

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 12:30 P.M. on Thursday, June 8, 2023 at the Ventura River Water District Meeting Room, 409 Old Baldwin Road, Ojai, CA 93023.**

ON-LINE / TELECONFERENCE ACCESS FOR REMOTE PUBLIC PARTICIPATION:

DIAL-IN: Toll Free US 1 (888) 788-0099 or 1 (877) 853-5247

JOIN BY COMPUTER, TABLET OR SMARTPHONE:

<https://us02web.zoom.us/j/88500007127?pwd=aXp5NWIDLzBEVHh5RDJWL0RqVWg2QT09>

Meeting ID: 885 0000 7127 Passcode: 680259

UPPER VENTURA RIVER GROUNDWATER AGENCY BOARD OF DIRECTORS **REGULAR MEETING AGENDA**

June 8, 2023

1. MEETING CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF AGENDA

5. PUBLIC COMMENT FOR ITEMS NOT APPEARING ON THE AGENDA

The Board will receive public comments on items not appearing on the agenda and within the subject matter jurisdiction of the Agency. The Board will not enter into a detailed discussion or take any action on any items presented during public comments. Such items may only be referred to the Executive Director or other staff for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on specific agenda items should do so at the time specified for those items. In accordance with Government Code § 54954.3(b)(1), public comment will be limited to three (3) minutes per speaker.

6. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine by the Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board member pulls an item from the Calendar. Pulled items will be discussed and acted on separately by the Board. Members of the public who want to comment on a Consent Calendar item should do so under Public Comments.

- a. Approve Minutes from May 11, 2023 Regular Board Meeting**
- b. Approve Financial Report for May 2023**
- c. Agency Counsel Retainer Agreement Amendment**

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. PUBLIC HEARING

Resolution 2023-02: 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 2023/2024 (July 1, 2023 – June 30, 2024).

The Board will open a PUBLIC HEARING to discuss potential groundwater extraction fees based on the adopted Fiscal Year 2023/2024 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 2023-02 establishing the proposed groundwater extraction fees within the Upper Ventura River Valley Basin for Fiscal Year 2023/2024 (July 1, 2023 – June 30, 2024).

b. Agency Investment Policy

The Board will consider adopting Resolution 2023-03 establishing an Agency Investment Policy.

10. GSP IMPLEMENTATION ITEMS

a. Well Registration Update

The Executive Director will provide an update on well registration progress. The Board may provide feedback or direction to staff concerning well registration process and/or penalties for non-compliance.

b. PUBLIC HEARING

Proposed Amendment to Groundwater Well Registration, Metering, and Extraction Reporting Ordinance (Ordinance No. 3)

The Board will open a PUBLIC HEARING to discuss the proposed amendment to the 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.

c. Rincon Consultants, Inc. Work Order No. 10 for LIDAR Topographic Survey of Post-Flood Ventura River Channels

The Board will consider approving Rincon Consultants, Inc. Work Order No. 10 for a LIDAR Topographic Survey of Post-Flood River Channels in an amount not to exceed \$22,350 and \$2,650 contingency to be authorized at the discretion of the Executive Director (\$25,000 total authorization).

d. Intera Work Order No. 7 for Numerical Model Update

The Board will consider approving Intera, Inc. Work Order No. 7 to update the numerical model to incorporate post-flood river channel morphology in an amount not to exceed \$ 54,920 and \$ \$5,492contingency to be authorized at the discretion of the Executive Director (\$60,412 total authorization).

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 13, 2023 at 12:30 P.M.

**UPPER VENTURA RIVER GROUNDWATER AGENCY
MINUTES OF REGULAR MEETING MAY 11, 2022**

1. CALL TO ORDER:

A regular meeting of the Board of Directors of Upper Ventura River Groundwater Agency was held in the offices of the Ventura River Water District, 409 Old Baldwin Road, Ojai, CA 93023 Thursday, May 11, 2023. Chair Etchart called the meeting to order at 12:37 p.m.

2. PLEDGE OF ALLEGIANCE

Executive Director Bryan Bondy led the Pledge of Allegiance.

3. ROLL CALL

Directors Present:

- Mike Etchart, Chair
- Bruce Kuebler, Vice Chair
- Arne Anselm, Director
- Mary Bergen, Alternate Director
- Vivon Crawford, Director
- Emily Ayala, Director
- Jenny Tribo, Director (arrived during Director Announcements)

Staff Present:

- Bryan Bondy, Executive Director
- Keith Lemieux, District Counsel
- Maureen Tucker Administrative Assistant

Identified Members of the Public:

In person: Alma Quezada (Alternate Director), Jim Kentosh (Alternate Director)

Online: Pete Kaiser (Director), Emily McCord (Rincon Consultants), Steve Howard (Rincon Consultants), Julia Aranda (Casitas MWD), Michael Flood (Casitas MWD), Kelly Dyer (Casitas MWD), and Stefani Daryanto.

4. APPROVAL OF THE AGENDA

Chair Etchart asked for any proposed changes to the agenda. No changes requested.

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

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

Director Absent: Director Jenny Tribo

5. PUBLIC COMMENTS FOR ITEMS NOT APPEARING ON THE AGENDA

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

No comments were provided.

6. CONSENT CALENDAR

- a) Approve Minutes from March 9, 2023 Regular Board Meeting
- b) Approve Financial Report for March 2023
- c) Approve Financial Report for April 2023
- d) Authorize Executive Director to Execute Agreement with Ventura County Office of Assessor for Assessor Parcel Maps and Property Records

Chair Etchart asked if any Directors wanted to pull any items off the consent calendar. No requests were made.

Director Kuebler moved approval of all consent items. Director Anselm seconded the motion.

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

Director Absent: Director Jenny Tribo

7. DIRECTOR ANNOUNCEMENTS

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

Director Anselm: No report.
Director Ayala: No report.
Director Bergen: No report.
Director Crawford: Reported that OVLC took drone imagery of the Ventura River and tributaries showing the before and after results of the recent flooding. The mapping project started in 2021 with a focus on the Arundo. Executive Director Bondy will post the weblink and log-in information on the UVRGA website.
Director Etchart: No report.
Director Kuebler: No report.
Director Tribo: No report.

Director Tribo arrived during the item.

8. EXECUTIVE DIRECTOR'S REPORT

Executive Director Bondy reported on Agency matters since the last Board meeting.

Director's Comments:

Chair Etchart asked how many small GSAs are there. Executive Director Bondy estimated that there are approximately two dozen.

Director Crawford asked if the grant awards are all or nothing. Executive Director Bondy said the State has the discretion to grant partial awards.

Director Kuebler mentioned a letter from Ventura River Water District staff pertaining to the Foster Park flows.

Director Crawford asked if UVRGA was involved in the adjudication. Executive Director Bondy said no.

No public comments.

9. ADMINISTRATIVE ITEMS

a. Fiscal Year 2023/2024 Annual Budget

Executive Director Bondy summarized the draft Fiscal Year 2023/2024 Budget and Multi-Year Budget Projection. The Board discussed the Fiscal Year 2023/2024 Annual Budget and multi-year projection and the need to schedule a public hearing to adopt the groundwater extraction fees from the fiscal year 2023/2024.

Directors Questions:

Director Ayala asked how much the Fiscal Year 2023/2024 was in GSP? Executive Director Bondy looked it up and reported that it was \$111 per acre-foot. She asked why the fee increased. Executive Director Bondy said the increase was due primarily to the increase assumed inflation from 3% in the GSP budget to 5% during last year's budgeting process and the significant decrease in actual pumping compared to assumed pumping in the GSP budget.

Director Kuebler said Ventura River Water District pumping decreased. Executive Director Bondy stated that Miners Oaks increased 10% last year and the other agencies decreased. He also explained that the private well pumping has decreased almost 50% based on entities that have begun report meter readings.

Director Ayala asked how many wells were damaged or offline due to the flooding. Executive Director Bondy has heard about two wells, one that was destroyed and another where the pump was washed away. Director Tribo stated that the City of Ventura's Foster Park facilities experienced electrical damage and a pipeline was undercut.

Agency Counsel Lemieux cautioned the Board to stay on the topic of the budget.

Item 6(a)

Director Bergen moved adoption of the Fiscal Year 2023/2024 Budget and multi-year projection. Director Kuebler seconded the motion.

Executive Director Bondy clarified whether the motion includes scheduling a public hearing at the next board meeting to adopt the groundwater extraction fees from the fiscal year 2023/2024. Director Bergen and Director Kuebler agreed.

No Public Comments.

Roll Call Vote: B. Kuebler – Y A. Anselm - Y J. Tribo - Y
 M. Bergen - Y V. Crawford – Y Etchart – Y Ayala - Y

Directors Absent: none

b. Financial Reserves Investment

Executive Director Bondy briefed the board on the Agency’s projected year end cash balance to be and recommended that the Board have an Ad Hoc Committee investigate options for investing reserves in a low-risk, liquid investment such as a high yield savings account, CD, or Treasury Bond.

Director Kuebler volunteered to research options available at the Agency’s bank.

Agency Counsel Lemieux informed the Board that they need to adopt a formal investment policy before making any investments. Executive Director Bondy proposed that Director Kuebler inquire with the bank in parallel with Agency Counsel preparing an investment policy for presentation at the next Board meeting. The Board agreed with the proposal.

No public comments.

10. GSP IMPLEMENTATION ITEMS

a. Impact of Flooding on Groundwater Dependent Ecosystems (GDEs) and Associated Monitoring Programs

Executive Director Bondy introduced Emily McCord and Steve Howard from Rincon Consultants, Inc. who then provided a brief presentation concerning flooding impact to riparian vegetation and the Ventura River channel morphology and the associated impacts on the Agency’s GDE monitoring program. The presentation slides are attached to these minutes.

Director comments:

Director Bergen commented that floods happen periodically and everything changes, everything takes time.

Director Kuebler asked if Ms. McCord saw OVLC’s imagery? Emily McCord said yes and said the photographs were very helpful.

Item 6(a)

Chair Etchart asked if the changes in the river channel will be better or worse for steelhead. Steve Howard from Rincon stated that overall, it is probably an improvement.

Director Kuebler asked if the Arundo is coming back quickly. Director Crawford said they need to move quickly and that OVLC has secured funding to address the Foster Park area.

No public comments.

b. Well Registration Update

Executive Director Bondy provided an update on the status of well registrations. Sixty wells have been registered, fifty-four remain unregistered, and seventy-four do not require registration. Executive Director Bondy suspects that most of the unregistered wells remain unregistered due to outdated contact information. Executive Director Bondy said he requested updated contact information from the County Assessor's office in December 2022, but only recently did they follow-up with the agreement presented in Item 6(d).

No public comments.

c. Groundwater Sustainability Plan Approval

Executive Director Bondy reported to the Board that the Agency's GSP was approved by DWR on April 27, 2023.

Chair Etchart and others thanked the Executive Director for his efforts on the GSP. Executive Director Bondy said that Intera, Inc. and Rincon Consultants, Inc. also deserve credit for a successful GSP.

Executive Director Bondy reviewed the recommended corrective actions that were included in the DWR GSP approval letter. He explained that several of the recommended corrective actions are already included in the GSP, and he presented preliminary plans for addressing the others.

Director Tribo said she will reach out to Executive Director Bondy concerning DWR's recommended corrective action that deals with the Foster Park Protocols.

No public comments.

11. COMMITTEE REPORTS

a. Ad Hoc Stakeholder Engagement Committee

Director Ayala said the Ad Hoc Stakeholder Engagement Committee did not meet.

12. FUTURE AGENDA ITEMS

No items were requested by any Directors.

No public comments.

13. ADJOURNMENT:

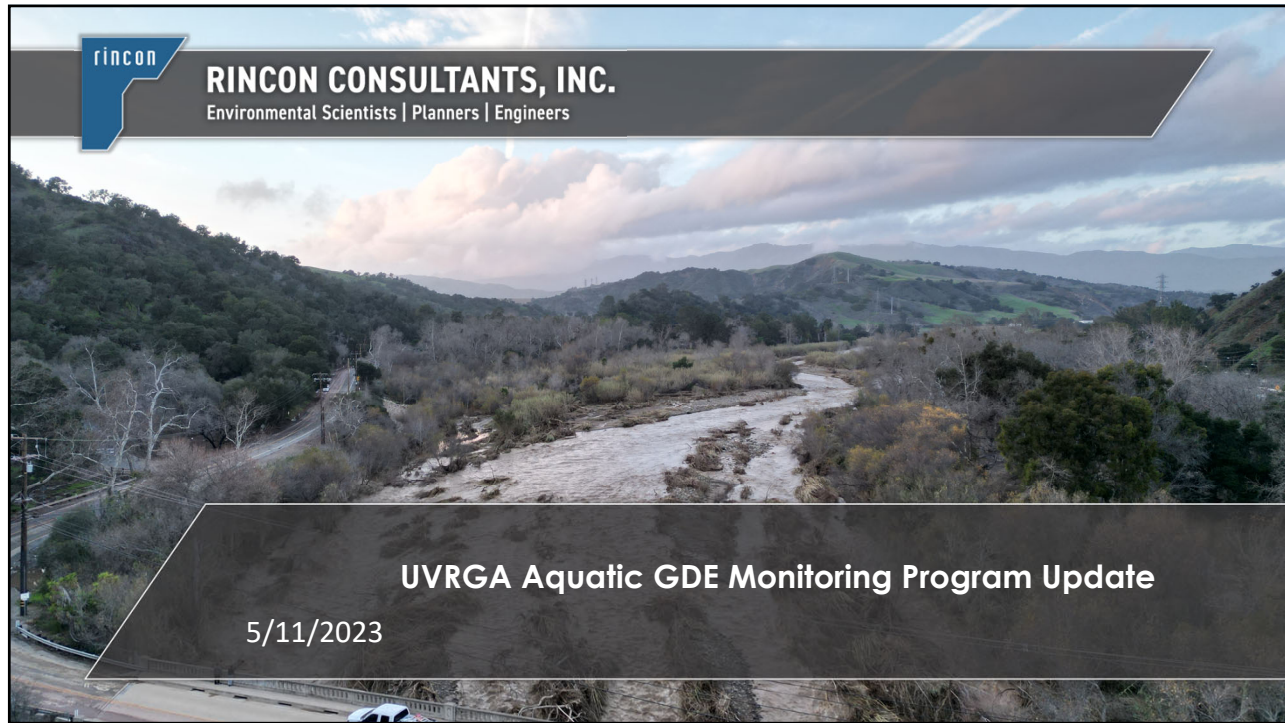
The next Regular Board meeting is scheduled for June 8, 2023 at 12:30 p.m.

The meeting was adjourned at 1:43 p.m.

Action: _____

Motion: _____

B. Kuebler_ A. Anslem _ V. Crawford_ M. Bergen_ J. Tribo _ M. Etchart _ E. Ayala




1

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Monitoring Program Components

- Habitat Mapping
- Routine Habitat Suitability Surveys
- Water Quality and Flow Monitoring
- Aerial Photography
- Ground Photography



Initial Habitat Mapping, November 2022

5/11/2023 UVRGA Board Meeting May 2023 2

This slide has a dark header with the Rincon logo and the title 'Monitoring Program Components'. Below the title is a bulleted list of five components. To the right of the list is a photograph of two people in waders and hats standing in a river, surrounded by green vegetation. Below the photo is the caption 'Initial Habitat Mapping, November 2022'. The footer contains the date '5/11/2023', the meeting name 'UVRGA Board Meeting May 2023', and the page number '2'.

2

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OVLC Drone Video Pre and Post 2022-23 Flooding



OVLC Drone Capture, Winter 2021



OVLC Drone Capture, Winter 2023

5/11/2023

UVRGA Board Meeting May 2023

3

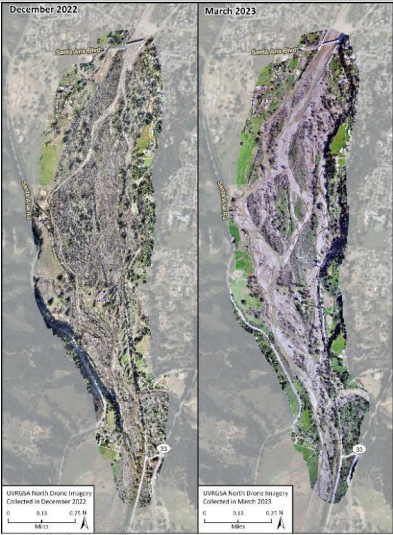
3

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Drone Imagery including Confluence GDE Area: December 2022 and March 2023

December 2022

March 2023

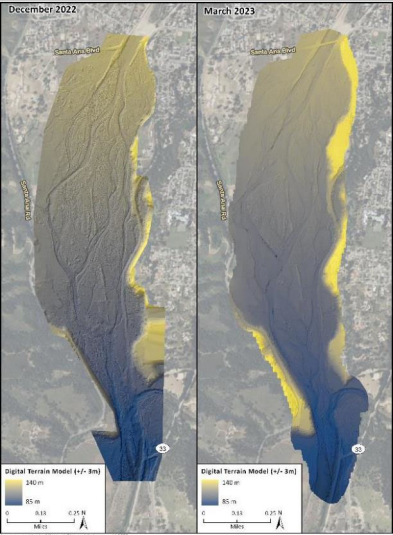


UVRGA North Drone Imagery
Collected in December 2022

UVRGA North Drone Imagery
Collected in March 2023

December 2022

March 2023



Digital Terrain Model (+/- 3m)

Digital Terrain Model (+/- 3m)

5/11/2023

UVRGA Board Meeting May 2023

4

4


11

2

rincon

Next Steps

- Remap habitats for the Aquatic GDEs – anticipated July 2023
- Reassess locations for continuous data collection – anticipated July 2023
- Perform second quarter aerial imagery collection



Ventura River upstream of the bridge at Casitas Vista Road, February 13, 2023

5/11/2023

UVRGA Board Meeting May 2023

5

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

DATE: June 5, 2023
TO: Board of Directors
FROM: Carrie Troup C.P.A., Treasurer
SUBJECT: Approve Financial Report for May 2023

April 2023 UVRGA Balance \$ 412,100.35

May 2023 Activity:

Revenues/ Credits:

Extraction Fees \$ 10,846.92

Total Revenues/Credits

Checks and Electronic payments:

2399 Void

2400 Carrie Troup, CPA April Services \$ 1,241.34

2401 Rincon Consultants, Inc. April Services \$ 1,125.13

2402 Rincon Consultants, Inc. April Services \$ 926.25

2403 Aleshire & Wynder, LLP April Services \$ 21.40

2404 Bondy Groundwater Consulting, Inc. April Services \$ 4,879.28

2405 Rincon Consultants, Inc. Services Through
5/8/23 \$ 741.25

Total Expenditures Paid & To Be Paid \$ 8,934.65

May 2023 UVRGA Ending Balance: \$ 414,012.62

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.

Item 6(b), Page 1 of 1

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

DATE: June 8, 2023

TO: Board of Directors

FROM: Executive Director

SUBJECT: Agency Counsel Retainer Agreement Amendment

SUMMARY

Agency Counsel is requesting an amendment to its retainer agreement with UVRGA. The proposed amendment would remove the discounted attorney labor rates provided for the first 25 hours worked per month. Agency Counsel is requesting the amendment to address inflationary pressures.

RECOMMENDED ACTIONS

Consider authorizing the Executive Director to execute the proposed Agency Counsel retainer agreement amendment.

BACKGROUND

The Agency Counsel retainer agreement was approved by the Board on March 24, 2022.

FISCAL SUMMARY

Currently, all attorneys are billed at a rate of \$214/hour for the first 25 hours. After the 25-hour threshold has been met, Partners are currently billed at a rate of \$268/hour and Associates at \$236/hour. Agency Counsel rarely, if ever, exceeds the 25-hour threshold. Thus, the proposed amendment would increase the hourly rate by 10 to 25%, depending on the mix of attorneys providing services to UVRGA during a given month.

Current fiscal year legal fees are projected to be \$18,000, compared the to budget of \$35,700. Had the proposed increase been implemented at the beginning of the fiscal year, the legal fees would have been approximately \$21,000, which would have remained underbudget. The Fiscal Year 2023/2024 legal fees budget is approximately \$37,500. Thus, it does not appear that the proposed increase will cause a budget exceedance on its own.

ATTACHMENTS

A. Proposed Agency Counsel Retainer Agreement Amendment

Action: _____

Motion: _____

M. Etchart_ B. Kuebler_ P. Kaiser_ J. Tribo_ A. Anselm_ V. Crawford_ E. Ayala_



**ALESHIRE &
WYNDER** LLP
ATTORNEYS AT LAW

Keith Lemieux
klemieux@awattorneys.com

2659 Townsgate Rd., Suite 226
Westlake Village, CA 91361
P (805)495-4770
F (805)495-2787

May 23, 2023

VIA E-MAIL

bbondy@uvrgroundwater.org

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

Re: **Amend Retainer Agreement**

Dear Mr. Bondy:

Aleshire & Wynder is proud of our association with Upper Ventura River Groundwater Agency. We are grateful for the opportunity to provide legal services to the Agency.

Because of our sensitivity to your budget concerns we have had a continuing commitment to keep our cost down. However, our costs in the past year have increased significantly due to inflation. We ask for a modest change to our agreement.

Currently, our contract has a discount rate for the first 25 hours worked in a calendar month. We ask that our agreement be revised as attached so that the discount rate is removed and so that all work be performed under the standard hourly rate as described in the amendment.

We again wish to express our gratitude for the opportunity to provide work to the Agency. Please let us know if you have any questions.

Very truly yours,

ALESHIRE & WYNDER, LLP

A handwritten signature in blue ink, appearing to read 'Keith Lemieux'.

Keith Lemieux

KL:AAO

**FIRST AMENDMENT TO
ATTORNEY RETAINER AGREEMENT FOR AND BETWEEN
ALESHIRE & WYNDER, LLP AND THE UPPER VENTURA RIVER
GROUNDWATER AGENCY**

This FIRST AMENDMENT to Attorney Retainer Agreement is made and entered into by and between ALESHIRE & WYNDER, LLP, a California limited liability partnership (“Attorney”), and the UPPER VENTURA RIVER GROUNDWATER AGENCY (“Client”).

RECITALS

WHEREAS, the Parties entered into that certain Agreement entitled “ATTORNEY RETAINER AGREEMENT” (the “Agreement”) on the 1st day of April 2022; and

WHEREAS, the Parties desire to amend the Agreement as set forth in this First Amendment to: 1) amend the compensation structure for performance of services by the Attorney.

AGREEMENT

NOW THEREFORE, in consideration of the foregoing Recitals and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Client and the Attorney agree as follows:

1. **Section 3, “Compensation” is hereby amended and shall now read as follows:**

“Attorney services will be billed to the Client at a rate of \$268 per hour for Partners/Of Counsel; \$236 Associates, \$80 per hour for Document Clerk, \$107.00 per hour for Law Clerks and Paralegals. These rates will be adjusted annually using the cost-of-living index. The rates provided in this Agreement will be adjusted annually as measured by the Consumer Price Index for All Urban Consumers (“CPI-U”) for the geographic region known as Los Angeles-Long Beach-Anaheim. At the start of the Client’s fiscal year in July, 2023 and ever July thereafter during the term of this Agreement, rates and amounts shall be increased for the change in the CPI-U rounded up to the nearest dollar for the twelve (12) month period published for the most recent month of May and counting backwards as shown by the U.S. Department of Labor provided, however, that such adjustment shall not be lower than zero percent (0%) nor more than five percent (5%). In addition to the automatic increase, either Attorney or Client can initiate consideration of a further or alternative rate increase at any time.

Expense Reimbursement.

Attorney also charges for various external costs such as copying, telephone charges, computerized legal research, messenger services, travel, filing fees and other costs related to retainer, transactional and litigation. Invoices for some costs are passed on directly, such as bills for certified shorthand reporters, technical consultants, and other professional fees. Client shall reimburse Law Firm for reasonable and necessary expenses incurred for third party services. Attorney shall attempt to obtain Client's prior approval of expenses expected to exceed \$500.00

2. Except as expressly set forth herein, all terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this FIRST AMENDMENT on the date of execution by Client.


Dated: May _____, 2023

**UPPER VENTURA RIVER GROUNDWATER
AGENCY**

By: _____
Bryan Bondy, Executive Director

Dated: May 23, 2023

ALESHIRE & WYNDER, LLP

By:  _____
Keith M. Lemieux, Equity Partner

UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 8

DATE: June 8, 2023

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: No report.
2. Financial:
 - a. Groundwater Extraction Fees: Private well owner invoices for the July 1 – December 31, 2022 semi-annual period were issued on April 28, 2023. Three of eleven invoices totaling \$6,970.80 are past due. Past due notices were mailed in early June to the unpaid account holders. The next batch of Member Agency invoices is scheduled for August 2023 and will be for the period July 1, 2023 – June 30, 2024.
 - b. GSP Development Grant: The grant completion report and retention release request submitted to Department of Water Resources (DWR) on January 25, 2022 were approved on May 23, 2023. The grant retention payment in the amount of \$63,006.06 is expected in 1-2 months.
 - c. The Small GSA Coalition sent a letter to certain State legislators asking them to reject the Governor's May budget revision proposal to shift \$60 million in Sustainable Groundwater Management Act funding from the General Fund to a potential climate bond and to set aside \$10 million of the Sustainable Groundwater Management Act (SGMA) funding to assist small GSAs (Attachment A). Due to the timing of the State budgeting process, this matter was not first brought before the UVRGA Board. The Executive Director consulted with the Chair and Vice-Chair prior to agreeing to have UVRGA included as a signatory.
3. Legal: Counsel assisted with various items on the June 8, 2023 meeting agenda.
4. GSP Implementation:
 - a. GSP Implementation Grant: DWR announced draft award recommendations for the SGMA Implementation Round 2 Grant. DWR did not recommend awarding UVRGA a grant.

- b. Well Registration: The Executive Director assisted well owners with completing their well registration forms and reached out to non-compliant well owners. Please see Item No. 10(a) for more information.
 - c. Monitoring Networks:
 - i. Groundwater Level Monitoring: Semi-annual transducer data downloads were completed in May and work began on processing the data.
 - ii. Surface Water Flow Monitoring: Deployment of the Camino Cielo gage is being reassessed due to the recent flooding.
 - iii. Visual Surface Water Monitoring: Monthly monitoring is ongoing.
 - iv. Riparian Groundwater Dependent Ecosystem (GDE) Monitoring: Monitoring is on hold pending decrease in Ventura River flow.
 - v. Aquatic GDE Monitoring: Monitoring is on hold pending decrease in Ventura River flow.
5. Outreach: The Executive Director emailed the interested parties list regarding GSP approval and the June 8, 2023 extraction fee public hearing (Attachment B). The email also transmitted a Spring 2023 UVRGA Newsletter, which highlights the GSP approval (Attachment C).
6. SWRCB / CDFW Instream Flow Enhancement Coordination: No activity.
7. Correspondence: Please see Attachment A for the previously described Small GSA Coalition letter.

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. Small GSA Coalition Letter to Selected State Senators and Assemblymembers dated May 22, 2023
- B. Email to Interested Parties dated May 12, 2023
- C. UVRGA Spring 2023 Newsletter

Action: _____

Motion: _____

M. Etchart_ B. Kuebler_ P. Kaiser_ J. Tribo_ A. Anselm_ V. Crawford_ E. Ayala_



May 24, 2023

The Honorable Nancy Skinner
Chair, Senate Budget & Fiscal Review Committee
1021 O St., Ste. 8630
Sacramento, CA 95814

The Honorable Phil Ting
Chair, Assembly Budget & Fiscal Review Committee
1021 O St., Ste. 8230
Sacramento, CA 95814

The Honorable Josh Becker
Chair, Senate Budget Subcommittee No. 2
1021 O St., Ste. 7250
Sacramento, CA 95814

The Honorable Steve Bennett
Chair, Assembly Budget Subcommittee No. 3
1021 O St., Ste. 4710
Sacramento, CA 95814

Re: Reject Proposed Sustainable Groundwater Management Act Funding Shift Sustainability Agency Support

Dear Senators Skinner and Becker and Assemblymembers Ting and Bennett:

The undersigned Groundwater Sustainable Agencies (GSAs) represent a coalition of small GSAs in California seeking financial support from the state to reduce exorbitant fees that we will have to assess on our users to cover the cost of managing our GSAs and Groundwater Sustainability Plans (GSPs). We write to request that you reject the Governor's May Revision proposal to shift \$60 million in Sustainable Groundwater Management Act (SGMA) from the General Fund to a potential climate bond and **set aside \$10 million of the SGMA funding to assist small GSAs. The purpose of this set-aside is to assist small GSAs bridge a gap in resources while we develop reasonable options for long-term local funding.**

Specifically, we are seeking non-competitive funding for the approximately 20-30 GSAs that manage basins or areas of basins that pump less than 10,000 acre-feet of groundwater (or less than 20,000-acre feet for those basins with more than 50 percent underrepresented communities) annually. The funding would cover a portion of SGMA-required annual operating and monitoring costs.

Small GSAs are struggling to cover the costs of implementing recently submitted GSPs and administering the GSAs. Additional support for administration and reporting (tasks which have not been eligible for previous SGMA grants administered by the Department of Water Resources (DWR)) is needed to ensure these GSAs can comply with SGMA and bring our basins and sub-basins into sustainability.

The mandates under SGMA result in fixed administrative and reporting costs, including, maintaining new monitoring networks, data management systems, Brown Act compliance, updating JPAs and bylaws, budgeting, accounting, legal review, annual reports, groundwater models, and 5-year updates. In basins

Item 8, Attachment A

with either large populations or extensive commercial agriculture, these costs can be spread out over many users, but smaller basins do not benefit from such an economy of scale.

For very small basin, when dividing the basic costs of compliance among the small number of users, these GSAs could end up with fees in the \$70 to \$190 per acre foot of water pumped annually. When the costs of project planning, modeling, and filling data gaps are added, these per acre foot costs can more than double. These high per acre-foot charges could be a significant burden for rural homeowners and place agriculture in these basins at a competitive disadvantage with larger neighboring basins where the fees will be significantly lower. For example, in Sonoma County, groundwater pumpers in Petaluma Valley could pay as much as \$400 an acre foot and in Sonoma Valley, as much as \$170 an acre foot, while pumpers in the neighboring Santa Rosa Plain would pay no more than \$40 an acre foot.

We believe that the \$60 million for SGMA implementation as proposed by the Governor in his January budget is an appropriate funding source for our request and, therefore, we are opposed to the May Revise proposal to shift this funding to a potential climate bond. There is an ongoing tremendous need to implement SGMA at the project implementation and planning levels. In fact, DWR received more than \$790 million in project applications for its most recent solicitation.

Assistance from the state would provide a lifeline to these small basins while they do the legwork needed to develop more equitable funding plans (for example a parcel tax or benefit assessment approach).

Thank you for your consideration. Please feel free reach out to us individually or to contact Mark Fenstermaker at mark@pacificpolicygroup.com, 916.798.8008.

Sincerely,

Ann DuBay
Community & Government Affairs
Sonoma Water

Sierra Ryan
Water Resources Manager
Santa Cruz County GSAs

Piret Harmon
General Manager
Salinas Valley GSA

Bryan Bondy
Executive Director
Upper Ventura River GSA

Catherine P. Keeling
Member Director and Chair
Mound Basin GSA

Erik Cadaret
General Manager
Ukiah Valley Basin GSA

Jenny Gant
Board Clerk
Sierra Valley GMD

Bill Keene
Administrator
Sonoma Valley GSA

Marina Deligiannis
Lead
Big Valley GSA

Bryan Bondy

From: Bryan Bondy
Sent: Friday, May 12, 2023 5:37 PM
To: Bryan Bondy
Subject: UVRGA Updates and Newsletter
Attachments: UVRGA Newsletter Vol 4 Issue 1.pdf; UVRGA Public Notice FY 23-24 GW Extraction Fees.pdf

Dear UVRGA Interested Parties,

I am writing with a few important updates and to transmit UVRGA's latest newsletter.

- GSP Approved: We are very pleased to announce that the UVRGA groundwater sustainability plan (GSP) was approved by the California Department of Water Resources on April 27, 2023. Please see the attached newsletter to learn more about the GSP approval.
- Groundwater Extraction Fees for Fiscal Year 23/24: The UVRGA Board will hold a public hearing on June 8, 2023 to consider adopting a \$140 per acre-foot groundwater extraction fee for the period July 1, 2023 through June 30, 2024. The fees are necessary to fund implementation of the GSP to comply with the Sustainable Groundwater Management Act. For more information, please see the attached public hearing notice.

Please feel free to contact me with any questions. Thank you for your continued interest in UVRGA!

Best Regards,

--

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





<https://uvrgroundwater.org/>

Spring Newsletter

May 2023

Volume 4, Issue 1

UVRGA Groundwater Sustainability Plan Approved by DWR

The California Department of Water Resources (DWR) is charged with evaluating Groundwater Sustainability Plans (GSPs) within two years of GSP submission. The UVRGA GSP for the Upper Ventura River Basin was submitted to DWR on January 24, 2022. The purpose of DWR's evaluation is to determine if a GSP conforms to specific requirements of the Sustainable Groundwater Management Act (SGMA or Act), is likely to achieve the sustainability goal for the basin covered by the Plan, and whether the Plan adversely affects the ability of an adjacent basin to implement its GSP or impedes achievement of sustainability goals in an adjacent basin. (Water Code § 10733.) Application of these standards leads to one of three possible outcomes: "approved," "incomplete," or "inadequate."

On April 27, 2023, UVRGA received notice that the UVRGA GSP received an "approved" determination from DWR. DWR's Statement of Findings explains their rationale for the determination that UVRGA's GSP satisfies the objectives of SGMA and substantially complies with the GSP Regulations. The DWR determination letter can be downloaded here <https://sgma.water.ca.gov/portal/>.

The staff report attached to DWR Statement of findings proposes "Recommended Corrective Actions" that DWR believes will enhance the GSP and facilitate their future GSP evaluations. DWR strongly encourages the Recommended Corrective Actions be given due consideration and suggests incorporating all resulting changes to the GSP in future updates. Failure to address DWR's Recommended Corrective Actions before their first five-year review may lead to a Plan being determined incomplete or inadequate at that time. DWR will initiate the first five-year review of the Upper Ventura River GSP no later than January 24, 2027.

Well Registration and Metering Reminder

If you own or operate a well in the Basin and it has not been registered with UVRGA, please visit the "Latest News" section of the UVRGA home page at <https://uvrgroundwater.org/> to learn how to register your well or contact our Executive Director, Bryan Bondy at 805-212-0484 for assistance.

In addition to the well registration requirement, all non-exempt wells must be outfitted with a flow meter by June 30, 2023. Proof of meter calibration may also be required, depending on the meter age or amount of time since the meter was last calibrated.



Ventura River at Casitas Vista Rd. 2-13-23.

Public Hearing to Adopt Groundwater Extraction Fees for Fiscal Year 23/24

UVRGA must fund implementation of the GSP to comply with the Sustainable Groundwater Management Act. The UVRGA Board will hold a public hearing on June 8, 2023 to consider adopting a \$140 per acre-foot groundwater extraction fee for the period July 1, 2023 through June 30, 2024. Please visit the "Latest News" section at https://uvrgroundwater.org for more information.



Habitat Mapping, November, 2022

Upcoming UVRGA Board Meetings

The UVRGA Board of Directors scheduled its 2023 Regular Board meetings on the second Thursday of each month at 12:30 PM. The next scheduled regular meeting is June 8, 2023. Special meetings are also scheduled on as-needed basis. The UVRGA Board meets at the Ventura River Water District located at 409 Old Baldwin Road, Ojai, CA 93023.

For the latest updates concerning Board meetings, please visit:

<https://uvrgroundwater.org/public-meetings/>



Example Flowmeter Photo

The recommended corrective actions generally focus on the following:

- Provide clarification on the definition of undesirable results and evaluate potential impacts to beneficial uses and users at the proposed minimum thresholds for chronic lowering of groundwater levels.
- Continue to fill data gaps, collect additional monitoring data, coordinate with resources agencies and interested parties to understand beneficial uses and users that may be impacted by depletions of interconnected surface water caused by groundwater pumping, and potentially refine sustainable management criteria.
- Clarify how the Foster Park protocols and settlement agreement may impact the GSA's ability to manage groundwater.

As a reminder, GSP adoption and approval by DWR do not represent the end of the process; rather, it marks the beginning of a twenty-year implementation timeframe to ensure sustainable management of the Upper Ventura River Basin. The GSP establishes sustainable management criteria for the Basin and a plan to achieve them that will be implemented over the next 20 years. UVRGA has begun implementation of the various monitoring programs identified in the GSP. These include groundwater level and groundwater quality monitoring, visual and gaged surface water flow monitoring, and aquatic biological monitoring in the Ventura River at Foster Park and near the confluence with San Antonio Creek.

UVRGA has much work to do to implement the GSP and your feedback and comments along the way will help ensure the GSP is successfully implemented. We encourage your continued involvement. If you haven't already, please join our interested parties list at: <https://uvrgroundwater.org/join-interested-parties-list/> or contact our Executive Director, Bryan Bondy for more information at: bbondy@uvrgroundwater.org.

Flowmeter Photo Reminder

Please remember to take a digital photograph of your well flowmeter on a quarterly basis each March 31, June 30, September 30, and December 31 of and submit the photos to bbondy@uvrgroundwater.org

The next flowmeter photo date is June 30, 2023.

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

DATE: June 8, 2023

TO: Board of Directors

FROM: Executive Director

SUBJECT: Resolution 2023-02: 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 2023/2024 (July 1, 2023– June 30, 2024).

SUMMARY

Resolution 2023-02 (Attachment A), if adopted, would establish a \$140 per acre-foot groundwater extraction fee against all persons operating groundwater extraction facilities within the Upper Ventura River Valley Basin for the period July 1, 2023 through June 30, 2024 based on the adopted Fiscal Year 2023/2024 Budget and Multi-Year Financial Projection (Attachment B). The public hearing was noticed in accordance with Government Code 6066 requirements (Attachment C).

Resolution 2023-02 follows the same approach as last year's fee resolution except for the following:

1. An exemption has been added for persons who extract, for any non-domestic purpose, two acre-feet or less per year. The previous extraction fee resolutions have only exempted persons who extract, for domestic purposes, two acre-feet or less per year (i.e., de minimis extractors as defined by section 10721(e) of the Water Code). Several non-domestic wells that extract less than two acre-feet per year have been identified during the well registration process. It is impractical to assess fees on these wells because invoicing and collections could exceed the fee revenue.
2. Billing and collection provisions for private well owners have been updated to facilitate a transition to billing based on metered groundwater extractions.

RECOMMENDED ACTIONS

1. Conduct a public hearing to discuss potential groundwater extraction fees based on the adopted Fiscal Year 2023/2024 Budget and Multi-Year Budget Projection posted on the Agency's website.
2. Adopt Resolution 2023-02 establishing the proposed groundwater extraction fees within the Upper Ventura River Valley Basin for Fiscal Year 2023/2024 (July 1, 2023 – June 30, 2024).

BACKGROUND

The fiscal year 2023/2024 Budget and Multi-Year Financial Projection upon which the proposed extraction fee is based was adopted by the Board on May 11, 2023 and is available for viewing on-line at <https://uvrgroundwater.org/>. Budgeted and projected extraction fees are shown in the green shaded box. The proposed extraction fee for Fiscal Year 2023/2024 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

The proposed extraction fee is based on the adopted Fiscal Year 2023/2024 budget and Multi-Year Financial Projection.

ATTACHMENTS

- A. Draft Resolution 2023-02
- B. Adopted Fiscal Year 2023/2024 Budget and Multi-Year Financial Projection
- C. Public Hearing Notice

Action: _____

Motion: _____

M. Etchart_ B. Kuebler_ P. Kaiser_ J. Tribo_ A. Anselm_ V. Crawford_ E. Ayala_

BOARD OF DIRECTORS

UPPER VENTURA RIVER GROUNDWATER AGENCY

RESOLUTION NO. 2023-02

**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 2023/2024 (July 1, 2023 – June 30, 2024)**

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 2023-2024 and updated its multi-year financial projection; and

Item 9(a) Attachment A

WHEREAS, the GSA complied with all applicable notice requirements by noticing a public meeting concerning these fees as follows:

1. By publication pursuant to Government Code Section 6066 in the Ojai Valley News on June 2, 2023 and Ventura County Star on May 24, 2023 and May 31, 2023;
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 2023-2024 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 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 2023/2024 and multi-year budget projection, the GSA hereby adopts and establishes an annual Groundwater Extraction Fee for the period July 1, 2023 through June 30, 2024 of \$140.00 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) or those persons who extract, for any non-domestic purpose, two (2) acre-feet or less per year. This Groundwater Extraction Fee will become effective July 1, 2023 and will remain in effect until June 30, 2024 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 2020-2022 calendar year extractions:

- Casitas Municipal Water District: 185 acre-feet
- City of Ventura: 1,639 acre-feet
- Meiners Oaks Water District: 450 acre-feet
- Ventura River Water District 898 acre-feet

The total for annual amount due for Fiscal Year 2023/2024 shall be billed in July 2023.

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, 2023 – December 31, 2023 and January 1, 2024 – June 30, 2024). 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

Item 9(a) Attachment A

estimated amount of groundwater production, the Groundwater Extraction Fee, interest, 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. 2023-02 was duly adopted and passed by the Board of Directors of the Upper Ventura River Groundwater Agency as a public hearing held on the 8th day of June 2023, by the following vote:

AYES:

NOES:

ABSENT:

Michel Etchart, Board Chair

ATTEST:

Bryan Bondy
Executive Director

APPROVED AS TO FORM:

Keith Lemieux, General Counsel
Upper Ventura River Groundwater Agency

Resolution 2023-20, Attachment A

ATTACHMENT 4 – UVRGA ESTIMATED GROUNDWATER EXTRACTIONS

Operator	Estimated Acre-Feet per Year	Source Data Period	Documentation/Comment
Public Agency Operators			
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
MWC Operators			
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
Other Private Operators			
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	
Total Estimated Extractions	4355.8	AF	10/10/2019 Board-approved protest reduced Other Private-3 extraction estimate to 75 acre-feet per year.

FY 2023/2024 Budget and Multi-Year Projection - Adopted May 11, 2023

	FY 23 Budget	Jul 22 - Mar 23 Actuals	April - June 22 Projection	FY 23 Year-End Projection	FY 24 Budget	FY 25 Projected	FY 26 Projected	FY 27 Projected	FY 28 Projected	Comments
Ordinary Income/Expense										
Income										
Interest/Penalties	\$ -	\$ 35	\$ -	\$ 35	\$ -	\$ -	\$ -	\$ -	\$ -	
										Error in FY 23 budget spreadsheet discovered 5/3/23. Budget value of \$604,862.55 should have been \$596,647.56. FY 23 Projected revenue shortfall is due to difference between metered private well extractions and budget extraction assumptions.
43000 · Groundwater Extraction Fee	\$ 596,648	\$ 542,420	\$ 37,541	\$ 579,961	\$ 469,091	\$ 523,331	\$ 567,137	\$ 570,578	\$ 440,790	
Estimated Groundwater Extractions (AF)	4,034	3,665	254	3,919	3,357	3,357	3,357	3,357	3,357	See Attachment B for more information. FY 25 - 28 extractions are assumed to be the same as FY 24 estimate.
Estimated Extraction Fee (\$/AF)	\$ 148	\$ 148	\$ 148	\$ 148	\$ 140	\$ 156	\$ 169	\$ 170	\$ 131	
Total Income	\$ 596,648	\$ 542,455	\$ 37,541	\$ 579,996	\$ 469,091	\$ 523,331	\$ 567,137	\$ 570,578	\$ 440,790	
Expense										
55000 · Administrative Exp										
55005 · Rent Expense	\$ 2,039	\$ -	\$ -	\$ -	\$ 2,141	\$ 2,248	\$ 2,360	\$ 2,478	\$ 2,602	
55011 · Computer Maintenance	\$ 525	\$ -	\$ -	\$ -	\$ 551	\$ 579	\$ 608	\$ 638	\$ 670	
55015 · Postage & Shipping	\$ 105	\$ -	\$ 31	\$ 31	\$ 110	\$ 116	\$ 122	\$ 128	\$ 134	
55020 · Office Supplies & Software	\$ 525	\$ 120	\$ 40	\$ 160	\$ 551	\$ 579	\$ 608	\$ 638	\$ 670	
55025 · Minor Equipment	\$ 263	\$ -	\$ -	\$ -	\$ 276	\$ 289	\$ 304	\$ 319	\$ 335	
55035 · Advertising and Promotion	\$ 1,529	\$ 308	\$ 325	\$ 633	\$ 1,606	\$ 1,686	\$ 1,770	\$ 1,859	\$ 1,952	
55055 · Insurance Expense-SDRMA	\$ 4,725	\$ 3,569	\$ -	\$ 3,569	\$ 4,961	\$ 5,209	\$ 5,470	\$ 5,743	\$ 6,030	
55060 · Memberships-CSDA	\$ 1,680	\$ 1,875	\$ -	\$ 1,875	\$ 1,764	\$ 1,852	\$ 1,945	\$ 2,042	\$ 2,144	
Total 55000 · Administrative Exp	\$ 11,390	\$ 5,872	\$ 396	\$ 6,267	\$ 11,960	\$ 12,558	\$ 13,186	\$ 13,845	\$ 14,537	
58000 · Professional Fees										
58005 · Executive Director /GSP Manager	\$ 35,680	\$ 19,235	\$ 11,246	\$ 30,481	\$ 37,464	\$ 39,337	\$ 41,304	\$ 43,369	\$ 45,537	
58010 · Legal Fees	\$ 35,680	\$ 11,237	\$ 6,700	\$ 17,937	\$ 37,464	\$ 39,337	\$ 41,304	\$ 43,369	\$ 45,537	
58015 · Website	\$ 3,058	\$ 2,026	\$ 180	\$ 2,206	\$ 3,211	\$ 3,372	\$ 3,540	\$ 3,717	\$ 3,903	
58020 · Accounting	\$ 16,820	\$ 10,620	\$ 4,500	\$ 15,120	\$ 17,661	\$ 18,544	\$ 19,472	\$ 20,445	\$ 21,468	
58040 · Audit Expense	\$ 14,272	\$ -	\$ 13,000	\$ 13,000	\$ 14,985	\$ 15,735	\$ 16,521	\$ 17,348	\$ 18,215	
58050 · Other Professional Services	\$ 237,179	\$ 152,633	\$ 21,700	\$ 174,333	\$ 340,768	\$ 285,720	\$ 369,368	\$ 388,067	\$ 250,000	FY 24 increased by \$85,000 for topographical survey and model update to address river morphological changes.
Total 58000 · Professional Fees	\$ 342,688	\$ 195,752	\$ 57,326	\$ 253,078	\$ 451,553	\$ 402,045	\$ 491,509	\$ 516,314	\$ 384,660	
Total Expense	\$ 354,079	\$ 201,624	\$ 57,721	\$ 259,345	\$ 463,513	\$ 414,603	\$ 504,695	\$ 530,159	\$ 399,198	
Net Ordinary Income	\$ 242,569	\$ 340,831	\$ (20,180)	\$ 320,651	\$ 5,578	\$ 108,728	\$ 62,443	\$ 40,419	\$ 41,593	
Other Income/Expense	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Other Expense										
Capital Projects										
Capital Project-Mon. Well & Str	\$ 10,000	\$ -	\$ -	\$ -	\$ 75,000	\$ 331,954	\$ -	\$ -	\$ -	FY 23 was revised mid-year from \$92,069.36 to \$10,000,with the difference moving to capital reserve.
Capatal Projects- Contingency	\$ -	\$ -	\$ -	\$ -	\$ 7,500	\$ 33,195	\$ -	\$ -	\$ -	FY 23 was revised mid-year from \$9,206.94 to \$0, with the difference moving to capital reserve.
Transfer To Capital Reserve	\$ 91,276	\$ 91,276	\$ 10,000	\$ 101,276	\$ -	\$ -	\$ -	\$ -	\$ -	
Total Capital Projects	\$ 101,276	\$ 91,276	\$ 10,000	\$ 101,276	\$ 82,500	\$ 365,150	\$ -	\$ -	\$ -	
Contingency - Non Capital Exp	\$ 34,269	\$ -	\$ -	\$ -	\$ 45,155	\$ 40,204	\$ 49,151	\$ 51,631	\$ 38,466	FY 23 was revised mid-year from \$34,268.83 to \$0.
Transfer to Operating Reserve	\$ -	\$ -	\$ 112,351	\$ 112,351	\$ -	\$ -	\$ -	\$ -	\$ -	
Total Other Expense	\$ 135,545	\$ 91,276	\$ 122,351	\$ 213,628	\$ 127,655	\$ 405,354	\$ 49,151	\$ 51,631	\$ 38,466	
Net Other Income	\$ (135,545)	\$ (91,276)	\$ (122,351)	\$ (213,628)	\$ (127,655)	\$ (405,354)	\$ (49,151)	\$ (51,631)	\$ (38,466)	
Net Income	\$ 107,024	\$ 249,555	\$ (142,532)	\$ 107,024	\$ (122,078)	\$ (296,626)	\$ 13,292	\$ (11,213)	\$ 3,127	Bulk of FY 23 net income was used to repay Member Agency loans.

Upper Ventura River Groundwater Agency
FY 2023/2024 Budget and Multi-Year Projection - Adopted May 11, 2023

Cash Flow Projections

	FY 23 Budget	Jul 22 - Mar 23 Actuals	April - June 22 Projection	FY 23 Year-End Projection	FY 24 Budget	FY 25 Projected	FY 26 Projected	FY 27 Projected	FY 28 Projected	Comments
Beginning Cash Balance	\$ 242,299	\$ 165,627	\$ 412,280	\$ 165,627	\$ 393,039	\$ 368,676	\$ 100,000	\$ 100,000	\$ 100,000	
Grant Payments	\$ -	\$ -	\$ -	\$ -	\$ 63,006	\$ -	\$ -	\$ -	\$ -	Assume grant retention payment of \$63,006 in FY 24.
GW Extraction Fees	\$ 596,648	\$ 542,420	\$ 22,480	\$ 564,900	\$ 470,536	\$ 532,215	\$ 576,021	\$ 579,462	\$ 449,674	
Other/Misc.	\$ -	\$ 35	\$ -	\$ 35	\$ -	\$ -	\$ -	\$ -	\$ -	
Cash Inflows	\$ 596,648	\$ 542,455	\$ 22,480	\$ 564,935	\$ 533,542	\$ 532,215	\$ 576,021	\$ 579,462	\$ 449,674	
Expense Payments	\$ (406,270)	\$ (205,802)	\$ (41,721)	\$ (247,523)	\$ (482,279)	\$ (459,296)	\$ (545,592)	\$ (579,462)	\$ (449,674)	
Capital Payments	\$ (101,276)	\$ -	\$ -	\$ -	\$ (75,625)	\$ (341,596)	\$ (30,429)	\$ -	\$ -	
Loan Repayment (with interest)	\$ (90,000)	\$ (90,000)	\$ -	\$ (90,000)	\$ -	\$ -	\$ -	\$ -	\$ -	
Cash Outflows	\$ (597,546)	\$ (295,802)	\$ (41,721)	\$ (337,523)	\$ (557,904)	\$ (800,891)	\$ (576,021)	\$ (579,462)	\$ (449,674)	
Ending Cash Balance	\$ 241,400	\$ 412,280	\$ 393,039	\$ 393,039	\$ 368,676	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	
Designated Reserve for Capital Projects	\$ 167,400			\$ 268,676	\$ 268,676	\$ -	\$ -	\$ -	\$ -	
Designated for General Reserve	\$ 74,000			\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	
Projected Unreserved Cash	\$ -			\$ 24,362	\$ 0	\$ -	\$ -	\$ -	\$ (0)	Zero values indicated balanced budgets. FY 22/23 projected unreserved cash will be used to reduce FY 23/24 extraction fee.



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 \$140.00 per acre-foot. If adopted, the charge will become effective July 1, 2023.

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 8, 2023 at 12:30 PM

LOCATION: Ventura River Water District Meeting Room, 409 Old Baldwin Road, Ojai, CA 93023

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 or by phone at 805-212-0484.

Publication Dates:

Ventura County Star: ~~May 24, 2023 and~~ May 31, 2023

Ojai Valley News: May 26, 2023 and June 2, 2023

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

DATE: June 8, 2023

TO: Board of Directors

FROM: Agency Counsel

SUBJECT: Agency Investment Policy

SUMMARY

Resolution 2023-3 (Attachment A), if adopted, would establish an investment policy.

RECOMMENDED ACTIONS

Adopt Resolution 2023-3 amending the Upper Ventura River Groundwater Agency's Bylaws to add Article 14, adopting the Investment Policy for the Agency.

BACKGROUND

California State law requires every local agency, including the Upper Ventura River Groundwater Agency (Agency), to adopt an investment policy to establish the practices and procedures to be used in managing the Agency's portfolio in accordance with the requirements of the State of California Government Code and the guidelines provided by the California Debt and Investment Advisory Commission (CDIAC) and the Government Finance Officers Association (GFOA).

The policy sets forth the manner in which the Agency Treasurer may invest surplus funds of the Agency as well as establishing reporting requirements to keep the Agency Board and public informed. Investments are limited by state law to extremely conservative and low risk opportunities while maintaining the ability to diversify and maintain liquidity where needed. The proposed policy is attached to the Resolution as Exhibit "A" and would become a permanent part of the Agency Bylaws under Article 14, which has been reserved for such purpose.

FISCAL SUMMARY

This item does not have direct fiscal impact. However, adopting the policy will facilitate investment of reserves, which will generate income to combat inflation.

ATTACHMENTS

A. Draft Resolution 2023-03

Action: _____

Motion: _____

M. Etchart_ B. Kuebler_ P. Kaiser_ J. Tribo_ A. Anselm_ V. Crawford_ E. Ayala_

BOARD OF DIRECTORS

UPPER VENTURA RIVER GROUNDWATER AGENCY

RESOLUTION NO. 2023-3

**A RESOLUTION OF THE UPPER VENTURA RIVER GROUNDWATER AGENCY
ADOPTING AN INVESTMENT POLICY**

WHEREAS, Article 14 of the Upper Ventura River Groundwater Agency's ("Agency") Bylaws is reserved for the adoption of the Agency Investment Policy; and,

WHEREAS, California State Law requires local agencies to adopt an Investment Policy establishing the standards and practices for the investment of surplus funds.

NOW, THEREFORE, the Board of Directors of the Upper Ventura River Groundwater Agency does hereby resolve, find, determine and order as follows:

Article 14 of the Bylaws is hereby repealed in its entirety and replaced with Exhibit "A" attached hereto and incorporated herein by this reference.

WE, THE UNDERSIGNED, do hereby certify that the above and foregoing Resolution was duly adopted and passed by the Board of Directors of the Upper Ventura River Groundwater Agency at a public hearing held on the 8th day of June 2023, by the following vote:

AYES:

NOES:

ABSENT:

Michel Etchart, Board Chair

ATTEST:

Bryan Bondy
Executive Director

APPROVED AS TO FORM:

Keith Lemieux, General Counsel
Upper Ventura River Groundwater Agency

EXHIBIT “A”

UPPER VENTURA RIVER GROUNDWATER AGENCY
INVESTMENT POLICY

PURPOSE

This investment policy establishes the practices and procedures to be used in managing the Upper Ventura River Groundwater Agency’s (Agency) portfolio in accordance with the requirements of the State of California Government Code and the guidelines provided by the California Debt and Investment Advisory Commission (CDIAC) and the Government Finance Officers Association (GFOA).

SCOPE OF THE POLICY

This policy governs the investment of money that is not required to meet the immediate needs of the Agency.

LEGAL AUTHORITY

Government Code Sections: California Government Code Sections 53600 to 53609, 53635, and 16429.1 govern the investment of local agency funds.

Legislative Changes: Any applicable legislative actions will be acted on as of their effective dates and will be incorporated into the policy annually, specifying the California Government Code sections that have been added, deleted or amended.

OBJECTIVES

The Agency Treasurer will consider the following factors in priority order when assessing investment opportunities:

Safety: The primary objective is the preservation of principal. Capital losses will be avoided, whether from default or erosion of market value, meaning that the Agency will not sell or trade an investment because of market fluctuation. The two types of risk to be minimized are:

Credit risk – the risk that an issuer or other counterparty to an investment will not fulfill its obligations; and

Interest rate or market risk – the risk that changes in interest rates will adversely affect the fair value of an investment.

Liquidity: The second objective is the liquidity of the portfolio. The portfolio should remain sufficiently flexible to enable the Agency to meet the operating requirements that are reasonably anticipated. In order to ensure liquidity, the investment policy must recognize that calculating cash

Item 9(b) Attachment A

flows are the basis of any good investment strategy. Meeting the daily cash flow demand goes hand-in-hand with meeting the Agency's liquidity needs.

Yield: The third objective, behind safety and liquidity, is attaining a market rate of return throughout the budgetary and economic cycles.

While managing the portfolio, the Treasurer, and designated staff, will strive to maintain public trust by avoiding any transactions that might impair public confidence in the Agency. When selecting investment instruments to recommend to the Agency Board, the Treasurer, and designated staff, will remain cognizant of any social and policy considerations that have been established and defined in this policy.

GENERAL STRATEGY

The Treasurer, and designated staff, may recommend a passive or active investment strategy. Passive investment policies adhere to the investment goal of holding investments to maturity. Active investment strategy is the buying and selling of investments to achieve a certain benchmark objective. Great care, coupled with the advice of a fiscal agent, should be followed with an active investment policy.

The Agency follows the passive investment strategy of holding investments to maturity.

STANDARD OF CARE

Prudent Investor Standard: The prudence standard for trust investing traces back to Harvard College v. Amory, 26 Mass. (9 Pick.) 446 (1830). Judge Samuel Putnam stated that trustees should "observe how men of prudence, discretion and intelligence manage their own affairs, not in regard to speculation, but in regard to the permanent disposition of their funds, considering the probable income, as well as the probable safety, of the capital to be invested."

This standard will be followed by the Treasurer, Member Directors, and designated staff.

Ethics and Conflict of Interest: The Treasurer, Member Directors, and designated staff, shall refrain from personal business activities that could conflict with the proper execution of the investment program or which could impair their ability to make impartial decisions.

Delegation of Authority: The following positions are delegated the power to invest the funds of the Agency:

Member Directors with Agency Board approval and

These designations may change with the annual affirmation of this policy. Each delegate is required to adhere to the requirements set forth in the investment policy.

SAFEKEEPING AND CUSTODY

Third-party Safekeeping: Ownership of the Agency's investment securities will be protected through third-party custodial safekeeping. The custodian will provide the Agency with a safekeeping receipt or monthly, itemized statement. Exceptions to this requirement are made for certificates of deposit, money market funds and investment pools.

Internal Controls: These are designed to ensure that the assets of the Agency are protected from theft, loss, or misuse. Such internal controls that are in place include:

Control of collusion;
Separation of duties;
Safekeeping of securities; and
Written confirmation of telephone transactions and wire transfers.

The Agency will separate the person who authorizes or performs the transaction from the person or people who ultimately record or otherwise account for the transaction to achieve separation of duties.

Delivery vs. Payment: All investment transactions should be conducted using standard delivery vs. payment procedures. In delivery vs. payment, the purchaser pays for the securities when they are delivered either to the purchaser or his/her custodian and ensures that securities are deposited in an eligible financial institution prior to the release of funds.

AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS

The Agency will only conduct business with approved banks, savings and loans, credit unions, and securities brokers/dealers. A list of financial dealers and institutions is to be maintained. Broker/dealers and institutions must meet all requirements established by federal and state law.

SUITABLE AND AUTHORIZED INVESTMENTS

Authorized Investment Types: The Agency, by virtue of California Government Code Sections 53600 et seq., has the ability to invest in numerous types of instruments. The Agency has looked at its goals, objectives, and standards of care in establishing a list of authorized investment types that also meet statutory requirements. Those types of investment instruments that meet the criteria for the Agency are:

Securities of the U. S. Government, or its agencies;
California's Local Agency Investment Fund (LAIF) pool;
FDIC Insured Certificates of Deposit up to \$250,000;
Bankers' Acceptances (not exceeding 40% of the Agency's portfolio/max maturity 180 days);
Money Market funds;
Collateralized deposits;

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Passbook savings accounts; and
Repurchase agreements and reverse repurchase agreements (no more than 25% of the Agency's portfolio).

Prohibited Investment Types: In addition to a listing of authorized investments, California Government Code Section 53601.6 prohibits local agencies from investing in the following instruments:

Inverse floaters;
Range notes or mortgage-derived, interest-only strips;
Any security that could result in zero interest accrual if held to maturity;
Stock; and
Futures or options.

There may be additional investment instruments in which the Agency does not want the Treasurer to invest, and those will be defined in future investment policies.

INVESTMENT PARAMETERS

Diversification of Investments: The Agency may choose to impose more stringent restrictions or further restrictions on other investment instruments, depending on its investment goals and risk tolerances, than those proposed in the California Government Code Sections 53600 et seq. The Agency has indicated those authorized investments as follows:

Money market funds;
Collateralized deposits;
Securities of any one issuer, not to exceed 5% of the Agency's portfolio, except those obligations of the U.S. government, U.S. governmental agencies, and U.S. government-sponsored enterprises;
Mutual funds; and
FDIC insured certificates of deposits.

Maximum Maturity: California Government Code Section 53601 lists the maximum maturity for any instrument as five (5) years. The exception to this time frame is made for investments with LAIF or collateralized deposits.

Minimum Credit Requirements: The Agency has chosen to follow the California Government Code Section 53601 that sets the minimum credit rating required for certain investment instruments as follows:

Short-term debt shall be rated at least "A-1" by Standard & Poor's Corporation, "P-1" by Moody's Investors Service, Inc., or "F-1" by Fitch Ratings. If the issuer of short-term debt has also issued long-term debt, this long-term debt rating shall be rated at least "A," without regard to +/- or 1, 2, 3 modifiers, by Standard & Poor's Corporation, Moody's Investors Service, Inc., or Fitch Ratings. Long-term debt shall be rated at least "A," without regard to +/- or 1, 2, 3 modifiers, by Standard & Poor's Corporation, Moody's Investors Service, Inc., or Fitch Ratings.

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Maximum Weighted Average Maturity of a Portfolio: As part of the portfolio performance report to be provided to the Agency Board, a weighted average maturity (WAM) of the portfolio is calculated. While there are no requirements under state law for a maximum WAM of a portfolio, CDIAC's Local Agency Investment Guidelines suggest that local agencies include and monitor WAM to arrive at an acceptable range for future implementation of a maximum benchmark.

Social Responsibility: Priority will be given to investments that are in compliance with socially responsible goals, to the extent that such investments achieve equivalent safety, liquidity and yield compared to other investments that do not meet the Agency's socially responsible goals. When not impacting yield, safety and liquidity, priority will be given to investments that support community well-being through safe, environmentally sound, practices and fair labor practices. Investments are encouraged in entities that support combating climate change and equality of rights regardless of race, sex, religion, age, national or ethnic origin, sexual orientation, or disability.

PORTFOLIO MANAGEMENT ACTIVITY

Active or Passive Portfolio Management: In active portfolio management, Agency may buy and sell securities based on how to maximize portfolio values over a given timeframe. In passive portfolio management, the goal is to match a market rate of return (usually a benchmark). Weighing the pros and cons of each strategy in light of staff resources and investment, the Agency has chosen to follow a passive portfolio management strategy.

Competitive Bidding: Investments are purchased in the most cost effective and efficient manner utilizing approved brokers/dealers on all investment transactions.

Reviewing and Monitoring of the Portfolio: The portfolio requires monthly staff review to ensure the investments are being properly tracked and reported.

Portfolio Adjustments: If the portfolio demonstrates non-compliance with the investment policy, the Treasurer, and designated staff, may hold the affected securities to maturity to avoid losses; however, the Agency Board may choose to rebalance the portfolio earlier to bring it back into compliance only if the portfolio will not suffer any losses for selling the investment prior to maturity.

Performance Standards: The objective of investing is to obtain a rate of return throughout budgetary and economic cycles, commensurate with investment risk constraints and cash flow needs.

REPORTING

Reporting Methods: On a quarterly basis, the investment portfolio will be presented at an Agency Board meeting, along with the quarterly financial reports, and will list the following components:

Types of investment;

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Issuer names;
Dates of maturity;
Par amounts;
Dollar amounts;
Market values;
Descriptions of programs under the management of contracted parties;
A statement of compliance with the investment policy; and
A statement of the ability to meet cash flow needs for six months.

Governmental Accountings Standards Board (GASB) Statement No. 31 - Marking to Market: The Agency's portfolio is to be marked-to-market for the investment report provided to the Agency Board and at minimum, annually for the financial statements. Market values are to be obtained from a reputable and independent source and disclosed to the Agency Board in the written report. The independent source of pricing should not be one of the parties to the transaction being valued. Such an independent source could include a broker or other financial institution that was not counterparty to the transaction, the custodial bank if the bank was not a counterparty to the transaction, publicly available publications such as The Wall Street Journal, or other pricing services for which a separate fee would be paid.

This is consistent with GASB Statement No. 31, which requires that governmental entities report investments at fair value, and with the California Governmental Code, which also requires market values of investments be reported.

Calculation of Yield and Costs: All yield rates on investments will be presented at book value.

Investment Policy Adoption, Review, and Amendment: The investment policy will be reviewed, amended, and presented to the Agency Board annually with budget adoption. The review should ensure that the policy is consistent with the overall objectives of preservation of principal, liquidity, and return, and is in conformance with the law, financial and economic trends, and the cash flow needs of the local agency.

Definitions or Glossary of Terms: This investment policy includes a definition section (Appendix A) in order to establish a common vocabulary between the Treasurer, and designated staff, the Agency Board, and the public.

APPENDIX A – INVESTMENT POLICY TERMINOLOGY

The following are examples of terminology commonly found in California Government investment policies. The inclusion of these sections provides clarity to investment policies and better enables readers to understand important concepts.

Authorized Financial Dealers and Institutions: A list of financial institutions authorized to provide investment services. May also include a list of approved security broker/dealers with which the Agency can do business. These institutions and broker/dealers are usually selected by their ability to add value to the investment process. Some criteria to consider when choosing an approved broker/dealer include creditworthiness, expertise, and the products in which the financial dealer or

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institution is familiar. GFOA suggests that all entities qualifying for investment transactions provide audited financial statements; proof of industry group (National Association of Securities Dealers [NASD]) certification; proof of state registration; completed broker/dealer questionnaire; and certification of having read, understood, and agreeing to comply with the investment policy.

Bankers' Acceptance: A draft, bill or exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

Certificate of Deposit: A time deposit with a specific maturity evidenced by a certificate.

Collateralization: Process by which a borrower pledges securities, property, or other deposits for the purpose of securing the repayment of a loan and/or security. California Government Code Section 53601 requires that all repurchase agreements be secured by eligible securities with a market value of 102 percent or greater of the funds borrowed. California Government Code requires public deposits to be collateralized at 110%.

Delegation of Authority: The granting of authority to manage the investment program to designated officials. Such authority is usually derived from code sections, ordinance, charters, or statutes. Government Code Section 53607, for example, allows the Agency Board to delegate, for a one-year period, its authority to invest or reinvest funds or to sell or exchange securities held by the local government.

Delivery vs. Payment: A type of securities transaction in which the purchaser pays for the securities when they are delivered either to the purchaser or his/her custodian. It ensures that securities are deposited in an eligible financial institution prior to the release of funds. A third-party custodian as evidenced by safekeeping receipts should hold securities.

Diversification: A process of investing assets among a range of security types by sector, maturity, credit rating, and call type or structure. This reduces exposure to risk by combining a variety of investments, which are unlikely to all move in the same direction. GFOA suggests diversifying a Agency's investment portfolio by limiting investments to avoid exposure to a specific sector, limiting investment in securities with higher credit risks, investing in instruments with varying maturities, and continuously investing a portion of the portfolio in readily available funds such as a local government investment pool, money market funds, or overnight repurchase agreements to ensure that appropriate liquidity is maintained in order to meet ongoing obligations.

Ethics and Conflicts of Interest: The California Political Reform Act of 1974 requires certain designated public officials at all levels of government to publicly disclose their private economic interests and requires all public officials to disqualify themselves from participating in decisions in which they have a financial interest. As part of this requirement, local agencies are required to adopt and promulgate a Conflict of Interest Code, with certain required sections. To further promulgate this Code, investment policies sometimes include language requiring the ethical conduct of investment officers and statements regarding refraining from personal business activity that could conflict with the proper execution and management of the investment program or that could impair their ability to make impartial decisions. To avoid conflicts, GFOA recommends that investment officers disclose material interests in financial institutions with which they do business,

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disclose personal financial interests that could be related to the performance of the investment portfolio, and refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the local government.

Exemption: Language that grandfathers prohibited investments into the investment policy because they may have been held in the portfolio prior to the prohibition. When these investments mature or are liquidated, the money should be reinvested as provided by the policy and the exemption language should be removed from the policy.

FDIC: Federal Deposit Insurance Corporation is a federal agency that insures bank deposits up to \$250,000 per deposit.

General Objectives: The section of an investment policy that illustrates the three main objectives (safety, liquidity, and yield), in order of priority, of a good investment policy. In addition to these commonly included objectives, there are a myriad of other objectives for which an investment policy can strive. Safety is the preservation of principal. Liquidity is how easily an investment may be redeemed for cash. Yield is the current rate of return on a security generally expressed as a percentage of its current price. As per California Government Code Section 53600.5, safeguarding the principal of the funds under its control should be the primary objective of local agencies. Liquidity also should be a principal objective of a portfolio. The portfolio should maintain sufficient liquidity to meet operating requirements. To accomplish this, a local agency can structure a portfolio so that investments mature when cash is needed and also by investing in liquid securities with an active secondary market. Yield should be the last objective an investment portfolio should strive for, behind safety and liquidity. Since there are many different ways for yield to be calculated, the investment policy should specify how it is to be calculated.

Internal Controls: The system used to ensure that the local government assets are protected from loss, theft, or misuse. Such a system should provide a reasonable assurance that such loss, theft, or misuse can be prevented. Examples include separation of duties, delegation of authority, and documentation. GFOA suggests that an internal control system address the following points: control of collusion, separation of transaction authority from accounting and recordkeeping, custodial safekeeping, avoidance of physical delivery of securities, clear delegation of authority to subordinate staff, written confirmation of transactions for investments and wire transfers, and development of a wire transfer agreement with the lead bank and third-party custodian.

Investment Parameters: Specified restrictions on investments to limit the amount of risk in a portfolio. These parameters may be specified in the California Government Code; however, the local agency may choose to further restrict investment options depending on its risk tolerance. Such parameters may include diversification of investments types, percentages, or dollar limits per issuer and setting maximum maturities.

Investment Types: A recitation of the investment types the local agency has been given authority in which to invest. This may be a list of securities allowable under California Government Code Section 53601 et seq., and may be further restricted by the agency itself. For a description of the allowable California local agency investment instruments, please see CDIAC's latest version of its Local Agency Investment Guidelines, available on its website at www.treasurer.ca.gov/cdiac.

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GFOA recommends the investment in the following types of securities: U.S. government securities and agency obligations; highly-rated certificates of deposit, bankers' acceptances, commercial paper; investment-grade state and local government obligations; repurchase agreements securitized by the previously-mentioned securities; SEC-regulated, dollar-denominated money market mutual funds; and local government investment pools.

LAIF: Local Agency Investment Fund, the State of California's investment pool in which cities, counties and special districts may participate.

Liquidity: A liquid asset is one that can be quickly and easily converted into cash without loss in value.

Market Value: The price at which a security is trading at a point in time. Selling an investment at market value can result in a gain (\$500,000 investment sold for \$515,000 = \$15,000 gain) or loss (\$500,000 investment sold for \$498,000 = \$2,000 loss). Gains and losses are dependent on changes in the current rate of interest as compared to the interest rate of the investment that is being considered for sale.

Marking-to-Market: The act of recording the price or value of a security to reflect its current market value rather than its book value.

Maximum Maturities: Maturity is the date on which the security or obligation is redeemed by the issuer in exchange for cash. California law states that local governments cannot invest in instruments with terms remaining to maturity in excess of five years unless they receive express authority from their legislative bodies to do so. Local governments should attempt to match investment maturities with anticipated cash flow requirements. There is no requirement under California law for local governments to have a weighted average maturity (WAM) restriction for their portfolio, although CDIAC's Local Agency Investment Guidelines suggests that local agencies consider adopting a WAM restriction.

Performance Standards: The criteria by which a stated goal is measured. An investment portfolio's performance and risk exposure should be evaluated against appropriate benchmarks on a regular basis. One standard that should be strived for should be a market rate of return in a given interest rate environment.

Policy Considerations: The local ordinances or other requirements that place restrictions on the policy. Local governments should consider what should be exempted from the policy and also when, or under what circumstances, the policy should be amended.

Pooling of Funds: A statement in the investment policy that except for certain restricted or special funds, cash balances should be consolidated from all funds to maximize investment earnings.

Portfolio: The collection of investment instruments held.

Prudent Investor Standard: Legal maxim that all investments should be made with care, skill, prudence and diligence under the circumstances then prevailing, which persons of prudence,

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discretion, and intelligence exercise in the professional management of their business affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Reporting: Presentation of evaluation data or other information to communicate processes, roles, and results. Investment policies should include reporting requirements such as methods of reporting investments, the standards against which investments should be reported, and the requirement for calculating market value.

Reporting Methods: Ways in which investment outcomes are reported including listing of instrument values, dollar value returns, percentage yields, etc. GFOA suggests that local governments prepare investment reports at least quarterly. In California, investment reports are no longer required to be submitted to legislative bodies. This requirement is now permissive. If a local government chooses to submit an investment report in accordance with California Government Code Section 53646 to their legislative bodies, they are still required to submit copies to CDIAC for the second and fourth quarter of every calendar year until January 1, 2007. GFOA goes on to list some suggested components of investment reports including listing of securities, gains and losses, average weighted yield to maturity as compared to benchmarks, listing of investment by maturity date, and percentage of the total portfolio which each type of investment represents.

Repurchase Agreements: A repurchase agreement is a form of short-term borrowing for dealers in government securities, which are highly valued and thus considered a good source of collateral. The dealer sells the government securities to investors, usually on an overnight basis, and buys them back the following day. Investments in repurchase agreements may be made when the term of the agreement does not exceed one year.

Risk: Two of the most common risks associated with local government portfolio investing are credit risk and interest rate risk. Credit risk is the risk to an investor that an issuer will default in the timely payment of interest and/or principal on a security. Interest rate risk is the risk that the market value of securities in the portfolio will fall due to changes in general interest rates. Limiting investment to the safest types of securities, pre-qualifying financial institutions, broker/dealers, and others with which the local agency will do business, and diversifying the number of issuers in an investment portfolio can minimize credit risk. Interest rate risk can be minimized by structuring the portfolio so that investments mature at the same time that cash is required or investing operating funds in highly liquid, shorter-term securities (e.g., U.S. Treasury bills or notes).

Safekeeping and Custody: Rules derived to ensure the safety of an investment and within whose control the investment resides. Some examples include third-party safekeeping, developing lists of authorized financial dealers and institutions, developing internal controls, and using a delivery vs. payment standard for transactions. Local agencies should consider requiring securities to be held by third-party custodians, evidenced by timely statements illustrating the balance held by these custodians.

Scope: The types of funds that the policy covers (e.g., operating funds, bond proceeds, etc.). In general, investment policies cover short-term operating funds. Longer-term funds such as

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retirement funds are covered by other policies. The investment of bond funds usually is governed by the bond documents such as the trust indenture.

Standards of Care: The degree of care that a reasonably prudent person would exercise in the investment of local agency funds.

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

DATE: June 8, 2023

TO: Board of Directors

FROM: Executive Director

SUBJECT: Well Registration Update

SUMMARY

The purpose of this item is to update the Board on well registration progress.

On September 16, 2022, letters were mailed to the owners of all parcels on which County of Ventura records indicate a potentially active well is present (i.e., any well with a County-noted status other than “destroyed”). The letters explained the new ordinance, including the well registration requirements, and provided instructions for registering wells and providing flowmeter documentation. A total of 116 letters were mailed addressing 188 potentially active wells identified in County records.

The following table summarizes the updated registration status:

Category	May Status (# of wells)	June Status (# of wells)	Change (# of wells)
Registration Not Required	74	74	0
Registered	60	63	+3
Unregistered	54	51	-3
Total	188	188	0

Attachment A provides a detailed breakdown of the registration status as of June 2, 2023.

FISCAL SUMMARY

Not applicable.

RECOMMENDED ACTIONS

Receive an update on the well registration progress. The Board may provide feedback or direction to staff concerning well registration process and/or penalties for non-compliance.

BACKGROUND

The Groundwater Well Registration, Metering, and Extraction Reporting Ordinance was adopted on July 14, 2022 and became effective August 14, 2022.

ATTACHMENTS

- A. Well Registration Status Table

Action: _____

Motion: _____

B. Kuebler_ M. Etchart_ P. Kaiser_ J. Tribo_ A. Anselm_ V. Crawford_ E. Ayala_

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Well Registration Status (updated 6/2/23)

Status	Count	Comment
Registration Not Required		
<ul style="list-style-type: none"> Confirmed abandoned or inactive based on conversation with landowner and/or information provided by landowner 	44	
<ul style="list-style-type: none"> Suspected abandoned or inactive based on County records or information previously compiled by Larry Rose 	25	No further action proposed.
<ul style="list-style-type: none"> Dedicated monitoring well 	4	
<ul style="list-style-type: none"> Well is actually a surface water diversion 	1	
Subtotal Registration Not Required	74	
Registered		
<ul style="list-style-type: none"> Registration form received 	63	
Subtotal Registered	63	
Not Registered		
<ul style="list-style-type: none"> Listed as active on County records 	51	Mostly domestic wells. Includes five wells for which the letter recipient is no longer the landowner, suggesting that contact information for these wells may no longer be valid. Follow-up letters are pending receipt of contact information requested from Ventura County Assessor's Office.
Subtotal Not Registered	51	
Total	188	

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

DATE: June 8, 2023

TO: Board of Directors

FROM: Executive Director and Legal Counsel

SUBJECT: Proposed Amendment to Groundwater Well Registration, Metering, and Extraction Reporting Ordinance (Ordinance No. 3)

SUMMARY

Proposed Ordinance No. 3 would exempt non-domestic wells that extract less than two acre-feet per year from the flow metering requirements in the Agency's Groundwater Well Registration, Metering, and Extraction Reporting Ordinance (Ordinance No. 1). Several non-domestic wells that extract less than two acre-feet per year have been identified during the well registration process. The installation of flow meters on small wells creates an undue burden on the well owner.

The purpose of this item is to conduct a public hearing and first reading of the ordinance amendment.

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 proposed Ordinance No. 3 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

The Groundwater Well Registration, Metering, and Extraction Reporting Ordinance was adopted on July 14, 2022 (Ordinance No. 1) and was last amended on March 9, 2023 (Ordinance No. 2).

FISCAL SUMMARY

Proposed Ordinance No.3 will reduce Agency administrative costs by eliminating compliance tracking of wells that would be exempted from flow metering requirements.

ATTACHMENTS

- A. Draft Amended Well Registration, Metering, and Extraction Reporting (Ordinance No. 3)

Action: _____

Motion: _____

B. Kuebler_ M. Etchart_ P. Kaiser_ J. Tribo_ A. Anselm_ V. Crawford_ E. Ayala_

BOARD OF DIRECTORS

UPPER VENTURA RIVER GROUNDWATER AGENCY

ORDINANCE NO. 3

AN ORDINANCE OF

THE BOARD OF DIRECTORS OF UPPER VENTURA RIVER GROUNDWATER AGENCY
AMENDING ORDINANCE NO. 1 EXEMPTING SMALL NON-DOMESTIC WELLS FROM
FLOWMETER REQUIREMENTS

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, on July 14, 2022, the Agency adopted Ordinance No. 1 establishing, among other things, a requirement that, prior to extracting groundwater, a well operator install a flow meter unless such well was exempt pursuant to Water Code Section 10721(e).

WHEREAS, The installation of flow meters on small wells, as further defined herein, creates an undue burden on such operators.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Upper Ventura River Groundwater Agency that:

1. Incorporation of Recitals. All recitals in this Ordinance are true and correct and supported by substantial evidence in the record.
2. Amendment. Section 1.10 of Chapter 1 of Ordinance No. 1 of the Upper Ventura River Groundwater Agency is hereby amended to add the following definition:

Item 10(b) Attachment A

““Small Non-Domestic Well” means any well serving any use other than domestic that extracts less than 2 acre-feet per year of groundwater.”

3. Amendment. The Definition of “Exempt Wells” located in Section 1.10 of Chapter 1 of Ordinance No. 1 of the Upper Ventura River Groundwater Agency is hereby amended in its entirety to read as follows:

““Exempt Wells” means all wells operated by de minimis extractors as defined in Water Code Section 10721(e), all Small Non-Domestic Wells, and those operators granted an exemption by the Board.”

4. Effective Date of Ordinance. This Ordinance will take effect on the thirty-first day after adoption.

WE, THE UNDERSIGNED, do hereby certify that the above and foregoing Ordinance No. 3 was duly adopted and passed by the Board of Directors of the Upper Ventura River Groundwater Agency as a public hearing held on the th day of 2023, by the following vote:

AYES:

NOES:

ABSENT:

Michel Etchart, Board Chair

ATTEST:

Bryan Bondy
Executive Director

APPROVED AS TO FORM:

Keith Lemieux, General Counsel
Upper Ventura River Groundwater Agency

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

DATE: June 8, 2023

TO: Board of Directors

FROM: Executive Director

SUBJECT: Rincon Consultants, Inc. Work Order No. 10 for LIDAR Topographic Survey of Post-Flood Ventura River Channels

SUMMARY

Proposed Rincon Consultants, Inc. Work Order No. 10 is for a Light Detection and Ranging (LIDAR) topographic survey of Ventura River to map the post-flood channel network. The topographic survey will provide data needed to inform the ongoing Groundwater Dependent Ecosystem monitoring programs and an update of the UVRGA numerical model.

FISCAL SUMMARY

The total requested authorization is included in the adopted fiscal year budget and multi-year projection.

RECOMMENDED ACTIONS

Authorize the Executive Director to issue Work Order No. 10 to Rincon Consultants, Inc. in an amount not to exceed \$22,350 and \$2,650 contingency to be authorized at the discretion of the Executive Director (\$25,000 total authorization).

BACKGROUND

Rincon Consultants Inc. was selected through a competitive process in 2020 to provide biological and field monitoring professional services to UVRGA. The Board approved a master service agreement with Rincon Consultants Inc., which was executed on August 19, 2020. The master services agreement envisions and provides for the issuance of work orders for specific tasks or projects, such as is proposed in this staff report.

ATTACHMENTS

A. Proposed Rincon Consultants, Inc. Work Order No. 10

Action: _____

Motion: _____ Second: _____

B. Kuebler__ P. Kaiser__ A. Anselm__ M. Etchart__ J. Tribo__ V. Crawford__ E. Ayala__

Statement of Work
Work Order No. 10: LIDAR Topographic Survey of Post-Flood Ventura River Channels

To: Rincon Consultants, Inc.
180 North Ashwood Avenue
Ventura, California 93003
Attention: Kiernan Brtalik
Email: kbrtalik@rinconconsultants.com

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

In accordance with our Master Services Agreement (“**MSA**”) dated August 18, 2020, the following Statement of Work (“**SOW**”) is entered into by Upper Ventura River Groundwater Agency (“**Customer**”) and Rincon Consultants, Inc. (“**Provider**”) for a new project and/or services (collectively, “**Services**”):

GENERAL NATURE OF SERVICES:

Subcontract, coordinate, and facilitate LiDAR data acquisition and processing for the Upper Ventura River Valley Basin to delineate post-flood topography, specifically the river and stream channels with the Basin. Deliverables shall include a hydro enforced digital elevation model and classified point cloud output (representing ground, low vegetation, and high vegetation elevations).

When applicable, provider shall ensure all work is performed under the supervision of a California Professional Civil Engineer or Professional Geologist.

Provider shall ensure all work is performed in accordance with UVRGA’s adopted procedures and the UVRGA Groundwater Sustainability Plan.

SCOPE OF SERVICES: Please see attached proposal.

TERM: June 8, 2023 through November 30, 2023

COMPENSATION AND PAYMENT: Time and material services, not-to-exceed \$22,350 without prior written authorization.

Contingency: An additional amount of \$2,650 is reserved for potential unanticipated costs. Use of contingency funds requires prior written authorization by the Executive Director.

Labor Rates are pursuant to attached proposal. No markup shall be allowed on the subcontract services.

PAYMENT TERMS

Payments shall be due:

- ☐ upon the completion of the SOW
☒ as follows: Per MSA terms.

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 relationship between the parties with respect to the SOW.

Item 10(c) Attachment A

ACCEPTED AND AGREED:

"PROVIDER" Rincon Consultants, Inc.	"CUSTOMER" UPPER VENTURA RIVER GROUNDWATER AGENCY
By:	By:
Print Name: Jennifer Hadow	Print Name: Bryan Bondy
Title: Principal-in-Charge	Title: Executive Director
Date:	Date:



June 1, 2023
 Project No: 20-10008

Attn: Bryan Bondy, Executive Director and GSP Manager
 Upper Ventura River Groundwater Agency
 202 West El Roblar Drive
 Ojai, California 93023
 Via Email: bbondy@uvrgroundwater.org

Subject: Work Order Request #10: LiDAR Data Acquisition and Processing

Rincon Consultants, Inc. (Rincon) is proposing this work order request to provide LiDAR data acquisition and processing services for the entire Upper Ventura River Subbasin, amounting to a total area of approximately 5,280 acres. Rincon has coordinated with INTERA to ensure data deliverables will satisfy groundwater numeric model update needs, and we anticipate referencing point cloud classifications as part of ongoing aquatic groundwater dependent monitoring and assessment activities.

After receiving and evaluating cost estimates from three vendors, Rincon recommends AirView Source, LLC. (AirView) to perform the work scope. Deliverables will include a hydro enforced digital elevation model and classified point cloud output (representing ground, low vegetation, and high vegetation elevations), and data will be collected via unmanned aerial vehicle. Rincon will support this work scope by coordinating services on behalf of UVRGA, which is assumed to include coordination emails, phone calls, and as-needed support of access considerations, as well as facilitating data deliverable review and delivery to UVRGA.

Cost Estimate

We estimate a total budget of \$22,350 will be required to complete this work scope (Table 1). Rincon will bill on a time materials basis in accordance with our 2022 fee schedule (attached). Rincon has agreed to waive administrative fees for administering the subcontracting agreement with AirView and will only bill for the time required to coordinate the work scope and to facilitate data delivery to UVRGA.

Table 1. Estimated Costs

Tasks	Anticipated Hours	Labor Cost	Direct Expense	Estimated Cost
Task 1. Data Acquisition and Processing (AirView)	-	-	\$20,000	\$20,000
Task 2. Coordination of AirView Services	12	\$2,350	-	\$2,350
Total	12	\$2,350	\$20,000	\$22,350

Authorization and Schedule

We anticipate data acquisition activities to begin in late June or early July of 2023, and expect data processing and delivery to be completed before the end of July 2023. We are prepared to begin this assignment following your written authorization in accordance with our current Master Services Agreement dated August 18, 2020, with UVRGA.



We sincerely appreciate our continued working relationship with UVRGA, and we will strive to provide quality service and support for this project. Please do not hesitate to contact us if you have questions about this proposal.

Sincerely,
Rincon Consultants, Inc.

A handwritten signature in black ink, appearing to read "Emily McCord".

Emily McCord
Project Manager

Phone: 805-222-4567

Email: emccord@rinconconsultants.com

A handwritten signature in black ink, appearing to read "Kiernan Brtalik".

Kiernan Brtalik
Director

Phone: 805-328-2687

Email: kbrtalik@rinconconsultants.com

Attachments

Rincon 2022 Standard Fee Schedule



Rincon Consultants, Inc.

Standard Fee Schedule for Environmental Sciences and Planning Services

Professional, Technical and Support Personnel*	Hourly Rate
Principal II	295
Director II	295
Principal I	285
Director I	285
Senior Supervisor II	258
Supervisor I	240
Senior Professional II	224
Senior Professional I	208
Professional IV	184
Professional III	170
Professional II	153
Professional I	136
Associate III	117
Associate II	102
Associate I	95
Field Technician	82
Data Solutions Architect	175
Senior GIS Specialist	164
GIS/CADD Specialist II	146
GIS/CADD Specialist I	131
Technical Editor	130
Project Accountant	110
Billing Specialist	95
Production Specialist	105
Clerical	95

*Professional classifications include environmental scientists, urban planners, biologists, geologists, marine scientists, GHG verifiers, sustainability experts, cultural resources experts, and other professionals. Expert witness services consisting of depositions or in-court testimony are charged at the hourly rate of \$375.

Reimbursable Expenses

Direct Cost	Rates
Photocopies – Black and White	0.20 (single-sided) & \$0.40 (double-sided)
Photocopies – Color	1.50 (single-sided) & \$3.00 (double-sided)
Photocopies – 11 x 17	0.50 (B&W) & \$3.30 (color)
Oversized Maps	8.00/square foot
Digital Production	15/disc and \$20/flash drive
Light-Duty and Passenger Vehicles*	88/day
4WD and Off-Road Vehicles*	140/day

*Current IRS mileage rate for mileage over 50 and for all miles incurred in employee-owned vehicles.

Other direct costs associated with the execution of a project, that are not included in the hourly rates above, are billed at cost plus 15%. These may include, but are not limited to, laboratory and drilling services, subcontractor services, authorized travel expenses, permit charges and filing fees, mailings and postage, performance bonds, sample handling and shipment, rental equipment, and vehicles other than covered by the above charges.

Annual Escalation. Standard rates subject to 3.5% annual escalation. **Payment Terms.** All fees will be billed to Client monthly and shall be due and payable upon receipt or as indicated in the contract provisions for the assignment. Invoices are delinquent if not paid within ten (10) days from receipt or per the contractually required payment terms.

Item 10(c) Attachment A



Rincon Consultants, Inc.

Other Direct Costs	Day Rate
CAPDash – Climate Action Planning Software	7,500
Environmental Site Assessment	
Soil Vapor Extraction Monitoring Equipment	155
Four Gas Monitor	133
Flame Ionization Detector	107
Photo Ionization Detector	80
Hand Auger Sampler	60
Water Level Indicator, DC Purge Pump	45
Natural Resources Field Equipment	
UAS Drone	268
Spotting or Fiberoptic Scope	165
Pettersson Bat Ultrasound Detector/Recording Equipment	165
Sound Level Metering Field Package (Anemometer, Tripod and Digital Camera)	110
GPS (Sub-meter Accuracy)	65
Infrared Sensor Digital Camera or Computer Field Equipment	55
Scent Station	22
Laser Rangefinder/Altitude	11
Pit-fall Traps, Spotlights, Anemometer, GPS Units, Sterilized Sample Jar	9
Mammal Trap, Large/Small	1.50/ 0.50
Water and Marine Resources Equipment	
Boat (26 ft. Radon or Similar)	600
Boat (20 ft. Boston Whaler or Similar)	335
Multi Parameter Sonde (Temp, Cond, Turbidity, DO, pH) with GPS	165
Water Quality Equipment (DO, pH, Turbidity, Refractometer, Temperature)	60
Refractometer (Salinity) or Turbidity Meter	37
Large Block Nets	110
Minnow Trap	95
Net, Hand/Large Seine	55
Field Equipment Packages	
Standard Field Package (Digital Camera, GPS, Thermometer, Binoculars, Tablet, Safety Equipment, and Botanic Collecting Equipment)	110
Remote Field Package (Digital Camera, GPS, Thermometer, Binoculars, Tablet and Mifi, Delorme Satellite Beacon, 24-Hour Safety Phone)	140
Amphibian/Vernal Pool Field Package (Digital Camera, GPS, Thermometer, Decon Chlorine, Waders, Float Tube, Hand Net, Field Microscope)	165
Fisheries Equipment (Waders, Wetsuits, Dip Nets, Seine Nets, Bubblers, Buckets)	55
Underwater and Marine Sampling Gear (U/W Photo/Video Camera, Scuba Equipment (Tanks, BCD, Regulators, Wetsuits, etc.))	55/diver
Marine Field Package (PFDs – Personal Flotation Devices, 100-foot Reel Tapes with Stainless Carabiners, Pelican Floats, Underwater Slates, Thermometer, Refractometer, Anemometer, Various Field Guides)	55
Insurance, Hazard and Fees	
Historic Research Fees	50
L&H Dive Insurance	55/diver
Level C Health and Safety	65 person

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

DATE: June 8, 2023

TO: Board of Directors

FROM: Executive Director

SUBJECT: Intera, Inc. Work Order No. 7 for Numerical Model Update

SUMMARY

Proposed Intera, Inc. Work Order No. 7 is for an update of the UVRGA numerical model to incorporate post-flood river channel morphology. This model update is required because the model output is needed for the Water Year 2022-2023 Annual Report due April 1, 2024.

FISCAL SUMMARY

The total requested authorization is included in the adopted fiscal year budget and multi-year projection.

RECOMMENDED ACTIONS

Authorize the Executive Director to issue Work Order No. 7 to Intera, Inc. in an amount not to exceed \$54,920 and \$5,492 contingency to be authorized at the discretion of the Executive Director (\$60,412 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.

ATTACHMENTS

A. Proposed Intera, Inc. Work Order No. 7

Action: _____

Motion: _____ Second: _____

B. Kuebler__ P. Kaiser__ A. Anselm__ M. Etchart__ J. Tribo__ V. Crawford__ E. Ayala__

Statement of Work

Work Order No. 7

Numerical Model Update to Reflect Post-Flood River Channel Morphology

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

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 UVRGA numerical model to include revised input parameters to address post-flooding river channel morphology.
2. Services rendered shall be completed in a timeframe that facilitates final annual report submittal to DWR no later than March 31, 2024 (annual report to be completed under a separate work order but relies on updated model addressed by this Work Order).
3. Provider shall ensure all work is performed under the supervision of a California Professional Civil Engineer or Professional Geologist.
4. Provider shall ensure all work is performed in accordance with UVRGA’s adopted procedures.

SCOPE OF SERVICES: Please see attached proposal.

TERM: June 8, 2023 through March 31, 2024.

COMPENSATION AND PAYMENT: Time and material services, not-to-exceed \$54,920, without prior written authorization.

Contingency: An additional \$5,492 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 5th business day of each month. Invoices received after the 5th 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.

Item 10(d) Attachment A

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 relationship between the parties with respect to the SOW.

ACCEPTED AND AGREED:

"PROVIDER" INTERA, INC.	"CUSTOMER" UPPER VENTURA RIVER GROUNDWATER AGENCY
By: Print Name: David Jordan Title: Vice President Date:	By: Print Name: Bryan Bondy Title: Executive Director Date:

May 16, 2023

Via email: bryan@uvrgroundwater.org
Bryan Bondy
Executive Director
Upper Ventura River Valley Basin Groundwater
Sustainability Agency (UVRGA)
Bondy Groundwater Consulting, Inc.

RE: Scope and Fee for Interim Updates to the Groundwater Model

Dear Mr. Bondy,

INTERA Incorporated (INTERA) is pleased to submit this proposal to Upper Ventura River Valley Basin Groundwater Sustainability Agency (UVRGA) for the review of data and update to the numerical groundwater model reported in the UVRGA groundwater sustainability plan (GSP).

A model update is required to address the changes to the structure of the Upper Ventura River channel and vegetation due to the water year 2023 flooding. This update includes the review and incorporation of newly collected data for the Basin into the numerical model. INTERA assumes LiDAR, aerial photography, and field reconnaissance work will be completed by Rincon Consultants, Inc. (Rincon) and their subcontractors, and will be available for review upon starting project work. Initial tasks for this update include:

- Pre-process and review collected data and evaluate model updates:
 - Coordinate with Rincon to ensure all new data with desired format is received.
 - Develop GIS interface to interpret/process new data.
 - Digitize updated braided channel geometry in preparation for model input files.
 - Rectify land surface elevation changes within the river channel associated with model cells.
 - Review and digitize vegetation cover changes in preparation for model input files.
- Update input parameters for MODFLOW-NWT SFR2 and EVT package files:
 - The SFR2 package requires definition of channels and braids of the surface water features and are delineated based on GIS analysis of LiDAR data verified by aerial imagery. The channels are defined as segments, for which flow-stage-width relationships are specified. Segments are divided into reaches, with each reach corresponding to the model grid cell intersecting the segment. LIDAR data will be used to determine the elevation, channel length, and slope for each reach element. The

riverbed conductance terms are assumed to be adopted from the previous model version; any adjustments will be addressed in the annual update. Inflows for the segments will be updated based on available gaged flows along the Ventura River, and runoff from the river catchment area and flows from ungaged tributaries will be updated based on available precipitation data. Streamflow diversions will also be updated based on available data, and any data not available will be assumed based on inputs for the baseline model projection scenario developed for the original model for similar water year conditions.

- The EVT package includes vegetation characteristics for the various native riparian vegetation and Arundo, which were previously provided by Rincon in the form of maximum rooting depth, crop coefficients (K_c), and spatial density terms for each vegetation class – these components are assumed to be provided by Rincon for this update and the spatial coverage will be updated within the Ventura River floodplain area of the model.
- Evaluate the implementation of a time-varying boundary condition.
 - The model will be tested to include a representation of real-time evolution of channel geometry and vegetation cover through utilizing modified SFR2 and EVT packages.

The modification of existing data processing scripts to update the MODFLOW package files is expected; however, multiple iterations of MODFLOW input file generation are assumed for QA/QC purposes. The simulation period for the model is assumed to be extended by a minimum of 6 months (i.e., end date updated from 9/30/2022 to at least 3/31/2023) to evaluate the implementation of new channel geometry/evapotranspiration updates and representation of observed flow rates. All other model inputs for this model extension (i.e., pumping, recharge, return flows, etc.) will not be updated based on collected data, but will be input based on the baseline model projection scenario developed for the original model for similar water year conditions. Once the model update is complete, the model will be executed and the output QA/QC'd; groundwater levels and water budget components will be post-processed and reviewed in comparison to the previous model output to ensure historical conditions are preserved. The calibration statistics and streamflow plots will be reviewed and summarized to assess any re-calibration that may be required for the pending annual model update. Calibration is not included in this scope of work and is assumed to be addressed during the annual update, when all available observation datasets for the water year are updated.

Weekly meetings are assumed to occur to track and review progress and resolve any issues requiring client feedback. Updates to the GSP model Technical Memorandum (TM; Appendix H to the GSP) are expected to document the modeling methodology for the streamflow and evapotranspiration, in addition to any minor changes to the model outputs and TM figures and tables. The expected timeline for this model update to be completed is 8-10 weeks, and deliverables include brief slide presentations on model update information and track-changes and the final version of the TM. One round of revisions is assumed sufficient to finalize the updates.

Item 10(d) Attachment A

April 20, 2023

Page 3

A contingency fee of 10% is included for this work, which includes potential complications due to data exchange and communication, dataset interpretations and formulations, unforeseen QA/QC procedures, model instability issues, and other factors. The contingency will only be activated upon communication and approval by UVRGA.

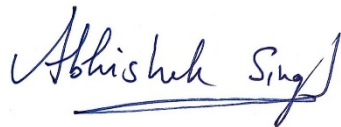
The cost of the complete scope of work is estimated to be \$60,412 (including the 10% contingency fee), as outlined in the cost table below.

UVRGA Interim Model Update		Hours				Budget				
Task	Task Title	Principal Engineer	Project Manager/ Lead	Hydrologist/ Modeler/ GIS	Engineer/ Scientist	Principal Engineer	Project Manager/ Lead	Hydrologist/ Modeler/ GIS	Engineer/ Scientist	Totals
						\$ 275	\$ 180	\$ 150	\$ 130	
		Hours				Budget				Total
1	Review Data and Update Historical Model -LiDAR/aerial/field data review/compilation -Digitize updated stream channel -SFR2 and EVT package updates -Evaluate time-varying boundary condition option	2	16	120	40	\$ 550	\$ 2,880	\$ 18,000	\$ 5,200	\$ 26,630
2	Calibration Assessment -post-processing and QA/QC -water balance update/review -calibration statistics/plots review	2	8	40	24	\$ 550	\$ 1,440	\$ 6,000	\$ 3,120	\$ 11,110
3	Meetings/Project Management	4	16	12	12	\$ 1,100	\$ 2,880	\$ 1,800	\$ 1,560	\$ 7,340
4	Updates to Technical Memorandum	4	12	30	16	\$ 1,100	\$ 2,160	\$ 4,500	\$ 2,080	\$ 9,840
Total		12	52	202	92	\$ 3,300	\$ 9,360	\$ 30,300	\$ 11,960	\$ 54,920
									Contingency 10%	\$ 5,492
									TOTAL	\$ 60,412

If you have questions or need additional information, please do not hesitate to contact Abhishek Singh or Steven Humphrey.

Sincerely,

INTERA Incorporated



Abhishek Singh, PhD , PE
Principal Engineer



Steven Humphrey, PG
Project Manager