increase Agency costs).

The pros and cons of each approach are discussed in Agency Counsel's memo (Attachment A).

As a first step, it is recommended that the Board discuss which of the above-listed funding approaches should be pursued for implementation beginning July 1, 2022. If a decision cannot be made today, the Board could create a committee or place this question on a future agenda for further discussion. Once this fundamental question is answered, staff and counsel can work with you on implementation details.

RECOMMENDED ACTIONS

Receive an overview of options for agency funding beginning fiscal year 2022/2023 and provide direction to staff.

BACKGROUND

The Agency Board of Directors adopted the current groundwater extraction fees on June 13, 2019 via Resolution 2019-04.

FISCAL SUMMARY

The fiscal year 2021/2022 budget includes a modest amount of funding for staff and legal counsel assistance to develop new funding mechanisms.

ATTACHMENTS

A. Agency Funding Options Memo from Agency Counsel

Action: _____

Motion: _____ Second: _____

B. Kuebler___ D. Engle___ P. Kaiser___ S. Rungren___ G. Shephard___ E. Ayala___ L. Rose___



500 SOUTH GRAND AVENUE ■ 12TH FLOOR ■ LOS ANGELES, CA 90071

PHONE 213.744.0099 ■ FAX 213.744.0093

CONFIDENTIAL MEMORANDUM

ATTORNEY CLIENT PRIVILEGED / ATTORNEY WORK PRODUCT

To: Keith Lemieux
From: Christine Flier
Date: July 6, 2021
Subject: SGMA/GSA Funding Opportunities

I. Introduction.

The Sustainable Groundwater Management Act (SGMA) divides a groundwater sustainability agency's (GSA) funding authority into pre- and post-GSP adoption. Before a GSA adopts its GSP, Water Code section 10730 provides the statutory authority for various funding opportunities to fund the groundwater sustainability program. After a GSA adopts its GSP, Water Code section 10730.2 grants the GSA the discretionary authority to impose several additional categories of fees as specified therein. To be clear, section 10730.2 authorizes the imposition of certain fees that can be imposed only after the adoption of a GSP. A GSA may nevertheless continue to collect fees implemented prior to adopting a GSP under section 10730, after a GSP is adopted.

Pre-GSP adoption fees may be used to fund a wide variety of costs, including the development and implementation of a groundwater sustainability program, which includes the preparation and adoption of a GSP, investigations, inspections, compliance

TO: Keith Lemieux
 RE: SGMA/GSA Funding Opportunities
 DATE: July 6, 2021
 PAGE: 2 of 7

assistance, enforcement, and general program administration. Pre-GSP fees, however, may not be used for capital improvement projects.

Although the SGMA itself does not require pre-GSP fees to comply with a specific procedural and substantive approval process, such as Prop 26 or 218, there is a good argument that pre-GSP fees fall within the regulatory cost exemption of Prop 218 since the authorizing statute itself (Water Code § 10730) is entitled “regulatory fees authority.” However, it is still unclear which statutory approval process a pre-GSP fee must follow. For example, some courts have concluded a groundwater extraction fee is a property-related fee subject to Prop 218, whereas another court concluded that a groundwater extraction fee was not a property-related fee and should be analyzed under Prop 26.

The fees that are statutorily authorized after a GSP is adopted (§ 10730.2), however, must comply with Prop 218, except for the voter approval requirement. Only a majority protest is required. The fees adopted after a GSP is adopted may be used to fund the costs of groundwater management, such as administration, operation, and maintenance, for acquisitions of land or other property, facilities and services, supply, production, treatment or distribution of water. Section 10730.2 fees can also be imposed on any other fees necessary or convenient to implement the GSP, which is a catchall category for costs that are reasonably necessary to implement the GSP.

II. Funding Opportunities

<u>GSA Funding Opportunities: Pre-GSP Adoption</u>			
Type of Funding	Requirements	Pros	Cons
Groundwater Extraction Fees (Water Code § 10730)	<ul style="list-style-type: none"> Public meeting must be held to allow the public an opportunity to make oral/written comments before imposing the fee 	<ul style="list-style-type: none"> Likely falls under the “regulatory fee” exemption under Prop 26 May be collected in the same manner as ordinary municipal ad 	<ul style="list-style-type: none"> Cannot be imposed on “de minimis¹” extractors unless they are regulated pursuant to SGMA Cannot be used for any capital improvement projects

¹ “De Minimis” extractor is defined as a person who extracts for domestic purposes 2 acre-feet a year or less.

Item 9c - Attachment A

TO: Keith Lemieux
 RE: SGMA/GSA Funding Opportunities
 DATE: July 6, 2021
 PAGE: 3 of 7

	<ul style="list-style-type: none"> ▪ Notice must be provided in 3 different ways and include the time/place of meeting, general description of the subject matter, and a statement or report that the data upon which the decision is based is available to the public ▪ The data upon which the proposed fee is based must be made available to the public at least 20 days before the public meeting ▪ Fees must be adopted by ordinance/resolution at a public hearing ▪ Fee should be analyzed under Prop 26 	valorem taxes but must be adopted by GSA via resolution	<ul style="list-style-type: none"> ▪
Permit Fees (Water Code § 10730)	<ul style="list-style-type: none"> ▪ Public meeting must be held to allow the public an opportunity to make oral/written comments before imposing the fee ▪ Notice must be provided in 3 different ways and include the time/place of meeting, general description of the subject matter, and a statement or report that the data upon which the decision is based is available to the public ▪ The data upon which the proposed fee is based must be made available to the public at least 20 days before the public meeting 	<ul style="list-style-type: none"> ▪ Likely falls under the “regulatory fee” exemption under Prop 26 ▪ May be collected in the same manner as ordinary municipal ad valorem taxes but must be adopted by GSA via resolution 	<ul style="list-style-type: none"> ▪ Cannot be imposed on “de minimis” extractors unless they are regulated pursuant to SGMA ▪ Cannot be used for any capital improvement projects

Item 9c - Attachment A

TO: Keith Lemieux
 RE: SGMA/GSA Funding Opportunities
 DATE: July 6, 2021
 PAGE: 4 of 7

	<ul style="list-style-type: none"> ▪ Fees must be adopted by ordinance/resolution at a public hearing ▪ Fee should be analyzed under Prop 26 		
Fees on “Other Regulated Activity” (Water Code § 10730)	<ul style="list-style-type: none"> ▪ Public meeting must be held to allow the public an opportunity to make oral/written comments before imposing the fee ▪ Notice must be provided in 3 different ways and include the time/place of meeting, general description of the subject matter, and a statement or report that the data upon which the decision is based is available to the public ▪ The data upon which the proposed fee is based must be made available to the public at least 20 days before the public meeting ▪ Fees must be adopted by ordinance/resolution at a public hearing ▪ Fee should be analyzed under Prop 26 	<ul style="list-style-type: none"> ▪ Likely falls under the “regulatory fee” exemption under Prop 26 ▪ May be collected in the same manner as ordinary municipal ad valorem taxes but must be adopted by GSA via resolution 	<ul style="list-style-type: none"> ▪ Cannot be imposed on “de minimis” extractors unless they are regulated pursuant to SGMA ▪ Cannot be used for any capital improvement projects

TO: Keith Lemieux
 RE: SGMA/GSA Funding Opportunities
 DATE: July 6, 2021
 PAGE: 5 of 7

EXAMPLES OF GROUNDWATER EXTRACTION FEES: Pre-GSP Adoption

Metered Extraction Fees	<ul style="list-style-type: none"> ▪ This type of fee would be based on actual water usage from the various wellhead owners in the basin ▪ Requires meter data on every well, a way to collect that data, and then charges on the actual usage 	<ul style="list-style-type: none"> ▪ This fee is probably the most equitable because it considers actual water usage ▪ Good long-term solution because these are what the fees are going to be based on post-GSP adoption 	<ul style="list-style-type: none"> ▪ Meters can be expensive for the GSA (or the well owners) to install/implement (unless meters are already in place) ▪ Metering may not be permitted until after the GSP is written and adopted ▪ Takes time to implement program
Estimated Usage Extraction Fee	<ul style="list-style-type: none"> ▪ Fee based on an estimate using best available data ▪ Requires meter data where it is available, e.g., municipal agencies' meters on groundwater, farmers/growers who meter their water and report to the state, others can self-report ▪ For unmetered areas, requires GSA to look at land use/area, to infer how much water is probably used from the well based on type of crop and amount of acreage 	<ul style="list-style-type: none"> ▪ Data can be obtained ▪ Not as time consuming as trying to get meters installed ▪ Increased stakeholder engagement 	<ul style="list-style-type: none"> ▪ Self-reporting usage is imperfect ▪ Estimates can be wrong
Flat Parcel Fee	<ul style="list-style-type: none"> ▪ Requires GSA to look at acreage only, and not actual water usage 	<ul style="list-style-type: none"> ▪ Could be used when GSA does not feel confident with water estimates ▪ Data is easier to collect instead of trying to estimate water usage – simply tying land area with wells ▪ Takes less time to gather data 	<ul style="list-style-type: none"> ▪ Much less equitable ▪ Identifying the number of acres associated with a particular well is not exact science ▪ May have potentially difficult time defending this fee

Item 9c - Attachment A

TO: Keith Lemieux
 RE: SGMA/GSA Funding Opportunities
 DATE: July 6, 2021
 PAGE: 6 of 7

Voluntary Contributions from Member Agencies		<ul style="list-style-type: none"> ▪ Good short-term solution to funding while GSA figures out a longer-term option for fees ▪ Doesn't really require much data ▪ Low effort 	<ul style="list-style-type: none"> ▪ Inequitable for water ratepayers of member agencies since the contributions will technically be paid by retail customers, rather than the agricultural groups or those that are not in the municipal system ▪ Potentially not defensible ▪ Not sustainable for long-term basis
Special Tax	<ul style="list-style-type: none"> ▪ Compliance with Prop 26 required ▪ Requires two-thirds majority vote 	<ul style="list-style-type: none"> ▪ If passed, this would be a stable source of revenue 	<ul style="list-style-type: none"> ▪ Requires high level of effort ▪ Low certainty that measure will be approved by votes ▪ Expensive process
Special Assessment	<ul style="list-style-type: none"> ▪ Compliance with Prop 218 required ▪ Requires simple majority vote 	<ul style="list-style-type: none"> ▪ If passed, this would be a stable source of revenue ▪ More equitable than parcel tax 	<ul style="list-style-type: none"> ▪ Requires high level of effort ▪ Low certainty that measure will be approved by votes ▪ Expensive process

TO: Keith Lemieux
 RE: SGMA/GSA Funding Opportunities
 DATE: July 6, 2021
 PAGE: 7 of 7

<u>GSA Funding Opportunities: Additional Fees Authorized Post-GSP Adoption</u>			
Type of Funding	Requirements	Pros	Cons
Groundwater Extraction Fees (Water Code § 10732.2(a))	<ul style="list-style-type: none"> ▪ GSA's authority to impose fee is not triggered until GSA adopts and submits its GSP ▪ Must comply with Prop 218 requirement, except for the voter approval requirement 	<ul style="list-style-type: none"> ▪ May be used to fund costs of groundwater management, such as administration, operation, and maintenance, including a prudent reserve ▪ May be used to purchase land or other property, facilities and services, supply, production, treatment or distribution of water ▪ May include fixed fees or fees charged on volumetric basis 	<ul style="list-style-type: none"> ▪ GSA authority to impose groundwater extraction fees does not include ability to impose parcel-based fees or assessments

UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 10(a)

DATE: August 12, 2021

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 included the following:

1. **GSP:**
 - a. The Board reviewed the preliminary draft GSP during its July 8 and 22 Board meetings and directed staff to post a draft GSP and initiate a 60-day public comment period.
 - b. The Executive Director and Intera, Inc. have worked on preparing draft GSP for the 60-day public comment period. Attachment A shows Board comments on the preliminary draft GSP and comment responses. The comment period is scheduled to begin on August 11.
2. **Outreach:** The Executive Director notified UVRGA interested parties concerning the availability forthcoming draft GSP and 60-day comment period in a newsletter, e-mail to interest parties, and announcement during the August 5 Ventura River Watershed Council (VRWC) meeting. The newsletter is included as Attachment B to this staff report.
3. **GSP Development Schedule:** The updated GSP Development Schedule is provided in Attachment C.

As shown on the attached GSP Development Schedule, a GSP workshop is planned during the 60-day public comment period. The Board should select a date and time for the workshop. Possible dates and times include:

- September 9, 2021, 2 pm (in conjunction with the regular Board meeting)
- September 23, 2021, 1 pm (reserved special Board meeting date/time)

Other dates could be considered as well.

Director Kuebler has also suggested a presentation at a VRWC meeting. However, VRWC just met on August 5, so the next quarterly meeting will not take place until after the GSP comment period has ended.

4. **GSP Grant Data Gap Tasks**: All grant data gap tasks have been completed or were deleted by 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.

ATTACHMENTS

- A. Preliminary Draft GSP Board Comment Table
- B. Summer Newsletter, Volume 2, Issue 2.
- C. GSP Development Schedule

Action: _____

Motion: _____ Second: _____

B. Kuebler___ D. Engle___ P. Kaiser___ S. Rungren___ G. Shephard___ E. Ayala___ L. Rose___

Preliminary Draft GSP Comments and Comment Resolutions

No.	Commenter	Date	Comment	Comment Resolution
1	BK	7/2/2021	ES Intro, second para. Clarify that Lake Casitas is primary water supply for CMWD and groundwater is primary supply for MOWD and VRWD which rely on Lake Casitas during droughts.	Sentence added: The primary water supply for MOWD and VRWD is groundwater but these agencies also rely on surface water from CWMD, particularly during droughts.
2	BK	7/2/2021	ES -2 Beneficial uses, first para. third line, there are not other sources. Should say “the other source is local surface water stored ...”.	Sentence modified: Other sources of water supply for the Basin include private agricultural spring and creek diversions located adjacent to the Basin and local surface water stored in Lake Casitas...
3	BK	7/2/2021	ES-3, end of second para under CMWD mgmt, “thereby preventing increased reliance ...”. Seems like this could enhance operational flexibility with expanded conjunctive use. There is no mention of future conditions, like their plan to connect to SWP through Coastal Branch of California Aqueduct and thru Calleguas and Ventura but there is mention of future conditions with CWAP and flow recommendations expected in 2023-24 so the text is not consistent.	No change per 7/8 board meeting disussion
4	BK	7/2/2021	Adjudication, last sentence re not a party. Please delete. I think we should be a friend of court to argue inter-connectedness of basins during the Feb. 14th trial. We may be able to assist in other ways.	No change per 7/8 board meeting disussion
5	BK	7/2/2021	ES-vii, last para under Topography What are the water supply releases (spill from Matilija)?	Releases and spills are reflected in the gage records. No changes made to GSP.
6	BK	7/2/2021	ES-viii, top para, I think it is better to use same data for comparison; previous para used hydraulic conductivity and specific yield but here it is well output	Text modified to compare hydraulic conductivity of ~3 ft/day at new VRWD Well No. 6 with hydraulic conductivity along the Ventura River >1,000 ft/day.
7	BK	7/2/2021	Page 5, add to CMWD description their wells in Ojai Basin supplying city of Ojai.	CMWD wells in Ojai is not directly relevant to this GSP. No changes made.
8	BK	7/2/2021	Table 2.2-02, parameter for adjudication of Groundwater Recharge doesn’t seem to fit. I suggest Surface flow and surface water groundwater interconnection.	Changed "Groundwater Recharge" to "To Be Determined"
9	BK	7/2/2021	Page 9, top para, last sentence same comment as ES-3 above.	No change per 7/8 board meeting disussion
10	BK	7/2/2021	Page 11, second para, another settlement document was filed in Court in this June.	June settlement document is not posted on https://www.venturariverwatershedadjudication.com/
11	BK	7/2/2021	Also, last para under adjudication, same comment as at end of ES-3 above.	No change per 7/8 board meeting disussion
12	BK	7/2/2021	2.2.2.3, second sentence not correct. VRWD and MOWD don’t use more groundwater in wet years (implies storing it in Lake Casitas). Better to say they only use Casitas water when there is not enough groundwater. I would delete reference to conservation as it isn’t relevant here. I don’t think using Casitas water as backup during drought constitutes conjunctive use; it would if we pumped more in wet years for storage in the lake.	Sentence modified: MOWD and VRWD rely principally on groundwater in UVRGB and utilize more surface water from CMWD during dry periods when well yields decline.
13	BK	7/2/2021	Page 20. (k) at page bottom, delete “MBGSA ...”.	Replaced with UVRGA.
14	BK	7/2/2021	Page 22, second para from bottom, same comment as Page 5 above.	CMWD wells in Ojai is not directly relevant to this GSP. No changes made.
15	BK	7/2/2021	Page 28, third bullet in bottom grouping, what is “fit-for-purpose”? Please clarify or re-phrase.	“Fit-for-purpose” means suitable or appropriate. Replaced with "appropriate".
16	BK	7/2/2021	Page 35, Imported Water, I would add reference to CMWD is working to get State water (see comment under ES-3 above). They have a grant to help pay for Santa Barbara connection and work is scheduled to be finished in 2024 (I think they have 3 yrs to complete project per grant).	Paragraph added: In 1963, the Ventura County Flood Control District (now the Ventura County Watershed Protection District) contracted with the State of California for up to 20,000 AFY of water from the State Water Project (SWP). In 1971, Ventura County Flood Control District assigned the administration of the contract to Casitas. Casitas’ contractual share is 5,000 AFY of State Water Project (SWP), the City of Ventura has 10,000 AFY and United Water Conservation District has 5,000 AFY. To date the infrastructure is not in place to deliver the contractual share to Casitas. Design of a 1.5-mile intertie between Casitas and Carpinteria Valley Water District, referred to as the Ventura-Santa Barbara Counties Intertie, is expected to be complete in 2022, and funding is being pursued for construction. The intertie will allow delivery of imported water to Casitas to augment local supplies and mitigate impacts of droughts and emergencies. (reference draft 2020 CMWD UWMP)

Preliminary Draft GSP Comments and Comment Resolutions

No.	Commenter	Date	Comment	Comment Resolution
17	BK	7/2/2021	Page 36, 3rd and 4th para, see comment ES-viii above.	Text modified to compare hydraulic conductivity of ~3 ft/day at new VRWD Well No. 6 with hydraulic conductivity along the Ventura River >1,000 ft/day.
18	BK	7/2/2021	Page 37, first para, first sentence is incomplete. Suggest removing "While".	Deleted "While".
19	BK	7/2/2021	Page 39, big middle para, the 50 gpm is our planned pumping rate so there will be minimal impact on nearby wells. Check with Bert but I think the capacity is closer to 100 to 150 gpm.	Please see response to Comment No. 17.
20	BK	7/2/2021	Page 40, re future boundary modifications, no mention is made of possible change shown on Fig.3.1-14 for area south of Casitas Vista Rd. Why extend Basin southerly?	Added sentence to first bullet: Evaluation of the geologic maps and other data during GSP development suggests that alluvium extends approximately 1 mile south of the current basin boundary to the Red Mountain Fault . This may be the subject of a future basin boundary modification (Figure 3.1-14).
21	BK	7/2/2021	Page 44, hydraulic conductivities, seems like those should be practically constant along river bed given the uniform nature of younger alluvium and essentially constant slope (hydraulic gradient). I think it would be helpful to have an estimate of hydraulic conductivity overall so we could talk to stakeholders about rate of groundwater flow down the valley. Fig. 3.1-22 comes close to providing that but the range along riverbed from 1,000 to 5,000 seems too large compared to the range of specific yields of 10-20%, i.e., a factor of 5 vs 2. Is that scientifically correct and consistent? Thinking about a drop of water percolating into groundwater at Robles, it could take anywhere from 10 days to 50 days to flow the 10 miles to Foster Park?	It is not uncommon for hydraulic conductivity values to vary by a factor of 5 more. A range of hydraulic conductivity values is not unexpected because relative percentage of the aquifer comprised of young versus older alluvium varies along the river. It is not appropriate correlate hydraulic conductivity with specific yield. If there is sufficient budget remaining after addresseing GSP comments, particle tracking could be performed with the numerical model to calculate approximate groundwater velocities. No changes made to GSP.
22	BK	7/2/2021	Page 46, top para, 3rd line, "significant portion of surface water", significant for what purpose, recharge, steelhead migration, sediment transport, etc.? I would delete significant.	Deleted text "a significant portion of"
23	BK	7/2/2021	Page 47, 5th bullet, what is "meteoric water"? Might want to explain or use different term.	Changed "atmospherically recharged meteoric water" to "precipitation recharge"
24	BK	7/2/2021	Page 48, 3rd para, 1st sentence. I don't see any nitrate on Fig. 3.1-26. Should be Figs. 3.1-27 and -28.	Figure references fixed.
25	BK	7/2/2021	Page 50, top para, end of 1st sentence, add " because parts of it service area cannot be supplied with groundwater." after "CMWD."	Text added.
26	BK	7/2/2021	Page 51, last sentence under Surface Water Bodies, suggest changing reference to "Ventura River Instream Flow Program" to "California Water Action Plan for Ventura River". Instream flow program sounds like VRIF.	Changed "Ventura River Instream Flow Program" to "California Water Action Plan Ventura River Streamflow Enhancement" to be consistent with Table 2.2-02.
27	BK	7/2/2021	Page 52, last para, some reference to Water Board's numerical should be made, i.e., whether it could be helpful or not because it is too coarse.	The GSP Development Team does not feel this an appropriate place, if any, to discuss the SWRCB model because the model has not yet been published. No changes made to the GSP
28	BK	7/2/2021	Page 53, 1st para, not conclusion re data gap. Appears to be one.	Section text replaced with: "The primary locations of groundwater recharge and discharge are adequately identified in the GSP and are not a data gap. It is acknowledged that there is considerable variability in the extents of the recharge and discharge areas over time."
29	BK	7/2/2021	Page 54, 2nd para, 1st sentence, Robles to Mira Monte is west to east, not east to west.	The flow is correctly described as east to west. Text revised to "from the Mira Monte/Meiners Oaks Area to the Robles Area"
30	BK	7/2/2021	Figures 3.2-01 and -02 are difficult to read because contour lines are too light. I'd make them black or pink.	Contours changed to black
31	BK	7/2/2021	Page 58, last para, Nitrate figures are -27 and -28.	Figure references fixed.
32	BK	7/2/2021	Page 59, 1st para, ditto p. 58. TDS fig. are -29 and -30. Sulfate and all other figs off also.	Figure references fixed.

Preliminary Draft GSP Comments and Comment Resolutions

No.	Commenter	Date	Comment	Comment Resolution
33	BK	7/2/2021	Page 63, several paras mention groundwater becoming or being disconnected. I think it would be helpful is you could describe an average or representative distance below ground surface where groundwater disconnects. I imagine a trapezoidal zone of saturation below streambed while percolation is occurring but I thinking about outside that zone. In other words, can you have disconnection while recharge is occurring? I think that info would add to understanding of GDE along river subareas.	Yes, there can be disconnection while stream percolation is occurring. This is illustrated in the lower left diagram of Figure 3.2-10. Interconnection only exists when the water table is touching the river bed (other three diagrams in Figure 3.2-10). In other words, the stream and groundwater are disconnected at a given location anytime the water table elevation is lower than the streambed elevation. This is discussed in the first paragraph of Section 3.2.6. No changes made to GSP.
34	BK	7/2/2021	Page 64, 1st para, 3rd line, Please spell out ISW. This is important concept and it has not been used before and reader shouldn't have to look up acronyms list.	The term ISW is already spelled out earlier in the paragraph. No changes made to GSP.
35	BK	7/2/2021	Page 65, bottom para, middle, "Figure 3". Add reference that figure in Appendix I.	The figure reference should be 3.2-15 and has been updated. Appendix O (was I) is already referenced at the beginning of Section 3.2.7.2.1.
36	BK	7/2/2021	Page 67, 2nd para, 3rd line, "(Figure 3.2-16; Appendix J)", listing those together implies the figure is in Appendix J. I'd delete Appendix J reference; it is mentioned in next sentence.	"; Appendix J" deleted from text.
37	BK	7/2/2021	Page 68, reference to Figure 3.2-17 is ok but the title is habitats in the UVRG and the left two photos are outside the Basin. Replace those with photos within basin.	Final sentence of Section 3.2.7.2.1 deleted and Figure 3.2-17 removed from GSP. Pictures of the habitat areas included in the GDE memos Appendices I and J.
38	BK	7/2/2021	Page 69, 2nd para, last sentence, delete "from".	Deletion made.
39	BK	7/2/2021	Page 72, Groundwater underflow para, last sentence is confusing. The Arroyo Parida fault is north of the boundary between UVRB and San Antonio Creek valley/drainage area. Referring to the San Antonio Creek Basin implies it is a recognized groundwater basin. Is the intent to describe lack of underflow below the 'oak view hills' which would be affected by the Devil's Gulch and Oak View faults, not Arroyo Parida.	The Arroyo Parida fault is coincident with a portion of the UVRB boundary near Mira Monte. Last sentence of bullet changed to: "The UVRGB is separated from the San Antonio Creek drainage by bedrock units uplifted along the Arroyo Parida – Santa Ana fault zones (see Sections 3.1.3.1.1 and 3.2.1.1)."
40	BK	7/2/2021	Page 73, last para, do we have to use DWR water year types in 5-yr update?	DWR said we can use our classification even though that guidance conflicts with the GSP Emergency Regulations.
41	BK	7/2/2021	Page 79, Groundwater Storage para, can model identify years during which rejected recharge occurs(ed)? Would be helpful in evaluations about how often groundwater is disconnected re GDEs. Page 82 might be a page to mention how often it occurred during historical period.	It is unclear what is being suggested - rejected recharge does not occur when the stream and water table are disconnected. Video animation and new appendix that will include still shots from the animation will better communicate this.
42	BK	7/2/2021	Page 80, sentence just ahead of 3.3.2, see comment for page 11 above re conjunctive use. Pumpers are limited in causing undesirable results because wells go dry in shallow basin. Not conjunctive use as generally understood.	Sentence deleted.
43	BK	7/2/2021	Page 81, top big para, table nos. are wrong; should be 3.3-03 and -04.	Table references fixed.
44	BK	7/2/2021	Page 85, top para, an uncertainty factor in agr demand is whether there will be any agr due to rising costs of water and market competition. Bottom para would be a place to mention possible reduction in agr demand also.	This section describes our current assumptions about future demands. Current assumption used for modeling was continued irrigation of areas currently irrigated. If there is a decrease in irrigated acres going forward, it will be captured in GSP updates. No changes made to GSP.
45	BK	7/2/2021	Page 86, 1st bullet para, discussion of climate change effects seems to ignore conclusion that conservation would offset climate change increases. 2nd bullet, mention CMWD actions to tie into SWP? Wouldn't need a projected number, just the possibility.	The source of the comment's conclusion that conservation will offset climate change increases in water demand is not clear from the comment. It is not appropriate to mention CMWD intertie here - this section is simply documenting calculation methodologies. No changes made to GSP.
46	BK	7/2/2021	Page 87, end of sentence just ahead of bullets, I think end should read "Table 3.3-02 and Figure 3.3-01". Last bullet, 2030 is Table 3.3-12 and 2070 is -13. Table 3.3-13 should be -14. Last para ahead of bullet, should end "Table 3.3-03 and Figure 3.3-02".	Table/Figure references corrected.
47	BK	7/2/2021	Figure 3.3-04, I hope you mean UVRB not Mound Basin!! Ditto Figure 3.3-07.	Changed to Upper Ventura River Basin.

Preliminary Draft GSP Comments and Comment Resolutions

No.	Commenter	Date	Comment	Comment Resolution
48	BK	7/2/2021	Page 88, end of last bullet, I don't see the listed tables comparable at all; the Figures seem ok. Big middle para, table numbers are off.	Table/Figure references corrected.
49	BK	7/2/2021	Page 89, middle of last para, parenthetical phrase should go after "extractions", otherwise seems like amount is depletions of interconnected surface water.	Changed parenthetical phrase to full sentence "The resulting sustainable yield estimate is approximately 5,500 to 5,600 acre-feet per year, depending on climate change assumptions."
50	Board Mtg.	7/8/2021	Section 1 - briefly describe regulatory boxes	Sentence added in paragraph before bullet list of Sections.
51	Board Mtg.	7/8/2021	Add a callout box with diagram/cartoon to show interconnection and depletion concepts	1) Added callout box with figure illustrating both interconnected and disconnected conditions. 2) Callout box with text defining terms direct and indirect depletion.
52	Board Mtg.	7/8/2021	Discussion of springs vs daylighting groundwater in Ventura River (ES and other locations) - seeking consistency in terminology. Springs may be confusing to some readers.	Clarifications added to ES-4 (page ES-vii, Overview) and Section 3.1 (HCM Overview). Note: Section 3.1.1.2 also provides a definition.
53	Board Mtg.	7/8/2021	Need to define term "conjunctive use"	Definition added to Section 2.2.2.3
54	Board Mtg.	7/8/2021	Section 3.1.1.3 Imported Water: add sentence or two about CMWD plans related to imported water	Please see response to Comment No. 16.
55	Board Mtg.	7/8/2021	Section 3.3.1.1 and elsewhere(?) - discussion of historical demands and supplies is hard to follow and not clear. Specifically, need to clarify when talking about CMWD retail deliveries vs agency-wide.	Clairifications made to text.
56	Board Mtg.	7/8/2021	Animation - river is blending in - hard to see - consider changing color or making thicker.	River line made thicker.
57	Board Mtg.	7/8/2021	Animation - add weblink in GSP and create an appendix with still shots at various points in time. Create a video and do the same with pumping turned on.	New Appendix J created containing still shots. Link provided in Section 3.2.1.1 and 3.2.6, see comments 41 and 155.
58	Board Mtg.	7/8/2021	Water budget figures legends - group inflows under an "Inflow" heading and same for outflows.	Titles added to charts.
59	Board Mtg.	7/8/2021	Water budget historical/current figures vertical line separating historical and current is not vertical	Line straightened.
60	Board Mtg.	7/8/2021	Figure 3.2-03 explain what "?" means in legend	Legend updated to provided explanation for query symbol. Also added to Figures 3.1-18, 3.1-19, and 3.2-04
61	Board Mtg.	7/8/2021	Figure 3.2-05 explain what reference point is	Reference point definition added to legend
62	Board Mtg.	7/8/2021	Figure 3.2-05 and hydrograph appendix - add horizontal line showing riverbed elevation at location on river directly east or west of the well.	Horizontal line added (dashed grey line) to charts.
63	Board Mtg.	7/8/2021	Figure 3.2-08 - purple bars need to be explained in the legend. Why is the 2016 bar purple (all other >0 bars are blue)?	This was a coloring issue, which has been fixed.
64	Board Mtg.	7/8/2021	Possible confusion about the term depletion - natural versus pumping depletion. Suggest using "groundwater pumping related depletion" everywhere the term "depletion" is used.	GSP Development Team does not recommend modifying terms used in SGMA and recommends adding callout box to explain difference between natural baseflow recession and depletion. The term 'depletion' is exclusive to reduction in streamflow due to pumping, natural processes influencing flow in river (diversions, riparian veg.) are not a part of the GSP definition of depletion. Text callout box was added to the ES and Section 3.2.6 where the term depletion is first introduced. See also comments 51 and 150.
65	EA	7/8/2021	ESii "other local sources" – add plural on source?	Could not find this text
66	EA	7/8/2021	ESiii I would like CMWD to clarify; not necessarily changing groundwater reliance; change to "potentially altering reliance on", Also on Page 10	No change per 7/8 board meeting disussion
67	EA	7/8/2021	ESv OBGMA not necessarily impacting flow, new data shows that the water into San Antonio is from a perched aquifer, change to say "may impact" (same comment on page 11—change the sentence to read MAY or COULD impact stream flow)	Changed to "...may impact stream flow in San Antonio Creek..." in both locations.
68	EA	7/8/2021	I was confused on ESvi about definition of spring/rising waters – not sure if that will be clear for the general public	Resolved by comment 52.
69	EA	7/8/2021	ESvii end of first paragraph spelling wrong of 'Sespe'	Spelling corrected.

Preliminary Draft GSP Comments and Comment Resolutions

No.	Commenter	Date	Comment	Comment Resolution
70	EA	7/8/2021	ESix water budget table; why such a projected increase	The values should not be interpreted as an increase per se. The three different periods do not have the same rainfall characteristics. No changes made to GSP.
71	EA	7/8/2021	ESxii figure on this page; define MT, MO, IM—blue dots are observed, but not historical? I am confused what the dots are—	The blue dots are measured groundwater levels during the historical period. Figure updated for clarity.
72	EA	7/8/2021	ESxiii table J-20 means Jan2020? State what 29F02 is. Label bottom axis. Ventura spelled incorrectly on right side table	Yes, J-20 = January 2020. Axis labels changed to include full spellout of month name. 29F02 is noted as the well number in the legend, but "Well" was added to the secondary y-axis title. Ventura spelled wrong on <i>left</i> side was fixed.
73	EA	7/8/2021	ESxviii mention that perhaps this work will be done in conjunction with other entities; so that the work may not all be covered by UVGRA; we will work in conjunction with other groups working on these issues	Not sure which work is being referred to. The next page talks about working with others on the Foster Park biological monitoring. No changes made.
74	EA	7/8/2021	Figure 3.1.07 I find this figure hard to read; label which lines are what. Perhaps blow up a small portion of the graph to see the details on the lines?	Figure revised to improve readability.
75	EA	7/8/2021	Maybe go through all the figures/graphs and ensure that labels are on axis, legends of what the lines/points are	Figures were reviewed again. Water years colors added to all charts/tables.
76	EA	7/8/2021	Page28 first paragraph, last line type of UVRAG	Spelling corrected.
77	BK	7/11/2021	As an overview, I think it would be helpful for stakeholder readers to think conceptually about sustainability as a zone or range of groundwater levels, not one level as described by MOs and IMs. Obviously we need to comply with SGMA language but the zone concept is justified because of our unique basin's rapid filling and draining. The draft GSP notes that rarity repeatedly. It is also justified because there are no significant and unreasonable effects based on our present knowledge so, in effect, groundwater elevations in the basin are within the range of sustainability. I am suggesting some language to explain that and adding a "sustainability zone" designation to the Fig. L hydrographs. Section 4.4.3 is most directly relevant to this approach but it would be good to mention elsewhere in GSP, like Executive Summary along with discussion of disconnection and depletions we talked about at meeting.	The concept is described using the SGMA term "margin of operational flexibility" on page 104 (Section 4.4.3.1). No change per 7/22 Board meeting discussion.
78	BK	7/11/2021	Page 98, 1st para, 5th line, "alternative supplies". There is only local surface water. I would replace the phrase with "local surface water".	Alternative supplies could include getting water from a backup well, bedrock well, or neighbor's well. No change made to GSP.
79	BK	7/11/2021	Page 100, big para, last line, refers to Appendix L. Those graphs have a red triangle labeled IM. What is IM? It isn't in acronym list nor defined in a place easily found. 4.4.3 is the answer but reader is referred to Fig. L before getting to 4.4.3.	IM was added to the acronym list.
80	BK	7/11/2021	Page 101, 4.4.2.3, there is only one adjacent basin that fits that description. Better to refer to Lower Ventura River Basin as only adjacent basin.	Ojai Basin is an adjacent basin that fits the description. No change made to GSP.
81	BK	7/11/2021	Page 108, last para, reference to Appendix M, which has an extra Fig M-1 with no labeling.	Extraneous figure deleted. Figure M-1 Title updated.
82	BK	7/11/2021	Page 109, 4.5.2.4, same as page 101 above.	Please see response to comment 80.
83	BK	7/11/2021	Page 111, 2nd para under 4.7, 4th line, change "other water sources" to "surface water".	Changed "other water sources" to "surface water".
84	BK	7/11/2021	Page 112, big para, there is no discussion of what would make those effects unreasonable as if we are trying to avoid the issue. Best to say Board didn't make an evaluation of unreasonableness because there have been to date no significant effects.	This paragraph is only intended to describe effects, not whether effects are significant and unreasonable. No changes made to GSP.
85	BK	7/11/2021	Page 113, 1., end of 3rd line, change "an" to "and"	Changed "an" to "and".

Preliminary Draft GSP Comments and Comment Resolutions

No.	Commenter	Date	Comment	Comment Resolution
86	BK	7/11/2021	Page 113, 1., also, 2nd para from bottom, last sentence, "... there are no undesirable results ..." might be better to say "no significant effects" because we have evaluated what would be unreasonable. Are we in strong position on "throughout the basin"? Wasn't Cuyama dinged on that?	The comment is not clear. The GSP Development Team feels this paragraph is fine as written. No changes made to GSP.
87	BK	7/16/2021	Page 114, 1st complete para, last sentence, there is a big jump between 2/3 of wells and unreasonableness. I prefer to focus on "significant effects" are widespread which would lead to an evaluation of unreasonableness or does that evaluation have to be made (or implied) now?	The GSP must include quantitative criteria for defining the combination of minimum threshold exceedances that is considered to signify undesirable results. No changes made to GSP.
88	BK	7/16/2021	Page 118, 4.7.2.3, same as page 101.	Comment is unclear. Only Lower VR Basin is mentioned in this text location. No changes made to GSP.
89	BK	7/16/2021	Page 120, same as page 113 re 1/3. Seems arbitrary without some explanation of reasoning, like it is tied to "throughout basin", areal extent of wells/groups, etc. Seems like invitation to DWR to question it.	This is a judgment call. The GSP Development Team is concerned about variability in laboratory results or other factors that cause concentrations to vary. Sentence added: The 1/3 criterion was selected to provide flexibility in application of the MOs for degraded water quality that accounts for temporal variability in water quality constituent concentrations.
90	BK	7/16/2021	Page 122, Robles and Santa Ana area, please add description of bedrock highs where connection is more likely.	Added ", particularly where shallow bedrock exists (Figure 3.1-18)." after "during high-flow periods" to both bullets.
91	BK	7/16/2021	Page 124, last para, last sentence, I don't believe this effect is significant and recommend deleting it because most percolation occurs in the Robles area which is usually disconnected. Only during big storms might percolation be significant in Santa Ana area where it might be rejected. The effect is stated to be not significant on next page so why float possibility then shoot it down; for thoroughness?	The authors are simply trying to be as complete as possible in the description of effects. The authors are not seeking to "float the possibility then shoot it down." It is simply just too much to say in one sentence. No change made to GSP.
92	BK	7/16/2021	Page 125, graphs in Appendix H have spikes in the simulated depletions that exceed the values in Table 4.9-01. Also, the depletion seems to exceed pumping rates. For example at South Robles, depletion peaks at 6 cfs during late winter when pumping rates are very low. The maximum depletions occur during storms when it has been stated that depletions are not significant. I think there needs to be more explanation of peaks and why calculating depletion over long period is justified rather than over shorter periods when there might be significant effects. I realize these comments don't affect the conclusion but they are still relevant.	The values in Table 4.9-01 are medians. The spikes in depletion occur during stormflow events - the aquifer is taking on more water than it would if there was no pumping. Say, for example, in the no pumping simulation, the stream percolation drops off after 15 days but recharge does not drop off for say 17 days in the pumping simulation. The spikes are on those extra days of percolation. The spikes are not controlled by pumping rates. Rather they are controlled by how much extra percolation is needed to fill up the extra aquifer storage that was created by pumping since the last storm event. Because many months to many years of pumping is being replaced by stream percolation in a comparatively short period of time, the depletion rate is higher than the pumping rate that caused it. This is the phenomenon that is the subject of comment 91. Added text to page 124-125 after "Removing groundwater from storage also increases river percolation during subsequent periods of storm flow, causing a decrease in stream flow in downstream areas" added "(see spikes on depletion charts in Appendix N)". Appendix N was originally Appendix H.
93	BK	7/16/2021	Appendix H - Suggest putting figure numbers on the hydrographs.	Figure numbers added to Appendix L (was G) and Appendix N (was H).
94	BK	7/16/2021	Page 126, re Fig. 4.9-01, please add meaning of arrows to legend.	Added to figure "Note: arrows indicate years in which depletion causes the stream to go dry (or nearly dry) when it would not have otherwise."
95	BK	7/16/2021	Page 128, re Fig. 4.9-03, please add meaning of the numbers above peaks on hydrograph.	Added to figure "Note: numbered depletion events are events in which depletion causes stream flow to fall below 2 cfs when it would not have otherwise."
96	BK	7/16/2021	Page 131, 4.9.2.1.1, re only one MT	Changed "on" to "one".
97	BK	7/16/2021	Page 131, 4.9.2.1.1, what about MT for Confluence area when we have more data?	Please see prior page - second to last paragraph explains that there is insufficient data to determine whether depletion effects in confluence area are significant and unreasonable. Text explains this will be revisited during first 5-year GSP assessment. No changes made to GSP.
98	BK	7/16/2021	Page 132, degraded water quality bullet, any vulnerability because we are not addressing potential temperature effects of less groundwater which may cause surface flow to be warmer and adversely affect steelhead?	Depletion of interconnected surface water does not affect groundwater quality. It's the other way around. The degraded water quality sustainability indicator is for groundwater quality. No changes made to GSP.
99	BK	7/16/2021	Page 138, re monitoring parameters, 2nd sentence, suggest deleting the sentence because 1 above says water quality monitoring is being met.	The is simply a statement of fact. There is not intended linkage between the two sentences listed in the comment. No changes made to GSP.

Preliminary Draft GSP Comments and Comment Resolutions

No.	Commenter	Date	Comment	Comment Resolution
100	BK	7/16/2021	Page 138, Temperature may help understand surface groundwater interaction and dissolved oxygen may be relevant to aquatic GDE. Lack of mention seems to invite criticism.	The GSP Development Team does not believe temperature and DO in <i>groundwater</i> is relevant. The parameters in <i>groundwater</i> are not materially influenced by pumping and there is little if anything the GSA can do to change them in <i>groundwater</i> . These parameters are potentially relevant for <i>surface water</i> and will be considered when the work plans are developed for the aquatic GDE monitoring programs for the Confluence and Foster Park Aquatic GDEs. This is described in Section 5.8 on page 155. No changes made to GSP.
101	BK	7/16/2021	Page 139, last sentence ahead of 5.2.2, what relevance would CWAP model have for water budget components, assuming it is updated?	The CWAP model will be considered when updating the UVRGA model and GSP, but does not need to be mentioned here. Consideration of information from the CWAP model is mentioned in Section 7.1.7.1 on page 179. No changes made to GSP.
102	BK	7/16/2021	Page 143, middle para, 2nd sentence, 8 and remaining 9 = 17; text says we only have 15. Also, #3 says 14 existing monitoring wells instead of 15.	Numbers were reconciled and text updated, as appropriate.
103	BK	7/16/2021	Page 151, #3, this is about water level monitoring with no mention of water quality and the number of wells is wrong (should be 18).	Numbers were reconciled and text updated, as appropriate.
104	BK	7/16/2021	Page 154, reference to table 5.8-01, in that table, the general site location descriptions for proposed gage A and camino cielo are reversed.	Descriptions for Gage A and Camino Cielo fixed. Also DWR gage location description changed to "Upstream of Santa Ana Blvd. Bridge"
105	BK	7/16/2021	Page 157, 1st big para, 2nd sentence, "The seven ..." should be "The ten ...".	Deleted "seven".
106	BK	7/16/2021	Page 163, 1st para under 6.2, 2nd sentence, "... there was limited participation" is poor choice of words. Suggest "However, UVRGA also recognizes that few domestic well stakeholders chose to participate during..."	Text changed as suggested.
107	BK	7/16/2021	Page 167, last sentence above 6.3.1, with this conclusion, why is there a data gap for Foster Park GDE and what are implications on same issue for south Santa Ana GDE? (Additional comment clarification from subsequent e-mail: The protocols eliminate direct depletion in Foster Park, therefore there is no need for additional data, just monitoring to ensure protocols are being followed. If there is sufficient flow at Foster Park, seems logical there would be sufficient flow upstream as well in south Santa Ana. Same logic (hopefully it is logical) applies to p. 176. If I am wrong, please add explanation why there is a data gap when protocols eliminate issue of direct depletion. It seems that indirect depletion would also be handled except when that causes flows to be less so even protocols don't solve issue.)	Monitoring is necessary to address the numerous monitoring requirements contained in the GSP Emergency Regulations. The monitoring requirements include, but are not limited to requirements to "monitor impacts to beneficial uses", to "monitor surface water and groundwater, where interconnected surface water conditions exist", and to "characterize spatial and temporal exchanges between surface water and groundwater, and to calibrate and apply tools and methods necessary to calculate depletions of surface water caused by groundwater extractions." It is impossible to conclude that "sufficient" flow at Foster Park means that there would be "sufficient" flow in south Santa Ana (the comment appears to actually be referring to the Confluence Habitat Area). This is because "sufficiency" for the Confluence Habitat Area has not yet been determined. Regardless, monitoring would be needed demonstrate this to begin with. Regarding the last sentence of the comment, please see response to Comment No. 111. No changes made to GSP.
108	BK	7/16/2021	Page 167, last sentence above 6.3.1, Maybe this conclusion should say it is based on current knowledge of relation between flow and steelhead habitat (because of criticism of Hopkins/Padre studies) and it also ignores effect of indirect depletion.	Sentence modified to read: "Thus, ceasing all water extraction activities when flows are 3 cfs at gage VR-1 will fully address <u>direct</u> depletion of interconnected surface water in the Foster Park Aquatic Habitat Area, relative to the minimum thresholds presented in this GSP. The Foster Park Protocols do not address <u>indirect</u> depletion caused by groundwater extractions upstream of Foster Park. Measures to address <u>indirect</u> depletion are presented in Section 6.4."
109	BK	7/16/2021	Page 176, 1st para, (4), why necessary re page 167 comment?	Monitoring of groundwater storage and flow upstream of and entering the Foster Park Riparian GDE Unit and Foster Park Aquatic Habitat Area is necessary to meet the requirement in the GSP Emergency Regulations to "monitor surface water and groundwater, where interconnected surface water conditions exist" and to "characterize spatial and temporal exchanges between surface water and groundwater, and to calibrate and apply tools and methods necessary to calculate depletions of surface water caused by groundwater extractions." No changes made to GSP.
110	BK	7/16/2021	Page 178, 7.1.4.4.2, this section should explain why this is necessary because page 167 says the Foster Park Protocols eliminate direct depletion issue.	The first sentence of the section explains why - SGMA requires monitoring to document performance of SMC. No changes made to GSP.

Preliminary Draft GSP Comments and Comment Resolutions

No.	Commenter	Date	Comment	Comment Resolution
111	BK	7/16/2021	Page 179, 2nd para, 3rd sentence, there should be an explanation that indirect depletion would only be significant after several drought years (when effect causes flow to decrease below 2 cfs) and the Foster Park Protocols didn't solve problem. Also, explain possible overlap between section 1.4 of Foster Park Protocols (p. 167) and indirect depletion effects. Seems like those should be coordinated.	It is unclear why one type of depletion would be less significant than the other at Foster Park. Both direct and indirect depletion reduce streamflow at Foster Park. The opposite could be argued - i.e., that if indirect depletion was addressed, then the City of Ventura could extract more water before the Foster Park Protocols are triggered. It does not appear that the intent of Foster Park Protocols Section 1.4 is to address indirect depletion by non-City pumping. Ultimately, the UVRGA Board will need to decide under what conditions indirect depletion is to be addressed. The actions to address indirect depletion will be decided down the road during the process laid out in Section 6.4 of the GSP. No changes made to GSP.
112	BK	7/16/2021	Page 181, 1st para, 3rd line, change 7,795,622 to 10,068,507 which is 20 yr cost, not years 6-20.	Text changed as suggested.
113	BB	7/17/2021	Table 3.3-03 total supply values are incorrect.	Total supply values corrected.
114	BB	7/17/2021	Section 2.2.4 addition plan elements included in GSP - edit bullet (k)	Text modified: Processes to review land use plans and efforts to coordinate with land use planning agencies to assess activities that potentially create risks to groundwater quality or quantity: UVRGA will coordinate with the City of Ventura and City of Ojai concerning their current general plan updates. UVRGA will participate in future general plan updates by the County of Ventura, City of Ventura, and City of Ojai.
115	BB	7/17/2021	Future 3.2-17 is showing track changes.	Track changes removed.
116	BB	7/17/2021	Page 86 - Projected Supplies: sentence "Climate change was incorporated into Future M&I groundwater pumping by having different M&I pumping amounts for drought conditions based on future (climate change impacted)." does not make sense.	Changed text to "Climate change was incorporated into future M&I groundwater pumping by applying different M&I pumping rates for drought conditions caused by climate change."
117	BB	7/17/2021	Figure M-1 - hatched areas not explained in legend.	Legend upded to explain hatched areas.
118	EA	7/22/2021	Page 37 end of last full paragraph "sepse" mis-spelling	Text edited as suggested.
119	EA	7/22/2021	Page 39 last full paragraph reads "Therefore, fires are not anticipated to have a long-term impact the Basin." Change to "Therefore, fires are not anticipated to have long-term impacts the water production/quality of the groundwater Basin."? As fires do have short and possibly long-term effects on vegetation and perhaps housing, etc over several decades in the basin— "longterm" is not defined.	Text edited as suggested. "Therefore, fires are not anticipated to have long-term impacts to the groundwater quantity or quality of the Basin."¶
120	EA	7/22/2021	Page 40—last line "sepse" misspelling again—best to word search "sepse" and fix all?	Text edited as suggested.
121	EA	7/22/2021	Page 45 last paragraph "Casita Springs" misspell	Text edited as suggested.
122	EA	7/22/2021	Page 90 second full paragraph term "fertilizing operations"—not sure I like that term; is that a common term? Can we say "use of fertilizers", also another "Casita springs"—missing S on Casitas	"fertilizing operations" is the term used in the referenced document. No change made to GSP.
123	EA	7/22/2021	Page 90 - "Casita springs"—missing S on Casitas	Text edited as suggested.
124	EA	7/22/2021	Figure 3.1-07 I am confused what are gauge 20 and gauge 218—are they the same? Yellow vs. blue lines? Needs a legend to show what yellow, blue and orange lines are.	Please see response to Comment 74.

Preliminary Draft GSP Comments and Comment Resolutions

No.	Commenter	Date	Comment	Comment Resolution
125	EA	7/22/2021	<p>This is a concern: in reviewing our Friend’s Ranches properties that rely solely on well water we use 2.5 to 2.7af/yr. PG 113 “assuming a constant crop demand of 2 AF/yr “. Page 117—“Agricultural demand was assumed to be 2 acre-feet/acre/year based on UVRGA Board Members’ survey of groundwater extractions within the UVRGB (UVRGA, 2020). “ Page 88 in Appendices sates “Scaling factors were used such that the total annual pumping volumes were maintained. Table 9.1 shows the agricultural monthly distribution factors.”—so does that mean that 2acre feet per year is assumed even on dry years? Or if I understand the tables (15.4) with precipitation based scaling factors are used? So sometimes more than 2acre-feet per year are used? Just want to make sure the model and pumpers aren’t stuck with 2AF/Year. Let’s make it clear that the 2AFY is an average over years for modeling purposes only and not an allocation or max. pumping for any given property.</p>	<p>As discussed during the 7/22 Board meeting, the 2 AFY is used for water budget estimates only and is not intended as a pumping allocation. Text updated to clarify 2AFY is an average and not an allocation.</p>
126	EA	7/22/2021	<p>Page 139—Add in something about the current 2021 drought may show us what really minimal access to water due to drought; are we going to see groundwater levels drop lower than “historically low”?</p>	<p>This will be addressed in the annual reports following the GSP. The data cutoff for the GSP is before 2021.</p>
127	EA	7/22/2021	<p>Second paragraph on page 139—add in “less access to affordable water could cause shifts in agricultural crops and acreage planted”</p>	<p>Sentence added to Potential Effects on Beneficial Uses and Users, Land Uses, and Property Interests: "Increased water costs could cause changes in cropping patterns and acreage planted, which may also impact land values."</p>
128	EA	7/22/2021	<p>Table L-01; can we list the depth from surface as well as amsl (it would mean more to the average joe-pumper). Also add to right axis on charts?</p>	<p>Edits made.</p>
129	EA	7/22/2021	<p>Page 145 (pdf page):4.4.3.1 Description of Measurable Objectives - to many waffling words – delete them The chronic lowering of groundwater levels measurable objectives were developed by applying the concept of providing a reasonable margin of operational flexibility under adverse conditions (GSP Emergency Regulations §354.30(c)). Adverse conditions for the UVRGB include drought phases of the long-term climatic-driven groundwater level cycles, as described in Section 3.2 (Groundwater Conditions). The reasonable margin of operational flexibility was determined to be the typical spring high groundwater levels based on historical measured data. The measurable objectives represent a full or approximately full basin condition, which provides the maximum possible margin of operational flexibility. It is generally expected that the measurable objectives will be met in years in which the Ventura River annual flows are greater than approximately 50% of the mean annual flow (Figure 4.4-01). Ensuring the Basin continues to refill at a similar frequency as it has in the past will provide the maximum possible margin of flexibility above the minimum threshold.</p>	<p>Text edited as suggested.</p>

Preliminary Draft GSP Comments and Comment Resolutions

No.	Commenter	Date	Comment	Comment Resolution
130	EA	7/22/2021	Same on pdf page 146: remove some waffling words - Interim milestones were developed to illustrate a reasonable path to achieve the sustainability goal for the Basin within 20 years of Plan implementation. Development of interim milestones is significantly complicated by the fact that the hydrologic conditions for the next 20 years cannot be predicted. Currently, groundwater levels in the Basin are below the measurable objectives due to drought conditions. It is anticipated that the measurable objectives will be met during the next year that the Ventura River has above-average flows. Historically, this has typically occurred during approximately two out of three years, although during droughts several years can pass without attaining the measurable objectives (e.g., the 2012-2016 drought). It is anticipated that the measurable objectives will be met at some point during the first or second five-year GSP assessment period and then met in more years than not going forward.	Text edited as suggested.
131	EA	7/22/2021	PDF Page 146: edit sentence to read more precisely: Typically the Basin fills up completely in years with when Ventura River flow that exceeds 50% of the long-term mean annual flow. and The Basin naturally drains rapidly to the Ventura River in the lower part of the Basin within several years of dry conditions. Groundwater discharge to the Ventura River is significantly greater larger than groundwater extraction except during droughts (e.g., Figure 3.3-02). During non-drought periods, the Basin fills frequently on the order of two out of every three years and significant surface water base flow is sustained by discharging groundwater in the Casitas Springs Area of the Basin.	Text edited as suggested.
132	EA	7/22/2021	Pdf Page 153: We don't generally lease ag lands in Ojai. The most painful effects of high mineral content in pumped groundwater are in the longterm effects on perennial plants made by watering with high mineral content. Change sentence: "All of the potential effects on agricultural beneficial uses would result in increased costs and potential impacts on land lease rates and land values and longterm effects on perennial crops."	Text edited as suggested.
133	EA	7/22/2021	Pdf Page 160: lease rates again listed—just keep as land and crop values	Text edited as suggested.
134	EA	7/22/2021	Pdf Page 158: Boron; we have historically known we have boron issues (landowners Cromer, Etchart and Friend's Ranches) Agricultural pumpers in the Kennedy area have historically been aware that pumped water is high in boron during drought periods and when possible have blended their well water with other water sources during droughts. Rains following drought periods leach the boron back out of the rootzone.	Comment noted
135	EA	7/22/2021	Appendix F - Table 14.1. Simulated Historical Groundwater Budget; what are the numbers in this table? Also what are numbers in Table 14.2? also Table 15.6-- Acre Feet per Year? Make sure tables have legends/descriptions	Tables clarified that values are acre-feet Appendix F is now Appendix H.
136	EA	7/22/2021	Page 85: this sentence needs help "Diversion from for the private agricultural diversion in the Kennedy Area were based on data available from the State Water Resources Control Board eWRIMS1"	Text in question found in Appx. F (PDF page 85 in Appendices A-F), not text. Changed text to "Diversion amounts for the private agricultural diversion in the Kennedy Area were based on data available from the State Water Resources Control Board electronic Water Rights Information Management System (eWRIMS1)". Footnote proved for weblink. Appendix F is now Appendix H.

Preliminary Draft GSP Comments and Comment Resolutions

No.	Commenter	Date	Comment	Comment Resolution
137	City of Ventura	7/22/2021	Executive Summary – “ <i>Ventura River Watershed Adjudication (titled Santa Barbara Channelkeeper v. State Water Resources Control Board and the City of San Buenaventura (Los Angeles County Superior Court, Case No. 19STCP01176)</i> ” We agree with this text. Good summary of a dynamic process.	Comment noted
138	City of Ventura	7/22/2021	2-1 Agency Information – Will submit suggested edits to City description during the public review process.	Comment noted
139	City of Ventura	7/22/2021	2.2.2.2 Existing Water Resource Management Programs – Suggest updating References to City documents – The 2021 CWRR, 2020 UWMP, and 2020 Water Shortage Event Contingency Plan have all been completed and were approved by City Council in May/June 2021.	Asked City if newer references have different numbers than used in GSP. Pending City response.
140	City of Ventura	7/22/2021	3.3.1.1 Historical Demands, Supplies, and Reliability of Surface Water Deliveries – Municipal and Industrial Groundwater Supplies – Suggest the following edit on Page 76: Municipal and Industrial (M&I) Groundwater Supplies: VRWD, CMWD, and MOWD pump groundwater within the basin to meet M&I demands. Groundwater pumping for the water districts were compiled based on reported data (details on pumping estimates for UVRGB are in Appendix F). A fraction (based on the proportion of their respective service areas inside UVRGB) of VRWD and MOWD total groundwater extractions were estimated to be used for demands within the basin. All of CMWD’s groundwater pumping was assumed to meet local demands (within the UVRGB). Note that the City of Ventura pumps groundwater from the UVRGB but exports all this water to meet demands outside the UVRGB. for use within the Ventura River watershed, but outside the boundaries of the Upper Ventura River groundwater basin. Hence, City of Ventura pumping was not included as part of UVRGB groundwater supplies to meet demands within the Basin. Historically, it is estimated that 19% of total M&I pumping is used to meet demands within the basin.	Text edited as suggested.
141	City of Ventura	7/22/2021	4.9.1 Undesirable Results - Proposed edit to Foster Park Habitat Area section on page 128 (third full paragraph): The bottom chart of Figure 4.9-03 shows both total depletions (black line) and the direct depletions associated with the City of Ventura’s Foster Park extraction facilities (cyan line) that are simulated to cause stream flow to be depleted below 2 cfs. The difference between black and cyan lines is the indirect depletion associated with pumping wells located upstream of Foster Park. When interpreting the results in Table 4.9-02 and Figure 4.9-03, it is important to recall that the model simulations assume decreased annual pumping from City of Ventura’s Foster Park extraction facilities during dry years, with no pumping during August – January (Table 4.9-03). The City of Ventura Foster Park pumping schedule employed in the model simulation is intended to approximate, but not exactly replicate, the Foster Park Flow Protocols. Simulated City of Ventura depletions would have likely been larger if historical Foster Park extraction patterns had been used in the simulation.	Text edited as suggested.
142	Board Mtg.	7/22/2021	Table 3.3-03 total supply values are incorrect.	Total supply values corrected.

Preliminary Draft GSP Comments and Comment Resolutions

No.	Commenter	Date	Comment	Comment Resolution
143	Board Mtg.	7/22/2021	Table 4.9-02 has a period where there should be a comma in one of the numbers (1,356). Note the annual pumping amounts for context	Edit made as suggested.
144	Board Mtg.	7/22/2021	Table 4.9-04 hard to understand MTs (add chart/cartoon/graph/example). Second column header should say MT and MO, not just MT.	Second column header updated as suggested. New figure was added to the GSP to illustrate the MT/MO.
145	Board Mtg.	7/22/2021	Table 4.9-04: Add a third column with a text description for each row.	Third column added to table as suggested.
146	Board Mtg.	7/22/2021	Figures Appendix L Consider adding DTW on the right axis.	Edit made as suggested. Appendix L is now Appendix Q.
147	Board Mtg.	7/22/2021	Appendix L figures - add arrow between MT and MO and label "Range of Operational Flexibility"	Edit made as suggested. Appendix L is now Appendix Q.
148	Board Mtg.	7/22/2021	Appendix L figures - extend y-axis higher so land surface is not at top - some people did not notice land surface because it was at the top of the chart.	Edit made as suggested. Appendix L is now Appendix Q.
149	Board Mtg.	7/22/2021	Consider developing a "Stakeholder Summary" (in addition to ES).	In progress
150	Board Mtg.	7/22/2021	Add footnote on tables and figures that define the term depletion.	Footnote added to relevant tables and figures: "The term depletion refers to the direct or indirect reduction of stream flow resulting from groundwater extraction. Please see Section 3.2.6 for further description of direct versus indirect reductions (depletions) of surface water." See comment 64
151	Board Mtg.	7/22/2021	Page 128: 960 AF of depletion - clarify that this is a total volume over the entire 50 year simulation period.	Text changed as follows: "The model results indicate that an additional 960 AF of depletion would occur <i>over the 50-year projection period...</i> "
152	Board Mtg.	7/22/2021	Page 128: Delete 270% increase.	Edit made as suggested.
153	Board Mtg.	7/22/2021	Degraded water quality 2/3 and 1/3 criteria for undesirable results and meeting sustainability goal - more explanation/justification for 2/3 and 1/3 criteria.	The GSP Development team is re-thinking the SMC for degraded water quality. More to come at a future board meeting.
154	BB	7/22/2021	Appendix K - quality of hydrograph images is unacceptable. Please review all appendices for image quality.	Quality improved and legend added to charts.
155	BB	7/26/2021	Model TM - add snapshots for key time periods of animation and match animation format. Add appropriate text to the main document to accompany the snapshots.	Appendix J created for GSP. Text referencing appendix and video link added to GSP Section 3.2.1.1 and 3.2.6. See comments 41 and 57.
156	BB	7/26/2021	Model TM Figures 7.2 and 7.6 needs more description/legend items to distinguish diversions/tributaries - add dashed blue lines for stream locations	Model TM Appendix H figure edits made.



<https://uvrgroundwater.org/>

Summer Newsletter

July 2021

Volume 2, Issue 2



Preliminary Draft Groundwater Sustainability Plan (GSP) Available

60-Day GSP Public Comment Period Coming in August 2021

Your Groundwater Sustainability Plan (GSP) development team completed a preliminary draft of the GSP for the Upper Ventura River Basin in early July 2021. The preliminary draft GSP describes the groundwater basin, goals for sustainable management of the basin groundwater resources, and an implementation plan to achieve those goals by no later than 2042.

The GSP is organized as follows:

- Section 1 - Introduction to Plan Contents
- Section 2 - Administrative Information
- Section 3 - Basin Setting
- Section 4 - Sustainable Management Criteria
- Section 5 - Monitoring Networks
- Section 6 - Projects and Management Actions
- Section 7 - Plan Implementation
- Section 8 - References and Technical Studies

UVRGA's Board of Directors is reviewing the preliminary draft GSP during July. An updated draft of the GSP will be prepared and a 60-day public comment period will open starting sometime in August 2021. The draft GSP will then be updated based on the comments received and the UVRGA Board of Directors will consider adopting the GSP no later than January 31, 2022.

The preliminary draft GSP is available for viewing or download on the UVRGA website at <https://uvrgroundwater.org/sgma-overview/>.

After the public comment period opens, please submit your comments using UVRGA's online comment submission form available on the UVRGA website at: <https://uvrgroundwater.org/sgma-overview/> (scroll to bottom of page).

Please stay tuned for more information. Please visit the UVRGA website home page for the latest news <https://uvrgroundwater.org/>

GSP Public Workshop No. 4 **Date TBD**

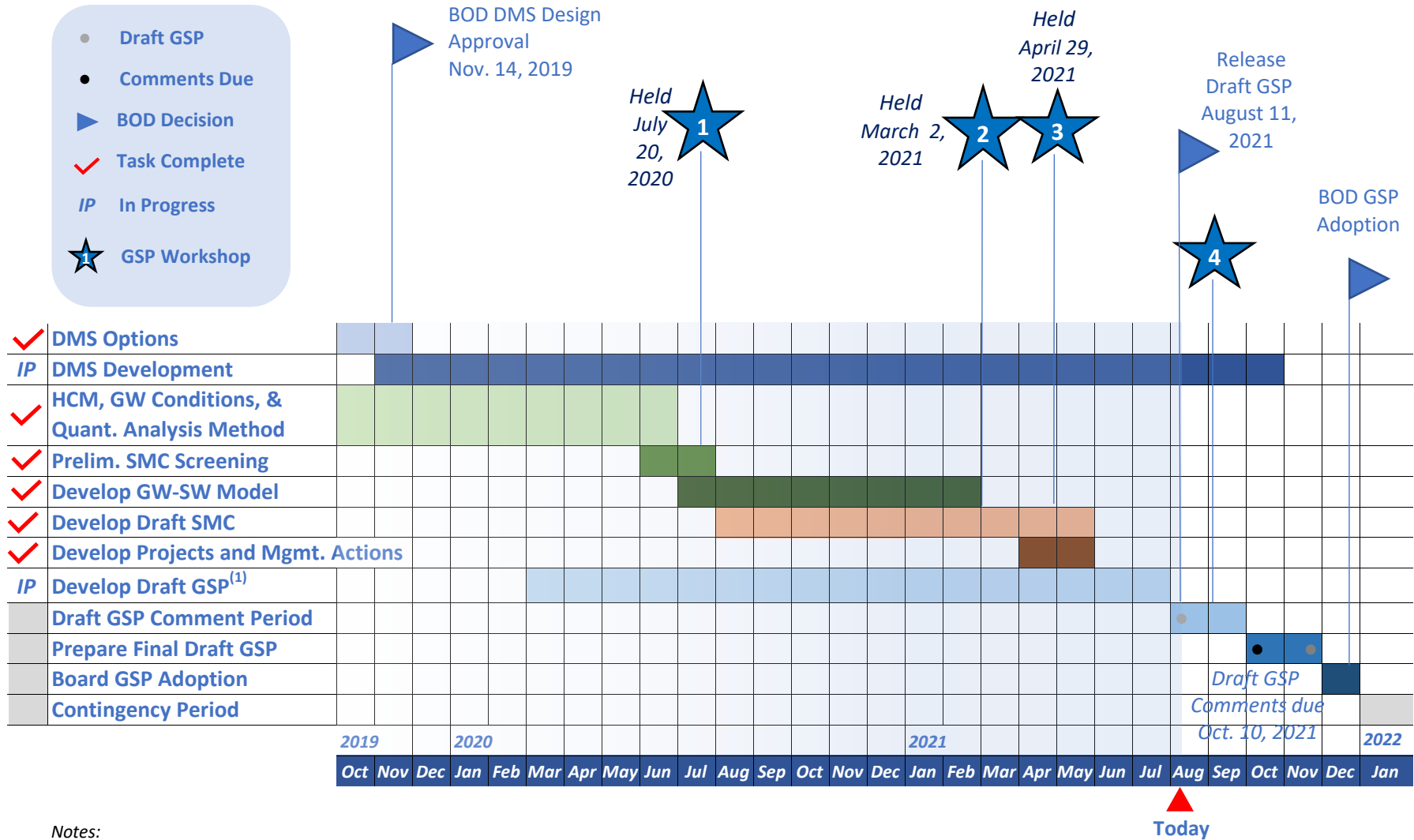
A workshop will be held to present and discuss the draft Groundwater Sustainability Plan. This workshop will be a key opportunity ask questions and provide feedback on the draft plan for your groundwater basin. Your active participation is highly encouraged!

Please stay tuned and visit our website for updated information:
<https://uvrgroundwater.org/>

Get Involved!

At the core of SGMA is the idea that locals should make groundwater management decisions, not the State. Your input is critical for ensuring the UVRGA GSP reflects local values. Please join our interested parties list at: <https://uvrgroundwater.org/join-interested-parties-list/> or contact our Executive Director, Bryan Bondy for more information at: bbondy@uvrgroundwater.org

Upper Ventura River Groundwater Agency GSP Development Schedule Updated August 6, 2021



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. 10(b)

DATE: August 12, 2021

TO: Board of Directors

FROM: Executive Director

SUBJECT: Degraded Water Quality Sustainable Management Criteria (Grant Category (d); Task 11: GSP Development and Preparation)

SUMMARY

As discussed during the July 22, 2021 Board meeting, the GSP Development Team has been reconsidering the sustainable management criteria (SMC) for the degraded water quality sustainability indicator. Because there was insufficient time to prepare revisions to the SMC prior to initiating the 60-day GSP comment period, it will be necessary to work on any revisions during the comment period. A disclaimer was included in the draft GSP to indicate that the degraded water quality SMC may be revised. The purpose of this item is to obtain feedback on a proposed alternative approach for the degraded water quality SMC.

GSP Emergency Regulations 354.28(c)(4) requires GSAs to address significant and unreasonable impacts on beneficial uses caused by groundwater pumping or projects or GSP projects / management actions that spread contaminant plumes or cause dissolved constituent concentrations to increase to levels that significantly and unreasonably impact beneficial uses. The key aspect of the regulation is causation – plume spreading or concentration increases are only significant and unreasonable under SGMA if caused by groundwater pumping or the GSA's implementation of project or management actions. The draft GSP identifies SMC for the water quality constituents total dissolved solids (TDS), chloride, sulfate, boron, and nitrate based on the premise that groundwater extraction could cause groundwater levels to decline and, thereby, cause concentrations to increase. While it is true that concentrations tend to increase when groundwater levels decline, analysis of newly discovered data shows that declining groundwater levels are not the cause of concentration increases for TDS, chloride, sulfate, and boron. Rather, the newly reviewed data confirms that concentrations in the surface water flowing into the Basin via the Ventura River are the principal factor concentrations of the naturally occurring constituents in groundwater.

Table 1 provides interpretations of the surface water data (Attachment A) and groundwater quality data (Attachments B and C). Boron and chloride concentrations are similar in surface water and groundwater, and both vary according to Ventura River flow conditions, with increasing concentrations during periods with limited storm flows. The increase in boron and chloride concentrations during low runoff periods and information from USGS reports suggest that these constituents are enriched in spring discharges in the upper watershed but are diluted by runoff from the surrounding watershed. Thus, the concentrations of these constituents in surface water increase during dry periods when runoff is low. This is a natural process that is unrelated to pumping in the Basin and is strongly supported by the water balance for the Basin, which indicates that the groundwater budget is dominated by percolation of surface water. TDS and sulfate concentrations in surface water and groundwater do not vary as much as boron and chloride. The general stability of

Table 1. Interpretation of Surface Water and Groundwater Quality Data

Representative Concentrations (milligrams per Liter)					
Constituent	Surface Water During Periods Dominated by Baseflow	Surface Water During Periods With Significant Stormflow	Groundwater During Periods Dominated by Baseflow ¹	Groundwater During Periods With Significant Stormflow ¹	Comments
Boron	~0.5 to >~1	<0.5	~0.4 to ~0.7	<0.4	Surface water and groundwater concentrations both rise during periods of low surface water flow. Groundwater concentrations are highest in Kennedy Area (Well Group 1) because aquifer is thin and narrow beneath the VR.
Chloride	~50 to >~100	<50	~50 to ~90	~15 to ~50	Surface water and groundwater concentrations both rise during periods of low surface water flow.
TDS	~600 to >~800	<500	~700 to ~900	~500 to ~800	Surface water and groundwater concentrations both rise during periods of low surface water flow.
Sulfate	~200 to ~ 300		~200 to ~ 300		Concentrations do not vary much with in both surface water and groundwater
Nitrate	Generally, very low		Non-detect to 22		Concentrations in wells near the Ventura River tend to decrease during wet periods because of increased dilution associated with increased percolation of storm flows and vice versa.

Notes:

(1) Representative groundwater concentrations are based on wells located along Ventura River and do not include wells located in the Mira Monte – Meiners Oaks Area. Wells located in the Mira Monte – Meiners Oaks Area (04N23W16A01, 04N23W16B07, and 04N23W15B02S) are not strongly influenced by the Ventura River and generally display relatively stable concentration trends.

TDS and sulfate concentrations demonstrates the lack of a cause-and-effect relationship between groundwater extraction and concentrations of these constituents. Based on the foregoing, the GSP Development Team concludes that surface water quality is the principal controlling factor for concentrations of the naturally occurring indicator constituents in Basin and recommends against including SMC for them.

Nitrate in groundwater is not caused by Ventura River percolation into the basin. Rather, elevated nitrate concentrations in groundwater have been found in areas away from the Ventura River (i.e., the Mira Monte Meiners Oaks area), where several sources including equestrian facilities, agricultural, and septic systems have contributed to the nutrient loading (DBSA, 2010b) (please see figures in Attachment D). Elsewhere, nitrate concentrations in the Kennedy, Santa Ana, and Casitas Springs areas tend to be low and less than the Regional Water Quality Control Board water quality objective. Clearly elevated nitrate concentrations are not caused by groundwater pumping; however, there is the potential for nitrate to be spread if pumping patterns change significantly from those that have existed historically. It is recommended that the GSP included SMC for nitrate to address spreading that could potentially be caused by groundwater pumping.

The following is an outline of an alternative proposal for nitrate SMC:

1. Mira Monte – Meiners Oaks Area is recognized as a source area for nitrate in groundwater. As such, MTs and MOs do not apply in this area.
2. The goal is to prevent pumping or GSP projects / management actions from causing the spread of nitrate from the Mira Monte – Meiners Oaks Area into other areas.
3. Minimum thresholds: Instead of using individual wells as was proposed in the draft GSP, the GSP Development Team is now proposing to use an isocontour, which is more consistent with the GSP Emergency Regulations. The proposed minimum threshold value is the same as included in the draft GSP i.e., 10 milligrams per liter (mg/L) based on drinking water maximum contaminant level. Any isocontour exceeding 10 mg/L located outside of the Mira Monte – Meiners Oaks Area that is determined by UVRGA to be caused by pumping or GSP projects / management actions would be considered a minimum threshold exceedance.
4. Measurable objectives: Instead of using individual wells as was proposed in the draft GSP, the GSP Development Team is now proposing to use an isocontour, which is more consistent with the GSP Emergency Regulations.
 - a. Percolating Groundwater Area (Kennedy, Robles, and Santa Ana Areas): The proposed measurable objective is 7.5 mg/L based on existing groundwater quality (same as draft GSP). The measurable objective is met when all isocontours in the percolating groundwater area are equal to or less than 7.5 mg/L. If any isocontour exceeds the measurable objective value, UVRGA will investigate to determine if the exceedance is the result of pumping or GSP projects / management actions.

- b. Rising Groundwater Area (Casitas Springs Area): The proposed measurable objective is 3 mg/L based on existing groundwater quality (same as draft GSP). The measurable objective is met when all isocontours in the rising groundwater area are equal to or less than 3 mg/L. If any isocontour exceeds the measurable objective value, UVRGA will investigate to determine if the exceedance is the result of pumping or GSP projects / management actions.
5. Undesirable Results: The proposed combination of minimum threshold exceedances that would be constitute undesirable results is any isocontour exceeding the minimum threshold of 10 mg/L in an area with one or more active domestic wells that lack an alternate source of drinking water.

In addition to the SMC changes, it is recommended that a management action be added to the GSP for UVRGA to cooperate with and support other entities that have authority to address nitrate sources to groundwater, such as the Regional Water Quality Control Board and the County of Ventura. This type of management action is commonly included in GSPs.

RECOMMENDED ACTIONS

Receive a summary of potential changes to the degraded water quality sustainable management criteria for the groundwater sustainability plan and consider providing feedback to staff.

BACKGROUND

Not applicable.

FISCAL SUMMARY

Not applicable.

ATTACHMENTS

- A. Surface Water Quality and Flow Data for Matilija Creek
- B. Groundwater Quality Monitoring Locations Maps
- C. Groundwater Quality Charts
- D. Nitrate in Groundwater Maps

Action: _____

Motion: _____ Second: _____

B. Kuebler____ D. Engle____ P. Kaiser____ S. Rungren____ G. Shephard____ E. Ayala____ L. Rose____

Surface Water Quality and Flow Available
Time Series Data - Matilija Creek

Figure SW-1

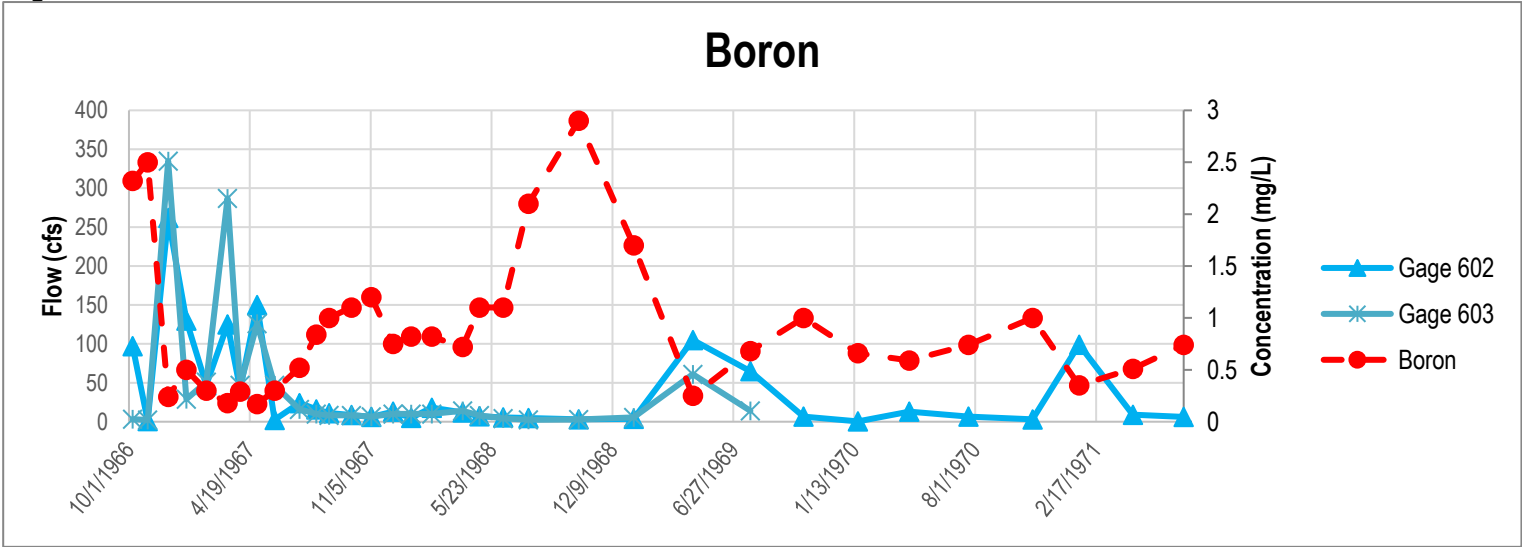
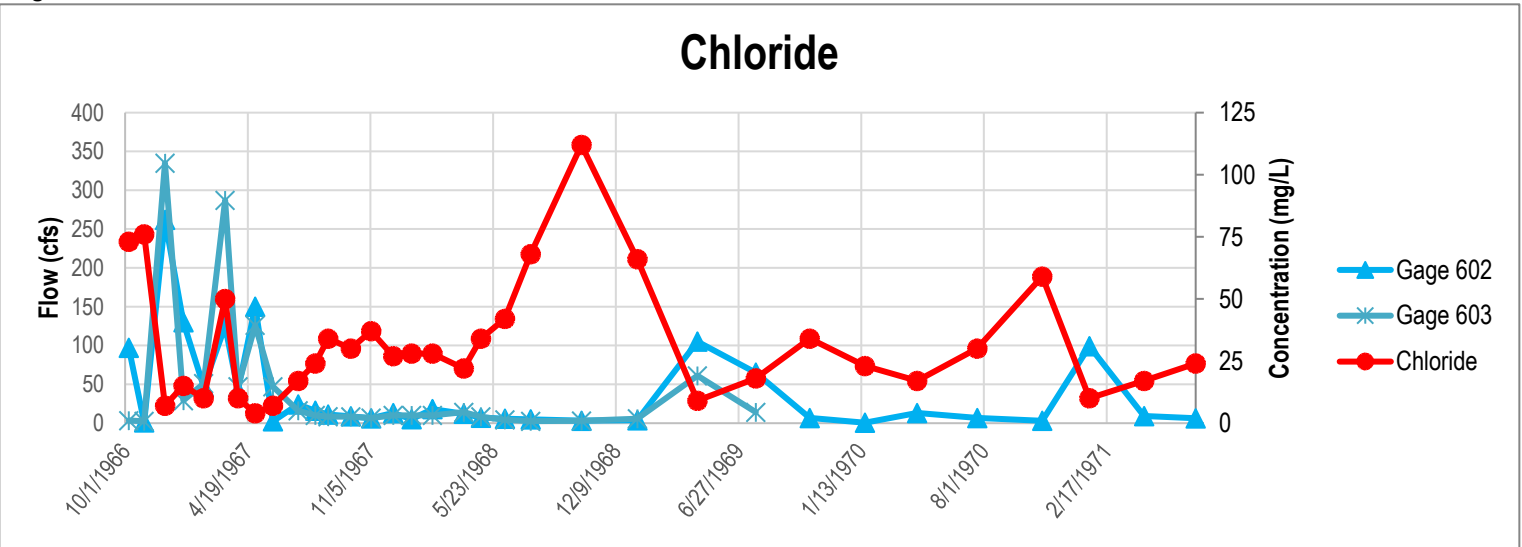


Figure SW-2



Surface Water Quality and Flow Available
Time Series Data - Matilija Creek

Figure SW-3

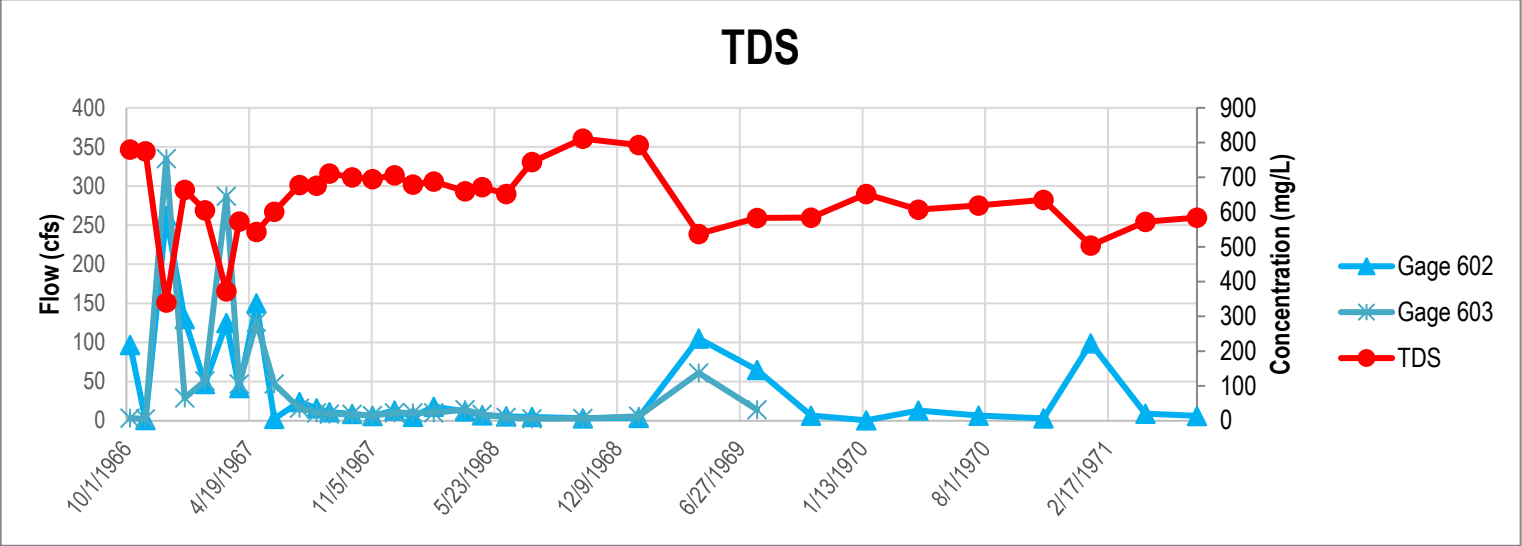
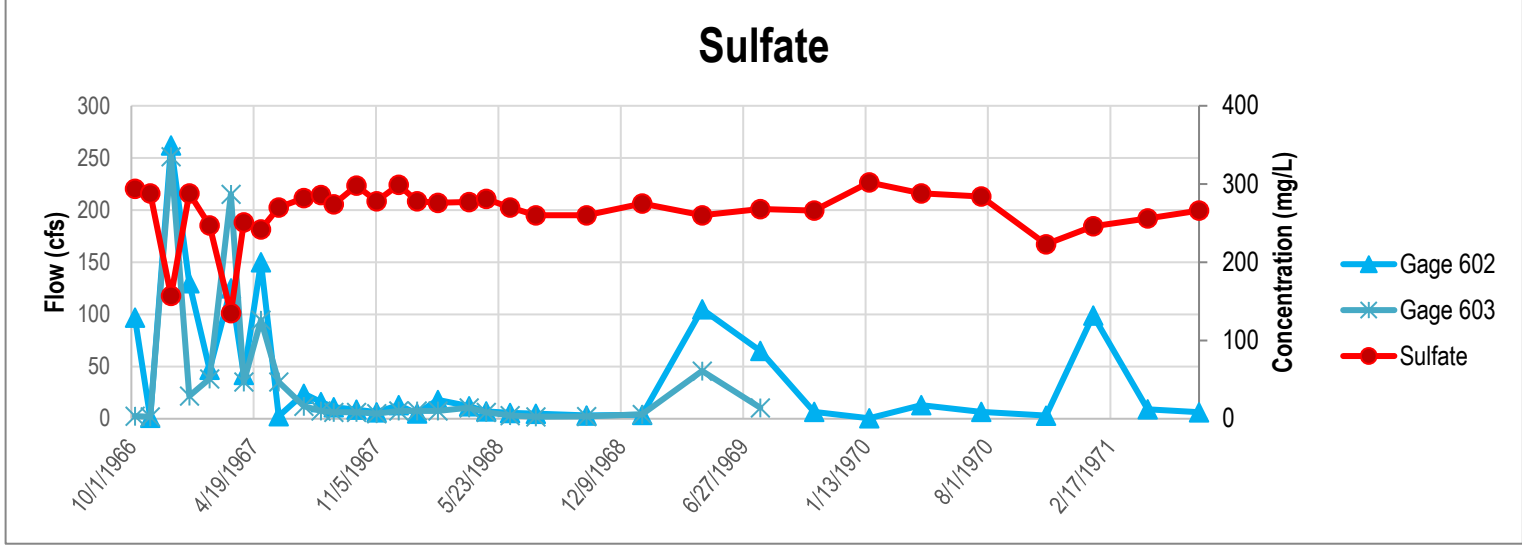
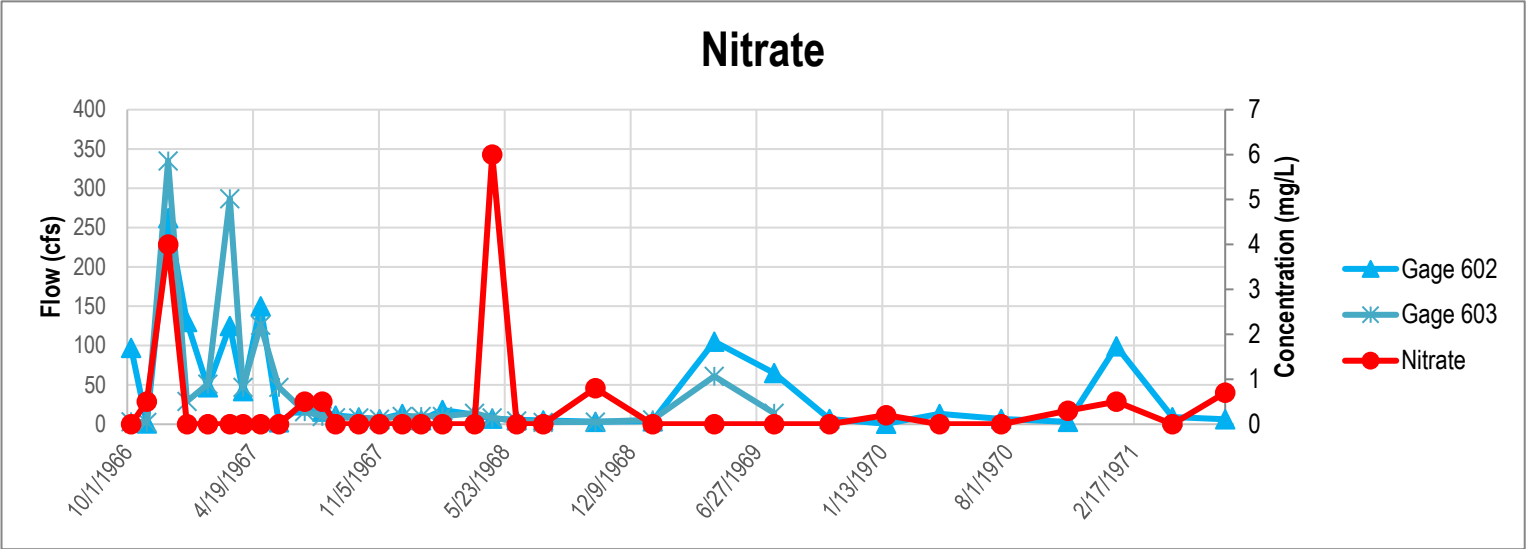


Figure SW-4



Surface Water Quality and Flow Available
Time Series Data - Matilija Creek

Figure SW-5



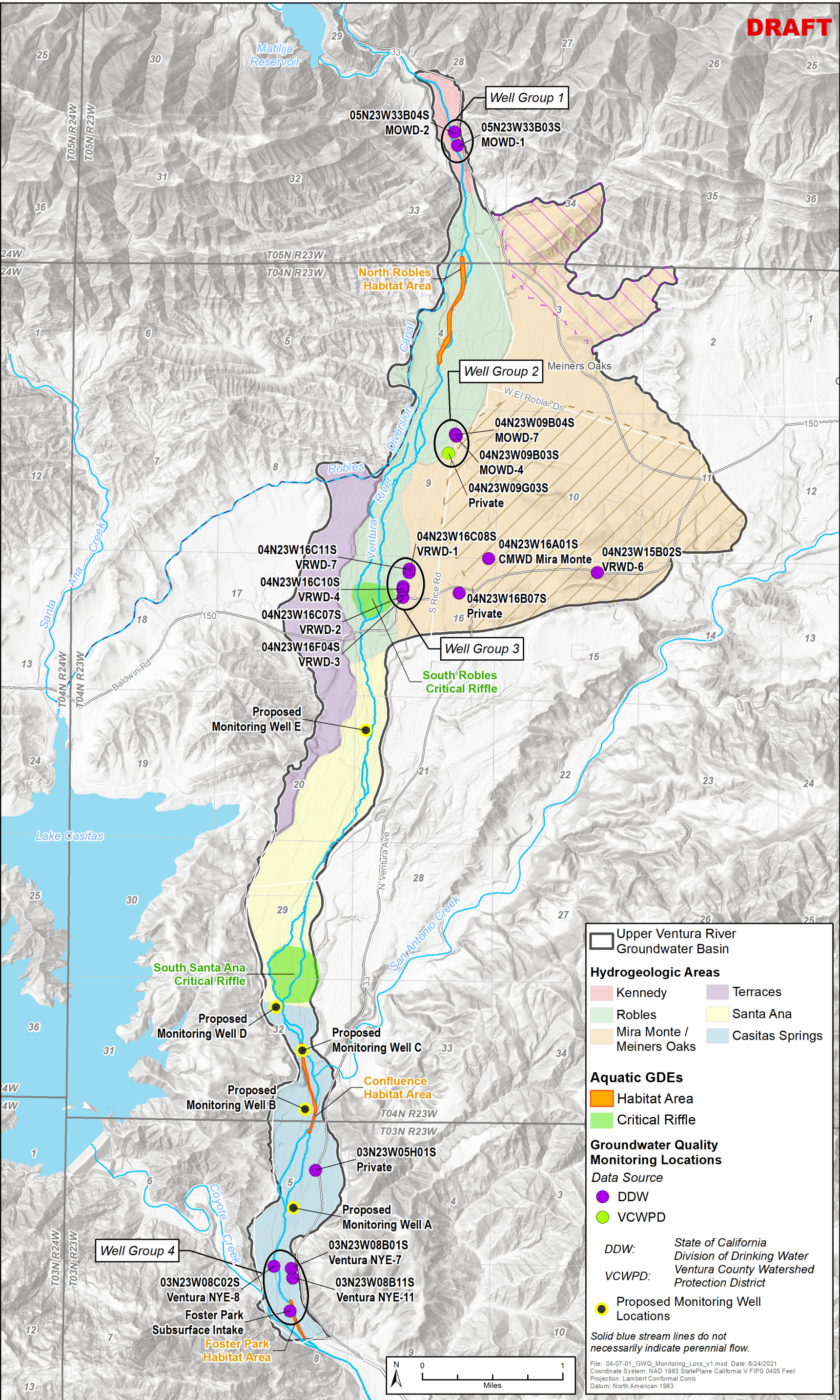
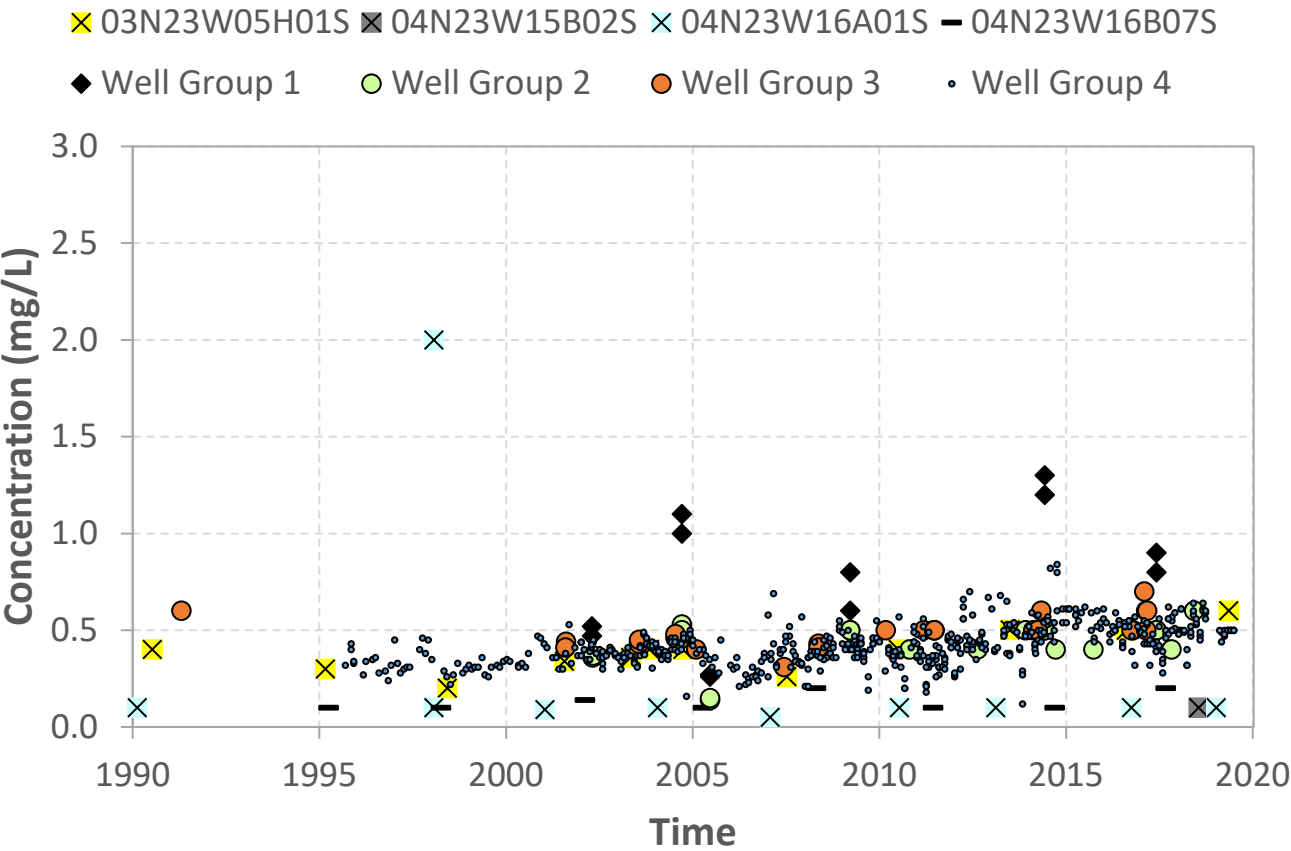


Figure 5.6-01 Existing and Planned Water Quality Monitoring Network.

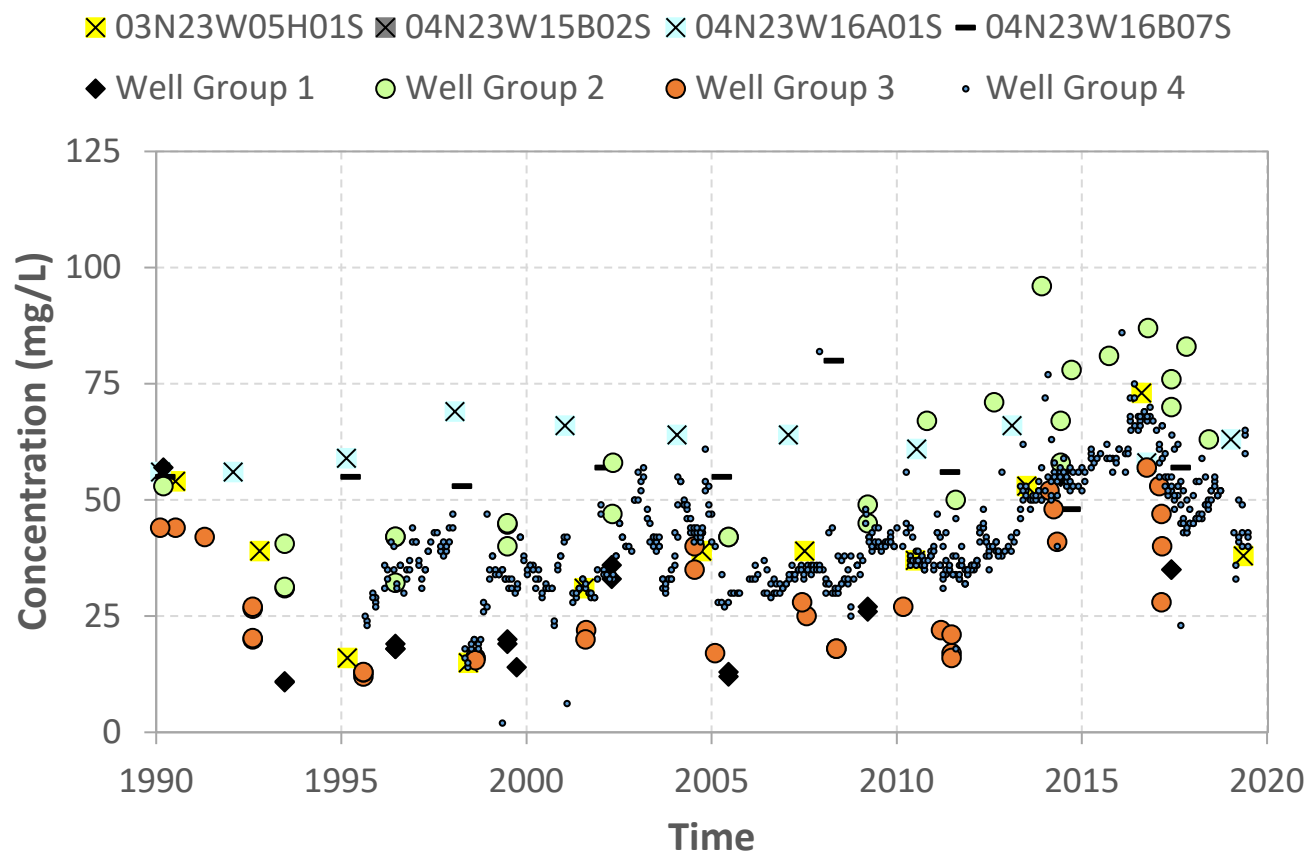
Groundwater Quality

Figure GW-1
Boron



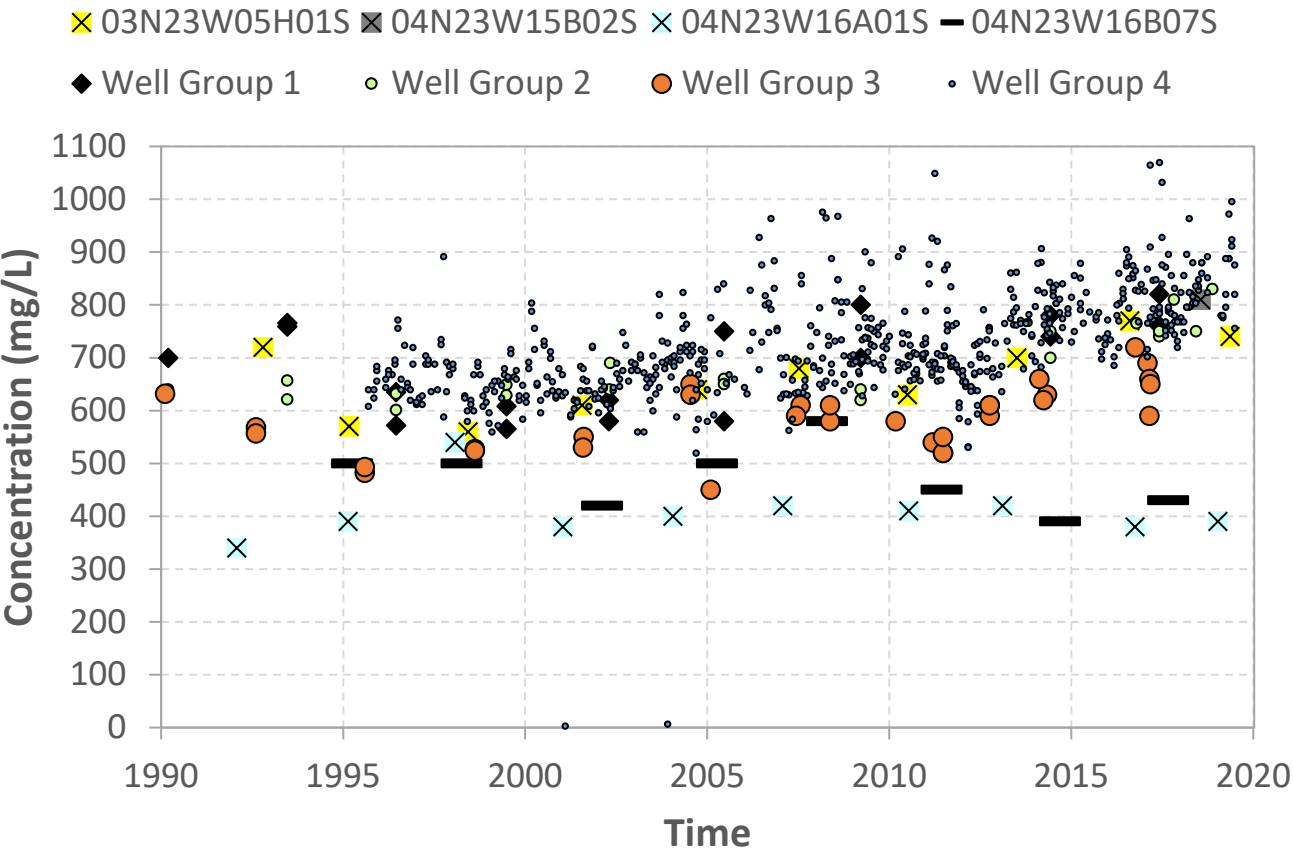
Groundwater Quality

Figure GW-2
Chloride



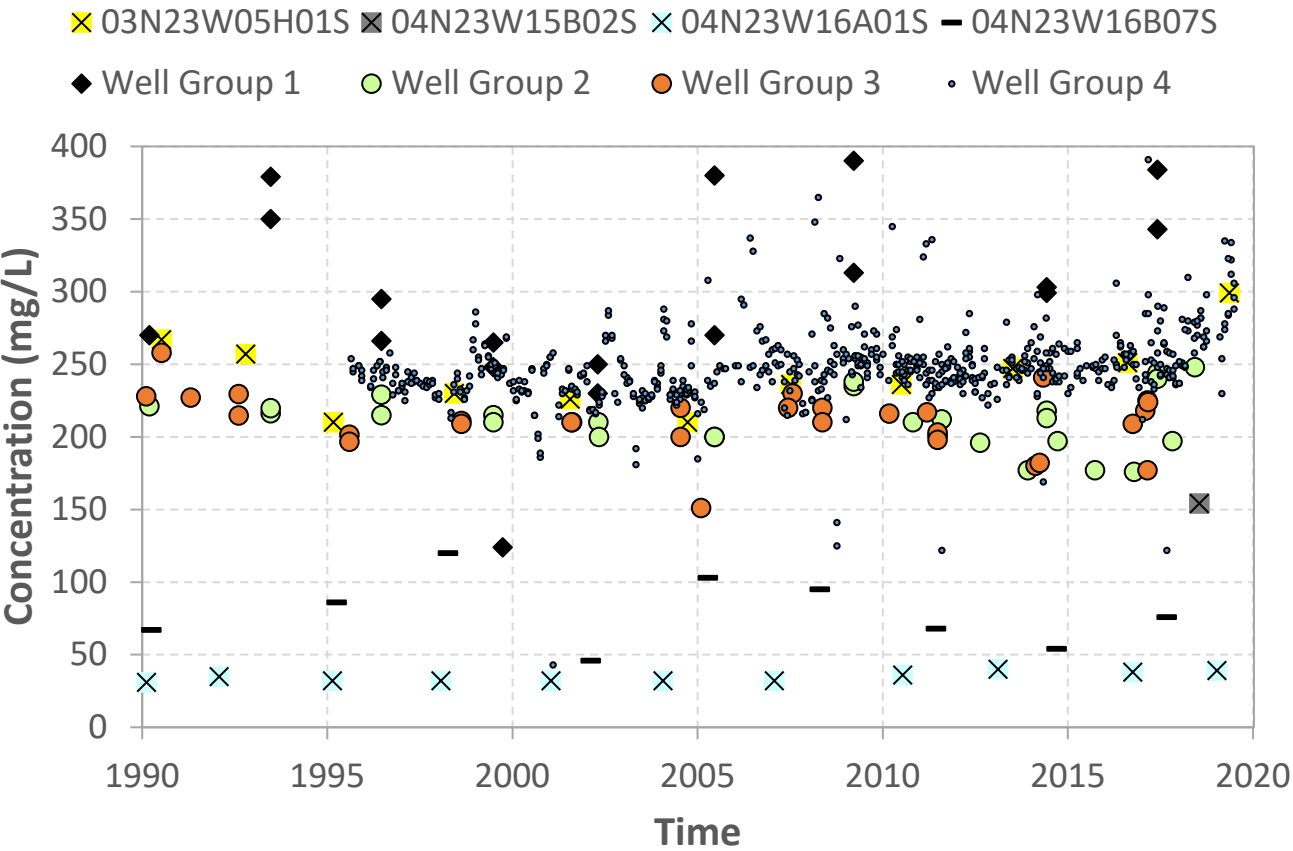
Groundwater Quality

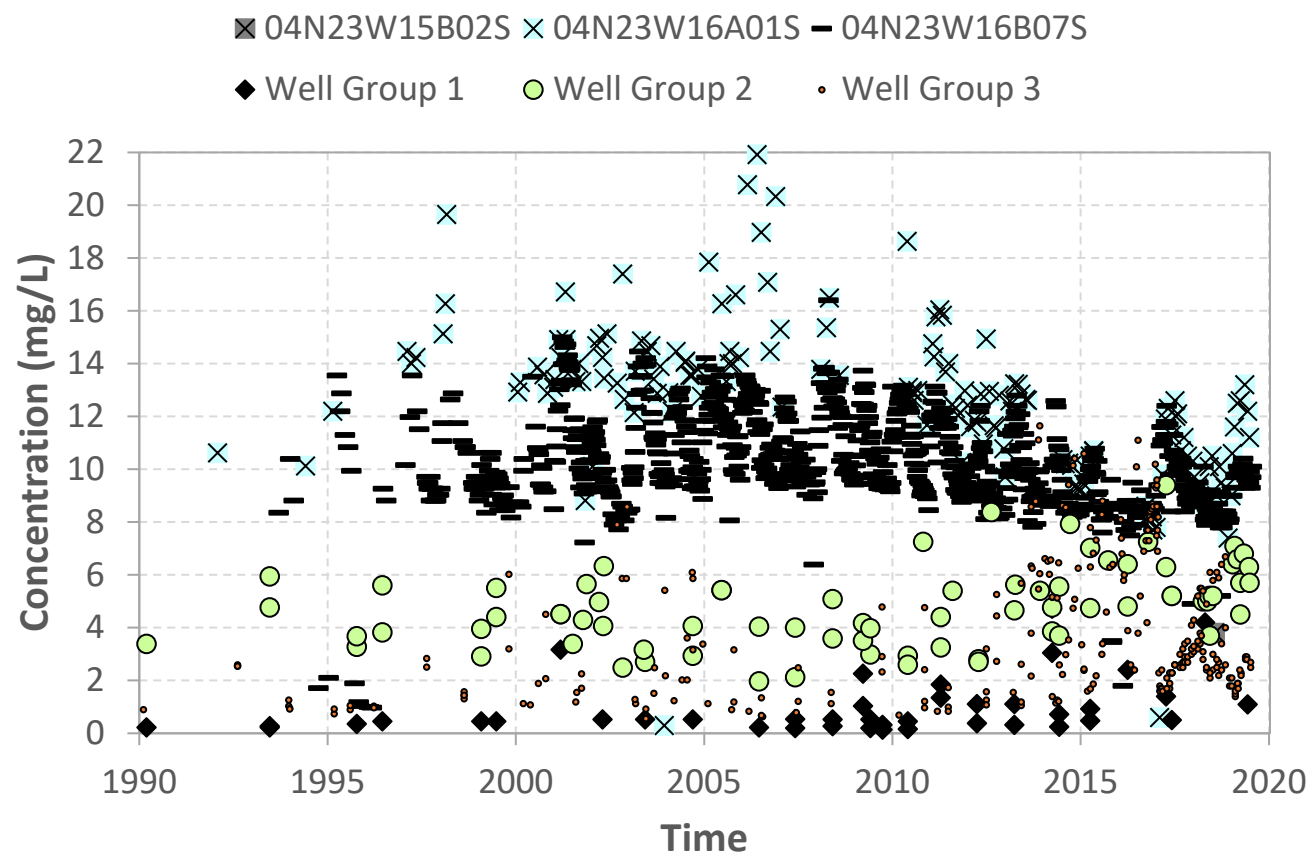
Figure GW-3
Total Dissolved Solids



Groundwater Quality

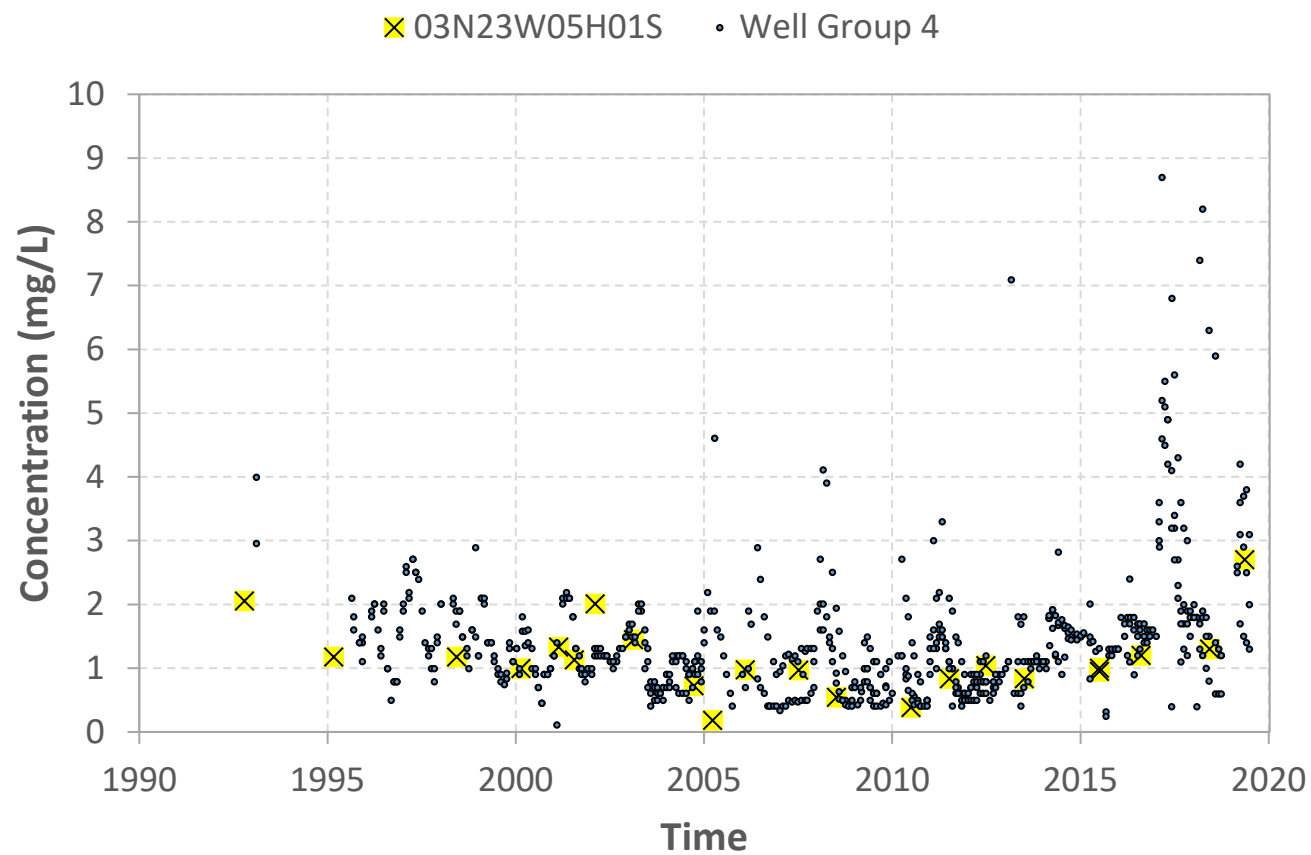
Figure GW-4
Sulfate



Groundwater Quality**Figure GW-5****Nitrate (as N) - Percolating Groundwater Areas**

Groundwater Quality

Figure GW-6
Nitrate (as N) - Areas With Rising Groundwater



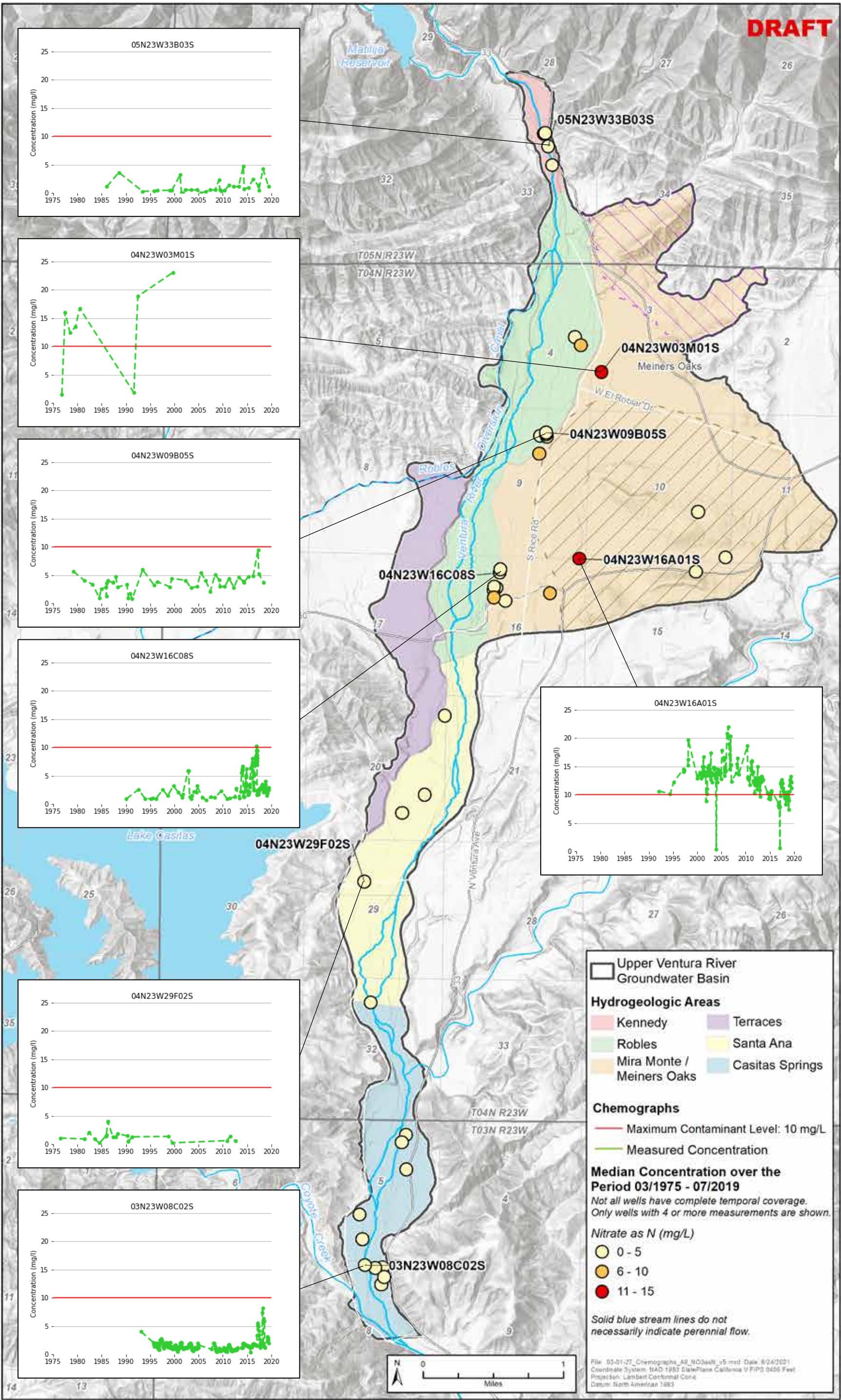


Figure 3.1-27 Median Nitrate as N Concentration, 1975 – 2019.

Data Source: SWRCB, 2019; Ventura County, 2019.

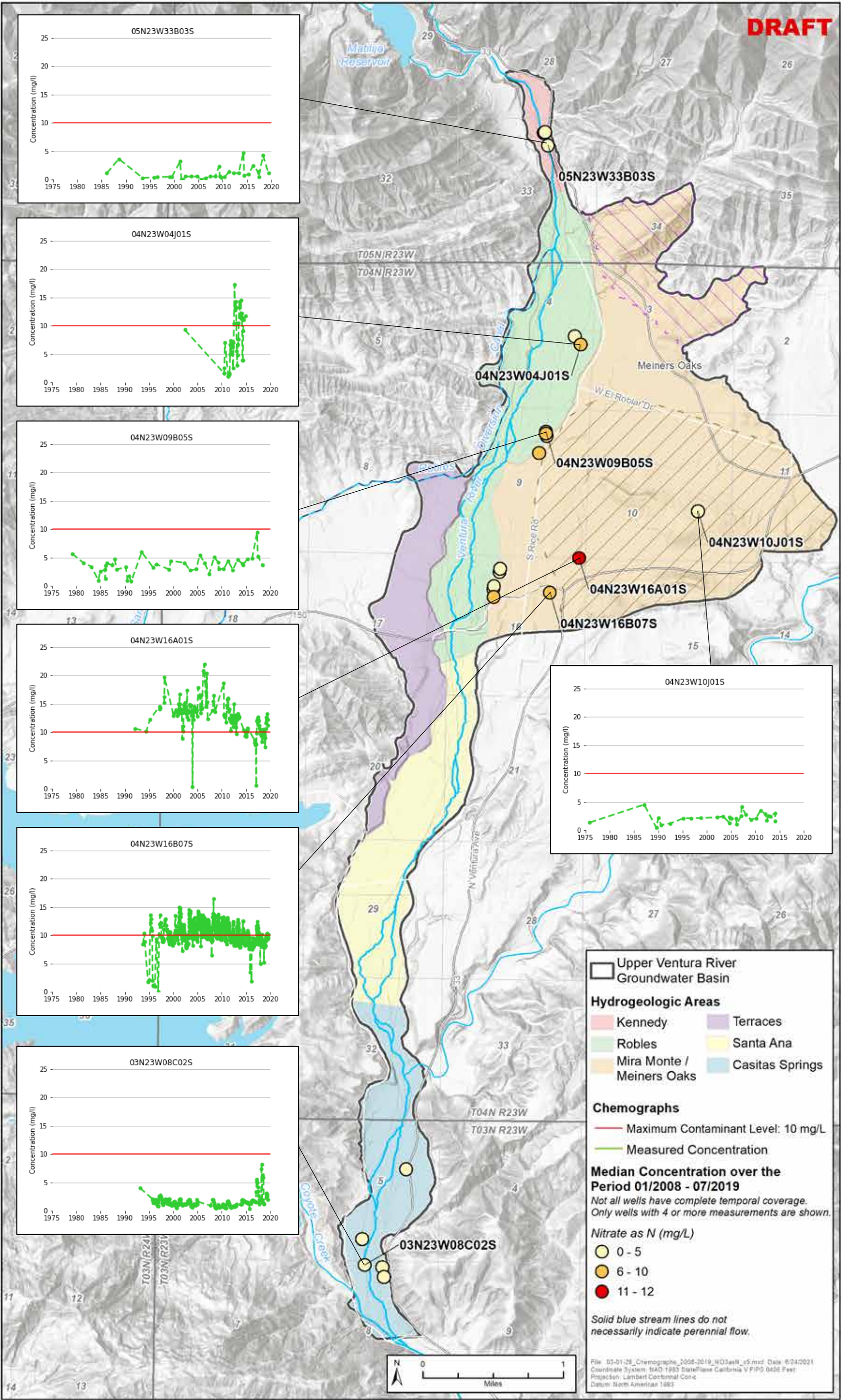


Figure 3.1-28 Median Nitrate as N Concentration, 2008 – 2019.

Data Source: SWRCB, 2019; Ventura County, 2019.