

**UPPER VENTURA RIVER GROUNDWATER AGENCY
MINUTES OF REGULAR MEETING AUGUST 12, 2021**

The Board meeting was held via teleconference, in accordance with California Executive Order N-25-20. Directors present were Bruce Kuebler, Larry Rose, Jennifer Tribo, Emily Ayala, Pete Kaiser, Glenn Shephard and Diana Engle. Also, present: Executive Director Bryan Bondy, Agency Counsel Keith Lemieux, and Administrative Assistant Maureen Tucker. Identified public members present: Burt Handy, Steve Slack, Eddie Pech, and Kelly Dyer.

1) CALL TO ORDER

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

2) PLEDGE OF ALLEGIANCE

Executive Director Bryan Bondy led the Pledge of Allegiance.

3) ROLL CALL

Executive Director Bondy called roll.

Directors Present: Bruce Kuebler, Larry Rose, Jennifer Tribo, Pete Kaiser, Glenn Shephard, Diana Engle, Emily Ayala

Directors Absent: none

4) APPROVAL OF AGENDA

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

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

Roll Call Vote: B. Kuebler – Y L. Rose – Y D. Engle – Y
 J. Tribo – Y P. Kaiser – Y E. Ayala – Y G. Shephard – Y

Director Absent: none

5) PUBLIC COMMENTS ON ITEMS NOT APPEAR ON THE AGENDA

Chair Engle called for public comments on items not appearing on the agenda. No public comments were offered.

6) CONSENT CALENDAR

- 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

Director Ayala moved approval of the consent calendar items. Director Kaiser seconded the motion.

Roll Call Vote: B. Kuebler – Y L. Rose – Y D. Engle – Y
 J. Tribo – Y P. Kaiser – Y E. Ayala – Y G. Shephard – Y

7) DIRECTORS ANNOUNCEMENTS

- a. Directors may provide oral report on items note 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 time. No report.

Director Tribo: No time. No report.

Director Rose: No time. No report.

Director Shephard: No time. Brief update concerning lowering the Matilija Reservoir water level to comply with Division of Dam Safety requirements.

Director Kaiser: No time. No report.

Director Ayala: No time. Noted that lowering the Matilija Reservoir level improved production in her well.

Director Engle: No time. No report.

8) EXECUTIVE DIRECTOR’S REPORT

Executive Director Bondy reviewed the written staff report concerning non-GSP activities.

Director Kaiser thanked the Executive Director for the complete agenda packets and verbal reports he provides.

Director Engle asked how long the agency should pursue access to the Burnham Road well before moving on. Executive Director Bondy said the Agency should start looking for alternatives next year if access cannot be obtained.

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)**

Executive Director Bondy explained that the County of Ventura is soliciting UVRGA comments on a request for waiver of Ventura County Water Well Permit Prohibitions. He recommended making two comments. One comment addresses sealing requirements

to ensure the proposed bedrock well will not draw in water from the alluvial aquifer. The second comment addresses bigger picture concerns about the potential cumulative effects of increased bedrock groundwater pumping over time. Executive Director Bondy referred the Board to the draft comment letter and requested Board feedback on the letter.

Director Kaiser asked if UVRGA can assess fees on the well. Executive Director Bondy explained that bedrock is not part of the UVRGA groundwater basin, so he does not think so.

Director Engle asked how the first recommendation could be implemented. Executive Director Bondy said UVRGA can only offer comments and that the County would enforce if they choose to include the recommended requirement in the well permit. Director Engle suggested requesting a copy of the issued permit in the comment letter.

Director Shephard said the permit is subject to the Public Records Act, but it doesn't hurt to include it in the letter.

Director Kuebler asked if the well will produce enough water to meet the owner's needs. Executive Director Bondy said it is likely.

Public Comment: Burt Handy asked if UVRGA will require reporting of extractions. Executive Director Bondy said bedrock wells are not subject to UVRGA regulation, but the County requires reporting.

Director Engle polled the Board and there was consensus to move forward with issuing the comment letter.

b. Fiscal Year 2020/2021 Year End Budget Report

Executive Director Bondy reviewed the year end budget report with the Board.

Director Kaiser said he was surprised to see the legal/accounting fees under budget.

No public comments.

Director Kaiser moved to receive and file the 2020/2021 year end budget report. Director Shephard seconded the motion.

Roll Call Vote: B. Kuebler – Y L. Rose – Y D. Engle – Y
 J. Tribo – Y P. Kaiser – Y E. Ayala – Y G. Shephard – Y

c. Agency Funding Discussion

Executive Director Bondy provided a presentation summarizing basic fee options. The presentation slides are attached to these minutes.

Director Engle asked what the timing for metering is. Counsel Lemieux said the GSA does not have authority to require meters until after GSP adoption.

Director Kaiser asked if the County enforces a cap on groundwater extractions. Director Shephard said no.

Director Kuebler asked if UVRGA can implement fees on de minimis users. Counsel Lemieux said an extraction fee cannot be imposed on de minimis users unless the UVRGA regulates them. However, a parcel-based fee would include parcels with de minimis wells.

Director Ayala suggested a charging a wellhead fee and a production fee based on metered extractions.

Director Engle asked if de minimis users can be metered. Executive Director Bondy said a first step would be additional outreach and a questionnaire to determine which wells are really de minimis, then decide if metering is needed. Counsel Lemieux said pursuing metering of de minimis wells is generally not worth the cost.

Director Kaiser asked how many de minimis users exist. Executive Director Bondy said there is around 100 at most, probably less because it is unlikely that all the wells are active.

Director Tribo said the City of Ventura feels that funding approach needs to produce stable revenue. They support using five-year averages for the municipals to provide stability, but that agricultural wells could be based on annual metered volumes.

Director Rose does not support higher fees on agriculture. Fees that exceed the cost to operate a well are not supportable.

Director Engle said no decision needs to be made right now and suggested that the Board continue the discussion during the September meeting.

10) GSP ITEMS

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

Executive Director Bondy reviewed the written staff report and GSP schedule with the Board. He noted that over 150 comments were received from Board members on the preliminary draft GSP and those comments have been addressed. He referred the Board to the comment-response table attached to the staff report. He explained that the preliminary draft GSP was updated and a draft GSP was issued on August 10 for a 60-day public comment period. Stakeholders were informed of the draft GSP availability and comment period via newsletter, emails, and an announcement at the Ventura River Watershed Council meeting. He said that a GSP workshop needs to be scheduled to present the draft GSP to stakeholders and solicit feedback. He proposed two dates in September.

Director Kuebler said the workshop should be hosted by Ventura River Watershed Council to increase participation. Executive Director said UVRGA should host a workshop because it is their GSP. He does not want confusion over who is preparing the GSP and where to send comments. He suggested that two workshops could be held, but that the budget does not include funding for that. After discussion, the Board reached a consensus on the two-workshop approach and directed staff to schedule the Ventura River Watershed Council workshop in late August or early September. The Board reached a consensus on holding the second workshop during its scheduled special meeting timeslot on September 23rd at 1 p.m.

No public comments.

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

Executive Director Bondy explained that the GSP development team has reconsidered the degraded water quality sustainable management criteria in light of DWR's recently published assessments of GSPs for several basins, Board concerns about criteria for determining undesirable results, and review of additional surface water quality data. If the revised approach is acceptable to the Board, it will replace the current approach described in the draft GSP. Executive Director Bondy provided a presentation that summarizes the proposed changes and the basis for them. The presentation slides are attached to these minutes.

Director Ayala thanked Executive Director Bondy for re-evaluating the criteria. She said the approach makes sense.

Director Engle said she is more comfortable with the revised approach.

Director Kuebler asked if the public will be able to comment on the proposal. Executive Director Bondy said the staff report and presentation will be available online and that there will be time to provide feedback before adopting the GSP.

No public comments.

The Board consensus was to move forward with the revised criteria.

11) COMMITTEE REPORTS

a. Ad Hoc Stakeholder Engagement Committee

Director Rose said there is nothing to report.

No public comments.

12) FUTURE AGENDA ITEMS

Director Rose asked for a future item concerning fees and budget, including consideration of grants.

13) ADJOURNMENT

The meeting was adjourned at 3:45 p.m.