

**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, October 13, 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/85736267762?pwd=d1ZZUDJxc3JvL3ZvN2oxNFJJdmtmZz09>**

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

**<https://us06web.zoom.us/j/85736267762?pwd=d1ZZUDJxc3JvL3ZvN2oxNFJJdmtmZz09>**

**Meeting ID: 857 3626 7762**

**Passcode: 722969**

**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**

**October 13, 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 September 8, 2022 Regular Board Meeting**

**b. Approve Financial Report for September 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 - NO ITEMS THIS MEETING**

## **10. GSP IMPLEMENTATION ITEMS**

### **a. GDE Monitoring Plan Implementation Update**

The Board will receive an update on implementation of the GDE monitoring plans and may provide feedback to Staff.

### **b. Intra Work Order No. 6 for Water Year 2021/2022 GSP Annual Report Preparation and Numerical Model Update**

The Board will consider approving Intra, Inc. Work Order No.68 for preparation of the GSA water year 2021/2022 annual report and associated numerical model update in an amount not to exceed \$ 45,136 and \$4,000 in contingency to be authorized at the discretion of the Executive Director (\$49,136 total authorization).

### **c. GSP Summary Presentation - Part 1 of 2**

The Executive Director will provide a summary of the GSP for the Board of Directors and public. This is the first of two presentations that will summarize the GSP.

## **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 November 10, 2022 at 1 P.M.

## **UPPER VENTURA RIVER GROUNDWATER AGENCY MINUTES OF REGULAR MEETING SEPTEMBER 8, 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 Bruce Kuebler, Betsy Cooper (alternate), Emily Ayala, Arne Anselm, Mary Bergen (alternate), Pete Kaiser (arrived late) and Vivon Crawford. Also, present: Executive Director Bryan Bondy, Agency Counsel Keith Lemieux, and Administrative Assistant Maureen Tucker. Identified public members present: Mike Flood, Burt Rapp, Burt Handy, Alma Quezada, and Justin Martinez.

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

Vice-Chair Kuebler called the meeting to order at 1:05 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, Betsy Cooper, Emily Ayala, Arne Anselm, Mary Bergen, and Vivon Crawford

Directors Absent: Meiners Oaks Water District Member Director

Director Crawford said she needs to leave the meeting at 1:30 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 suggested deferring the GSP summary presentation (Item No. 10a.) because Director Crawford will likely miss most of it.

Director Anselm moved agenda approval with the above-requested amendment and renewal of Resolution 2021-05. Director Ayala seconded the motion.

Roll Call Vote: B. Kuebler – Y E.Ayala – Y V.Crawford - Y

B.Cooper – Y A.Anselm - Y M.Bergen - Y

Director Absent: Meiners Oaks Water District Member Director

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

Vice-Chair Kuebler asked for public comments on items not appearing on the agenda. No comments were offered.

**6) CONSENT CALENDAR**

- a. Approve Minutes from August 11, 2022 Regular Board Meeting
- b. Approve Financial Report for August 2022
- c. Approval Rate Increase for Bondy Groundwater Consulting, Inc.

Vice-Chair Kuebler asked if any directors would like to discuss any consent calendar items.

Directors Cooper and Bergen said they will be abstaining on the meeting minutes.

Vice-Chair Kuebler said he would like to discuss Item 6(c).

Director Anslem requested a change the minutes on page 7 regarding the professional services contract for the GSP implementation grant application to state that Kennedy/Jenks is the best choice if there was an RFQ.

Director Anslem moved to approve consent Item Nos. 6(a) and (b) with the requested amendment.

Director Ayala seconded the motion.

Roll Call Vote: B. Kuebler – Y E.Ayala – Y V.Crawford – Y A.Anselm - Y

B.Cooper – Abstain for item 6a. Yes for item 6b.

M.Bergen - Abstain for item 6a. Yes for item 6b.

Directors Absent: Meiners Oaks Water District Member Director

Vice-Chair Kuebler said he feels Mr. Bondy's compensation is under market and feels a larger rate increase than requested is in order. He feels Mr. Bondy has done a tremendous job and has saved UVRGA a lot of money. He proposes the Board consider an increase to \$240 or \$250 per hour.

Director Bergen said Mr. Bondy is worth more than he is charging but wants to know how much Director Kuebler's proposal would affect the agency's budget.

Executive Director Bondy stated the Agency budget includes a 5% escalation, which is less than the current 12-month CPI, which is the basis for the proposed increase in his firm's



## Item 6(a)

letter. Executive Director Bondy said he is content with the rate increase proposed in the letter from his firm. He added that the discounted rate is justified because UVRGA is a long-standing client and because of the work volume.

Director Ayala said she would love to pay Executive Director Bondy more, but it is important to stay within the agency's budget. She suggests the Board approve the requested increase, and then revisit this issue during budgeting.

Director Crawford agrees with Director Ayala that we need to incorporate rate increases into the budgeting process.

Executive Director Bondy said the issue is that the contract calls for review of rates on the contract anniversary which happens in August, but budgeting occurs in May. He said that rate increases can be estimated during the budgeting process going forward.

Director Cooper said she would like to stick with what is proposed in the letter.

Director Anslem agreed with Director Cooper.

Director Cooper moved to approve the rate increase pursuant to the letter from Bondy Groundwater Consulting, Inc.

Director Anslem seconded the motion.

Roll Call Vote: B. Kuebler – Y E. Ayala – Y V. Crawford - Y

B. Cooper – Y A. Anselm - Y M. Bergen - Y

Directors Absent: Meiners Oaks Water District Member Director

Public Comments: none

Director Peter Kaiser arrived and replaced Director Bergen.

### **7) DIRECTORS ANNOUNCEMENTS**

- a. Directors may provide oral report on items not appearing on the agenda.

Director Kuebler: No report

Director Cooper: No report

## Item 6(a)

Director Ayala: No report

Director Crawford: No report

Director Kaiser: No report

Director Anselm No report

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

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

Executive Director Bondy said Agency Counsel is prepared to perform the “New Director” training on Thursday, September 22, 2022 at 1:00 p.m. He explained that this is the 4<sup>th</sup> Thursday of the month, which has typically been reserved for Special Board meetings. He explained that if more than three directors plan to attend, he needs to notice the training session as a special board meeting. He requested the Directors indicate their intentions.

Agency counsel stated the training would be along the lines of AB 1234 training, including the Brown Act and conflict of interest.

Director Crawford asked about SGMA training. She wants to make sure the Board is comfortable with her knowledge of SGMA. Agency Counsel stated he would make sure that SGMA is included in that training. Director Crawford stated she was available that date.

Director Cooper said she will be on vacation that date and she said Director Tribo's calendar shows her attending the Localizing California Waters Workshop in Ojai. Director Crawford stated she will be presenting at that Workshop on September 22, 2022, so that would conflict with the training.

Executive Director proposed Thursday, October 27, 2022. No objections were voiced.

Director Ayala asked if the Agency is paying the registration fee for Executive Director Bondy to attend the workshop.

Executive Director Bondy said he does not plan to attend.

Director Ayala asked who would be attending the workshop. Director Crawford said she would be presenting at the Workshop. Director Cooper said Director Tribo will be attending. Director Kuebler stated he will be attending a portion of the Workshop.

Public comments: none

**9) ADMINISTRATIVE ITEMS**

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

Director Kaiser reported that there has been no new information since the last time they met. He reached out to the City of Ojai on several occasions and has not received a response from them. He suggests removing this item from the meeting agendas until further notice.

Public Comments: none

Director Comments: none

**10) GSP IMPLEMENTATION ITEMS**

**a. GSP Summary Presentation – Part 1 of 2**

This item was deferred to the next regular board meeting.

**b. Rincon Consultants, Inc. Work Order No. 8 for Aquatic Groundwater Dependent Ecosystem (GDE) Monitoring in the Confluence Aquatic Habitat Area.**

Executive Director Bondy provided a summary of the proposed professional services to implement the Board-approved Confluence Habitat Area Aquatic GDE Monitoring Plan and system plan for the Foster Park Habitat Area. He explained that Rincon Consultants, Inc. has a master services agreement with the Agency that was awarded following a competitive selection process. He added that the proposed fees are consistent with the Agency's adopted budget.

Public Comments: None.

Director Kaiser moved approval of Rincon Consultants, Inc. Work Order No. 8 for implementation of the Confluence Aquatic Habitat Area GDE Monitoring Workplan during fiscal years 2022/2023, 2023/2024, and 2024/2025 in an amount not to exceed \$124,280 and \$12,720 contingency to be authorized at the discretion of the Executive Director (\$137,000 total authorization).

Seconded by Director Anslem.

## Item 6(a)

Roll Call Vote: B. Kuebler – Y E.Ayala – Y V.Crawford - Y

B.Cooper – Y A.Anselm - Y P. Kaiser - Y

Directors Absent: Meiners Oaks Water District Member Director

**c. Rincon Consultants, Inc. Work Order No. 9 for Aquatic Groundwater Dependent Ecosystem (GDE) Monitoring in the Foster Park Aquatic Habitat Area.**

Director Kaiser moved approval of Rincon Consultants, Inc. Work Order No. 9 for implementation of the Foster Park Aquatic Habitat Area GDE Monitoring Workplan during fiscal years 2022/2023, 2023/2024, and 2024/2025 in an amount not to exceed \$70,350 and \$7,150 contingency to be authorized at the discretion of the Executive Director (\$77,500 total authorization)

Seconded by Director Ayala.

Public Comments: None.

Roll Call Vote: B. Kuebler – Y E.Ayala – Y V.Crawford - Y

B. Cooper– Y A.Anselm - Y P. Kaiser - Y

Directors Absent: Meiners Oaks Water District Member Director.

### **11) COMMITTEE REPORTS**

**a. Ad Hoc Stakeholder Engagement Committee**

Director Ayala and Director Crawford said there is nothing to report.

Executive Director Bondy stated that the well registration process is moving forward. Registration packets will be sent to the well owners next week. Director Ayala offered to review the packets before sending them out. Executive Director Bondy said he would appreciate that and will reach out to her.

Director Kuebler stated that the Agency needs to update its stakeholder engagement plan.

Director Ayala said she would be happy to get together with Director Crawford to review and propose updates.

## Item 6(a)

Director Ayala asked when UVRGA will hear back from the State regarding their GSP. Executive Director Bondy said the Department of Water Resources (DWR) has up to two years from January to assess the GSP. He anticipates receiving feedback from DWR toward the end of the two-year period because Upper Ventura River Basin is not a high priority basin.

Public comments: None

### **12) FUTURE AGENDA ITEMS**

Item 10(a) will return next month.

### **13) ADJOURNMENT**

The next Regular Board meeting is scheduled for October 13, 2022 at 1:00 p.m.

The meeting was adjourned at 1:44 p.m.

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

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

M. Etchart\_\_ B.Kuebler\_\_ J.Tribo\_\_ A.Anslem\_\_ E.Ayala\_\_ V.Crawford\_\_ P.Kaiser\_\_

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

**DATE:** October 10, 2022  
**TO:** Board of Directors  
**FROM:** Carrie Troup C.P.A., Treasurer  
**SUBJECT:** Approve Financial Report for September 2022

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**August 2022 UVRGA Balance** \$ 686,093.09

**September 2022 Activity:**

**Revenues/ Credits:**

**Checks Pending Signature:**

2331	Void- Printer error	-
2332	Void- Printer error	-
2333	Void- Printer error	-
2334	Void- Printer error	-
2335	Void- Printer error	-
2336	Void- Printer error	-
2337	Void- Printer error	-
2338	Void- Printer error	-
2339	Void- Printer error	-
2340	Rincon Consultants, Inc. Sept Services	\$ 1,275.00
2341	Rincon Consultants, Inc. Aug Services	\$ 702.50
2342	Rincon Consultants, Inc. Aug Services	\$ 1,220.25
2343	Rincon Consultants, Inc. Sept Services	\$ 1,447.50
2344	Carrie Troup, CPA Sept Services	\$ 540.74
2345	Aleshire & Wynder, LLP Aug Services	\$ 1,510.60
2346	Bondy Groundwater Consulting, Inc. Sept Services	\$ 9,337.96
2347	Ventura River Water District Cash Adv.	\$ 30,000.00
2348	City of San Buenaventura Cash Adv.	\$ 30,000.00
2349	Meiners Oaks Water District Cash Adv.	\$ 30,000.00
2350	Rincon Consultants, Inc. Sept Services	<u>\$ 1,567.50</u>
Total Expenditures Paid & To Be Paid		\$ 107,602.05

**September 2022 UVRGA Ending Balance:** **\$ 578,491.04**

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

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

B. Kuebler\_\_\_ A. Anselm\_\_\_ M. Etchart\_\_\_ P. Kaiser\_\_\_ J. Tribo\_\_\_ 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.

## UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 8

**DATE:** October 13, 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: Legal Counsel's "New Director" training is scheduled for Thursday October 20, 2022 at 1 p.m. (Note: UVRGA's practice has been to hold the 4th Thursday of the month open for potential special board meetings).
2. Financial:
  - a. Groundwater Extraction Fees: No update. All accounts are current. The next invoices for private well owners will be sent in January 2023 for the July 1 – December 31, 2022 semi-annual period. The next invoice for the member agency well owners will be sent in August 2023 for the period July 1, 2023 – June 30, 2024.
  - b. GSP Development Grant: 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.
  - c. GSP Implementation Grant: Work on the SGMA Implementation Round 2 Grant application is ongoing. DWR opened the grant solicitation on October 4, 2022. Grant applications are due November 30, 2022.
3. Legal: No report.
4. GSP Implementation:
  - a. Monitoring Networks:
    - i. Groundwater Level Monitoring: No activity this month.
    - ii. Surface Water Flow Monitoring: No activity this month.
    - iii. Visual Surface Water Monitoring: Rincon Consultants, Inc. continued the monthly monitoring activities.

- iv. Aquatic GDE Monitoring: Work orders for the monitoring activities were approved by the Board in September. The Executive Director and Rincon Consultants, Inc. have been working on preparatory activities. Please see Item 10(a) for more information.

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

6. Ventura River Watershed Instream Flow & Water Resilience Framework (VRIF): The Localizing California Waters Regional Workshop was held on September 22, 2022. Staff did not attend the workshop. Several Agency Directors stated they were intending to attend.

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**

None

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

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

M. Etchart\_ B. Kuebler\_ P. Kaiser\_ J. Tribo\_ A. Anselm\_ V. Crawford\_ E. Ayala\_



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

**DATE:** October 13, 2022

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** GDE Monitoring Plan Implementation Update

### **SUMMARY**

The Agency Board of Directors approved workplans for monitoring of aquatic groundwater dependent ecosystems (GDEs) in the Confluence and Foster Park Aquatic Habitat areas in August 2022 and professional services to implement the workplans in September 2022. Since receiving these Board approvals, Rincon Consultants, Inc., and the Executive Director have worked on obtaining access for the monitoring activities and have reached out to Director Crawford to follow-up on her comments about data sharing and monitoring procedures.

In terms of access to the Ventura River, there are two issues: (1) access within the riverbed and (2) ingress/egress to the riverbed.

In terms of access within the riverbed, staff consulted with Casitas MWD. Casitas MWD has a long history of monitoring the Ventura River and is an excellent resource for information for monitoring of the Ventura River. Through this consultation, it was determined that the UVRGA has legal access to the stream channel for monitoring purposes pursuant to existing State and Federal public access laws. For more information, please see that attached public access brochure (Attachment A). Pursuant to Casitas MWD's recommendation, Rincon Consultants, Inc. staff have been instructed to carry copies of the brochure in the field and provide a copy to any landowners who have questions or concerns.

In terms of ingress/egress to the riverbed, it was determined access is needed from Ventura County Watershed Protection District, City of Ventura, and Ojai Valley Land Conservancy (OVLC). VCWPD has granted temporary access while a formal encroachment permit is being pursued. An access agreement was executed with the City of Ventura (Attachment B). A request for access was made to OVLC on September 13 and followed-up on September 29 (Attachment C). OVLC has not executed the access agreement or provided comments to date. Initiation of monitoring activities are pending OVLC access.

The Executive Director also followed up with Director Crawford on September 1 via e-mail concerning her comments about data sharing and monitoring procedures (Attachment D). The Executive Director requested information concerning which protocols she feels need clarification and, specifically, what aspects of those protocols need discussion. The Executive Director also requested information about the monitoring activities California Department of Fish and Wildlife (CDFW) is performing in the Confluence and Foster Park area so UVRGA can understand what data CDFW is collecting that may help achieve the goals of the UVRGA GDE monitoring plans. To date, Director Crawford has not replied to the Executive Director's outreach effort on these matters.

**RECOMMENDED ACTIONS**

Receive an update from the Executive Director and provide feedback to staff, if desired.

**BACKGROUND**

Please see summary.

**FISCAL SUMMARY**

Not applicable.

**ATTACHMENTS**

- A. Public Access Brochure
- B. City of San Buenaventura Access Agreement for GDE Monitoring
- C. Requests for Access to OVLC Properties for GDE Monitoring
- D. E-mail from Executive Director to Director Crawford re: GDE Monitoring Procedures and Data Sharing

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

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

M. Etchart\_\_\_ B. Kuebler\_\_\_ P. Kaiser \_\_\_ J. Tribo\_\_\_ A. Anselm\_\_\_ E. Ayala\_\_\_ V. Crawford\_\_\_

**Item 10(a)**

**Attachment A**

**Public Access Brochure**

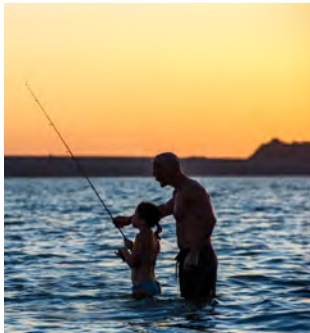


Photo courtesy of CA Dept. of Water Resources



Photo courtesy of Robert Stoddard



Photo courtesy of American Rivers



#### Members of the Commission

Gavin Newsom, *Lieutenant Governor*

Betty T. Yee, *State Controller*

Michael Cohen, *Director of Finance*

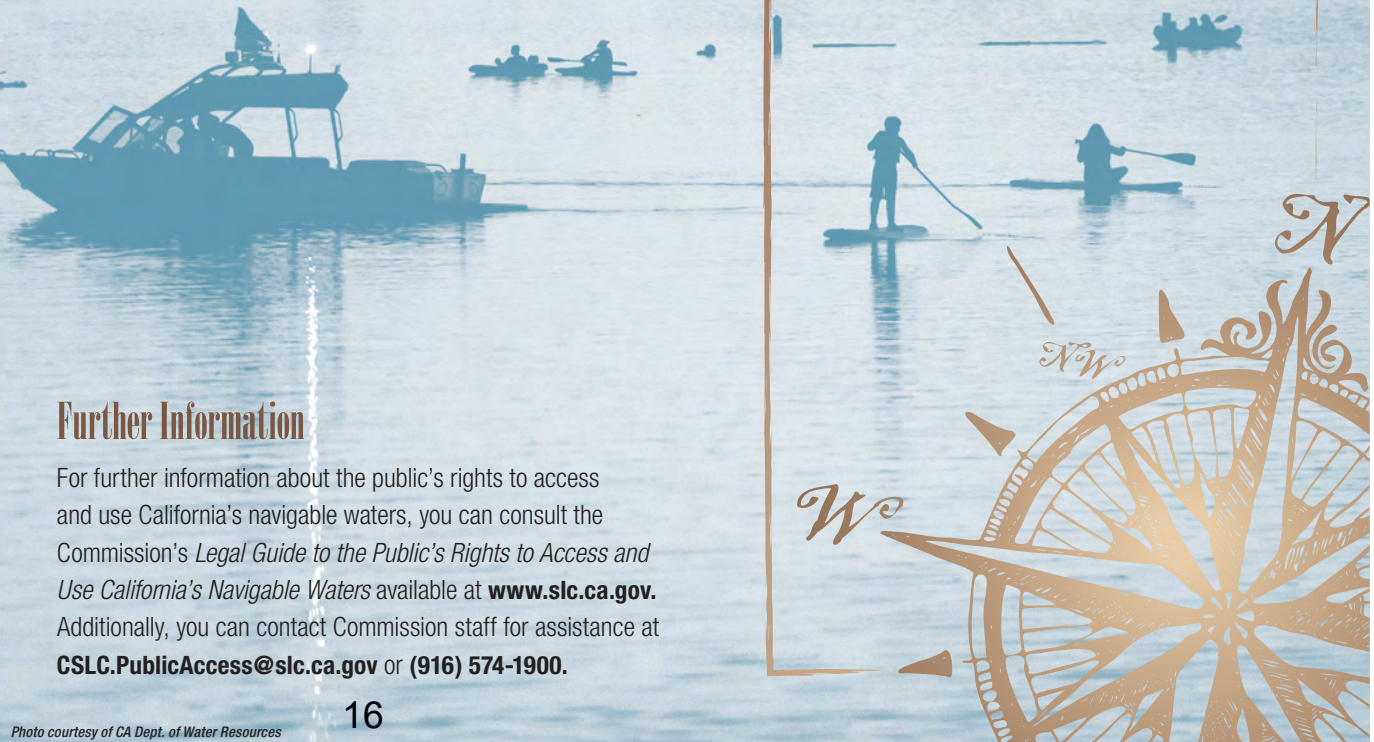
Jennifer Lucchesi, *Executive Officer*

## Keeping our Waterways Clean

California's waterways are world renowned for their beauty and recreational opportunities. Let's keep it that way. When visiting California's waterways, remember to securely pack trash, fishing line, nets, and food to avoid polluting the water and endangering wildlife. By disposing of waste properly, you can help preserve our waterways and the ecosystems they support for future generations. For more information on how to minimize impacts caused by boating, visit [http://www.dbw.ca.gov/?page\\_id=28767](http://www.dbw.ca.gov/?page_id=28767).



Photo courtesy of Visit California/Carol Highsmith



## Further Information

For further information about the public's rights to access and use California's navigable waters, you can consult the Commission's *Legal Guide to the Public's Rights to Access and Use California's Navigable Waters* available at [www.slc.ca.gov](http://www.slc.ca.gov). Additionally, you can contact Commission staff for assistance at [CSLC.PublicAccess@slc.ca.gov](mailto:CSLC.PublicAccess@slc.ca.gov) or (916) 574-1900.

Photo courtesy of CA Dept. of Water Resources

# Public Access and Use of California's Navigable Waters





## Sovereign (Public Trust) Lands

California carries forward a long-practiced tradition of preserving navigable waters for public use. Upon California's admission to the Union as a sovereign state on September 9, 1850, the state became the owner of the beds of all navigable waters to hold in trust for the public (hence the names "Public Trust lands" or "sovereign lands"). The test for whether a waterway is navigable for state ownership is whether it was susceptible of use for *commercial navigation* at statehood. Navigability is determined on a segment-by-segment basis. One navigable segment of a waterway does not render the entire waterway navigable. A few examples of the over 100 state owned sovereign (Public Trust) waterways include:

- Smith River
- Lake Tahoe
- Pacific Coast
- Sacramento-San Joaquin Rivers Delta
- Klamath River
- Russian River
- Sacramento River
- Mono Lake
- Eel River
- Napa River
- American River
- Salt River
- Clear Lake
- San Francisco Bay
- San Joaquin River
- Colorado River

Note that this list excludes artificial waterbodies such as reservoirs created by dams.

The public's rights to access and use these lands and waters vary, depending on the waterbody.

- For *coastal and other tidally influenced waters*, the public has the right to access and use lands waterward of the ordinary high water mark as located by the mean high tide line except where there has been fill or artificial accretion.
- For *inland waters*, the public has the right to access and use lands and waters waterward of the ordinary high water mark.
- When water levels periodically recede or only seasonally inundated sovereign lands become dry, the public retains the right to use those lands to the ordinary high water mark.

Acceptable uses of sovereign (Public Trust) lands include but are not limited to:

- Navigation
- Scientific study
- Passive and water-related recreation, such as walking, hiking, wading, swimming, floating, tubing, and boating
- Commerce
- Preservation of lands in their natural state
- Fishing

For more information on California's common law Public Trust Doctrine, visit <http://www.slc.ca.gov/PublicTrust/PublicTrust.html>

Photo courtesy of Paul Cockrell

## Restrictions

The public's rights to access and use navigable waters are not absolute. The public has no right to trespass over private property to access a navigable water. The responsibility of finding legal means of access remains with the public. Additionally, state and local governments may establish reasonable time, place, and manner restrictions to better ensure public safety or protect public and private property. For example, state or local restrictions may prohibit the public from fishing in unsafe locations. However, such restrictions may not totally prohibit an activity that is otherwise lawful.



Photo courtesy of American Rivers

## Waters Navigable only by Oar or Small Craft

Many of California's current waterbodies were not susceptible of commercial navigation in 1850 due to rapids, channel width or depth, or other impediments. Nonetheless, and regardless of the underlying ownership of the land, the public holds a right of navigation over all state waters navigable by oar or motor-propelled small craft. This public property right is sometimes referred to as the public's navigational easement. The public's right of navigation applies even to temporary navigable waters. A few examples of waters navigable only by oar or small craft include:

- North, Middle, and South Forks of the American River
- Upper Tuolumne River
- Yolo Bypass (when flooded or submerged)
- Upper Kern River

Unlike sovereign (Public Trust) lands, acceptable uses of waters navigable only by oar or small craft are limited to:

- Navigation by oar or small craft
- The incidents of navigation, such as fishing and swimming

## Finding Access

Resources are available to assist the public in finding legal access to navigable waters.

- The Department of Parks and Recreation has a tool to search for parks by featured activity, including swimming, boating, and surfing at <https://www.parks.ca.gov/ParkIndex/>
- The California Coastal Commission publishes the California Coastal Access Guide, available for purchase at <https://www.coastal.ca.gov/access/accessguide.html>
- Some local and regional governments have information on how and where to access navigable waters within their jurisdictions

**Item 10(a)**

**Attachment B**

**City of San Buenaventura Access Agreement for GDE Monitoring**



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

**GDE MONITORING ACCESS AGREEMENT**  
**Upper Ventura River Groundwater Agency**

APN	OWNER
0600220200	CITY OF SAN BUENAVENTURA
0600220260	CITY OF SAN BUENAVENTURA

This Access Agreement (“Agreement”) hereby permits the UPPER VENTURA GROUNDWATER AGENCY, hereinafter referred to as UVRGA, its employees and agents (“UVRGA Personnel”), to enter upon and have a license to access the real property, identified by the Accessor Parcel Numbers (“APNs”) above and as more accurately depicted in Exhibits A and B, (“Property”) owned by the “Property Owner”. UVRGA and Property Owner may also be referred to singularly as “Party” or collectively as the “Parties”.

**RECITALS**

- A. UVRGA is the Groundwater Sustainability Agency for the Upper Ventura River Groundwater Basin (“Basin”) formed pursuant to the Sustainable Groundwater Management Act (“SGMA”) of 2014.
- B. The UVRGA is implementing a Groundwater Sustainability Plan for the Upper Ventura River Groundwater Basin in compliance with SGMA.
- C. As part of GSP implementation, the UVRGA must monitoring groundwater dependent ecosystems (GDEs) located on the Property to comply with SGMA requirements.
- D. In connection therewith, Property Owner has agreed to allow UVRGA Personnel access to the Property to undertake GDE monitoring based on the terms and conditions set forth in this Agreement.

## **AGREEMENT**

Now, therefore, in the consideration of the foregoing, it is understood and intended that Property Owner grants UVRGA a revocable and non-assignable license or authority for UVRGA Personnel to enter upon the Property for the below stated purposes and uses. This Agreement does not convey an interest in land or easement in the Property to UVRGA.

**Scope of License.** Said license is given for, and limited to, the following purposes and uses. Ingress and egress to the Property on foot by UVRGA Personnel along a route within the Property acceptable to Property Owner to perform GDE monitoring. GDE monitoring shall be performed in accordance with UVRGA's Board-approved monitoring plans.

**Data Collection.** In exchange for the rights permitted herein, UVRGA may, at the Property Owner's election, provide the Property Owner with an electronic copy of data collected annually upon request of the Property Owner. To annually receive an electronic copy of the data collected from UVRGA, Property Owner must initial here (GU) and provide an email address where you can receive said data: [jtribo@venturawater.net](mailto:jtribo@venturawater.net).

Data shall be provided concurrently with annual report publication. UVRGA shall not be responsible for any delay or failure to provide such information if due to the Property Owner's failure to permit UVRGA access to the Property as provided in this Agreement, or if caused by foreseeable or unforeseeable circumstances beyond UVRGA's reasonable control. The Property Owner further acknowledges and agrees that the Property Owner is solely responsible for analyzing and interpreting the information provided by UVRGA and for how it chooses to use the information.

**Revocation and/or Termination.** This Agreement is freely revocable by UVRGA and by the Property Owner, subject to the Property Owner giving UVRGA a reasonable time to collect any monitoring deployed on the Property. Notwithstanding, UVRGA desires this Agreement to continue indefinitely. The Agreement will continue in full force and effect until thirty (30) days after notice of the intent to revoke the Agreement is provided by either Party to the other Party.

**Indemnification.** By accepting this Agreement, the UVRGA agrees to indemnify and hold the undersigned Property Owner harmless from any and all liability to, or claim of, any UVRGA Personnel which may result from or arise out of UVRGA's entry and operation on the Property pursuant to this Agreement except for the Property Owner's willful misconduct. UVRGA agrees to maintain liability insurance and provide the Property Owner a copy of relevant insurance documents prior to the commencement of monitoring.

**Entire Agreement.** This Agreement is the final expression of, and contains the entire Agreement between, UVRGA and the Property Owner with respect to the subject matter hereof and supersedes all prior understandings.



**Signatures.** Property Owner represents and warrants that he or she owns the Property described herein and has the power and authority to execute and deliver this Agreement.

By:   
Property Owner

Dated: 10.03.2022

Property Owner Name: City of San Buenaventura – Ventura Water

Property Owner Address: 501 Poli Street  
Ventura, California 93001

If you wish to be notified in advance when UVRGA Personnel will be on your Property, please provide a telephone number where you can be reached.

Telephone (day): 805-677-4131 Telephone (evening): 805-223-3053

ACCEPTED ON BEHALF OF THE UVRGA:

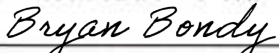
By:   
Bryan Bondy, Executive Director, Upper Ventura River Groundwater Agency

EXHIBIT A

CONFLUENCE HABIT AREA

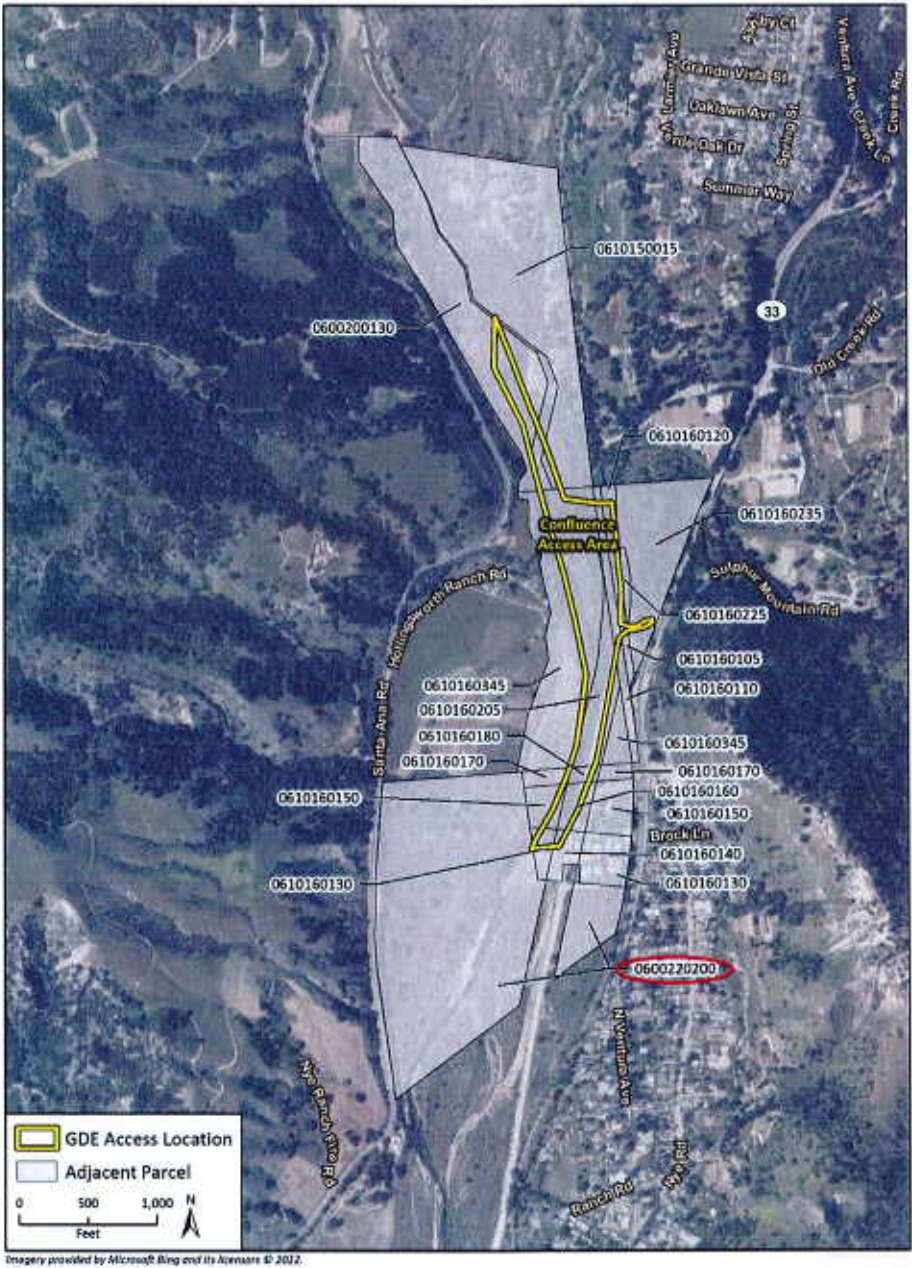


EXHIBIT B

FOSTER PARK HABIT AREA



**Item 10(a)**

**Attachment C**

**Requests for Access to OVLC Properties for GDE Monitoring**

**Bryan Bondy**

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**From:** Bryan Bondy  
**Sent:** Thursday, September 29, 2022 10:23 AM  
**To:** 'Tom Maloney'  
**Cc:** Vivon Crawford; kbrtalik@rinconconsultants.com  
**Subject:** RE: UVRGA - Access for GDE monitoring

Thanks Tom. What do you anticipate the timeline is for executing the agreement? Regarding your curiosity about the nature of the monitoring, please note that there is a monitoring workplan the details the monitoring program. I believe Vivon reviewed the workplan and should be able to brief you on the planned monitoring activities. The workplan is available via the following link: [https://uvrgroundwater.org/wp-content/uploads/2022/08/Confluence-Area-Aquatic-GDE-Monitoring-Workplan\\_DRAFT\\_rev\\_clean\\_no\\_wm.pdf](https://uvrgroundwater.org/wp-content/uploads/2022/08/Confluence-Area-Aquatic-GDE-Monitoring-Workplan_DRAFT_rev_clean_no_wm.pdf)

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**From:** Tom Maloney <tom@ovlc.org>  
**Sent:** Wednesday, September 28, 2022 11:45 AM  
**To:** Bryan Bondy <bbondy@uvrgroundwater.org>  
**Cc:** Vivon Crawford <vivon@ovlc.org>; kbrtalik@rinconconsultants.com  
**Subject:** Re: UVRGA - Access for GDE monitoring

Hi Bryan --

Apologies! This came in as we were all hands on deck for our biggest event of the year. It was a huge success but sucked all of the air out of the room. Thanks for looping back around.

It looks like the area that you wish to access is what we refer to as the Ventura River Steelhead Preserve. Of course you can have access. We have a well there and Roger Essick manages a well just upstream for a tangerine and avocado operation across Santa Ana Road.



Also, even though I'm not worried about indemnification, it is probably a good step and I'm sure that your standard form will suffice. I'm sure that I speak for Vivon in being curious about the nature of the monitoring there and if time permits would love to learn more in the field.

Cheers,  
Tom.

On Tue, Sep 13, 2022 at 1:39 PM Bryan Bondy <[bbondy@uvrgroundwater.org](mailto:bbondy@uvrgroundwater.org)> wrote:

Hi Vivon and Tom,

I am writing to request access for UVRGA's GDE monitoring efforts on three parcels owned by OVLC (please see table below and attached map). I am also requesting assistance, if possible, engaging your neighbor on APNs 610160130 and 610160150 because they have been hostile to UVRGA in our past encounters with them. We are hoping you have a better relationship with them and can facilitate access. Perhaps you already have access to those parcels and can extend that access to UVRGA somehow?

Please let us know if you are willing to grant foot access to UVRGA and its agents to perform the GDE monitoring on the three OVLC parcels. I assume you will want to execute an agreement so that OVLC is indemnified. I have attached UVRGA's standard access agreement for your review.

Please let me know your thoughts. Any assistance is appreciated.

GDE Area	APN	Owner
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## Item 10(a), Attachment C

Confluence	0610160235	OJAI VALLEY LAND CONSERVANCY
Confluence	0610160345	OJAI VALLEY LAND CONSERVANCY
Confluence	0600200130	OJAI VALLEY LAND CONSERVANCY
Confluence	0610160130	PORTER SALLIE L TR B
Confluence	0610160150	PORTER SALLIE L TR B

Best Regards,

--

Bryan Bondy, PG, CHG

Executive Director

UVRGA

805-212-0484

--

Tom Maloney  
Executive Director  
(805) 649 - 6852 ext. 1



[Ojai Valley Land Conservancy](#)

PO Box 1092

Ojai, California 93024

**Item 10(a)**

**Attachment D**

**E-mail from Executive Director to Director Crawford re: GDE  
Monitoring Procedures and Data Sharing**



**Bryan Bondy**

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**From:** Bryan Bondy  
**Sent:** Thursday, September 1, 2022 8:53 AM  
**To:** Vivon Crawford  
**Cc:** Mike Etchart; emily@friendsranches.com; kbrtalik@rinconconsultants.com; Steve Howard  
**Subject:** RE: UVRGA: Follow-Up re: Data Sharing with CDFW

Hi Vivon,

Thanks again for offering to help enhance the collaboration with CDFW.

I have asked Rincon to include budget in their upcoming proposals to meet with CDFW about the UVRGA GDE monitoring plan protocols and to discuss data sharing with UVRGA, as you have encouraged.

In the meantime, and in order to make the meeting with CDFW as productive as possible and reduce the need for follow-up meetings, we are requesting two items before meeting. First, can you please review the UVRGA monitoring protocols listed in the table below and please let us know which protocols you think need clarification with CDFW and, specifically, what aspects of those protocols you think we need to discuss. Second, we are requesting that you please work with CDFW to send us a table like the one below that details the monitoring activities CDFW is performing in the Confluence and Foster Park areas. We would like to review the CDFW monitoring program so we can understand what data CDFW is collecting that may help achieve the goals of the UVRGA GDE monitoring plans. This will help us be specific in any data sharing requests that we may have during the meeting and, hopefully, reduce the timeframe for data transmittal to UVRGA.

Our team looks forward to closer collaboration with you and the resource agencies. Thank you.

Best Regards,

Bryan

**Monitoring Program Components and Protocols**

<b>Monitoring Component</b>	<b>Data Collected</b>	<b>Purpose</b>	<b>Schedule</b>	<b>Locations</b>	<b>References/Protocols</b>
<b>Initial Habitat Mapping</b>	Map aquatic mesohabitats in the Confluence Aquatic Habitat Area Aquatic GDE	Will provide in-depth information on existing habitats within the GDE and allow for identification of specific mesohabitats to monitor	Once at beginning of the program (likely during Fall 2022) and after streambed altering flow events	Entire Confluence Aquatic Habitat Area Aquatic GDE (approximately 3,450 feet in length)	California Salmonid Stream Habitat Restoration Manual (Flosi et al. 2010)
<b>Fish Stranding and Mortality Surveys</b>	Document any observed fish stranding and/or mortality that might occur as streamflow recedes. The extent of wetted and dry portions of the river will also be documented.	Will provide important information on steelhead migration habitat within the GDE, as well as fine scale data on when and how streamflow recedes within this area following varying climatic conditions and modeled ISW depletion estimates.	Monthly to weekly during dry season, as streamflow recedes	Designated monitoring locations at important riffles within the Confluence Aquatic Habitat Area Aquatic GDE	California Salmonid Stream Habitat Restoration Manual (Flosi et al. 2010)
<b>Routine Habitat Suitability and Snorkel Surveys</b>	Survey HSI parameters, including sediment type, riparian vegetation/cover, water depth, and various in-stream structure, as well as all species observed, within predetermined pools, riffles, and glides. Steelhead presence/ absence will be documented during snorkel surveys. Fish stranding/mortality will also be documented.	Will provide in-depth information on existing conditions and allow for assessment of habitat suitability for steelhead, CRLF, and other aquatic organisms. Conditions can be quantified and compared with streamflow, as well as climatic data and modeled ISW depletion.	At least four times per year (once during winter and at least three times during summer/fall)	Designated monitoring locations (e.g., pools, riffles, glides) within the Confluence Aquatic Habitat Area Aquatic GDE	<p>SS HSI (Normandeau Associates, Inc. 2015, Padre Associates, Inc. 2013)</p> <p>California Salmonid Stream Habitat Restoration Manual (Flosi et al. 2010)</p> <p>Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog (USFWS 2005)</p> <p>NWFS and CDFW Integration of Steelhead Viability Monitoring, Recovery Plans and Fisheries Management in the Southern Coastal Area (Boughton et al. 2022)</p>

## Item 10(a), Attachment D

Monitoring Component	Data Collected	Purpose	Schedule	Locations	References/Protocols
<b>Water Quality and Flow Monitoring</b>	Water level, DO, pH, temperature	Will provide continuous flow and water quality data that can then be correlated with streamflow, as well as climatic data and modeled ISW depletion.	Continuous data collection, data downloaded during each field visit	One designated location within the Confluence Aquatic Habitat Area Aquatic GDE	LARWQCB <sup>1</sup> Basin Plan (2014), USGS <sup>2</sup> standards for stream gauge installation, UVRGA Monitoring and Data Collection Protocols (2018)
<b>Aerial Photography</b>	Aerial images	Will provide a visual time series of overall conditions within the GDE and allow for comparison of conditions over time and during different hydrologic and climatic conditions	At least four times per year, concurrent with habitat suitability surveys	Aerial photographs will be taken of the upper, middle, and lower portions of the Habitat Area Aquatic GDE	General photography and FAA rules
<b>Repeat Ground Photography</b>	Photographs of instream and riparian habitat from fixed locations	Will provide a visual time series for each monitoring location that will allow for comparison of habitat conditions over time and during different hydrologic and climatic conditions	At least four times per year, concurrent with habitat suitability surveys	Photographs will be taken from fixed locations at each mesohabitat that is monitored during the habitat suitability surveys	General photography

<sup>1</sup> Los Angeles Regional Water Quality Control Board

<sup>2</sup> U.S. Geological Survey

**From:** Vivon Crawford <vivon@ovlc.org>

**Sent:** Monday, August 29, 2022 8:09 AM

**To:** Bryan Bondy <bbondy@uvrgroundwater.org>

**Cc:** Mike Etchart <Etchart@meinersoakswater.com>; emily@friendsranches.com; Tom Maloney <tom@ovlc.org>

**Subject:** Re: UVRGA: Follow-Up re: Data Sharing with CDFW

Hi Bryan,

I'm so sorry it's taken me some time to get back to you - things have been a bit crazy around here.

Thank you for providing background on the situation with CDFW. I understand it was probably frustrating to have to go through the formal channels that aren't necessarily aligned with SGMA deadlines. As I mentioned, we work closely with CDFW staff (Kyle included), so this looks like an area where a more strategic stakeholder engagement plan would be helpful going forward. Maybe a good first step would be a meeting with CDFW to review the final GDE monitoring plans

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

**DATE:** October 13, 2022

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** Intera, Inc. Work Order No. 6 for Annual Report Preparation and Numerical Model Update

### **SUMMARY**

Annual reports are required pursuant to the Sustainable Groundwater Management Act (SGMA). The purpose of this item is to authorize professional services by Intera, Inc. to assist the Executive Director with completion of the annual report. The annual report requirements are listed in the Background section of this staff report. One requirement is to provide a “description of progress towards implementing the Plan, including achieving interim milestones.” This will entail assessing all sustainability indicators against the minimum thresholds, interim milestones, and measurable objectives developed in the GSP. In the case of the depletions of interconnected surface water sustainability indicator, it will be necessary to update the numerical model through the preceding water year to quantify depletions of interconnected surface water. Proposed Intera Work Order No. 6 includes these model update services.

Intera’s proposed budget for the model update and annual report services is \$53,928 (Attachment A). The Executive Director recommends adding \$5,000 of contingency to the requested amount, making the recommended work order authorization amount \$58,928. Use of any contingency funds would require a written request by Intera and written approval by the Executive Director. Because Work Order No. 6 is a time-and-materials contract, UVRGA will only be billed for the actual effort necessary to complete the remaining assigned work.

### **RECOMMENDED ACTIONS**

Authorize the Executive Director to issue Work Order No. 6 to Intera, Inc. for annual report preparation and numerical model updates for an amount not to exceed \$45,136 and \$4,000 contingency to be authorized at the discretion of the Executive Director (\$49,136 total authorization).

### **BACKGROUND**

Intera, Inc. has a master services agreement with the Agency that was awarded following a competitive selection process. The master services agreement was approved by the Board on April 12, 2019.

The required annual report elements include the following for the preceding water year:

- General information, including an executive summary and a location map depicting the basin covered by the report.

- A detailed description and graphical representation of the following conditions of the basin managed in the Plan:
- Groundwater elevation data from monitoring wells identified in the monitoring network shall be analyzed and displayed as follows:
  - Groundwater elevation contour maps for each principal aquifer in the basin illustrating, at a minimum, the seasonal high and seasonal low groundwater conditions.
  - Hydrographs of groundwater elevations and water year type using historical data to the greatest extent available, including from January 1, 2015, to current reporting year.
- Groundwater extraction for the preceding water year. Data shall be collected using the best available measurement methods and shall be presented in a table that summarizes groundwater extractions by water use sector and identifies the method of measurement (direct or estimate) and accuracy of measurements, and a map that illustrates the general location and volume of groundwater extractions.
- Surface water supply used or available for use, for groundwater recharge or in-lieu use shall be reported based on quantitative data that describes the annual volume and sources for the preceding water year.
- Total water use shall be collected using the best available measurement methods and shall be reported in a table that summarizes total water use by water use sector, water source type, and identifies the method of measurement (direct or estimate) and accuracy of measurements. Existing water use data from the most recent Urban Water Management Plans or Agricultural Water Management Plans within the basin may be used, as long as the data are reported by water year.
- Change in groundwater in storage shall include the following:
  - Change in groundwater in storage maps for each principal aquifer in the basin.
  - A graph depicting water year type, groundwater use, the annual change in groundwater in storage, and the cumulative change in groundwater in storage for the basin based on historical data to the greatest extent available, including from January 1, 2015, to the current reporting year.
- A description of progress towards implementing the Plan, including achieving interim milestones, and implementation of projects or management actions since the previous annual report.

## **FISCAL SUMMARY**

The estimated cost for Intera to complete the model updates is \$12,660 (this total includes ½ of the project management budget shown in Intera's proposal – Attachment A). The current fiscal year budget does not include funding for model updates because it was thought that the model would be updated once every 5 years instead of annually. The adopted long range budget projection includes approximately \$60,000 for model updates in 2025 and additional amounts in

later years. It is recommended that the long-range budget projection be updated during the next budgeting cycle to reflect the need to update the model annually and reallocate the model update costs to each year. In the meantime, the unanticipated expenses for the current fiscal year can be accommodated by drawing from the non-capital contingency line item in the budget, which includes approximately \$34,000 for unanticipated non-capital expenditures.

The estimated cost for Intera to assist the Executive Director with completing the annual report is \$32,476 (this total includes ½ of the project management budget shown in Intera’s proposal – Attachment A). The current fiscal year budget includes approximately \$33,000 for the annual report, leaving only \$524 for the Executive Director’s efforts on the annual report and any input that may be needed from Rincon Consultants. Because Intera, Inc.’s annual report costs exceed the costs assumed in the budget, it will be necessary to use a portion of the Fiscal Year 2021/2022 non-capital contingency budget to complete the annual report.

## ATTACHMENTS

A. Draft Intera, Inc. Work Order No. 6

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

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

M. Etchart\_\_\_ B. Kuebler\_\_\_ P. Kaiser\_\_\_ J. Tribo\_\_\_ A. Anselm\_\_\_ E. Ayala\_\_\_ V. Crawford\_\_\_

**Item 10(b)**

**Attachment A**

**Intera, Inc. Work Order No. 6**

## Statement of Work

### Work Order No. 6

#### Numerical Model Update and Second GSP Annual Report

**To:** Intera, Inc.  
3838 W Carson St, Ste 380  
Torrance, CA 90503  
Attention: Abhishek Singh  
Email: ASingh@intera.com

**From:** Upper Ventura River Groundwater Agency  
202 W. El Roblar Dr., Ojai, California 93023  
Attention: Bryan Bondy  
Email: [bbondy@uvrgroundwater.org](mailto:bbondy@uvrgroundwater.org)

In accordance with our Master Services Agreement (“**MSA**”) dated April 12, 2019, the following Statement of Work (“**SOW**”) is entered into by Upper Ventura River Groundwater Agency (“**Customer**”) and Intera, Inc. (“**Provider**”) for a new project and/or services (collectively, “**Services**”):

#### GENERAL NATURE OF SERVICES:

1. Update Numerical Model through end of water year ending September 30, 2022.
2. Prepare Second GSP Annual Report covering water year October 1, 2021 through September 30, 2022 in compliance with all applicable sections of the GSP Emergency Regulations.
3. Services rendered shall result in final annual report submittal to DWR no later than March 31, 2023.
4. Provider shall ensure all work is performed under the supervision of a California Professional Civil Engineer or Professional Geologist.
5. Provider shall ensure all work is performed in accordance with UVRGA’s adopted procedures.

**SCOPE OF SERVICES:** Update numerical model through September 30, 2022 and prepare annual report in accordance with all applicable sections of the GSP Emergency Regulations. See attached proposal for further information.

**TERM:** October 13, 2022 through March 31, 2023.

**COMPENSATION AND PAYMENT:** Time and material services, not-to-exceed \$45,136, without prior written authorization.

Contingency: An additional \$4,000 is reserved for potential unanticipated costs. Use of contingency funds requires prior written authorization by the Executive Director.

Labor Rates are pursuant to the attached proposal.

#### PAYMENT TERMS

Payments shall be due:

- ☐ upon the completion of the SOW
- ☒ as follows: Billing will occur on a monthly basis and shall be based on time and materials. All invoices will be payable on a Net-30 basis. Invoices are due on the 5<sup>th</sup> business day of each month. Invoices received after the 5<sup>th</sup> business day of the month are payable on a Net-60 basis. Payment may be delayed up to 30 days beyond these terms in the event of Board of Directors meeting cancellations.



**ADDITIONAL TERMS AND CONDITIONS**

This SOW will be governed by the terms and conditions of the MSA. In the event of any conflict between the terms set forth in this SOW and the MSA, the MSA shall be deemed to control the control the relationship between the parties with respect to the SOW.

**ACCEPTED AND AGREED:**

<b>“PROVIDER” INTERA, INC.</b>	<b>“CUSTOMER” UPPER VENTURA RIVER GROUNDWATER AGENCY</b>
By:  Print Name: David Jordan  Title: Vice President  Date:	By:  Print Name: Bryan Bondy  Title: Executive Director  Date:



INTERA Incorporated  
3838 W. Carson Street, #380  
Torrance, California 90503 USA  
424.275.4055

October 10, 2022

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

**RE: Proposal for UVRGA Model Update and SGMA Annual Reporting**

Dear Mr. Bondy,

Under the direction of the UVRGA Board and Executive Director, INTERA has supported the development of the Upper Ventura River Groundwater Basin (UVRGB) Sustainability Plan and the numerical groundwater model for GSP associated analysis. As per SGMA Requirements (23 CCR § 356.2) all Groundwater Sustainability Agencies (GSAs) are required to submit annual reports to the California Department of Water Resources (DWR) by April 1 of each year following the adoption of the Plan. This proposal presents the scope, level of effort, and budget for the annual report. The annual report will also require updating the numerical groundwater model with the latest available hydrologic and water use data and performing model simulations to estimate streamflow depletions. As such, this proposal also includes scope, level of effort, and budget for the model update and streamflow depletion calculations.

As per SGMA requirements, the GSP annual report shall include the following components for the preceding water year:

(a) General information, including an executive summary and a location map depicting the basin covered by the report.

(b) A detailed description and graphical representation of the following conditions of the basin managed in the Plan:

(1) Groundwater elevation data from monitoring wells identified in the monitoring network shall be analyzed and displayed as follows:

(A) Groundwater elevation contour maps for each principal aquifer in the basin illustrating, at a minimum, the seasonal high and seasonal low groundwater conditions.

(B) Hydrographs of groundwater elevations and water year type using historical data to the greatest extent available, including from January 1, 2015, to current reporting year.

(2) Groundwater extraction for the preceding water year. Data shall be collected using the best available measurement methods and shall be presented in a table that summarizes groundwater extractions by water use sector, and identifies the method of measurement (direct or estimate) and accuracy of measurements, and a map that illustrates the general location and volume of groundwater extractions.

(3) Surface water supply used or available for use, for groundwater recharge or in-lieu use shall be reported based on quantitative data that describes the annual volume and sources for the preceding water year.

(4) Total water use shall be collected using the best available measurement methods and shall be reported in a table that summarizes total water use by water use sector, water source type, and identifies the method of measurement (direct or estimate) and accuracy of measurements. Existing water use data from the most recent Urban Water Management Plans or Agricultural Water Management Plans within the basin may be used, as long as the data are reported by water year.

(5) Change in groundwater in storage shall include the following:

(A) Change in groundwater in storage maps for each principal aquifer in the basin.

(B) A graph depicting water year type, groundwater use, the annual change in groundwater in storage, and the cumulative change in groundwater in storage for the basin based on historical data to the greatest extent available, including from January 1, 2015, to the current reporting year.

(c) A description of progress towards implementing the Plan, including achieving interim milestones, and implementation of projects or management actions since the previous annual report.

The tasks and level of effort involved in the above tasks are summarized below:

- 1) **Task 1: Model Update.** The annual report requires “description of progress towards implementing the Plan, including achieving interim milestones”. This will entail assessing all sustainability indicators against the minimum thresholds, interim milestones, and measurable objectives developed in the GSP. A key sustainability indicator for UVRGA is streamflow depletion, which cannot be directly measured and must be computed using the numerical groundwater model. The current numerical groundwater model covers the hydrologic period from January 2005 to September 2021. To support the 2023 annual report, the numerical model will be updated with hydrologic, pumping, and return-flow data through the most recent period with complete datasets (anticipated to be water year 2022, dependent on data availability). INTERA will coordinate with the UVRGA Executive Director to collect the required datasets including: groundwater pumping; streamflows; diversions; precipitation; evaporation; and water deliveries/use. Key water budget terms, such as natural recharge, groundwater evaporation rates, and return flows will be estimated based on the data collected. Transient model boundary conditions will be updated accordingly. For the purpose of this proposal, we have assumed no other changes to the model properties or numerical set-up.
- 2) **Task 2: Develop GSP Annual Report.** INTERA will develop the annual report as per SGMA requirements. INTERA will coordinate with the UVRGA Executive Director to collect the necessary data for the GSP update, including: groundwater pumping; groundwater water levels; and water deliveries/use. The UVRGA data management system will be updated with the relevant hydrologic, pumping, and water use datasets. INTERA will use the data to develop appropriate graphs, maps, and tables for the GSP annual reporting purposes. INTERA will use the updated model (Task 1) to develop estimates of streamflow depletions. Similar to the GSP, INTERA will develop two scenarios: 1) historical conditions, and 2) historical conditions *with no groundwater pumping*. Streamflow depletions from groundwater pumping will be calculated by taking the difference in streamflow conditions at various locations between the two simulations. The model

Oct 10, 2022  
Page 3

INTERA Incorporated  
3838 W. Carson Street, #380  
Torrance, California 90503 USA  
424.275.4055

will also be used to generate maps depicting change in storage in the basin, as required by SGMA annual reporting regulations.

It is anticipated that the annual reports will require input, text, and discussion from the UVRGA Executive Director on groundwater conditions and plan implementation progress (including achieving interim milestones). INTERA will identify areas for the input and text from the UVRGA Director and coordinate with him to obtain and integrate the necessary information into the annual report. INTERA will submit one preliminary draft for review, revisions, and comments by the UVRGA Executive Director. INTERA will respond to one round of comments by the UVRGA Executive Director and submit a draft report for review and comments by the UVRGA Board Members. INTERA will revise the draft report based on the comments received and submit the annual report and supporting data to DWR before April 1, 2023.

The estimated budget for the proposed scope is \$45,136, as detailed in attachment A. We expect to start the work on the proposed scope upon getting the notice to proceed and will ensure submittal of the annual report before April 1, 2023.

We appreciate the opportunity to support the UVRGA on the development and submittal of the GSP Annual Report for the Upper Ventura River Groundwater Basin. If you have questions, comments, or concerns please do not hesitate to contact me.

Sincerely,

INTERA Incorporated



Abhishek Singh, PhD, PE  
Project Manager  
President, Water Resources & Supply Line of Business

Attachment A: Detailed Budget



			Task 1. Model Update		Task 2. Annual Report		Task 3. Project Management	
Labor Category	Proposed Staff	Rate	Hours	Cost	Hours	Cost	Hours	Cost
Principal Engineer/Scientist I		\$265		\$0		\$0		\$0
Principal Engineer/Scientist II	David Jordan, Abhishek Singh	\$240	12	\$2,880	16	\$3,840	4	\$960
Principal Engineer/Scientist III		\$225		\$0		\$0		\$0
Senior Engineer/Scientist I		\$205		\$0		\$0		\$0
Senior Engineer/Scientist II		\$190		\$0		\$0		\$0
Senior Engineer/Scientist III	Steven Humphrey	\$175	4	\$700	64	\$11,200		\$0
Senior Engineer/Scientist IV		\$160		\$0		\$0		\$0
Engineer/Scientist I		\$150		\$0		\$0		\$0
Engineer/Scientist II	Nathan Hatch	\$140	40	\$5,600	60	\$8,400		\$0
Engineer/Scientist III	Erick Fox, Mitsuyo Tsuda	\$125	24	\$3,000	60	\$7,500		\$0
Engineer/Scientist IV		\$115		\$0		\$0		\$0
Senior Technician		\$125		\$0		\$0		\$0
Technician		\$78		\$0		\$0		\$0
Senior Technical Editor		\$125		\$0		\$0		\$0
Tech Editor	Mary Wilkins	\$88		\$0	12	\$1,056		\$0
Senior CAD/Graphics		\$100		\$0		\$0		\$0
CAD/Graphics		\$85		\$0		\$0		\$0
Project Analyst/Assistant		\$110		\$0		\$0		\$0
Project Associate		\$80		\$0		\$0		\$0
Travel and other Direct Costs		\$0		\$0		\$0		\$0
<b>Subtotals</b>				<b>\$12,180</b>		<b>\$31,996</b>		<b>\$960</b>
<b>Total</b>								<b>\$45,136</b>

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

**DATE:** October 13, 2022

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** GSP Summary Presentation – Part 1 of 2

**SUMMARY**

This item was deferred from the September 8, 2022 Board meeting.

For the benefit of the newer UVRGA Directors and the public, the Executive Director will provide a summary of the UVRGA Groundwater Sustainability Plan (GSP). This is the first of two presentations that will summarize the GSP. The first presentation will focus on the overall structure of the GSP and the Basin Setting section. The second presentation will focus on the sustainable management criteria (SMC) and projects and management actions included in the GSP.

**FISCAL SUMMARY**

Not applicable.

**RECOMMENDED ACTIONS**

Receive a presentation by the Executive Director summarizing the GSP.

**BACKGROUND**

The Board of Directors adopted the GSP on January 6, 2022.

**ATTACHMENTS**

None.