

**UPPER VENTURA RIVER GROUNDWATER AGENCY  
MINUTES OF SPECIAL MEETING NOVEMBER 15, 2021**

The Board meeting was held via teleconference, in accordance with Upper Ventura River Groundwater Agency Board Resolution No. 2021-05. 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 Wayne Lemieux, and Administrative Assistant Maureen Tucker. Identified public members present: Jenny Tribo (City of Ventura staff), Mary Bergen (Casitas MWD director and UVRGA alternate director), Kelly Dyer (Casitas MWD staff), and Burt Handy.

**1) CALL TO ORDER**

Chair Engle called the meeting to order at 10:02 a.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, Susan Rungren, Pete Kaiser, Glenn Shephard, Diana Engle, and Emily Ayala

Directors Absent: none

**4) APPROVAL OF AGENDA AND RENEWAL OF RESOLUTION NO. 2021-05**

Chair Engle asked for any proposed changes to the agenda. None were offered.

Director Kaiser moved agenda approval and renewal of Resolution 2021-05. Director Ayala seconded the motion.

No discussion.

Roll Call Vote:            B. Kuebler – Y    L. Rose – Y    D. Engle – Y  
                                 S. Rungren – 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 October 14, 2021 Regular Board Meeting
- b. Approve Financial Report for October 2021

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

No discussion.

Roll Call Vote:                    B. Kuebler – Y      L. Rose – Y      D. Engle – Y  
    S. Rungren – 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.

No reports were offered. No time was reported.

**8) EXECUTIVE DIRECTOR’S REPORT**

Executive Director Bondy reviewed the written staff report with the Board concerning updates on non-GSP Agency matters.

Executive Director Bondy provided more information about the private well on Burnham Road that the agency formerly used to monitor groundwater levels. He explained that the property was sold in early 2021 and he had attempted to obtain permission for continued access for monitoring but was unsuccessful. Since then, the property owner applied for annexation to Ventura River Water District (VRWD). VRWD made access for groundwater level monitoring a condition for annexation and obtained signature on a UVRGA access agreement, which was provided to the Executive Director by VRWD staff. Because he was not involved in VRWD’s negotiations with the property owner, he called the new owner to discuss. Executive Director Bondy said the owner did not really want to provide access but felt he was given not choice and is very unhappy about the whole situation. Executive Director Bondy said he has not signed the agreement and wanted to discuss with the Board first. He does not feel it is a good situation to enter someone’s property if they do not really want you there. The well is old, and he is concerned that UVRGA could be blamed for anything that goes wrong with the well. He added that VRWD staff are aware of a potential alternative well for monitoring that could be investigated.

Chair Engle said she is not comfortable with VRWD acting on behalf of UVRGA without coordinating with the Executive Director and asked for an explanation. Director Kubler said that he talked to the property owner who was unwilling to provide access. He

offered the property owner a tradeoff of long-term monitoring in exchange for annexation to VRWD. Director Kuebler said his motivation was to avoid the cost of drilling a monitoring well for UVRGA.

Chair Engle said she is not comfortable with the access agreement because UVRGA did not negotiate it with the landowner. She asked for feedback from the other directors.

Director Ayala said that it is an ongoing issue to explain to the public who is wary of governmental entities to ask for things without an explanation. She offered that Director Rose or herself could assist with landowner outreach.

Director Kaiser agreed with Chair Engle and Director Ayala. He cautioned against being too aggressive with property owners. He mentioned that there are monitoring wells at the Ojai burn dump site.

Director Shepherd said the Executive Director should take the lead on these matters with help from the stakeholder committee.

Chair Engle suggested letting things cool off and to revisit this issue after GSP adoption. Directors Kaiser, Rungren and Shepherd agreed. Executive Director Bondy said that he would investigate the potential alternative well.

## **9) ADMINISTRATIVE ITEMS**

### **a. State Water Resources Control Board Ventura River Watershed Groundwater Surface Water Model Scenarios Comments**

Executive Director Bondy briefed the board on the State Water Resources Control Board (SWRCB) Ventura River Watershed Groundwater- Surface Water Model Scenarios webinar held on October 29<sup>th</sup>. He said the webinar notice and slides were included in the meeting packet. He said that Director Kuebler and he made comments during the webinar that are detailed in the staff report for the item.

Chair Engle stated that comment No. 6 was very useful.

Director Rungren asked if the comments were sent to SWRCB in written form. Executive Director Bondy said no, but that could be done if the Board chooses. Director Rungren said she would like to have written comments submitted by UVRGA.

Director Kuebler said he believes one of the four planned modeling scenarios should be the California Department of Fish and Wildlife flow recommendations. It should replace the Matilija Dam removal scenario.

Director Kaiser agreed with sending a comment letter.

Director Rungren said that, if we do not agree with the flow recommendations, then why would we want them modeled?

Chair Engle agreed with Director Rungren and added that others will likely request it anyway.

Director Ayala said the scenarios should evaluate realistic things like potential land use changes such as potential agricultural land conversion to ranchettes or what happens during El Nino periods.

Chair Engle proposes Executive Director Bondy prepare a letter based on his comments. Directors Kuebler, Shepherd, Ayala and Rose agreed.

Chair Engle moved to direct Executive Director Bondy to submit a comment letter to the State Water Resources Board for items 1-6 of his oral comments made at the workshop, fleshed out as needed. Director Kuebler seconded the motion.

No public comments.

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

## **10) GSP ITEMS**

### **a. Groundwater Sustainability Plan Update (Grant Category (e); Task 12: GSP Review and Approvals)**

Executive Director Bondy briefly reviewed the written staff report.

No director questions or comments.

No public comments.

### **b. Draft Groundwater Sustainability Plan Comments Responses and GSP Edits (Grant Category (e); Task 12; GSP Reviews and Approvals)**

Executive Director Bryan Bondy explained that a comment response table and a revised draft of the GSP were prepared and posted to the Agency website. The interested parties and directors were notified of the availability of these items on November 5, 2021. He said the purpose of this item is to discuss the GSP edits and comment responses.

Director Engle said she is concerned that the language on page 21 and 135 could be interpreted opposite of what was intended. Executive Director Bondy reviewed the language and agreed. He said the text in the parenthetical should be deleted.

Director Kuebler said the Executive Director and others did a great job and he is ready to proceed with a public hearing.

Director Ayala thanked the Executive Director and the team for getting this done in timely manner. She is amazed at how much the Agency has accomplished.

Director Shepherd says he echoes the comments of Director Kuebler and Ayala and thanked staff for putting it together.

Director Rose said the comment responses are more than adequate and his is ready to move forward.

Director Rungren said it was well done. She thanked the Executive Director and other consultants.

Public comments: Mary Bergen said the Board and staff did a fabulous job. They answered the DWR format.

Director Engle moved to proceed with preparation of a tentative final GSP in alignment with today's discussion and for staff to make any other non-substantive edits to the document, as necessary. Seconded by Director Ayala.

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

**c. Schedule Public Hearing for GSP Adoption (Grant Category (e); Task 12:  
GSP Reviews and Approvals**

Executive Director Bondy explained why the board needs to hold a public hearing before adoption of GSP. The board can hold the public hearing at a board meeting. Executive Director will email interested parties of the meeting and post notices in the newspapers. He explained that the tentative plan was to hold the public hearing during the next regular Board meeting on December 9, but that there is a concern because Ojai Basin Groundwater Management Agency is holding their GSP public hearing later that afternoon.

Director Ayala said that she raised the concern, but maybe it is OK.

The Board discussed the issue and reached a consensus start the Board meeting on December 9, 2021 at 12:30 p.m. The normal business can be held between 12:30 p.m. and 1:00 p.m. and the public hearing can start at 1:00 p.m.

Director Ayala moved to change the December 9, 2021 regular meeting start time to 12L30 and include the public hearing. Director Rungren seconded the motion.

No further discussion.

No public comments.

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

Director Shepherd noted that he needs to leave at 11:30 a.m.

**d. Intera, Inc. Work Order No. 4 for Annual Report and Numerical Model Update**

Executive Director Bondy explained that annual reports are required following GSP adoption. He explained that the numerical model will need to be updated to prepare the annual reports. He reviewed the fiscal summary for the item. One issue to note is that the long-range budget was prepared before the GSP team realized the model would need to be updated each year. Previously, it was assumed the model would be updated every five years and that is how the long-range budget was setup. Thus, the model update budget will need to be spread out over time instead of lumped every five years.

Director Kaiser asked if the proposed work order is for five annual reports or just the first. Executive Director Bondy said the proposed work order only covers the first annual report.

Chair Engle asked for clarification as to why the model needs to be updated each year. Executive Director Bondy explained that UVRGA is required to report basin conditions relative to the sustainable management criteria (SMC). The model is used to determine conditions relative SMC for the depletions of interconnected surface water sustainability indicator.

Director Shephard logged off from the meeting.

No public comments.

Director Kaiser moved the staff recommendation (authorize the Executive Director to issue Intera, Inc. Work Order No. 4 for an amount not-to-exceed \$51,040 and \$5,000 contingency). Seconded by Director Rungren.

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

Absent: Director Shepherd (left meeting at 11:30 a.m.)

**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 Kuebler asked if UVRGA should submit comments on the OBGMA GSP. He said he has concerns about the San Antonio Creek flows and he provided information to the Executive Director. Written comments are due by December 9 prior to the public hearing. Recognizing that the Board could not act on this matter, the Board consensus was to leave this to the Executive Director's discretion. No motion.

**13) ADJOURNMENT**

Chair Engle wished everyone a happy Thanksgiving. The meeting was adjourned at 11:36 a.m.

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

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

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