

**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 1:00 P.M. on Thursday, June 9, 2022 via**

**ON-LINE OR TELECONFERENCE:**

**DIAL-IN: 1-669-900-6833**

**Find your local number: Find your local number: <https://us06web.zoom.us/j/87379635311?pwd=ais3RDJwSiRPKzRgT2l3WXBNS1AyUT09>**

**JOIN BY COMPUTER, TABLET OR SMARTPHONE:**

**<https://us06web.zoom.us/j/87379635311?pwd=ais3RDJwSiRPKzRgT2l3WXBNS1AyUT09>**

**Meeting ID: 873 7963 5311**

**Passcode: 939446**

**Per Resolution No. 2021-05 by the Board of Directors of the Upper Ventura River Groundwater Agency, the Board 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 Board. 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**

**June 9, 2022**

**1. MEETING CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

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

Pursuant to AB 361, the Board may continue to meet via teleconference, provided it make the findings in section 3 of Resolution No. 2021-05.

**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 May 12, 2022 Regular Board Meeting**
- b. Approve Financial Report for May 2022**

## **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 Agency matters and correspondence. The Board may provide feedback to staff.

## **9. ADMINISTRATIVE ITEMS**

- a. City of Ojai Request to Join Upper Ventura River Groundwater Agency Joint Powers Agreement**

The Board will receive a report from the ad hoc committee and may provide direction to the ad hoc committee and/or staff.

- b. PUBLIC HEARING**

**Resolution 2022-05: A Resolution of the Board of Directors of Upper Ventura River Groundwater Agency Determining and Establishing Groundwater Extraction Fees Against All Persons Operating Groundwater Extraction Facilities Within the Upper Ventura River Valley Basin for Fiscal Year 2022/2023 (July 1, 2022 – June 20, 2023).**

The Board will open a PUBLIC HEARING to discuss potential groundwater extraction fees based on the adopted Fiscal Year 2022/2023 Budget and Multi-Year Budget Projection posted on the Agency's website.

The Board welcomes public comment and testimony regarding the proposed groundwater extraction fees.

After receiving public comment and testimony, the Board will close the PUBLIC HEARING and consider adopting Resolution 2022-05 establishing the proposed groundwater extraction fees within the Upper Ventura River Basin for Fiscal Year 2022/2023 (July 1, 2022 – June 20, 2023).

## **10. GSP IMPLEMENTATION ITEMS**

### **a. PUBLIC HEARING**

#### **Proposed Groundwater Well Registration, Metering, and Extraction Reporting Ordinance**

The Board will open a PUBLIC HEARING to discuss the proposed Groundwater Well Registration, Metering, and Extraction Reporting Ordinance posted on the Agency's website.

The Board welcomes public comment and testimony regarding the proposed ordinance.

After receiving public comment and testimony, the Board will close the PUBLIC HEARING and will conduct a first reading in title only of the ordinance and set a date for a public hearing to consider adoption of the ordinance.

## **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 scheduled for July 14, 2022 at 1 P.M.

## **UPPER VENTURA RIVER GROUNDWATER AGENCY MINUTES OF REGULAR MEETING MAY 12, 2022**

The Regular Board meeting was held via teleconference, in accordance with Upper Ventura River Groundwater Agency Board Resolution No. 2021-05. Directors present were Vivon Crawford, Bruce Kuebler, Jenny Tribo, Pete Kaiser, Glenn Shephard, Emily Ayala, Mike Etchart. Also, present: Executive Director Bryan Bondy, Agency Counsel Keith Lemieux, and Administrative Assistant Maureen Tucker. Identified public members present: Mike Flood, Jim Kentosh (UVRGA alternate director), Mary Bergen (UVRGA alternate director), Betsy Cooper, Burt Handy, Kiernan Brtalik, and Colby Boggs.

### **1) CALL TO ORDER**

Vice-Chair Kuebler called the meeting to order at 1:04 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, Jenny Tribo, Pete Kaiser, Vivon Crawford, Emily Ayala, and Jim Kentosh (later replaced by Mike Etchart).

Directors Absent: Glenn Shephard (arrived at 1:13 p.m.)

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

Vice Chair Kuebler asked for any proposed changes to the agenda. Executive Director Bondy stated that Director Ayala requested that Item 10(a) be heard earlier in the meeting. Vice-Chair Kuebler suggested hearing Item 10(a) after the Executive Director's Report.

Director Mike Etchart arrived during the item and replaced alternate Director Kentosh.

Director Kaiser moved agenda approval, as amended, and renewal of Resolution 2021-05. Director Tribo seconded the motion.

Roll Call Vote:	B. Kuebler – Y	M. Etchart - Y	E. Ayala - Y
	J. Tribo – Y	P. Kaiser – Y	V. Crawford - Y

Director Absent: Glenn Shephard



## Item 6(a)

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

Vice Chair Kuebler asked for public comments on items not appearing on the agenda. None were offered.

### 6) CONSENT CALENDAR

- a. Approve Minutes from April 14, 2022, Regular Board Meeting
- b. Approve Financial Report for April 2022

Vice-Chair Kuebler said he wanted to discuss Item 6(a).

Director Kaiser moved approval of Item 6(b), Financial Report for April 2022. Director Etchart seconded the motion.

Roll Call Vote:	B. Kuebler – Y	M. Etchart - Y	E. Ayala - Y
	J. Tribo – Y	P. Kaiser – Y	V. Crawford - Y

Director Absent: Glenn Shephard

Vice-Chair Kuebler stated that the April 14, 2022 minutes are incorrect on page 10 of the meeting packet. He said it was his opinion that the Ojai City Council should vote on joining UVRGA, not the official position of Ventura River Water District (VRWD) Board. Executive Director Bondy reviewed his raw meeting notes and said they indicate that Vice-Chair Kuebler said it was VRWD's position. Vice-Chair Kuebler said that was not his intent and requested that this be clarified in today's meeting minutes.

Director Etchart moved to approve the April 14, 2022 Minutes. Director Ayala seconded the Motion.

Roll Call Vote:	B. Kuebler – Y	M. Etchart - Y	E. Ayala - Y
	J. Tribo – Y	P. Kaiser – Y	V. Crawford - Y

Director Absent: Glenn Shephard

**7) DIRECTORS ANNOUNCEMENTS**

- a. Directors may provide oral report on items note appearing on the agenda.

Director Crawford: No report.

Director Kuebler: No report.

Director Tribo: Director Susan Rungren is retiring at the end of the May. The issue of a new director for the City of Ventura will go before the City Council on May 31, 2022.

Director Kaiser: No report.

Director Ayala: No report.

Director Etchart: No report.

Director Shephard arrived during the item and had no report.

**8) EXECUTIVE DIRECTOR'S REPORT**

Executive Director Bondy reviewed the written staff report concerning Agency matters since the last Board meeting.

Director Ayala asked about the status of the resolution for Diana Engle. Executive Director Bondy said it is on the to-do list and he will be sure to get Director Rungren's signature before her last day of work.

Director Kaiser thanked Bryan Bondy for a complete report and being on top of everything.

Public comments: none.

**9) ADMINISTRATIVE ITEMS**

**a. Agency Officer Appointments**

Executive Director Bondy said Diana Engle's departure created a vacancy in the Board Chair position. The Board discussed if they wanted to appoint a new Chair now or wait until July when the annual officer appointments are made.

After brief discussion, the Directors reached a consensus to wait until July.

Public comments: none.

**b. City of Ojai Request to Join Upper Ventura River Groundwater Agency Joint Power Agreement**

Vice-Chair Kuebler asked Director Kaiser to provide an update. Director Kaiser said Agency Counsel received the draft joint powers agreement amendment from the City of Ojai yesterday and will be reviewing. Director Kaiser said he intends to convene an ad hoc committee meeting after the City Attorney and Agency Counsel have agreed on the draft amendments.

The Board discussed who will be on the ad hoc committee considering the recent director appointment by Meiners Oaks Water District (MOWD) and Director Rungren's retirement.

After brief discussion, it was decided that MOWD, City of Ventura, and Casitas Municipal Water District (CMWD) could decide who from their organizations would participate in the ad hoc committee meetings.

Public Comments: None

Director Kaiser moved to clarify that the ad hoc committee shall consist of a representative from MOWD, CMWD, and the City of Ventura. Director Etchart seconded the Motion.

Roll Call Vote:	B. Kuebler – Y	M. Etchart - Y	G. Shephard - Y
	J. Tribo – Y	P. Kaiser – Y	V. Crawford - Y

Director Absent: Emily Ayala

Agency Counsel stated that the Ojai City Attorney called to schedule a follow up call with him on May 18. Director Kaiser said he would like to schedule the ad hoc committee meeting for May 23.

**c. Fiscal Year 2022/2023 Budget and Multi-Year Budget Projection**

Executive Director Bondy provided an overview of the assumptions for the Fiscal Year 2022-2023 budget and multi-year projection.

Director Kaiser asked about the annual inflation listed as 3%. He states it is closer to 8.2% to 8.3%. Is the budget sufficient at a 3% inflation rate? Executive Director Bondy suggested using a 5% inflation rate for the long-term projection.

Vice-Chair Kuebler said the 2019 VRWD pumping amount is not correct. He said 572 AF should be 764 AF. Executive Director Bondy stated he pulled the numbers from the February 2022 Board report, which was previously validated. Executive Director Bondy asked Vice-Chair Kuebler to send the VRWD data and he will review.

## Item 6(a)

Vice-Chair Kuebler called for public comments. None were offered.

The Board discussed whether to adopt the fiscal year 2022-2023 budget with or without the 5-year projection.

After further discussion concerning inflation and VRWD pumping amounts, Director Kaiser moved to adopt the fiscal year 2022-2023 budget and multi-year budget projection with corrected VRWD pumping values and a 5% inflation rate. Director Shephard seconded the Motion.

Roll Call Vote:	B. Kuebler – Y	M. Etchart - Y	G. Shephard - Y
	J. Tribo – Y	P. Kaiser – Y	V. Crawford - Y

Director Absent: Emily Ayala

### **10) GSP IMPLEMENTATION ITEMS**

#### **a. Draft Groundwater Well Registration, Metering, and Extraction Reporting Ordinance**

Note: This item was heard after Item 8.

Executive Director Bondy explained that the draft ordinance was developed based on Fox Canyon Groundwater Management Agency rules and Board feedback provided during prior meetings. Executive Director Bondy and Agency Counsel Lemieux then summarized the draft ordinance and explained the process for adoption, including two public hearings anticipated in June and July.

Executive Director Bondy explained that Agency Counsel and he have determined that Section 3.5 regarding fees should be deleted so that all fees matters are handled exclusively in the Agency's fee resolutions.

Director Ayala asked about precision of reporting extractions in ordinance section 2.3.3. Executive Director Bondy said that meters have various levels of precision, and the Agency will need to address this on a case-by-case basis.

Vice-Chair Kuebler said the ordinance does not appear to exempt de minimis wells. Executive Director Bondy referred to the definition of exempt wells in ordinance section 1.10, which includes de minimis extractors.

Vice-Chair Kuebler called for public comments. Burt Handy made a comment about using smartphones to photo the meters.

## Item 6(a)

The Board briefly discussed scheduling public hearings in June and July. Agency Counsel Lemieux stated that scheduling the public hearings can be handled administratively; the Board is not required to have a motion.

Director Ayala left the meeting.

### **b. Draft Aquatic Groundwater Dependent Ecosystem (GDE) Monitoring Workplans**

Executive Director Bondy explained that two draft workplans have been prepared for monitoring of the Confluence Aquatic GDE Area and the Foster Park Aquatic GDE Area. The goal is to have the plans approved so monitoring can be initiated at the beginning of the upcoming water year on October 1, 2022. He proposed a concurrent 30-day Board and public comment period for the draft monitoring plans. He added that Rincon Consultants, Inc. representatives are present to answer questions.

Vice-Chair Kuebler asked for Director comments or questions.

Director Crawford thanked the Executive Director for recommending a public comment period and asked if the Board would comment during or after the public comment period. Executive Director Bondy said the recommendation is to receive Board and public comments concurrently to streamline the process. Staff and Rincon Consultants, Inc. intend to respond to comments and bring revised draft workplans for Board consideration in July or August, depending on the volume of comments.

Vice-Chair Kuebler called for public comments. None were offered.

Director Crawford moved to authorize a 30-day concurrent Board and public comment period on the draft GDE monitoring workplans. Seconded by Director Kaiser.

Agency Counsel Lemieux advised on Brown Act compliance. He urged the directors to not discuss their comments with each other and for staff to not share director comments with other directors. All director comments should be presented at a future Board meeting.

Roll Call Vote:	B. Kuebler – Y	M. Etchart - Y	G. Shephard - Y
	J. Tribo – Y	P. Kaiser – Y	V. Crawford - Y

Director Absent: Emily Ayala

## Item 6(a)

### c. Intera Work Order No. 5 for As-Needed GSP Implementation Support

Executive Director Bondy explained the purpose of the work order is to have access to professional services by Intera, Inc. for GSP implementation support as needs arise. Work Order No. 5 to Intera, Inc. is proposed not to exceed \$50,000.00 through the upcoming fiscal year and any tasks anticipated to exceed \$10,000 would require a written estimate.

Director Kaiser asked if this work was put out to bid. Executive Director Bondy stated the Intera, Inc. was previously selected by the Board after a competitive request for qualifications process. Intera, Inc. has been providing services to the Agency under a master service agreement executed several years ago.

Vice-Chair Kuebler asked about labor rates. Executive Director Bondy said the proposed work order includes a rate sheet with new rates. He noted that Intera, Inc. did not raise its rates during the multi-year GSP development project.

Public comments: None.

Director Kaiser moved the recommended action to authorize the Executive Director to issue Work Order No. 5 to Intera, Inc. for as-needed GSP implementation support for an amount not to exceed \$50,000.00. Director Etchart seconded the Motion.

Roll Call Vote:	B. Kuebler – Y	M. Etchart - Y	G. Shephard - Y
	J. Tribo – Y	P. Kaiser – Y	V. Crawford - Y

Director Absent: Emily Ayala

### 11) COMMITTEE REPORTS

#### a. Ad Hoc Stakeholder Engagement Committee

Director Ayala was not present for the item. Director Crawford said there is no update.

### 12) FUTURE AGENDA ITEMS

None.

### 13) ADJOURNMENT

Next meeting June 9, 2022 at 1:00 p.m. The meeting was adjourned at 2:24 p.m.

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

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

B.Kuebler\_ M. Etchart\_ P.Kaiser\_ City of VTA\_\_ G.Shephard\_ V.Crawford\_\_ E.Ayala\_

**UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 6(b)**

**DATE:** June 7, 2022  
**TO:** Board of Directors  
**FROM:** Carrie Troup C.P.A., Treasurer  
**SUBJECT:** Approve Financial Report for May 2022

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**April 2022 UVRGA Balance** \$ 177,113.61

**May 2022 Activity:**

**Revenues/ Credits:**

Groundwater Extraction Fees \$ 910.34

**Checks Pending Signature:**

	2306 Rincon Consultants, Inc.	May Services	\$ 1,633.50
	2307 Rincon Consultants, Inc.	May Services	\$ 2,650.00
	2308 Carrie Troup, C.P.A.	May Services	\$ 1,235.67
	2309 Aleshire & Wynder, LLP	May Services	\$ 6,847.60
	2310 Bondy Groundwater Consulting, Inc.	May Services	\$ 7,493.62
Reissued	2311 Rincon Consultants, Inc.	January Services	\$ 1,999.85
Void/uncleared	2278 Rincon Consultants, Inc.	January Services	\$ (1,999.85)
	Total Expenditures Paid & To Be Paid		\$ 19,860.39

**May 2022 UVRGA Ending Balance:** \$ 158,163.56

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

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ B.

Kuebler\_\_\_\_ A. Anselm\_\_\_\_ M. Etchart\_\_\_\_ P. Kaiser\_\_\_\_ City of VTA\_\_\_\_ V. Crawford\_\_\_\_ 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.

Item 6(b), Page 1 of 1

## UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 8

**DATE:** June 9, 2022

**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:
  - a. County of Ventura officially appointed Arne Anselm to serve as UVRGA Director on June 1, 2022. Kim Loeb will serve as the Alternate Director.
2. Financial:
  - a. Groundwater Extraction Fees:
    - i. Payments for the sixth round of semi-annual extraction fee invoices were due February 13, 2022. All invoices have been paid as of May 31, 2022.
  - b. GSP Grant:
    - i. The final quarterly progress report and invoice were submitted to DWR on January 25, 2022. Approval was received on May 12, 2022. Payment in the amount of \$18,981.00 was received on June 1, 2022.
    - ii. The grant completion report and retention release request were submitted to DWR on January 25, 2022. A retention payment in the amount of \$63,006.06 is expected following approval.
3. Legal: Agency Counsel worked with the Executive Director on preparing the groundwater extraction fee resolution (see Item No. 9(b)) and the draft well registration, metering, and extraction reporting ordinance (see Item No. 10(a)). Agency Counsel also coordinated with City of Ojai's attorney concerning joint powers agreement amendments.
4. GSP Implementation:
  - a. Monitoring Networks:
    - i. Groundwater Level Monitoring:
      1. Rincon Consultants, Inc. worked on semi-annual groundwater level data downloads.



2. The Executive Director evaluated alternatives to monitoring well 04N23W20A01S to address the well owner's access concerns.

ii. Surface Water Flow Monitoring:

1. Camino Cielo crossing surface water flow gauge activation was previously deferred to spring 2022 and continues to be on hold pending significant rain.
2. Ventura County Watershed Protection District responded to the Executive Director's formal request for annual scheduled processing of streamflow data in a timeframe that supports development of the GSP Annual Report (Attachment A).

iii. Visual Surface Water Monitoring: Rincon Consultants, Inc. continued the monthly monitoring activities.

iv. Aquatic GDE Monitoring Plans: The 30-day concurrent Board and public comment period for the Confluence Aquatic GDE and Foster Park Aquatic GDE monitoring workplans was initiated. Comments are due June 17, 2022.

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

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

7. Miscellaneous: N/A

**RECOMMENDED ACTIONS**

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

**BACKGROUND**

Not applicable

**FISCAL SUMMARY**

Not applicable

**ATTACHMENTS**

- A. Email from R. Marotto, Ventura County Watershed Protection District, to B. Bondy, UVRGA, dated May 19, 2022 re: Upper Ventura River GSA Streamflow Data Request

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

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

B. Kuebler\_ M. Etchart\_ P. Kaiser\_ City of VTA\_ A. Anselm\_ V. Crawford\_ E. Ayala\_

## Item 8, Attachment A

### Bryan Bondy

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**From:** Marotto, Ron <Ron.Marotto@ventura.org>  
**Sent:** Thursday, May 19, 2022 3:35 PM  
**To:** Bryan Bondy  
**Subject:** RE: Upper Ventura River GSA Streamflow Data Request

Hello Bryan

We are going to do our best to have preliminary data available for you by December 1<sup>st</sup> for the below stations.

Ronald Marotto P.H.  
*Engineering Manager - Hydrology*  
**Watershed Protection**



800 South Victoria Ave. #1610  
Ventura, CA 93009  
P: 805.654. 2044 | C: 805.701.4064  
[VCPWA Online](#) | [Facebook](#) | [Twitter](#)

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**From:** Bryan Bondy <bbondy@uvrgroundwater.org>  
**Sent:** Thursday, April 28, 2022 10:20 AM  
**To:** Shephard, Glenn <Glenn.Shephard@ventura.org>  
**Cc:** PWA HydroData <PWA.HydroData@ventura.org>  
**Subject:** Upper Ventura River GSA Streamflow Data Request

**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Glenn,

## Item 8, Attachment A

Per your direction, I am sending the attached letter to formally request processing of water year streamflow by December 1 of each year for Streamflow Station Nos.:

- 602B (Matilija Creek at Matilja Hot Springs)
- 604 (North Fork Matilija Creek at Matilija Hot Springs); and
- 605A (San Antonio Creek at Old Creek Road)

Please let me know if you have any questions. It would be very helpful to hear back by the middle of next week because the District's decision significantly impacts the UVRGA budget, which is scheduled for adoption at the next board meeting.

Thank you for considering this request.

Best Regards,

--

Bryan Bondy, PG, CHG  
Executive Director  
UVRGA  
805-212-0484

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

**DATE:** June 9, 2022

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** City of Ojai Request to Join Upper Ventura River Groundwater Agency Joint Powers Agreement

**SUMMARY**

During its April 14 meeting, the Board created an ad hoc committee to develop draft terms and conditions for the addition of the City of Ojai to UVRGA. The purpose of this item is to receive a report from the ad hoc committee and consider providing direction to the ad hoc committee and/or staff.

**RECOMMENDED ACTIONS**

Receive a report from the ad hoc committee and consider providing direction to the ad hoc committee and/or staff.

**BACKGROUND**

Relevant reference materials:

Joint Exercise of Powers Agreement:

[https://uvrgroundwater.org/wp-content/uploads/2018/07/UVRB\\_JPA\\_signed.pdf](https://uvrgroundwater.org/wp-content/uploads/2018/07/UVRB_JPA_signed.pdf)

Agency Bylaws:

<https://uvrgroundwater.org/wp-content/uploads/2018/07/UVRGA-Bylaws.pdf>

**FISCAL SUMMARY**

Not applicable

**ATTACHMENTS**

None.

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

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

B. Kuebler\_ M. Etchart\_ P. Kaiser\_ City of VTA\_ A. Anselm\_ V. Crawford\_ E. Ayala\_

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

**DATE:** June 9, 2022

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** Resolution 2022-05: A Resolution of the Board of Directors of Upper Ventura River Groundwater Agency Determining and Establishing Groundwater Extraction Fees Against All Persons Operating Groundwater Extraction Facilities Within the Upper Ventura River Valley Basin for Fiscal Year 2022/2023 (July 1, 2022 – June 20, 2023).

### **SUMMARY**

Draft Resolution 2022-05 (Attachment A), if adopted, would establish a \$148 per acre-foot groundwater extraction fees against all persons operating groundwater extraction facilities within the Upper Ventura River Valley Basin for the period July 1, 2022 through June 30, 2023 based on the adopted Fiscal Year 2022/2023 Budget and Multi-Year Financial Projection (Attachment B).

The public hearing was noticed in accordance with Government Code 6066 requirements (Attachment C). In addition, the Executive Director worked with Director Ayala to draft an outreach letter that was mailed to each private pumper known to UVRGA that would be subject to the extraction fees (Attachment D). An outreach email was also sent to the interested parties list (Attachment E). No public comments have been received concerning this matter as of preparation of this staff report.

### **RECOMMENDED ACTIONS**

1. Conduct a public hearing to discuss potential groundwater extraction fees based on the adopted Fiscal Year 2022/2023 Budget and Multi-Year Budget Projection posted on the Agency's website.
2. Adopt Resolution 2022-05 establishing the proposed groundwater extraction fees within the Upper Ventura River Valley Basin for Fiscal Year 2022/2023 (July 1, 2022 – June 20, 2023).

### **BACKGROUND**

The fiscal year 2022/2023 Budget and Multi-Year Financial Projection upon which the proposed extraction fee is based was adopted by the Board on May 12, 2022 and is available for viewing on-line at <https://uvrgroundwater.org/>. Projected extraction fees are shown at top of the multi-year projection. The proposed extraction fee for Fiscal Year 2022/2023 is consistent with the

adopted budget and is based on the estimated costs to implement the groundwater sustainability plan (GSP) for the Upper Ventura River Valley Basin.

### **FISCAL SUMMARY**

Please see summary.

### **ATTACHMENTS**

- A. Draft Resolution 2022-05
- B. Adopted Fiscal Year 2022/2023 Budget and Multi-Year Financial Projection
- C. Public Notices
- D. Outreach Letter
- E. Outreach Email

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

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

B. Kuebler\_ M. Etchart\_ P. Kaiser\_ City of VTA\_ G. Shephard\_ V. Crawford\_ E. Ayala\_

**BOARD OF DIRECTORS**

**UPPER VENTURA RIVER GROUNDWATER AGENCY**

**RESOLUTION NO. 2022-05**

**A RESOLUTION OF  
THE BOARD OF DIRECTORS OF UPPER VENTURA RIVER GROUNDWATER AGENCY  
DETERMINING AND ESTABLISHING  
GROUNDWATER EXTRACTION FEES AGAINST ALL PERSONS OPERATING  
GROUNDWATER EXTRACTION FACILITIES WITHIN THE UPPER VENTURA RIVER  
VALLEY BASIN FOR FISCAL YEAR 2022/2023 (July 1, 2022 – June 30, 2023)**

WHEREAS, the California Legislature has adopted, and the Governor has signed into law, the Sustainable Groundwater Management Act of 2014 ("Act"), which authorizes local agencies to manage groundwater in a sustainable fashion; and

WHEREAS, the legislative intent of the Act is to provide for sustainable management of groundwater basins, to enhance local management of groundwater, to establish minimum standards for sustainable groundwater management, and to provide local agencies with the authority to sustainably manage groundwater; and

WHEREAS, the Act requires the formation and/or designation of Groundwater Sustainability Agencies ("GSA") for the purpose of achieving groundwater sustainability through the development, adoption, and implementation of a Groundwater Sustainability Plans ("GSP") for all groundwater basins designated by the Department of Water Resources ("DWR") as medium- or high-priority; and

WHEREAS, DWR has designated the Upper Ventura River Valley Sub-basin of the Ventura River Valley Groundwater Basin (DWR Sub-Basin# 4-003.01) ("Basin") as a medium-priority basin; and

WHEREAS, on March 9, 2017, the Upper Ventura River Groundwater Agency ("Agency") adopted Resolution No. 2017-2 electing to become the GSA for the Basin; and

WHEREAS, SGMA gives a GSA the authority to impose fees to fund the costs of a groundwater sustainability program, including, but not limited to, preparation, adoption, and amendment of a groundwater sustainability plan, and investigations, inspections, compliance assistance, enforcement, and program administration, including a prudent reserve; and

WHEREAS, the type of fees that can be imposed include permit fees, fees on groundwater extraction, and fees on other regulated activity; and

WHEREAS, any action to impose such fees must be taken by ordinance or resolution; and

WHEREAS, the GSA adopted a budget for Fiscal Year 2022-2023 and updated its multi-year financial projection; and

WHEREAS, the GSA complied with all applicable notice requirements by noticing a public

## Item 9(b), Attachment A

meeting concerning these fees as follows:

1. By publication pursuant to Government Code Section 6066 in the Ojai Valley News on May 27, 2022 and June 3, 2022 and Ventura County Star on May 25, 2022 and June 1, 2022;
2. By posting on the website of the GSA at <https://uvrgroundwater.org/>;
3. By mailing to any interested party who filed a written request with the GSA for mailed notice of the public fee meeting.
4. The Notice included:
  - The time and place of the meeting,
  - A general explanation of the fee under consideration; and
  - A statement that the data required under SGMA is publicly available.
5. At least 20 days prior to the public meeting, the GSA made the data upon which the fee is based, the GSA's 2022-2023 fiscal year budget and multi-year financial projection, available to the public.

WHEREAS, the Groundwater Extraction Fee complies with the requirements of the California Constitution and state law, including the Act; and

WHEREAS, the GSA has held numerous public meetings concerning development and establishment of the Groundwater Extraction Fee and undertaken extensive efforts to individually contact Basin stakeholders subject to the fee, including sending notices advising each stakeholder subject to the Fee; and

WHEREAS, on this day, the GSA held a public hearing to consider establishment of a Groundwater Extraction Fee to fund the costs of a groundwater sustainability program.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of Upper Ventura River Groundwater Agency that groundwater extraction fees should be levied as follows:

1. **Incorporation of Recitals.** All recitals in this resolution are true and correct and supported by substantial evidence in the record.
2. **Findings.** Based upon substantial evidence in the record, the GSA's Board of Directors makes the following findings: The revenues derived from the Groundwater Extraction Fee (a) will not exceed the funds required to fund the costs of a groundwater sustainability program, as authorized by Water Code section 10730, and will not be used for any other purpose; and (2) bear a fair or reasonable relationship to the payor's benefits received from development and adoption of a groundwater sustainability program.



3. **Establishment of Groundwater Extraction Fee.** In accordance with the adopted Fiscal Year 2022/2023 and multi-year budget projection, the GSA hereby adopts and establishes an annual Groundwater Extraction Fee for the period July 1, 2022 through June 30, 2023 of \$148.00 per acre-foot on all persons who extract groundwater from the Basin, except for those persons who extract, for domestic purposes, two (2) acre-feet or less per year (i.e., de minimis extractors as defined by section 10721(e) of the Water Code). This Groundwater Extraction Fee will become effective July 1, 2022 and will remain in effect until June 30, 2023 unless superseded or rescinded by action of the GSA Board of Directors.

4. **Billing and Collection of Groundwater Extraction Fee.** The Groundwater Extraction Fee will be billed as follows:

a. Member Agencies: Fees shall be assessed on the average of the 2019-2021 calendar year extractions:

- Casitas Municipal Water District: 171 acre-feet
- City of Ventura: 2,123 acre-feet
- Meiners Oaks Water District: 503 acre-feet
- Ventura River Water District 868 acre-feet

The total for annual amount due for Fiscal Year 2022/2023 shall be billed in July 2022.

b. Private Wells Owners: Fees shall be assessed semi-annually on metered groundwater extractions reported to the GSA and billed as soon as reasonably possible following each semi-annual period (i.e., July 1, 2022 – December 31, 2022 and January 1, 2023 – June 30, 2023). In the absence of reported metered extractions, the fees shall be assessed on the estimated groundwater extraction volumes set forth in Attachment 4 of the Upper Ventura River Groundwater Agency 2019 GSA Fee Study ("Report") (<https://uvrgroundwater.org/wp-content/uploads/2019/05/UVRGA-GSA-Pre-GSP-Fee-Study-Final-Report-5.21.19.pdf>), as modified by any Board-approved protest of the estimated extraction volume (Attachment A).

The Agency directs the Executive Director to prepare and send out invoices in accordance with this schedule.

5. **Penalties and Interest for Nonpayment.** Consistent with section 10730.6 of the Water Code, persons who fail to pay his or her Groundwater Extraction Fee within thirty (30) days of it becoming due will be charged interest at the rate of one percent (1%) per month on the delinquent amount of the Groundwater Extraction Fee and a ten percent (10%) penalty. Any interest payments, penalties or overdue fees may be waived upon a finding of good cause by an affirmative vote of the GSA Board of Directors.

6. **Protest.** In compliance with section 10731 of the Water Code, any person subject to the Groundwater Extraction Fee may file a protest of the GSA's determination of his or her estimated amount of groundwater production, the Groundwater Extraction Fee, interest,

## Item 9(b), Attachment A

and/or penalties no later than twenty (20) days after the GSA has mailed a written notice of such determination. If a protest is filed pursuant to this authority, the GSA will hold a hearing to determine the total amount of the groundwater production and the Groundwater Extraction Fee, interest, and penalties. Notice of the hearing will be mailed to each protestant at least twenty (20) days before the date fixed for the hearing. Following the hearing, notice of the GSA's determination will be mailed to each protestant who will have twenty (20) days from the date of mailing of the determination to pay the Groundwater Extraction Fee, interest, and penalties determined by the GSA.

7. **Additional Authorization.** The Executive Director is hereby authorized and directed to take such other and further actions as may be necessary or appropriate to implement the intent and purposes of this resolution.
8. **Effective Date of Resolution.** This resolution will take effect immediately upon passage and adoption.

WE, THE UNDERSIGNED, do hereby certify that the above and foregoing Resolution No. 2022-05 was duly adopted and passed by the Board of Directors of the Upper Ventura River Groundwater Agency as a public hearing held on the 9<sup>th</sup> day of June 2022, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Bruce Kuebler, Board Vice Chair

ATTEST:

\_\_\_\_\_  
Bryan Bondy  
Executive Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Keith Lemieux, General Counsel  
Upper Ventura River Groundwater Agency

## ATTACHMENT 4 – UVRGA ESTIMATED GROUNDWATER EXTRACTIONS

Operator	Estimated Acre- Feet per Year	Source Data Period	Documentation/Comment
<b>Public Agency Operators</b>			
Casitas Municipal Water District	188.2	2012, 2013, and 2017	Per Angelo Spandrio, Casitas MWD - average of 2012, 2013, and 2017 is proposed in-lieu of 2013-2017 average because low production in 2014-2016 is not representative. Reference: Email from A. Spandrio to b. Bondy dated 3/26/19
City of San Buenaventura	2,384.0	2013-2017 Average	City Letter dated 3/8/19 states 2,384 AFY cited in the 1/10/19 presentation as the correct 5-yr average
Meiners Oaks Water District	542.0	2013-2017 Average	Email from D. Engle to B. Bondy dated 4/17/19
Ventura River Water District	858.4	2013-2017 Average	Email from B. Rapp to B. Bondy dated 3/19 /19
<b>MWC Operators</b>			
MWC-1	9.0	2017 Actual	Reported to State Water Resources Control Board, Division of Drinking Water
MWC-2	22.0	2017 Actual	Reported to State Water Resources Control Board, Division of Drinking Water
<b>Other Private Operators</b>			
Other Private-1	23.0	2017 Estimated	To determine how much each private pumper within the Basin pumped during 2017, the Agency has followed a multi-step process. For private landowners, the Agency estimated extraction volumes primarily using aerial photography from 2017. Next, letters were sent advising each pumper of the initial estimate and requesting any data or information that should be considered in changing the estimate be provided to the Agency. The Agency also physically inspected a number of properties, as necessary and appropriate, to verify type of crop and condition of wells and called or met individually with as many landowners as possible to discuss estimated extraction amounts. Initial estimates were revised, as appropriate, based on the results on the Agency's inquiries.
Other Private-2	47.0	2017 Estimated	
Other Private-3	90.0	2017 Estimated	
Other Private-4	54.0	2017 Estimated	
Other Private-5	70.0	2017 Estimated	
Other Private-6	14.0	2017 Estimated	
Other Private-7	12.0	2017 Estimated	
Other Private-8	2.2	2017 Estimated	
Other Private-9	40.0	2017 Estimated	
<b>Total Estimated Extractions</b>	<b>4355.8</b>	<b>AF</b>	<b>10/10/2019 Board-approved protest reduced Other Private-3 extraction estimate to 75 acre-feet per year.</b>

	FY 22 Budget	Jul '21 - Mar 22 Actuals	Apr-June 22 Projection	FY 22 Year-End Projection	FY 23 Adopted Budget	FY 24 Projected	FY 25 Projected	FY 26 Projected	FY 27 Projected	Comments
Ordinary Income/Expense										
Income										
Misc. Income	\$ -	\$ 186.96	\$ -	\$ 186.96	\$ -	\$ -	\$ -	\$ -	\$ -	
41100 · DWR GSP Grant Income	\$ 20,906.94	\$ -	\$ 21,090.00	\$ 21,090.00	\$ -	\$ -	\$ -	\$ -	\$ -	Pending DWR approval of invoice submitted in Jan. 2022. <b>NOTE: UVRGA plans to apply for GSP Round 2 Implementation Grant in late 2022.</b>
Member Agency GW Extractions (AF)	3,972.59				3,665	3,150	2,900	3,842	3,760	FY 23 is 3-yr average (calendarly years 2019-2021). FY24+ is average + 1 dry year scenario.
Private Entity GW Extractions (AF)	368.20				368	368	276	368	368	Ave + 1 dry year scen.; assume 2017 est. extractions, with 25% reduction in dry year (FY 25)
Total GW Extractions (AF)	4,340.79				4,034	3,518	3,176	4,210	4,129	
4340.8										
Proposed Groundwater Extraction Fee (\$/AF)	\$ 79.16				\$ 148	\$ 151	\$ 163	\$ 132	\$ 141	
43000 · Groundwater Extraction Fee	\$ 343,618.00	\$ 343,617.74	\$ -	\$ 343,617.74	\$ 596,647.56	\$ 532,722.04	\$ 518,425.02	\$ 553,845.52	\$ 581,791.06	
Total Income	\$ 373,285.69	\$ 343,804.70	\$ 21,090.00	\$ 364,894.70	\$ 604,862.55	\$ 539,909.21	\$ 524,940.91	\$ 562,397.46	\$ 590,189.05	
Expense										All expenses are now escalated %5 per year instead of 3%
55000 · Administrative Exp										
55005 · Rent Expense	\$ 500.00	\$ 22.58	\$ 150.00	\$ 172.58	\$ 2,038.83	\$ 2,140.78	\$ 2,247.82	\$ 2,360.21	\$ 2,478.22	Meeting room rental fees
55011 · Computer Maintenance	\$ 500.00	\$ -	\$ -	\$ -	\$ 525.00	\$ 551.25	\$ 578.81	\$ 607.75	\$ 638.14	
55015 · Postage & Shipping	\$ 700.00	\$ 341.64	\$ 10.00	\$ 351.64	\$ 105.00	\$ 110.25	\$ 115.76	\$ 121.55	\$ 127.63	
55020 · Office Supplies & Software	\$ 500.00	\$ 65.47	\$ 50.00	\$ 115.47	\$ 525.00	\$ 551.25	\$ 578.81	\$ 607.75	\$ 638.14	
55025 · Minor Equipment	\$ 250.00	\$ -	\$ -	\$ -	\$ 262.50	\$ 275.63	\$ 289.41	\$ 303.88	\$ 319.07	
55035 · Advertising and Promotion	\$ 1,970.00	\$ 872.48	\$ 1,000.00	\$ 1,872.48	\$ 1,529.13	\$ 1,605.58	\$ 1,685.86	\$ 1,770.15	\$ 1,858.66	
55055 · Insurance Expense-SDRMA	\$ 4,147.67	\$ 4,147.67	\$ -	\$ 4,147.67	\$ 4,725.00	\$ 4,961.25	\$ 5,209.31	\$ 5,469.78	\$ 5,743.27	Hard edited to show pre-paid expenses
55060 · Memberships-CSDA	\$ 1,366.00	\$ 1,366.00	\$ -	\$ 1,366.00	\$ 1,680.00	\$ 1,764.00	\$ 1,852.20	\$ 1,944.81	\$ 2,042.05	Hard edited to show pre-paid expenses
Total 55000 · Administrative Exp	\$ 9,933.67	\$ 6,815.84	\$ 1,210.00	\$ 8,025.84	\$ 11,390.46	\$ 11,959.98	\$ 12,557.98	\$ 13,185.88	\$ 13,845.18	
58000 · Professional Fees										
58005 · Executive Director /GSP Mgr.	\$ 21,600.00	\$ 21,907.50	\$ 8,500.00	\$ 30,407.50	\$ 35,679.61	\$ 37,463.59	\$ 39,336.77	\$ 41,303.61	\$ 43,368.79	This account is for ED admin activities only. Account is over budget due to unbudgeted activities, including City of Ojai request to join UVRGA, public records act request, extra board meetings, director changes, extra effort on extraction fees, and other board requests.
58010 · Legal Fees	\$ 35,000.00	\$ 14,901.21	\$ 17,230.00	\$ 32,131.21	\$ 35,679.61	\$ 37,463.59	\$ 39,336.77	\$ 41,303.61	\$ 43,368.79	
58015 · Website	\$ 3,000.00	\$ 1,997.91	\$ -	\$ 1,997.91	\$ 3,058.25	\$ 3,211.17	\$ 3,371.72	\$ 3,540.31	\$ 3,717.32	FY 22 is net of \$951.44 for cancelled email addresses.
58020 · Accounting	\$ 15,000.00	\$ 12,031.79	\$ 3,750.00	\$ 15,781.79	\$ 16,820.39	\$ 17,661.41	\$ 18,544.48	\$ 19,471.70	\$ 20,445.29	
58040 · Audit Expense	\$ 13,000.00	\$ -	\$ 13,000.00	\$ 13,000.00	\$ 14,271.84	\$ 14,985.44	\$ 15,734.71	\$ 16,521.44	\$ 17,347.52	
58050 · Other Professional Services	\$ 336,836.00	\$ 243,639.83	\$ 28,000.00	\$ 271,639.83	\$ 237,178.64	\$ 255,767.93	\$ 285,720.27	\$ 369,368.08	\$ 388,066.57	This account is for all GSP implementation activities, including ED non-admin activities.
Total 58000 · Professional Fees	\$ 424,436.00	\$ 294,478.24	\$ 70,480.00	\$ 364,958.24	\$ 342,688.35	\$ 366,553.13	\$ 402,044.73	\$ 491,508.76	\$ 516,314.28	
Contingency - Non Capital Expenditures	\$ 26,767.00	\$ -	\$ -	\$ -	\$ 34,268.83	\$ 36,655.31	\$ 40,204.47	\$ 49,150.88	\$ 51,631.43	
Total Expense	\$ 461,136.67	\$ 301,294.08	\$ 71,690.00	\$ 372,984.08	\$ 388,347.64	\$ 415,168.43	\$ 454,807.18	\$ 553,845.52	\$ 581,790.88	
Net Income	\$ (87,850.98)	\$ 42,510.62	\$ (50,600.00)	\$ (8,089.38)	\$ 216,514.90	\$ 124,740.78	\$ 70,133.72	\$ 8,551.95	\$ 8,398.17	
Capital Project Expenditures - Mon. Wells & Stream Gage	\$ 17,537.00	\$ -	\$ -	\$ -	\$ 92,069.36	\$ 116,007.42	\$ 177,239.50	\$ -	\$ -	Carry over unspent capital budget from FY 22 to FY 23
Capital Project Expenditures - Contingency	\$ 1,754.00	\$ -	\$ -	\$ -	\$ 9,206.94	\$ 11,600.74	\$ 17,723.95	\$ -	\$ -	Carry over unspent capital contingency budget from FY 22 to FY 23
Capital Project Expenditures - Total	\$ 19,291.00	\$ -	\$ -	\$ -	\$ 101,276.29	\$ 127,608.16	\$ 194,963.45	\$ -	\$ -	
Net After Capital Expenditures	\$ (107,141.98)	\$ 42,510.62	\$ (50,600.00)	\$ (8,089.38)	\$ 115,238.61	\$ (2,867.38)	\$ (124,829.73)	\$ 8,551.95	\$ 8,398.17	
Projected Cash Flows										
Beginning Cash Balance, July 1	\$ 285,185.55	\$ 290,785.78	\$ 290,785.78	\$ 290,785.78	\$ 242,299.03	\$ 241,400.15	\$ 231,345.61	\$ 100,000.00	\$ 100,000.00	
Grant Payments	\$ 83,303.70	\$ 1,316.25	\$ 81,987.06	\$ 83,303.31	\$ -	\$ -	\$ -	\$ -	\$ -	
GW Extraction Fees	\$ 343,617.73	\$ 346,155.38	\$ 910.34	\$ 347,065.72	\$ 596,647.56	\$ 532,722.04	\$ 518,425.02	\$ 553,845.52	\$ 581,791.06	
Cash Inflows	\$ 426,921.43	\$ 347,471.63	\$ 82,897.40	\$ 430,369.03	\$ 596,647.56	\$ 532,722.04	\$ 518,425.02	\$ 553,845.52	\$ 581,791.06	
Expense Payments	\$ (430,353.73)	\$ (425,088.28)	\$ (53,767.50)	\$ (478,855.78)	\$ (406,270.14)	\$ (415,168.43)	\$ (454,807.18)	\$ (553,845.52)	\$ (581,790.88)	
Capital Payments	\$ (19,290.73)	\$ -	\$ -	\$ -	\$ (101,276.29)	\$ (127,608.16)	\$ (194,963.45)	\$ -	\$ -	
Loan Repayment (with interest)	\$ -	\$ -	\$ -	\$ -	\$ (90,000.00)	\$ -	\$ -	\$ -	\$ -	
Cash Outflows	\$ (449,644.46)	\$ (425,088.28)	\$ (53,767.50)	\$ (478,855.78)	\$ (597,546.43)	\$ (542,776.59)	\$ (649,770.63)	\$ (553,845.52)	\$ (581,790.88)	
Projected Ending Cash Balance, June 30	\$ 262,462.52			\$ 242,299.03	\$ 241,400.15	\$ 231,345.61	\$ 100,000.00	\$ 100,000.00	\$ 100,000.18	
Designated Reserve for Capital Projects	\$ 188,462.52			\$ 168,299.03	\$ 167,400.15	\$ 131,345.61	\$ -	\$ -	\$ -	
Designated for General Reserve	\$ 74,000.00			\$ 74,000.00	\$ 74,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	
Projected Unreserved Cash, June 30	\$ -			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	



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

### **NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Board of Directors of the Upper Ventura River Groundwater Agency (UVRGA) will hold a public hearing to consider adopting a resolution establishing a groundwater extraction charge to fund the costs of a groundwater sustainability program, including, but not limited to, preparation, adoption, and amendment of a groundwater sustainability plan, and investigations, inspections, compliance assistance, enforcement, and program administration, including a prudent reserve for the Upper Ventura River Valley Sub-basin of the Ventura River Valley Groundwater Basin (DWR Sub-Basin# 4-003.01). The proposed groundwater extraction charge will be imposed on groundwater extraction, in the amount of \$148.00 per acre-foot. If adopted, the charge will become effective July 1, 2022.

Any interested person shall be permitted to present written testimony, oral testimony, or both at this public hearing. Written comments may be filed at any time prior to the conclusion of this public hearing. These comments should be addressed to the attention of the UVRGA Board of Directors (c/o Meiners Oaks Water District) at 202 W. El Roblar Dr., Ojai, CA 93023.

The data upon which the proposed fee is based is available for review at <https://uvrgroundwater.org/>

**DATE AND TIME:** Thursday, June 9, 2022 at 1:00 PM

**LOCATION:** This meeting will be held by Zoom:

\*Call-In Number: 1-669-900-6833

Meeting ID: 873 7963 5311

Passcode: 939446

Zoom Link:

<https://us06web.zoom.us/j/87379635311?pwd=ais3RDJwSjRPKzRqT2l3WXBNS1AyUT09>

Please visit <https://uvrgroundwater.org/> for the latest updates concerning the public hearing.

For additional information or if you require assistance in participating in this hearing, please contact Bryan Bondy, Executive Director, at [bbondy@uvrgroundwater.org](mailto:bbondy@uvrgroundwater.org) or by phone at 805-212-0484.

*\*If internet connection is an issue, and you anticipate experiencing connection issues during the meeting, it is recommended to download the documents ahead of the meeting and call in without using the live stream feature to ensure you can hear and be heard.*

**Publication Dates:**

Ventura County Star: May 25, 2022 and June 1, 2022

Ojai Valley News: May 27, 2022 and June 3, 2022

Text of Ad: 05/19/2022

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Pub May 25th, June 1st 2022  
Ad#5268365

# NOTICE OF PUBLIC HEARING

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Ojai, CA 93023  
(805) 640-1247  
<https://uvrgroundwater.org/>

May 23, 2022

[NAME]

[ADDRESS 1]

[ADDRESS 2]

RE: Proposed Well Registration, Metering and Extraction Reporting Ordinance and Proposed Groundwater Extraction Fees for Fiscal Year 2022/2023

Dear [MAIL MERGE RECIPIENT],

The purpose of this letter is to inform you about two significant matters that the Upper Ventura River Groundwater Agency (UVRGA) Board of Directors will be deliberating following public hearings to be held during its upcoming regular meetings on June 9, 2022 at 1pm.

Proposed Well Registration, Metering and Extraction Reporting Ordinance

As you may know, the current groundwater extraction fee methodology relies on estimates of pumping to determine your total fee amount. UVRGA has received input from stakeholders stating a desire to be charged based on actual groundwater use, not estimates. The UVRGA Board has considered that input and agrees. The UVRGA Board has determined that actual groundwater use should be determined using flowmeters and has developed a proposed ordinance to set forth appropriate well registration, metering, and extraction reporting requirements. The draft ordinance can be viewed at <https://uvrgroundwater.org/> (link under the "Latest News" banner). To reduce ordinance development costs, the draft ordinance is based on the Fox Canyon Groundwater Management Agency rules. The draft ordinance includes requirements for registering your well with UVRGA, requirements for the installation and periodic calibration of a flowmeter on your well discharge line, and requirements for reporting extractions to UVRGA on a quarterly basis.

The proposed ordinance includes the following primary requirements:

1. Fill out a form provided by UVRGA to register your well(s).
2. Install a flowmeter on your well(s) by June 30, 2023.
3. Provide proof of flowmeter calibration that is less than 3 years old by June 30, 2023 (Note: UVRGA will provide a list of approved calibration vendors)
4. Take and submit a digital photograph of your flowmeter totalizer March 31, June 30, September 30, and December 31 of each year.
5. Complete Quarterly Groundwater Extraction Statements provided by UVRGA and submit together with the totalizer photos to UVRGA each quarter. (Note: quarterly reporting of groundwater extractions is necessary to accomplish both water year<sup>1</sup> extraction reporting

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<sup>1</sup> October 1 – September 30



to the State and to assess semi-annual groundwater extractions fees. which will be billed semi-annually for the January-June and July-December periods.

Please note: UVRGA will not be responsible for submitting your annual reporting statements to the State Water Resources Control Board (SWRCB), individual landowners will continue to be responsible for annual extraction reporting to SWRCB.

The UVRGA Board will conduct a public hearing and first reading of the proposed ordinance on June 9, 2022 and will schedule a second public hearing prior to adopting the ordinance. If you have comments on the draft ordinance, it would be best to provide those comments before or during the first public hearing (June 9, 2022). Your input and feedback is welcomed.

#### Proposed Groundwater Extraction Fees for Fiscal Year 2022/2023

The second subject matter is groundwater extraction fees. Since 2019, you have been assessed up to \$79.16 per acre foot of your estimated groundwater extractions to fund the costs of the State-mandated sustainable groundwater management program for the Upper Ventura River Valley Basin (Basin). The fees you have paid supplemented the \$630,061 of grant proceeds UVRGA received to fund the development of the required groundwater sustainability plan (GSP) for the Basin. Now that the GSP has been completed, UVRGA is turning its attention to plan implementation.

The UVRGA Board has reviewed the current groundwater extraction fee methodology and determined that it is no longer adequate to support the Agency. First, the current groundwater extraction fee is based on old estimates of pumping and certain private well owners have indicated a desire be charged based on actual groundwater use, not estimates. The UVRGA Board has also determined that the fee rate itself is insufficient to fund the necessary Agency functions. This is due to several factors. First, actual pumping by the public agencies has decreased significantly relative to the estimated pumping used in the current fee. This means the fee on a dollar per acre-foot basis must be increased to generate the same amount of revenue. In addition, GSP implementation costs are projected to be greater than GSP development costs. Lastly, inflation has risen significantly (the UVRGA Board now assumes 5% per year instead of the previous 3% assumption). The combination of these factors has resulted in a proposed extraction fee of \$148 per acre foot for fiscal year 2022/2023 (July 1, 2022 through June 30, 2023). The proposed extraction fee is based on UVRGA's adopted fiscal year 2022/2023 budget, which can be viewed at <https://uvrgroundwater.org/wp-content/uploads/2022/05/UVRGA-FY-23-Budget-and-Multi-Year-Projection-Adopted-5-12-22.pdf>. It is anticipated that the groundwater extraction fee will be re-evaluated and adjusted each year going forward.

Please note that UVRGA intends to apply for a GSP Implementation Grant later this year to fund a significant portion of the Agency's costs over the next several years. If awarded, the grant would reduce the groundwater extraction fee for several years beginning as early as next fiscal year (2023/2024). We also hope for wetter conditions that would allow for more groundwater extractions, driving down the groundwater extraction fee rate on a per acre-foot basis. The UVRGA Board understands that the proposed extraction fee is a significant financial burden for your organization and does not take the decision to implement the fee lightly. However, UVRGA has must comply with the State-mandate to sustainably manage the groundwater basin. Please know

that UVRGA is working hard to keep its costs down and operates as efficiently as possible every single day.

The UVRGA Board will consider adopting the proposed groundwater extraction fee following a public hearing on June 9, 2022 at 1pm. The public hearing notice is attached for your reference.

**Special Notice to Private Well Owners: Please note that if you desire to be charged based on metered groundwater use during Fiscal Year 2022/2023, you must install a meter (if one is not present already) and take a digital photograph of the flowmeter register as of June 30, 2022 (see draft Ordinance Section 2.3.4 for photo requirements). If you do not already have a flowmeter installed or and cannot install one by June 30, 2022, UVRGA will charge you based on the estimated extractions utilized in the current groundwater extraction fee. The next opportunity for switching to metered extractions would be the semiannual period January 1, 2023 – June 30, 2023, in which case you would need to photograph and record your totalizer reading as of December 31, 2022. Note: proof of meter calibration is not required to be charged based on meter readings during fiscal year 2022/2023.**

#### Meeting Information

The Board will hold public hearings on the above-described matters during its next Regular Board Meeting:

- Date / Time: June 9, 2022, 1 p.m.
- Location: This meeting will be held on-line via Zoom:
  - Call-In Number: 1-669-900-6833
  - Meeting ID: 873 7963 5311
  - Passcode: 939446
  - Zoom Link:  
<https://us06web.zoom.us/j/87379635311?pwd=ais3RDJwSjRPKzRqT2l3WXBNS1AyUT09>

Please visit <https://uvrgroundwater.org/> for the latest updates concerning the Board meeting and public hearings.

#### Closing

UVRGA looks forward to receiving your input on these important issues. Please feel free to contact me with any questions.

Sincerely,

Bryan Bondy, PG, CHG  
Executive Director

Attachments: Groundwater Extraction Fee Public Notice



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

### **NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Board of Directors of the Upper Ventura River Groundwater Agency (UVRGA) will hold a public hearing to consider adopting a resolution establishing a groundwater extraction charge to fund the costs of a groundwater sustainability program, including, but not limited to, preparation, adoption, and amendment of a groundwater sustainability plan, and investigations, inspections, compliance assistance, enforcement, and program administration, including a prudent reserve for the Upper Ventura River Valley Sub-basin of the Ventura River Valley Groundwater Basin (DWR Sub-Basin# 4-003.01). The proposed groundwater extraction charge will be imposed on groundwater extraction, in the amount of \$148.00 per acre-foot. If adopted, the charge will become effective July 1, 2022.

Any interested person shall be permitted to present written testimony, oral testimony, or both at this public hearing. Written comments may be filed at any time prior to the conclusion of this public hearing. These comments should be addressed to the attention of the UVRGA Board of Directors (c/o Meiners Oaks Water District) at 202 W. El Roblar Dr., Ojai, CA 93023.

The data upon which the proposed fee is based is available for review at <https://uvrgroundwater.org/>

**DATE AND TIME:** Thursday, June 9, 2022 at 1:00 PM

**LOCATION:** This meeting will be held by Zoom:

\*Call-In Number: 1-669-900-6833

Meeting ID: 873 7963 5311

Passcode: 939446

Zoom Link:

<https://us06web.zoom.us/j/87379635311?pwd=ais3RDJwSjRPKzRqT2l3WXBNS1AyUT09>

Please visit <https://uvrgroundwater.org/> for the latest updates concerning the public hearing.

For additional information or if you require assistance in participating in this hearing, please contact Bryan Bondy, Executive Director, at [bbondy@uvrgroundwater.org](mailto:bbondy@uvrgroundwater.org) or by phone at 805-212-0484.

*\*If internet connection is an issue, and you anticipate experiencing connection issues during the meeting, it is recommended to download the documents ahead of the meeting and call in without using the live stream feature to ensure you can hear and be heard.*

Publication Dates:

Ventura County Star: May 25, 2022 and June 1, 2022

Ojai Valley News: May 27, 2022 and June 3, 2022

**Bryan Bondy**

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**From:** Bryan Bondy  
**Sent:** Thursday, May 26, 2022 2:13 PM  
**To:** Bryan Bondy  
**Subject:** RE: UVRGA - Well Registration, Metering, and Reporting Ordinance and Groundwater Extraction Fees for July 2022 - June 2023  
**Attachments:** UVRGA Public Notice FY 22-23 GW Extraction Fees.pdf

Dear UVRGA Interested Parties

The purpose of this e-mail is to inform you about two significant matters that the Upper Ventura River Groundwater Agency (UVRGA) Board of Directors will be deliberating following public hearings to be held during its upcoming regular meeting on June 9, 2022 at 1pm.

**Proposed Well Registration, Metering and Extraction Reporting Ordinance**

As you may know, the current groundwater extraction fee methodology relies on estimates of pumping to determine your total fee amount. UVRGA has received input from stakeholders stating a desire to be charged based on actual groundwater use, not estimates. The UVRGA Board has considered that input and agrees. The UVRGA Board has determined that actual groundwater use should be determined using flowmeters and has developed a proposed ordinance to set forth appropriate well registration, metering, and extraction reporting requirements. The draft ordinance can be viewed at <https://uvrgroundwater.org/wp-content/uploads/2022/05/UVRGA-Ordinance-Establishing-Well-Registration-Metering-and-Reporting-Requirements-clean-version-5.23.22.pdf>. To reduce ordinance development costs, the draft ordinance is based on the Fox Canyon Groundwater Management Agency rules. The draft ordinance includes requirements for registering your well with UVRGA, requirements for the installation and periodic calibration of a flowmeter on your well discharge line, and requirements for reporting extractions to UVRGA on a quarterly basis.

The proposed ordinance includes the following primary requirements:

1. Fill out a form provided by UVRGA to register your well(s) and submit with digital photos of your well.
2. Install a flowmeter on your well(s) by June 30, 2023 and provide digital photo documentation.
3. Provide proof of flowmeter calibration that is less than 3 years old by June 30, 2023 (Note: UVRGA will provide a list of approved calibration vendors)
4. Take and submit a digital photograph of your flowmeter totalizer March 31, June 30, September 30, and December 31 of each year.
5. Complete Quarterly Groundwater Extraction Statements provided by UVRGA and submit together with the totalizer photos to UVRGA each quarter. (Note: quarterly reporting of groundwater extractions is necessary to accomplish both water year extraction reporting to the State and to assess semi-annual groundwater extractions fees. which will be billed semi-annually for the January-June and July-December periods.

## Item 9(b), Attachment E

Please note: UVRGA will not be responsible for submitting your annual reporting statements to the State Water Resources Control Board (SWRCB), individual landowners will continue to be responsible for annual extraction reporting to SWRCB.

The UVRGA Board will conduct a public hearing and first reading of the proposed ordinance on June 9, 2022 and will schedule a second public hearing prior to adopting the ordinance. If you have comments on the draft ordinance, it would be best to provide those comments before or during the first public hearing (June 9, 2022). Your input and feedback is welcomed.

### **Proposed Groundwater Extraction Fees for Fiscal Year 2022/2023**

The second subject matter is groundwater extraction fees. Since 2019, you have been assessed up to \$79.16 per acre foot of your estimated groundwater extractions to fund the costs of the State-mandated sustainable groundwater management program for the Upper Ventura River Valley Basin (Basin). The fees you have paid supplemented the \$630,061 of grant proceeds UVRGA received to fund the development of the required groundwater sustainability plan (GSP) for the Basin. Now that the GSP has been completed, UVRGA is turning its attention to plan implementation.

The UVRGA Board has reviewed the current groundwater extraction fee methodology and determined that it is no longer adequate to support the Agency. First, the current groundwater extraction fee is based on old estimates of pumping and certain private well owners have indicated a desire be charged based on actual groundwater use, not estimates. The UVRGA Board has also determined that the fee rate itself is insufficient to fund the necessary Agency functions. This is due to several factors. First, actual pumping by the public agencies has decreased significantly relative to the estimated pumping used in the current fee. This means the fee on a dollar per acre-foot basis must be increased to generate the same amount of revenue. In addition, GSP implementation costs are projected to be greater than GSP development costs. Lastly, inflation has risen significantly (the UVRGA Board now assumes 5% per year instead of the previous 3% assumption). The combination of these factors has resulted in a proposed extraction fee of \$148 per acre foot for fiscal year 2022/2023 (July 1, 2022 through June 30, 2023). The proposed extraction fee is based on UVRGA's adopted fiscal year 2022/2023 budget, which can be viewed at <https://uvrgroundwater.org/wp-content/uploads/2022/05/UVRGA-FY-23-Budget-and-Multi-Year-Projection-Adopted-5-12-22.pdf>. It is anticipated that the groundwater extraction fee will be re-evaluated and adjusted each year going forward.

Please note that UVRGA intends to apply for a GSP Implementation Grant later this year to fund a significant portion of the Agency's costs over the next several years. If awarded, the grant would reduce the groundwater extraction fee for several years beginning as early as next fiscal year (2023/2024). We also hope for wetter conditions that would allow for more groundwater extractions, driving down the groundwater extraction fee rate on a per acre-foot basis. The UVRGA Board understands that the proposed extraction fee is a significant financial burden for your organization and does not take the decision to implement the fee lightly. However, UVRGA has must comply with the State-mandate to sustainably manage the groundwater basin. Please know that UVRGA is working hard to keep its costs down and operates as efficiently as possible every single day.

The UVRGA Board will consider adopting the proposed groundwater extraction fee following a public hearing on June 9, 2022 at 1pm. The public hearing notice is attached for your reference.

***Special Notice to Private Well Owners: Please note that if you desire to be charged based on metered groundwater use during Fiscal Year 2022/2023, you must install a meter (if one is not present already) and take a digital photograph of the flowmeter register as of June 30, 2022 (see draft Ordinance Section 2.3.4 for photo requirements). If you do not already have a flowmeter installed or and cannot install one by June 30, 2022, UVRGA will charge you based on the estimated extractions utilized in the current groundwater extraction fee. The next opportunity for switching to metered extractions would be the***

## Item 9(b), Attachment E

*semiannual period January 1, 2023 – June 30, 2023, in which case you would need to photograph and record your totalizer reading as of December 31, 2022. Note: proof of meter calibration is not required to be charged based on meter readings during fiscal year 2022/2023.*

### **Meeting Information**

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Please visit <https://uvrgroundwater.org/> for the latest updates concerning the Board meeting and public hearings.

### **Closing**

UVRGA looks forward to receiving your input on these important issues. Please feel free to contact me with any questions.

Best Regards,

--

Bryan Bondy, PG, CHG  
Executive Director  
UVRGA  
805-212-0484

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

**DATE:** June 9, 2022

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** Proposed Groundwater Well Registration, Metering, and Extraction Reporting Ordinance

### **SUMMARY**

Pursuant to Board direction provided during prior Board meetings, a draft Groundwater Well Registration, Metering, and Extraction Reporting Ordinance has been prepared for consideration (Attachment A). As discussed during prior meetings, the draft ordinance is based on the Fox Canyon Groundwater Management Agency's rules concerning groundwater extraction well registration, metering, and extraction reporting and has been customized to address UVRGA's circumstances and to address Board feedback.

The Executive Director worked with Director Ayala draft an outreach letter that was mailed to each private pumpers known to UVRGA that would be subject to the metering requirements (Attachment B). An outreach email was also sent to the interested parties list (Attachment C). No public comments have been received concerning this matter as of preparation of this staff report.

The purpose of this item is to conduct a first public hearing and reading of the ordinance. A second public hearing and reading is required prior to adoption.

UVRGA, as the lead agency under the California Environmental Quality Act ("CEQA"), in consultation with the Agency's Legal Counsel, determined that the charges adopted by resolution are exempt from further CEQA review pursuant to CEQA Guidelines, sections 15307 and 15308 which exempt actions taken for the protection of natural resources and the environment.

### **RECOMMENDED ACTIONS**

1. Conduct a public hearing to discuss the proposed Groundwater Well Registration, Metering, and Extraction Reporting Ordinance posted on the Agency's website.
2. Conduct a first reading in title only of the ordinance and set a date for a public hearing to consider adoption of the ordinance.

### **BACKGROUND**

Please see summary.

### **FISCAL SUMMARY**

The Agency budget includes funding to implement the proposed Ordinance.

**ATTACHMENTS**

- A. Draft Well Registration, Metering, and Extraction Reporting Ordinance
- B. Outreach Letter
- C. Outreach Email

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

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

B. Kuebler\_ M. Etchart\_ P. Kaiser\_ City of VTA\_ G. Shephard\_ V. Crawford\_ E. Ayala\_



ORDINANCE NO. \_\_\_\_\_

**ORDINANCE OF THE UPPER VENTURA RIVER GROUNDWATER  
AGENCY ESTABLISHING WELL REGISTRATION, METERING, AND  
REPORTING REQUIREMENTS**

**BE IT ORDAINED** by the Board of Directors of the Upper Ventura River Groundwater Agency as follows:

**WHEREAS**, the Upper Ventura River Groundwater Agency ("Agency") was formed for the express purpose of cooperatively carrying out the requirements of the Sustainable Groundwater Management Act ("SGMA"), including, but not limited to, the funding, development, adoption and implementation of a Groundwater Sustainability Plan ("GSP") that achieves groundwater sustainability in the Upper Ventura River Groundwater Basin.

**WHEREAS**, the Agency is the exclusive Groundwater Sustainability Agency for the Upper Ventura River Groundwater Basin (Department of Water Resources (DWR) Basin 4-3.01).

**WHEREAS**, the Agency adopted the Groundwater Sustainability Plan for the Upper Ventura River Groundwater Basin on January 6, 2022.

**WHEREAS**, a fundamental component of the Groundwater Sustainability Plan for the Upper Ventura River Groundwater Basin is the accurate measurement, reporting and monitoring of groundwater extractions and, with the exception of certain extraction facilities, SGMA provides the Agency with the express power to require the metering of all extraction facilities in the Basin.

**WHEREAS**, the Agency, as the lead agency under the California Environmental Quality Act ("CEQA"), in consultation with the Agency's Legal Counsel, determined that the charges adopted by resolution are exempt from further CEQA review pursuant to CEQA Guidelines, sections 15307 and 15308 which exempt actions taken for the protection of natural resources and the environment.

**NOW, THEREFORE, BE IT HEREBY ORDAINED** by the Board of Directors of the Upper Ventura River Groundwater Sustainability Agency that an Ordinance establishing well registration, metering, and reporting requirements should be established pursuant to Water Code Section 10730 as follows:

## CHAPTER 1.0 Definitions

As used in this Ordinance, the following terms shall have the meanings stated below:

- 1.1. **“Agency”** means the Upper Ventura River Groundwater Agency.
- 1.2. **“Agency Boundary”** shall be the Upper Ventura River Valley Groundwater Basin (Department of Water Resources (DWR) Basin 4-3.01) as may be modified in accordance with Water Code Section 10722.2.
- 1.3. **“Agricultural Extraction Facility”** means a facility from which the groundwater produced is used on lands in the production of plant crops or livestock for market, and uses incidental thereto.
- 1.4. **“Annual”** means the water year October 1 through September 30.
- 1.5. **“Aquifer”** means a geologic formation or structure that yields water in sufficient quantities to supply pumping wells or springs. A confined aquifer is an aquifer with an overlying less permeable or impermeable layer.
- 1.6. **“Board”** means the Board of Directors of the Upper Ventura River Groundwater Agency.
- 1.7. **“County”** means the County of Ventura.
- 1.8. **“Due Date”** means, unless otherwise specifically provided, within 45 days of the date of the Agency’s mailing the Quarterly Extraction Statement, the recipient (Well Operator and/or Well Owner) is to return (have postmarked) the completed forms along with any required payment of extraction charges, and surcharges.
- 1.9. **“Executive Director”** means the individual appointed by the Board to administer Agency functions, or his/her designee.
- 1.10. **“Exempt Wells”** means all wells operated by *de minimis extractors* as defined in Water Code Section 10721(e) and those operators granted an exemption by the Board.
- 1.11. **“Extraction”** means the act of obtaining groundwater by pumping or other controlled means.
- 1.12. **“Extraction Facility”** means any device or method (e.g. water well) for extraction of groundwater within a groundwater basin or aquifer.

- 1.13. **“Flowmeter”** means a manufactured instrument for accurately measuring and recording the flow of water in a pipeline.
- 1.14. **“Groundwater”** means water beneath the surface of the earth within the zone below the water table in which the soil is completely saturated with water.
- 1.15. **“Groundwater Extraction Fee”** shall mean fees adopted by the Board of the Agency pursuant to the Sustainable Groundwater Management Act.
- 1.16. **“Inactive Well”** An inactive well is a well that conforms to the County Water Well Ordinance requirements for an active well, but is being held in an idle status in case of future need. Idle status means the well is pumped no more than 8 hours during any 12- month period. Inactive wells are not required to have a flowmeter. Pumping to maintain status as an active well under the County Water Well Ordinance shall not exceed 8 hours in a 12 month period, shall be for beneficial use, and shall be estimated and reported to the Agency. Prior to removing a well from idle status, the operator shall install a flowmeter in accordance with the requirements in Chapter 3 of the Ordinance.
- 1.17. **“Municipal and Industrial (M & I) Provider”** means person who provides water for domestic, industrial, commercial, or fire protection purposes within the Agency Boundary.
- 1.18. **“Municipal and Industrial (M & I) Operator”** An owner or operator that supplied groundwater for M & I use during the historical allocation period and did not supply a significant amount of agricultural irrigation during the historical period.”
- 1.19. **“Municipal and Industrial (M & I) User”** means a person or other entity that used or uses water for any purpose other than agricultural irrigation.
- 1.20. **“Municipal and Industrial (M & I) Use”** means any use other than agricultural irrigation.
- 1.21. **“Non-Operating Flowmeter”** – A non-operating flowmeter includes a flowmeter that is out of calibration by plus or minus 5%, and/or a flowmeter that has not been calibrated within the flowmeter calibration schedule adopted by the Board.
- 1.22. **“Operator”** means a person who operates a groundwater extraction facility. In the event the Agency is unable to determine who operates a particular extraction facility, then “operator” shall mean the person to whom the extraction facility is assessed by the County Assessor, or, if not separately assessed, the person who owns the land upon which the extraction facility is located.

- 1.23. **“Ordinance”** means the present Ordinance, the Well Registration, Metering, and Reporting Ordinance, as adopted by the Upper Ventura River Groundwater Agency.
- 1.24. **“Owner”** means a person who owns a groundwater extraction facility. Ownership shall be determined by reference to whom the extraction facility is assessed by the County Assessor, or if not separately assessed, the person who owns the land upon which the extraction facility is located.
- 1.25. **“Person”** includes any state or local governmental agency, private corporation, firm, partnership, individual, group of individuals, or, to the extent authorized by law, any federal agency.
- 1.26. **“Resolution”** means a formal statement of a decision adopted by the Board.
- 1.27. **“Section”** as used in this Ordinance, is a numbered paragraph of a chapter.
- 1.28. **“Quarterly Groundwater Extraction Statement”** is a form filed by each operator containing the information required by Section 2.2 and 2.3.1 and shall cover the periods from January 1 to March 31, April 1 to June 30, July 1 to September 30, and from October 1 to December 31 annually.
- 1.29. **“Shall”** as used in this Ordinance, is an imperative requirement.
- 1.30. **“Well Flushing”** means the act of temporarily discharging extracted groundwater through a connection located upstream of the water distribution system at the beginning of an extraction cycle. Well flushing is typically performed until the quality of the extracted water is suitable for beneficial use and/or will not damage the distribution system. In some cases, the flushing flows may be discharged upstream of the distribution system, including the flowmeter. Flushing flows discharged upstream of the flowmeter shall be estimated and reported to the Agency in accordance with the requirements accordance with the requirements in Chapter 2 of this Ordinance.
- 1.31. **“Well Rehabilitation”** means the act of restoring a well to its most efficient condition by various treatments, development, or reconstruction methods. In most cases, groundwater extracted during well rehabilitation is not discharged through the extraction facility piping and, consequently, is not flow metered. In these cases, the volume of water extracted shall be estimated and reported to the Agency in accordance with the requirements accordance in Chapter 2 of this Ordinance.

## **CHAPTER 2.0**

### **Registration of Wells and Levying of Charges**

#### **2.1. Registration of Wells**

2.1.1. Agency Water Well Permit Requirement (No-Fee Permit) – All new extraction facilities constructed within the Agency Boundary shall obtain a no-fee permit from the Agency prior to the issuance of a well permit by the County.

2.1.2. Registration Requirement – All groundwater extraction facilities within the boundaries of the Agency shall be registered with the Agency within 30 days of the completion of drilling activities or within 30 days after notice is given to the owner of such facility. No extraction facility may be operated or otherwise utilized so as to extract groundwater within the Agency Boundary unless that facility is registered with the Agency, flow metered and permitted, if required, and all extractions reported to the Agency as required. The owner of an extraction facility shall register his extraction facility and provide in full, the information required to complete the form provided by the Agency that includes the following:

2.1.2.1. Name, address, telephone number, and e-mail address of the owner(s) of the land upon which the extraction facility is located

2.1.2.2. Name, address, telephone number, and e-mail address of the well operator(s), if different than owner(s).

2.1.2.3. A description of the equipment associated with the extraction facility.

2.1.2.4. Location, parcel number and state well number of the water extraction facility.

2.1.2.5. Digital photographs showing (1) the well and discharge piping with meter location visible, (2) flowmeter face with all totalizer digits and flowmeter units visible and legible; and (3) flow meter serial number. The digital photographs shall be date stamped and the file name shall include the state well number and meter serial number. The digital photographs shall be submitted to the Agency via e-mail or by other electronic method approved by the Executive Director.

**2.2. Change in Owner or Operator** - The name of the owner of each extraction facility, the parcel number on which the well is located along with the names of all operators for each extraction facility shall be reported to the Agency within 30

days upon any change of ownership or operators, together with such other information required by the Executive Director.

- 2.3. Reporting Extractions** - All extractions shall be reported to the Agency. All extractions shall be flowmetered in accordance with the requirements and methods for flowmetering extractions as specified by Chapter 3. In cases where flowmetering is not required, the volume of water extracted shall be estimated and reported to the Agency. The Agency shall send a “Quarterly Groundwater Extraction Statement” (QGESQGES) form to each well operator in January, April, July, and October each year. Each operator shall return the completed QGES form on or before the due date for all wells they operate. QGESQGES forms are due forty-five (45) days after being sent by the Agency. The QGES shall contain the following information:

- 2.3.1. The information required under Section 2.1.2.1 through 2.1.2.5, above.
- 2.3.2. The method of measuring or computing groundwater extractions.
- 2.3.3. Total extractions from each extraction facility in acre-feet for the preceding period.
- 2.3.4. A digital photograph of each flowmeter associated with each well listed on the QGES shall be submitted with the QGES. Each digital photograph shall be date stamped and shall show the entire meter face with all totalizer digits and flowmeter units visible and legible. The digital photograph file name shall include the state well number and meter serial number. The digital photograph(s) shall be submitted to the Agency via e-mail or by other electronic method approved by the Executive Director.

## **CHAPTER 3.0**

### **Installation and Use of Flowmeters for Groundwater Extraction Facilities**

#### **3.1. Installation and Use of Flowmeters**

- 3.1.1. Installation Requirement – Prior to extracting groundwater, the operator shall install a flowmeter. With the exception of connections used for well flushing and extraction facilities used by multiple operators, flowmeters shall be installed upstream of all connections to the main discharge line. Flowmetering is not required during well flushing and well rehabilitation; however, the volume of water extracted shall be estimated and reported to the Agency. Flowmeters are not required on Inactive Wells and Exempt Wells as defined in this Ordinance. Well operators are required to install flowmeters on wells and provide proof of calibration by June 30, 2023.

- 3.1.2. **Flowmeter Failure and Back-up Measurement Requirements** - Flowmeters occasionally fail, losing periods of record before the disabled or inaccurate meter is either replaced or repaired. When a flowmeter fails, the operator shall repair or replace the flowmeter within the timeframe specified in this Ordinance. Flowmeter failures and associated repairs or replacements shall be reported to the Agency together with any other information required by the Executive Director on or before the due date of the next Quarterly Groundwater Extraction Statement. Well operators shall be prepared to provide another acceptable method of computing extractions during these periods of flowmeter failure to avoid the loss of record on wells that require flowmetering under this Ordinance.
- 3.1.3. **Back-up Methods** - It is the operator's responsibility to maintain the flowmeter. Any allowable or acceptable backup measurement methods may be changed as technology improves or changes.
- 3.1.4. **Flowmeter Readings** - Functional flowmeters shall be read and the readings reported semi-annually on the extraction statements required under Section 2.3 above.
- 3.1.5. **Inspection of Flowmeters** - The Agency may inspect flowmeter installations for compliance with this Ordinance at any reasonable time.
- 3.2. **Flowmeter Testing and Calibration** - All flowmeters shall be tested for accuracy at a frequency interval determined by the Board to meet specific measurement standards. Calibration methods and procedures approved by the Board as detailed in this Ordinance. Initial proof of calibration shall be provided prior to prior to June 30, 2023.
- 3.3. **Altering Flowmeters** - Any person who alters, removes, resets, adjusts, manipulates, obstructs, or in any manner interferes or tampers with any flowmeter affixed to any groundwater extraction facility required by this Ordinance, resulting in said flowmeter to improperly or inaccurately measure and record groundwater extractions, is guilty of an intentional violation of this Ordinance and will be subject to any and all penalties as described in Chapter 7.
- 3.4. **Costs of Testing and Calibration** - All costs incurred with flowmeter testing or calibration shall be the personal obligation of the well owner. Non-compliance with any provision of the flowmeter calibration requirements will subject the owner to financial penalties and/or liens as described below or in Chapter 7 of this Ordinance.
- 3.5. Upon violation of any flowmeter provision, the Agency may, as allowed by law, petition the Superior Court of the County for a temporary restraining order or preliminary or permanent injunction prohibiting the well owner from operating the facility, or for such other relief as may be appropriate.

## **CHAPTER 4**

### **Flowmeter Testing and Calibration Requirements**

#### **4.1 General Procedures**

- 4.1.1. All groundwater extraction flowmeters shall be tested for accuracy every three years to demonstrate accuracy within a range of plus or minus 5%.
- 4.1.2. Written certification of water meter accuracy by a qualified flowmeter testing company or person approved pursuant to section 4.7 shall be submitted within 30-days following any accuracy test or
- 4.1.3. If there is an indication that a flowmeter has been tampered with, the operator shall promptly report this to the Agency and the meter shall be retested and proof of flowmeter accuracy submitted to the Agency within 30 days of the discovery of the tampered meter.
- 4.1.4. If a flowmeter on an active well has been removed or destroyed for any reason by any person, whether by the operator, owner, or another person or entity - including, but not limited to, replacement, upgrade, or theft - the operator must notify the Agency of this event within 14 days. In such event, the removed or destroyed flowmeter must be replaced within 30 days, and the new flowmeter tested and proof of flowmeter accuracy submitted to the Agency within 30 days after replacement.
- 4.1.5. The Agency Executive Director, or designee, may, on a showing of good cause, grant additional time to comply with these provisions.

#### **4.2. Approved Methods of Testing and Testing Requirements**

- 4.2.1. Method(s) of accuracy testing and calibration shall be determined by the Agency Executive Director, or designee, and may be changed at any time to accommodate technological improvements or better methods.
- 4.2.2. Some flowmeter tests may require a pipe tap or access fitting on either the upstream or downstream side of the well flowmeter, or both. If such portals are not available, the well operator or owner shall provide them at his or her own expense.
- 4.2.3. In cases where more than one flowmeter is utilized to measure groundwater extractions, every flowmeter in that well and/or plumbing configuration must be tested and calibrated to required tolerances during the same visit.



#### 4.3 Testing Option Via Southern California Edison (SCE)

- 4.3.1. If the well pump motor is tested for electrical demand efficiency by Southern California Edison (SCE), a copy of the SCE Efficiency Report may be submitted to the Agency in lieu of the required flowmeter calibration report; however, an adequate comparison of the SCE-determined flow measurement against the customer's existing well flowmeter must be provided within the submitted report.
- 4.3.2. If the SCE test results indicate that the flowmeter exceeds the plus or minus 5% accuracy range, the flowmeter must be repaired or replaced and retested per section "4.1.1" above at the owner's expense.
- 4.3.3. **Special Note:** Failure to obtain passing test results within the Agency-specified time frame due to SCE's workload or backlog schedule is not justification for a time extension request. However, if a letter from SCE confirming a scheduled test date after the Agency specified time frame is submitted to the Agency prior to the required testing timeframe, the Agency Executive Director, or designee, may authorize a test date time extension.

#### 4.4 New Flowmeter Installations

- 4.4.1. When any operator or owner installs a new water flowmeter, including a replacement water flowmeter, on the discharge piping of a well, proof of flowmeter accuracy shall be submitted to the Agency within 30 days of the installation date. In addition, digital photographs shall be submitted showing (1) the well and discharge piping with meter location visible, (2) flowmeter face with all totalizer digits and flowmeter units visible and legible; and (3) flow meter serial number. The digital photographs shall be date stamped and the file name shall include the state well number and meter serial number. The digital photographs shall be submitted to the Agency via e-mail or by other electronic method approved by the Executive Director.

#### 4.5 Required Documentation to Certify Calibration Accuracy Standards

- 4.5.1. Documentation to indicate that existing flowmeters meet accuracy or calibration standards (without flowmeter replacement, repair, or refurbishment) shall be provided to the Agency by submitting a copy of the successful test/calibration results that are provided to the flowmeter owner/operator by either an agency-approved flowmeter tester or SCE, as noted in Section 4.3, above.
- 4.5.2. Documentation that indicates a flowmeter is new and/or has been repaired/refurbished to meet accuracy or calibration standards will be

acceptable to the Agency provided the flowmeter was installed per the flowmeter manufacturer's specifications. Acceptable proof shall include name of meter manufacturer; meter serial and model numbers; unit of measure and unit multiplier for the meter; serial number, and that installation meets the manufacturer's specifications; an invoice and/or work order indicating that the flowmeter was installed or repaired/refurbished on a certain date.

4.5.3. If the new or refurbished flowmeter was not installed per the flowmeter manufacturer's specifications, the well owner or operator shall obtain a flowmeter test for accuracy, and if necessary, re-calibrate the new or refurbished flowmeter to reflect actual in-place conditions. The passing test results shall be submitted to the Agency within 30 days of new or refurbished flowmeter installation.

4.5.4 Required documentation to certify calibration accuracy standards shall include digital photographs showing (1) the well and discharge piping with meter location visible, (2) flowmeter face with all totalizer digits and flowmeter units visible and legible; and (3) flow meter serial number. The digital photographs shall be date stamped and the file name shall include the state well number and meter serial number. The digital photographs shall be submitted to the Agency via e-mail or by other electronic method approved by the Executive Director.

**4.6. Flowmeter Maintenance Between Required Calibration Testing Intervals**

4.6.1. Written notification shall be provided to the Agency at least two (2) weeks prior to any planned maintenance requiring removal and reinstallation of the flowmeter.

4.6.2. If the maintenance does alter the piping diameters or configuration, the flowmeter shall be retested, and if necessary, recalibrated, as per any and all applicable Ordinance requirements.

**4.7. Approved Flowmeter Testers** - Approved testers are those approved by the Fox Canyon Groundwater Management Agency, as designated at their website: <https://fcgma.org/public-documents/forms>, and as amended from time to time.

**4.8. Meter Repair or Replacement** - Broken or inaccurate flowmeters must be promptly reported to the Agency and repaired or replaced within 30 days of failure, or from the date when non-accurate readings are first noted. Special circumstances may be afforded additional leeway or time to comply with provisions at the discretion of the Executive Director. Proof of flowmeter accuracy of the repaired or replacement meter along with supporting documentation shall be submitted to the Agency within 30 days of the installation date.

**4.9 Backup Measurement Methods-** When necessary, temporary in-place flowmeters shall be installed to provide back-up water flow measurement. The use of temporary flowmeters shall not exceed 60 days.

**4.10 Inspection of Flowmetering Equipment -** Agency staff or their designated agents may, at their discretion, inspect flowmetering equipment installations for compliance with this Ordinance at any reasonable time. A minimum of 24-hours notice will be provided to the well owner or operator prior to any well visit or inspection.

**4.11 Non-Compliance with Flowmeter Calibration Requirements**

4.11.1. Pursuant to the statutory authority granted by this Ordinance and state law, a Notice of Violation shall be sent to any operator and/or owner who fails to provide the Agency with proof of accurate flowmeter calibration within specified timeframes. Also, any flowmeter for which the required proof of accuracy is not submitted within specified timeframes shall be deemed a non-operating flowmeter for purposes of Section 3.5 of this Ordinance. In addition, any operator and/or owner who fails to provide the Agency with proof of accurate flowmeter calibration within:

a) 120 days after a Notice of Violation is sent shall be liable to the Agency for a civil penalty in the amount of \$1,100.00;

b) 150 days after the Notice of Violation is sent shall be liable to the Agency for an additional civil penalty in the amount of an \$600.00, for a total penalty of \$1,700.00;

c) 210 days after the Notice of Violation is sent shall be liable to the Agency for an additional civil penalty in the amount of \$600.00, for a total penalty of \$2,300.00.

4.12.2. Non-compliance at the end of 210 days shall subject the owner to enforcement action and additional fines, penalties, fees or liens as authorized by this Ordinance or state law.

**CHAPTER 5.0**

**Appeals**

**5.1.** Any person aggrieved by a decision or determination made by the Executive Director may appeal to the Board within forty-five (45) calendar days thereof by filing with the Executive Director a written request that the Board review the decision of the Executive Director. The Board shall equitably act on the appeal within 120 days after all relevant information has been provided by the appellant.

**CHAPTER 6.0**  
**Severability**

- 6.1. If any section, part, clause or phrase in this Ordinance is for any reason held invalid or unconstitutional, the remaining portion of this Ordinance shall not be affected but shall remain in full force and effect.

**CHAPTER 7.0**  
**Penalties**

- 7.1. Any operator or other person who violates the provisions of this Ordinance is subject to the criminal and civil sanctions set forth in state law and this Ordinances.
- 7.2. Any person who intentionally violates any provision of this Ordinance shall be guilty of an infraction and may be required to pay a fine to the Agency in an amount not to exceed five hundred dollars (\$500).
- 7.3. Any person who negligently or intentionally violates any provision of this Ordinance may also be liable civilly to the Agency for a sum not to exceed one thousand dollars (\$1,000) per day for each day of such violation, in addition to any other penalties that may be prescribed by law.
- 7.4. Upon the failure of any person to comply with any provision of this Ordinance , the Agency may petition the Superior Court for a temporary restraining order, preliminary or permanent injunction, or such other equitable relief as may be appropriate. The right to petition for injunctive relief is an additional right to those, which may be provided elsewhere in this Ordinance or otherwise allowed by law. The Agency may petition the Superior Court of the County to recover any sums due the Agency.
- 7.5. Civil penalties for specified violations of this Ordinance shall be established by Resolution which may provide discretion for the Executive Director to adjust and/or waive the civil penalty.

This Ordinance and amendments hereof shall become effective on the thirty-first day after adoption.

[Signature page follows]

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Bruce Kuebler, Board Vice Chair  
Upper Ventura River  
Groundwater Agency

**ATTEST:**

\_\_\_\_\_  
Bryan Bondy  
Executive Director

**ATTEST:**

\_\_\_\_\_  
Upper Ventura River Groundwater Agency  
General Counsel



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

May 23, 2022

[NAME]

[ADDRESS 1]

[ADDRESS 2]

RE: Proposed Well Registration, Metering and Extraction Reporting Ordinance and Proposed Groundwater Extraction Fees for Fiscal Year 2022/2023

Dear [MAIL MERGE RECIPIENT],

The purpose of this letter is to inform you about two significant matters that the Upper Ventura River Groundwater Agency (UVRGA) Board of Directors will be deliberating following public hearings to be held during its upcoming regular meetings on June 9, 2022 at 1pm.

Proposed Well Registration, Metering and Extraction Reporting Ordinance

As you may know, the current groundwater extraction fee methodology relies on estimates of pumping to determine your total fee amount. UVRGA has received input from stakeholders stating a desire to be charged based on actual groundwater use, not estimates. The UVRGA Board has considered that input and agrees. The UVRGA Board has determined that actual groundwater use should be determined using flowmeters and has developed a proposed ordinance to set forth appropriate well registration, metering, and extraction reporting requirements. The draft ordinance can be viewed at <https://uvrgroundwater.org/> (link under the "Latest News" banner). To reduce ordinance development costs, the draft ordinance is based on the Fox Canyon Groundwater Management Agency rules. The draft ordinance includes requirements for registering your well with UVRGA, requirements for the installation and periodic calibration of a flowmeter on your well discharge line, and requirements for reporting extractions to UVRGA on a quarterly basis.

The proposed ordinance includes the following primary requirements:

1. Fill out a form provided by UVRGA to register your well(s).
2. Install a flowmeter on your well(s) by June 30, 2023.
3. Provide proof of flowmeter calibration that is less than 3 years old by June 30, 2023 (Note: UVRGA will provide a list of approved calibration vendors)
4. Take and submit a digital photograph of your flowmeter totalizer March 31, June 30, September 30, and December 31 of each year.
5. Complete Quarterly Groundwater Extraction Statements provided by UVRGA and submit together with the totalizer photos to UVRGA each quarter. (Note: quarterly reporting of groundwater extractions is necessary to accomplish both water year<sup>1</sup> extraction reporting

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<sup>1</sup> October 1 – September 30

to the State and to assess semi-annual groundwater extractions fees. which will be billed semi-annually for the January-June and July-December periods.

Please note: UVRGA will not be responsible for submitting your annual reporting statements to the State Water Resources Control Board (SWRCB), individual landowners will continue to be responsible for annual extraction reporting to SWRCB.

The UVRGA Board will conduct a public hearing and first reading of the proposed ordinance on June 9, 2022 and will schedule a second public hearing prior to adopting the ordinance. If you have comments on the draft ordinance, it would be best to provide those comments before or during the first public hearing (June 9, 2022). Your input and feedback is welcomed.

#### Proposed Groundwater Extraction Fees for Fiscal Year 2022/2023

The second subject matter is groundwater extraction fees. Since 2019, you have been assessed up to \$79.16 per acre foot of your estimated groundwater extractions to fund the costs of the State-mandated sustainable groundwater management program for the Upper Ventura River Valley Basin (Basin). The fees you have paid supplemented the \$630,061 of grant proceeds UVRGA received to fund the development of the required groundwater sustainability plan (GSP) for the Basin. Now that the GSP has been completed, UVRGA is turning its attention to plan implementation.

The UVRGA Board has reviewed the current groundwater extraction fee methodology and determined that it is no longer adequate to support the Agency. First, the current groundwater extraction fee is based on old estimates of pumping and certain private well owners have indicated a desire be charged based on actual groundwater use, not estimates. The UVRGA Board has also determined that the fee rate itself is insufficient to fund the necessary Agency functions. This is due to several factors. First, actual pumping by the public agencies has decreased significantly relative to the estimated pumping used in the current fee. This means the fee on a dollar per acre-foot basis must be increased to generate the same amount of revenue. In addition, GSP implementation costs are projected to be greater than GSP development costs. Lastly, inflation has risen significantly (the UVRGA Board now assumes 5% per year instead of the previous 3% assumption). The combination of these factors has resulted in a proposed extraction fee of \$148 per acre foot for fiscal year 2022/2023 (July 1, 2022 through June 30, 2023). The proposed extraction fee is based on UVRGA's adopted fiscal year 2022/2023 budget, which can be viewed at <https://uvrgroundwater.org/wp-content/uploads/2022/05/UVRGA-FY-23-Budget-and-Multi-Year-Projection-Adopted-5-12-22.pdf>. It is anticipated that the groundwater extraction fee will be re-evaluated and adjusted each year going forward.

Please note that UVRGA intends to apply for a GSP Implementation Grant later this year to fund a significant portion of the Agency's costs over the next several years. If awarded, the grant would reduce the groundwater extraction fee for several years beginning as early as next fiscal year (2023/2024). We also hope for wetter conditions that would allow for more groundwater extractions, driving down the groundwater extraction fee rate on a per acre-foot basis. The UVRGA Board understands that the proposed extraction fee is a significant financial burden for your organization and does not take the decision to implement the fee lightly. However, UVRGA has must comply with the State-mandate to sustainably manage the groundwater basin. Please know

## Item 10(a), Attachment B

that UVRGA is working hard to keep its costs down and operates as efficiently as possible every single day.

The UVRGA Board will consider adopting the proposed groundwater extraction fee following a public hearing on June 9, 2022 at 1pm. The public hearing notice is attached for your reference.

**Special Notice to Private Well Owners:** Please note that if you desire to be charged based on metered groundwater use during Fiscal Year 2022/2023, you must install a meter (if one is not present already) and take a digital photograph of the flowmeter register as of June 30, 2022 (see draft Ordinance Section 2.3.4 for photo requirements). If you do not already have a flowmeter installed or and cannot install one by June 30, 2022, UVRGA will charge you based on the estimated extractions utilized in the current groundwater extraction fee. The next opportunity for switching to metered extractions would be the semiannual period January 1, 2023 – June 30, 2023, in which case you would need to photograph and record your totalizer reading as of December 31, 2022. Note: proof of meter calibration is not required to be charged based on meter readings during fiscal year 2022/2023.

### Meeting Information

The Board will hold public hearings on the above-described matters during its next Regular Board Meeting:

- Date / Time: June 9, 2022, 1 p.m.
- Location: This meeting will be held on-line via Zoom:
  - Call-In Number: 1-669-900-6833
  - Meeting ID: 873 7963 5311
  - Passcode: 939446
  - Zoom Link:  
<https://us06web.zoom.us/j/87379635311?pwd=ais3RDJwSjRPKzRqT2l3WXBNS1AyUT09>

Please visit <https://uvrgroundwater.org/> for the latest updates concerning the Board meeting and public hearings.

### Closing

UVRGA looks forward to receiving your input on these important issues. Please feel free to contact me with any questions.

Sincerely,

Bryan Bondy, PG, CHG  
Executive Director

Attachments: Groundwater Extraction Fee Public Notice



**Bryan Bondy**

---

**From:** Bryan Bondy  
**Sent:** Thursday, May 26, 2022 2:13 PM  
**To:** Bryan Bondy  
**Subject:** RE: UVRGA - Well Registration, Metering, and Reporting Ordinance and Groundwater Extraction Fees for July 2022 - June 2023  
**Attachments:** UVRGA Public Notice FY 22-23 GW Extraction Fees.pdf

Dear UVRGA Interested Parties

The purpose of this e-mail is to inform you about two significant matters that the Upper Ventura River Groundwater Agency (UVRGA) Board of Directors will be deliberating following public hearings to be held during its upcoming regular meeting on June 9, 2022 at 1pm.

**Proposed Well Registration, Metering and Extraction Reporting Ordinance**

As you may know, the current groundwater extraction fee methodology relies on estimates of pumping to determine your total fee amount. UVRGA has received input from stakeholders stating a desire to be charged based on actual groundwater use, not estimates. The UVRGA Board has considered that input and agrees. The UVRGA Board has determined that actual groundwater use should be determined using flowmeters and has developed a proposed ordinance to set forth appropriate well registration, metering, and extraction reporting requirements. The draft ordinance can be viewed at <https://uvrgroundwater.org/wp-content/uploads/2022/05/UVRGA-Ordinance-Establishing-Well-Registration-Metering-and-Reporting-Requirements-clean-version-5.23.22.pdf>. To reduce ordinance development costs, the draft ordinance is based on the Fox Canyon Groundwater Management Agency rules. The draft ordinance includes requirements for registering your well with UVRGA, requirements for the installation and periodic calibration of a flowmeter on your well discharge line, and requirements for reporting extractions to UVRGA on a quarterly basis.

The proposed ordinance includes the following primary requirements:

1. Fill out a form provided by UVRGA to register your well(s) and submit with digital photos of your well.
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## Item 10(a), Attachment C

Please note: UVRGA will not be responsible for submitting your annual reporting statements to the State Water Resources Control Board (SWRCB), individual landowners will continue to be responsible for annual extraction reporting to SWRCB.

The UVRGA Board will conduct a public hearing and first reading of the proposed ordinance on June 9, 2022 and will schedule a second public hearing prior to adopting the ordinance. If you have comments on the draft ordinance, it would be best to provide those comments before or during the first public hearing (June 9, 2022). Your input and feedback is welcomed.

### **Proposed Groundwater Extraction Fees for Fiscal Year 2022/2023**

The second subject matter is groundwater extraction fees. Since 2019, you have been assessed up to \$79.16 per acre foot of your estimated groundwater extractions to fund the costs of the State-mandated sustainable groundwater management program for the Upper Ventura River Valley Basin (Basin). The fees you have paid supplemented the \$630,061 of grant proceeds UVRGA received to fund the development of the required groundwater sustainability plan (GSP) for the Basin. Now that the GSP has been completed, UVRGA is turning its attention to plan implementation.

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Please note that UVRGA intends to apply for a GSP Implementation Grant later this year to fund a significant portion of the Agency's costs over the next several years. If awarded, the grant would reduce the groundwater extraction fee for several years beginning as early as next fiscal year (2023/2024). We also hope for wetter conditions that would allow for more groundwater extractions, driving down the groundwater extraction fee rate on a per acre-foot basis. The UVRGA Board understands that the proposed extraction fee is a significant financial burden for your organization and does not take the decision to implement the fee lightly. However, UVRGA has must comply with the State-mandate to sustainably manage the groundwater basin. Please know that UVRGA is working hard to keep its costs down and operates as efficiently as possible every single day.

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## Item 10(a), Attachment C

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Please visit <https://uvrgroundwater.org/> for the latest updates concerning the Board meeting and public hearings.

### **Closing**

UVRGA looks forward to receiving your input on these important issues. Please feel free to contact me with any questions.

Best Regards,

--

Bryan Bondy, PG, CHG  
Executive Director  
UVRGA  
805-212-0484