

**UPPER VENTURA RIVER GROUNDWATER AGENCY**

**NOTICE OF REGULAR MEETING**

**NOTICE IS HEREBY GIVEN** that the Upper Ventura River Groundwater Agency (“Agency”) Board of Directors (“Board”) will hold a **Regular Board Meeting at 1:00 P.M. on Thursday, April 11, 2024 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**

**April 11, 2024**

**A. MEETING CALL TO ORDER**

**B. PLEDGE OF ALLEGIANCE**

**C. ROLL CALL**

**D. APPROVAL OF AGENDA**

**E. 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.

**REGULAR SESSION AGENDA**

**1. 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 March 14, 2024 Regular Board Meeting**
- b. Approve Financial Report for March 2024**

**2. DIRECTOR ANNOUNCEMENTS**

Directors may provide oral reports on items not appearing on the agenda.

### **3. 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.

### **4. AGENCY COUNSEL'S REPORT**

The Board will receive a verbal update from Agency Counsel concerning Agency matters. The Board may provide feedback to Agency Counsel.

### **5. ADMINISTRATIVE ITEMS**

#### **a. Casitas Mutual Water Company Groundwater Extraction Fee Waiver**

The Board will consider waiving the groundwater extraction fee charged to Casitas Mutual Water Company for the January through June 2023 semi-annual period.

#### **b. Executive Director Purchasing Authority**

The Board will consider adopting Resolution No. 2024-03 to establish the Executive Director's purchasing authority.

### **6. GSP IMPLEMENTATION ITEMS**

#### **a. Well Registration and Flowmeter Compliance Update**

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

#### **b. SGMA Implementation Summit**

The Board will consider approving travel expenses for an amount not-to-exceed \$2,000 for the Executive Director to attend the annual SGMA Implementation Summit as an invited speaker.

### **7. 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.

### **8. FUTURE AGENDA ITEMS**

This is an opportunity for the Directors to request items for future agendas.

### **CLOSED SESSION AGENDA**

1. Conference with Legal Counsel – Existing Litigation (§ 54956.9): Name of Case: Santa Barbara Channelkeeper v. City of San Buenaventura

### **REGULAR SESSION AGENDA (CONTINUED)**

### **9. ADJOURNMENT**

The next Regular Board meeting is scheduled for May 9, 2024 at 1 P.M.

*The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied the benefits of, the Agency's services, programs, or activities because of any disability. If you need special assistance to participate in this meeting, or if you require agenda materials in an alternative format, please contact the Upper Ventura River Groundwater Agency Executive Director at (805) 212-0484. Notification of at least 48 hours prior to the meeting will enable the Agency to make appropriate arrangements.*

**UPPER VENTURA RIVER GROUNDWATER AGENCY  
MINUTES OF REGULAR MEETING MARCH 14, 2024**

**A. 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 on Thursday, March 14, 2024. Chair Kaiser called the meeting to order at 1:05 p.m.

**B. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**C. ROLL CALL**

Directors Present:

Arnie Anselm, Director  
Emily Ayala, Director  
Pete Kaiser, Chair  
James Kentosh, Director  
Bruce Kuebler, Vice Chair  
Jenny Tribo, Director (arrived at 1:12 p.m. during Item No. 3)

Director Absent: Vivon Sedgwick

Staff Present:

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

Identified members of the public:

In Person: Alma Quezada and Kelly Dyer

Online: Burt Handy, Michael Flood, Mary Bergen

**D. APPROVAL OF THE AGENDA**

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

Director Anselm moved approval of the agenda. Director Kubler seconded the motion.

Roll Call Vote:      E. Ayala - Y              J. Kentosh – Y              B. Kuebler – Y  
                                 P. Kaiser – Y              A. Anselm

Directors Absent: V. Sedgwick and J. Tribo

## **E. PUBLIC COMMENTS FOR ITEMS NOT APPEARING ON THE AGENDA**

Chair Kaiser asked for public comments on items not appearing on the agenda. No comments were offered.

## **REGULAR SESSION AGENDA**

### **1. CONSENT CALENDAR**

- a) Approve Minutes from January 11, 2024 Regular Board Meeting
- b) Approve Financial Report for January 2024
- c) Approve Financial Report for February 2024
- d) Receive and File Fiscal Year 2022-2023 Financial Statement Audit

Chair Kaiser asked if any Director wanted to pull any items off the consent calendar for discussion. No requests were made.

Director Anselm moved approval of the consent calendar. Director Kubler seconded the motion.

Public Comments: None

Roll Call Vote:        E. Ayala - Y                    J. Kentosh – Y            B. Kuebler – Y  
                                 P. Kaiser – Y                    A. Anselm

Director Absent: V. Sedgwick and J. Tribo

### **2. DIRECTOR ANNOUNCEMENTS**

Chair Kaiser asked if there were any Directors announcements.

Director Ayala:        No report  
Director Anselm:     No report  
Director Kaiser:     No report  
Director Kentosh:    No report  
Director Kuebler:    No report  
Directors Absent: V. Sedgwick and J. Tribo

### **3. EXECUTIVE DIRECTOR'S REPORT**

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

Groundwater extraction fees are all current except for one well owner who owes \$1,628.00 for the January 1 through June 30, 2023 semi-annual billing period.

The Fiscal Year 2022/2023 audit was completed.

The Treasurer is working on setting up UVRGA's investment pool account.

## Item No. 1(a)

Executive Director Bondy worked on well registration and flowmeter compliance, which is detailed in a later agenda item.

Executive Director Bondy summarized the status of the various UVRGA monitoring programs. Surface water flow monitoring and aquatic groundwater dependent ecosystems monitoring are on hold due to the elevated flowrate in the Ventura River. Groundwater level monitoring was re-initiated at state well number 04N23W20A01. Executive Director Bondy applied for an encroachment permit from Ventura County Watershed Protection District (VCPWD) to monitor groundwater levels in two VCWPD-owned monitoring wells constructed along the Live Oak Acres Levee north of Santa Ana Blvd. Executive Director Bondy obtained permission from the owner of state well number 04N23W32C02 to modify the wellhead to provide access for groundwater level monitoring equipment. A proposal for this work is included in a later agenda item. Executive Director Bondy reached out to the City of Ventura about potentially monitoring City-owned wells in the vicinity of GSP Data Gap Area "A." Evaluation of the City-owned wells will occur when Ventura River flows recede to a safe level.

Executive Director Bondy summarized recent outreach efforts. Executive Director Bondy reached out to VCWPD and Ojai Valley Land Conservancy (OVLC) concerning collaboration on native vegetation and giant reed mapping. Neither organization currently has plans for mapping. Executive Director Bondy reached out to the Ventura River Watershed Council (VRWC) about presenting UVRGA's monitoring programs and was scheduled for their April 4 meeting. A Spring 2024 UVRGA newsletter was published to promote the VRWC presentation.

Executive Director Bondy reported on the Small GSA Coalition. The coalition issued a fact sheet and talking points. The coalition also sent two letters to state officials, one concerning the joint Assembly Water, Parks, and Wildlife and Assembly Budget Subcommittee meeting and another to the Governor and legislative leaders concerning the natural resources bond. The coalition also had a conference call with Keith Cialino from Assembly Speaker Rivas' office.

Director Kuebler asked about the audit finding concerning review of journal entries. Executive Director Bondy explained that the comment is not very applicable to small organizations such as UVRGA because there are too few staff members to provide the level of review suggested in the auditor's comment. He explained that journal entries are typically used to fix errors, such as booking expenses to the wrong account. Director Kuebler asked if a committee is needed to review journal entries. Chair Kaiser said he did not think so.

Alma Quezada asked if the unpaid groundwater extraction fee is for the mutual water company that Ventura River Water District (VRWD) is about to acquire and whether VRWD would be liable for the unpaid extraction fees following the acquisition. Executive Director Bondy said yes; however, he is planning to bring a fee waiver request to the Board for consideration at a future meeting because the mutual water company has not been using the well for several years.

No public comments.

### **4. AGENCY COUNSEL'S REPORT**

Agency Counsel Lemieux said he does not have much to report. He is tracking proposed legislation and will provide more information when it becomes available. He mentioned a recently

Item No. 1(a)

published opinion regarding challenges to regulatory fees. Fees must be paid before someone can challenge them.

**5. ADMINISTRATIVE ITEMS**

**a. Fiscal Year 2023/2024 Mid-year Budget Report and Mid-Year Budget Modifications**

Executive Director Bondy reported on the Fiscal Year 2023/2024 mid-year budget modifications. The modifications were attached to the staff report in the agenda packet.

After a brief discussion, Director Anselm moved to receive and file the Fiscal Year 2023/2024 Mid-year Budget Report and approve the mid-year budget modifications. Seconded by Director Ayala.

Roll Call Vote:	E. Ayala - Y	J. Kentosh – Y	B. Kuebler – Y
	J. Tribo – Y	P. Kaiser – Y	A. Anselm - Y

Director Absent: V. Sedgwick

**6. GSP IMPLEMENTATION ITEMS**

**a. Well Registration and Flowmeter Compliance Update**

Executive Director Bondy provided an update on the status of well registrations and flowmeter compliance and suggested that the Agency begin accruing civil penalties for noncompliance. The Board discussed whether to start accruing penalties for well registration and flowmeter calibration non-compliance. The Board consensus was to start accruing penalties and the Board debated the daily penalty rate. After discussion, Director Anselm moved to direct staff to send registered letters to the non-compliant well owners according to the schedule recommended in the staff report stating that civil penalties of \$10 per day will be accrued. The letters are to include language explaining the legal authority for the penalties. Director Kentosh seconded the motion.

No public comments.

Roll Call Vote:	E. Ayala - Y	J. Kentosh – Y	B. Kuebler – Y
	J. Tribo – Y	P. Kaiser – Y	A. Anselm - Y

Director Absent: V. Sedgwick

**b. Approve Water Year 2022/2023 Annual Report**

Executive Director Bondy briefly summarized the annual report.

Director Kentosh requested double-checking of the groundwater extraction value for Meiners Oaks Water District (MOWD). Executive Director Bondy said he also received a comment from Director Kuebler about the values and that the MOWD and VRWD numbers are under further review. Their values may be updated prior to report submittal to DWR.





## Item No. 1(a)

Roll Call Vote:      E. Ayala - Y              J. Kentosh – Y              B. Kuebler – Y  
                                 J. Tribo – Y              P. Kaiser – Y              A. Anselm - Y

Director Absent: V. Sedgwick

### e. Rincon Consultants Work Order No. 12 Amendment

Executive Director Bondy briefed the Board on Rincon Consultants Work Order No. 12 Amendment for annual desktop mapping of riparian groundwater dependent ecosystems with field verification to track changes in vegetation communities for water years 2023 through 2025. The extra costs for the proposed amendment are approximately \$8,333 per year and can be covered by the contingency line item in the budget.

Director Kuebler moved approval of Rincon Consultants Work Order No. 12 amendment in an amount not to exceed \$22,743, with 10% contingency to be authorized at the discretion of the Executive Director (\$25,000) total increase. Seconded by Director Tribo.

Roll Call Vote:      E. Ayala - Y              J. Kentosh – Y              B. Kuebler – Y  
                                 J. Tribo – Y              P. Kaiser – Y              A. Anselm - Y

Director Absent: V. Sedgwick

## 7. COMMITTEE REPORTS

### a. Ad Hoc Stakeholder Engagement Committee

Director Ayala stated there is no report.

## 8. FUTURE AGENDA ITEMS

None

## 9. CLOSED SESSION AGENDA

Director Ayala left for the closed session.

The Board adjourned into closed session at 2:26 p.m.

The Board returned to open session at 3:13 p.m.

Agency Counsel Lemieux reported on existing litigation: *Santa Barbara Channelkeeper v. City of San Buenaventura*. Agency Counsel reported on pending legislation. No reportable action took place.

**REGULAR SESSION AGENDA**

**10. ADJOURNMENT**

The meeting was adjourned at 3:15 p.m.

The next Regular Board meeting is scheduled for April 11, 2024 @ 1 p.m.

DRAFT

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

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

A. Anselm \_\_\_ E. Ayala \_\_\_ P. Kaiser \_\_\_ J. Kentosh \_\_\_ B. Kuebler \_\_\_ J. Tribo \_\_\_ V. Sedgwick \_\_\_

**UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 1(b)**

**DATE:** April 1, 2024  
**TO:** Board of Directors  
**FROM:** Carrie Troup C.P.A., Treasurer  
**SUBJECT:** Approve Financial Report for March 2024

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**February 2024 UVRGA Balance** \$ 641,067.73

**March 2024 Activity**

**Revenues/ Credits:**

FedEx Refund	\$ 117.06
<b>Total Revenues/Credits</b>	<b>\$ 117.06</b>

**Checks and Electronic payments:**

2482 Rincon Consultants, Inc.	Feb. Services	\$ 3,857.49
2483 Intera Incorporated	Feb. Services	\$ 5,445.00
2484 Carrie Troup, CPA	Feb. Services	\$ 2,235.48
2485 Aleshire & Wynder, LLP	Feb. Services	\$ 221.44
2486 SAR Construction	Inv #22367	\$ 1,695.55
2487 Intera Incorporated	Feb. Services	\$ 17,850.00
2488 Intera Incorporated	Jan. Services	\$ 8,040.00
2489 Rincon Consultants, Inc.	Jan. Services	\$ 2,895.00
2490 Bondy Groundwater Consulting, Inc.	Feb. Services	\$ 9,003.36

<b>Total Expenditures Paid &amp; To Be Paid</b>	<b>\$ 51,243.32</b>
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**March 2024 UVRGA Ending Balance:** \$ **589,941.47**

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

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

B. Kuebler\_\_\_ A. Anselm\_\_\_ J. Kentosh\_\_\_ P. Kaiser\_\_\_ J. Tribo\_\_\_ V. Sedgwick\_\_\_ E. Ayala\_\_\_

The financial report omits substantially all disclosures required by accounting principles generally accepted in the United States of America; no assurance is provided on them.

**UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 3**

**DATE:** April 11, 2024

**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 reportable activity.
2. Financial:
  - a. Groundwater Extraction Fees:
    - i. Private Well Extraction Fees for the January 1 – June 30, 2023 Semi-Annual Period: Private well owner invoices for this period were issued on September 29, 2023 and were due October 29, 2023. As of March 8 2024, one invoice is unpaid, totaling \$1,628.00. Please see Agenda Item No. 5(a) for a fee waiver request.
    - ii. Private Well Extraction Fees for the July 1 – December 31, 2023 Semi-Annual Period: Private well owner invoices dated April 12, 2024 were mailed on April 8, 2024.
  - b. Reserves Investment: UVRGA's Treasurer finished setting up the Ventura Treasury Investment Pool account and initiated a wire transfer of \$500,000 from the Agency's bank account to the investment account.
3. GSP Implementation:
  - a. Well Registration and Flowmeter Compliance: The Executive Director reviewed well registration and meter calibration submittals and responded to questions from well owners regarding well registration and flowmeter compliance. The Executive Director issued follow-up letters for 31 unregistered wells dated April 1, 2024. Please see Item No. 6(a) for more information.
  - b. Monitoring Networks:
    - i. Groundwater Level Monitoring:
      1. Groundwater level monitoring is ongoing. Semi-annual groundwater level data downloads are scheduled for May.

2. The Executive Director executed a Board-approved contract with Layne to complete the well modifications necessary to facilitate groundwater level monitoring in State Well No. 04N23W32C03S. The schedule for the work is pending.
3. The encroachment permit application for monitoring groundwater levels in two monitoring wells constructed by Ventura County Watershed Protection District (VCWPD) within and adjacent to the Live Oak Acres Levee located on the western bank of the Ventura River north of Santa Ana Blvd is pending VCWPD review.
4. The Executive Director followed-up on a request to the City of Ventura to evaluate whether there are City-owned wells in the vicinity of data gap area “A” that can be utilized for monitoring. A field trip will be conducted to locate and assess the wells is pending a reduction in Ventura River flows.
  - ii. Surface Water Flow Monitoring: The Camino Cielo gage was removed on December 5, 2023. Monitoring will resume when Ventura River flows decline to a safe level, which is currently anticipated to occur in May.
  - iii. Visual Surface Water Monitoring: Monthly monitoring is ongoing.
  - iv. Riparian Groundwater Dependent Ecosystem (GDE) Monitoring: No activity since the last Board meeting. Next activity is anticipated in late spring or summer.
  - v. Aquatic GDE Monitoring: Field monitoring activities have been suspended until Ventura River flows decline to a safe level (anticipated late April or May).

4. Outreach and Coordination:

- a. The Executive Director and Rincon Consultants, Inc. presented UVRGA’s field monitoring programs during the Ventura River Watershed Council meeting on April 4.
- b. The Executive Director was approached by Groundwater Resources Association of California and Association of California Water Agencies to participate on a panel discussion concerning the SGMA depletions of interconnected surface water sustainability indicator at the upcoming SGMA Implementation Summit conference in early June in Sacramento. Please see Item No. 6(b) for more information.

5. Small GSA Coalition:

- a. The Executive Director participated in the Small GSA Coalition's monthly teleconference call on March 28.

6. SWRCB / CDFW Instream Flow Enhancement Coordination: No update.

7. Correspondence: None

**RECOMMENDED ACTIONS**

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

**BACKGROUND**

Not applicable

**FISCAL SUMMARY**

Not applicable

**ATTACHMENTS**

None

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

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

P. Kaiser \_ B. Kuebler\_ A. Anslem \_ E. Ayala\_ V. Sedgwick\_ J. Tribo \_ J. Kentosh

**UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 5(a)**

**DATE:** April 11, 2024

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** Casitas Mutual Water Company Groundwater Extraction Fee Waiver

**SUMMARY**

In 2019, a UVRGA Board Committee completed a study to estimate groundwater extractions in the Basin for the GSP and extraction fee implementation. The Board committee worked closely with well owners, including Casitas Mutual Water Company (CMWC), to agree on estimates of typical annual groundwater extraction from the Basin. At that time, it was estimated that CMWC groundwater extractions were 22 acre-feet per year. UVRGA subsequently adopted its first groundwater extraction fee for the July through December 2019 semi-annual period and proceeded to bill semi-annually using the estimated extraction value thereafter.

CMWC has paid all its semi-annual extraction fee invoices historically except for the January through June 2023 semi-annual period invoice. The January through June 2023 semi-annual period invoice was the last invoice that was to be based on estimated extractions, as meters were required effective July 1, 2023. Upon reaching out to CMWC about the past due invoice, the Executive Director learned that CMWC has stopped using its well due to water quality issues and has been obtaining water from Casitas MWD instead. This is confirmed on the well registration form submitted by CMWC dated May 19, 2023.

Based on the foregoing, it is recommended that the Board waive the groundwater extraction fee charged to Casitas Mutual Water Company for the January through June 2023 semi-annual period in the amount of \$1,628.00. Going forward, CMWC will be billed based on meter readings, which are anticipated to be *de minimis*, and, therefore, exempt from fees.

**RECOMMENDED ACTIONS**

Waive the groundwater extraction fee charged to Casitas Mutual Water Company for the January through June 2023 semi-annual period in the amount of \$1,628.00.

**BACKGROUND**

Not applicable

**FISCAL SUMMARY**

Approving the extraction fee waiver will not result in a material impact on the Agency's finances.

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

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

P. Kaiser \_ B. Kuebler \_ A. Anslem \_ E. Ayala \_ V. Sedgwick \_ J. Tribo \_ J. Kentosh

**UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 5(b)**

**DATE:** April 11, 2024

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** Executive Director Purchasing Authority

**SUMMARY**

When discussing attendance at the SGMA Implementation Summit with Chair Kaiser, it became apparent to both of us that a Board meeting would be needed to approve travel expenses. Absent the invitation to speak at the conference, a Board meeting would not have been necessary in April. To avoid holding Board meetings for unanticipated minor expenses and ensure efficient operation of the Agency, Chair Kaiser and I are recommending that the Board establish purchasing authority for the Executive Director. If adopted, Resolution No. 2024-03 attached hereto would establish purchasing authority up to an amount specified by the Board. Resolution No. 2024-03 has been reviewed by Agency Counsel.

**FISCAL SUMMARY**

Not applicable.

**RECOMMENDED ACTIONS**

Select a purchasing limit and adopt Resolution No. 2024-03 to establish the Executive Director’s purchasing authority.

**BACKGROUND**

None

**ATTACHMENTS**

- A. Resolution 2024-03

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

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

P. Kaiser \_ B. Kuebler\_ A. Anslem \_ E. Ayala\_ V. Sedgwick\_ J. Tribo \_ J. Kentosh\_



**BOARD OF DIRECTORS**

**UPPER VENTURA RIVER GROUNDWATER AGENCY**

**RESOLUTION NO. 2024-03**

**A RESOLUTION OF THE UPPER VENTURA RIVER GROUNDWATER AGENCY  
ESTABLISHING EXECUTIVE DIRECTOR PURCHASING AUTHORITY**

**WHEREAS**, the Upper Ventura River Groundwater Agency (“Agency”) is a Joint Powers Authority (“JPA”) formed in December of 2016 by a written agreement (“JPA Agreement”) between its five member agencies for the purpose of acting as a Groundwater Sustainability Agency (“GSA”) for the Upper Ventura River Valley Sub-basin; and

**WHEREAS**, under Section 10.2 of the JPA Agreement, the powers of the Agency’s Executive Director are designated by the Agency’s Board of Directors (“Board”); however, the Agency does not currently have provision approved by the Board whereby Executive Director has purchasing authority up to a certain dollar amount; and

**WHEREAS**, it is in the best interests of the Agency for the Board to grant to the Executive Director an enumerated amount of authority to make purchases on behalf of the Agency, so as enhance the efficiency of the Agency by preventing the need for every purchase made on behalf of the Agency to wait until the next date a Board meeting is conducted.

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

The Executive Director of the Agency shall have the authority to make purchases on behalf of the Agency up to \$ \_\_\_\_\_.

PASSED, APPROVED, AND ADOPTED this 11<sup>th</sup> day of April 11, 2024.

\_\_\_\_\_  
Pete Kaiser, 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. 6(a)**

**DATE:** April 11, 2024

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** Well Registration and Flowmeter Compliance Update

**SUMMARY**

The purpose of this item is to update the Board on well registration and flowmeter compliance.

Well Registration Status

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.

Based on calls from several former landowners in September 2022, it was suspected that fifty-one wells had out-of-date contact information on initial registration request letters. The Executive Director received updated contact information for the landowners of these wells from the Ventura County Assessor. Comparison of the original and new assessor data revealed that twenty-three of the fifty-one wells had different contact information and new registration request letters were mailed in late September 2023. The remaining twenty-eight wells had the same contact information and registration follow-up letters (i.e., “2<sup>nd</sup> request” letters) were mailed in late September 2023. As of February, 2024, thirty-nine of the fifty-one wells that received letters in September 2023 remain unregistered. In mid-February, “2<sup>nd</sup> request” letters were sent to eighteen owners and “3<sup>rd</sup> request” letters were sent to twenty-one owners. On April 1, 2024, “3<sup>rd</sup> request” letters were sent to fifteen owners and “4<sup>th</sup> request” letters were sent to sixteen owners. The “4<sup>th</sup> request” included civil penalty language and were sent via registered mail per Board direction.

Table 1 summarizes the updated registration status as of April 1, 2024. Attachment A provides a more detailed breakdown of the registration status.

**Table 1. Well Registration Status Summary**

<b>Category</b>	<b>Mar. Status (# of wells)</b>	<b>April Status (# of wells)</b>	<b>Change (# of wells)</b>
Registration Not Required	79	80	+1
Registered	76	77	+1
Wells Pending Further Evaluation	33	31	-2
Totals	188	188	0

Flowmeter Compliance

UVRGA Ordinance No. 1 requires that all wells that are not inactive or deemed exempt be equipped with flowmeters. Exemptions are provided for any well that extract less than 2 acre-feet per year (AFY). Operators of non-exempt wells were required to install flowmeters and provide proof of flowmeter calibration within a range of plus or minus 5% by June 30, 2023. The proof of calibration for wells that extract 100 or more AFY must be less than 3 years old. Proof of calibration for wells that extract less than 100 AFY must be less than five years old.

Twenty-seven of the seventy-seven registered wells are non-exempt. Table 2 summarizes flowmeter calibration compliance status of the non-exempt wells as of April 1, 2024. All non-exempt wells are currently in compliance with the flowmeter requirements.

**Table 2. Flowmeter Calibration Compliance Summary**

Acre-Feet Per Year	Well Count	Active Well In Compliance	Active Well Out of Compliance	Well Not Operational (Well on standby or pending repairs)
>=100	10	9	0	1 <sup>(1)</sup>
<100	17	13	0	4 <sup>(2)</sup>
Totals	27	22	0	5
Notes:				
(1) Includes one well that is pending repairs. Proof of meter calibration is required prior to putting the well back into service.				
(2) Includes one well that is on standby and three wells that are pending repairs. Proof of meter calibration is required prior to putting wells back into service.				

Enforcement Status

The Executive Director has been following up with well owners concerning unregistered wells and flowmeter non-compliance. During its March 2024 meeting, the Board directed staff to notify noncompliant well owners that UVRGA will begin accruing civil penalties. Table 3 provides a status update of enforcement efforts.

**Table 3. Enforcement Status**

Group	Description	Status	Count
1	Has not responded to the September 2022, September 2023, and February 2024 well registration request letters.	Letter indicating \$10/day penalty to begin accruing May 1, 2024 sent April 1, 2024 via registered mail.	16
2	Has not responded to the September 2023 and February 2024 well registration request letters. (Note: this group did not receive the initial well registration request letters in September 2022 because of outdated owner contact information.)	Third letter sent April 1, 2024. Per Board direction. Will send letter May 1, 2024 indicating \$10/day penalty to begin accruing June 1, 2024.	15

**FISCAL SUMMARY**

Not applicable.

**RECOMMENDED ACTIONS**

Receive an update on well registration and flowmeter compliance. The Board may provide feedback or direction to staff concerning compliance 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: \_\_\_\_\_

P. Kaiser \_ B. Kuebler \_ A. Anslem \_ E. Ayala \_ V. Sedgwick \_ J. Tribo \_ J. Kentosh \_

**Item 6(a), Attachment A**  
**Well Registration Status (updated 4/1/24)**

Status	Count	Comment
<b>Registration Not Required</b>		
<ul style="list-style-type: none"> <li>Confirmed destroyed, abandoned, or inactive based on conversation with landowner and/or information provided by landowner</li> </ul>	49	No further action required.
<ul style="list-style-type: none"> <li>Suspected destroyed, abandoned, or inactive based on County records or information previously compiled by Larry Rose</li> </ul>	26	No further action proposed.
<ul style="list-style-type: none"> <li>Dedicated monitoring well</li> </ul>	4	
<ul style="list-style-type: none"> <li>Well is actually a surface water diversion</li> </ul>	1	
<b>Subtotal Registration Not Required</b>	<b>80</b>	
<b>Registered</b>		
<ul style="list-style-type: none"> <li>Registration form received</li> </ul>	77	
<b>Subtotal Registered</b>	<b>77</b>	
<b>Wells Pending Further Evaluation</b>		
<ul style="list-style-type: none"> <li>Has not responded to registration requests in September 2022, September 2023, and February 2024 (confirmed ownership per latest Assessor data is same as that used on initial registration request mailing)</li> </ul>	16	Twenty-eight 2 <sup>nd</sup> request letters were mailed in late September 2023. Twenty-one 3 <sup>rd</sup> request letters were mailed in mid-February 2024. Sixteen 4 <sup>th</sup> request letters mailed April 1, 2024 with penalty language.
<ul style="list-style-type: none"> <li>Ownership per latest Assessor data is different than used on initial registration request mailing in September 2022. Did not respond to September 2023 and February 2024 registration requests.</li> </ul>	15	Twenty-three initial request letters were mailed to updated contacts in late September 2023. Eighteen 2 <sup>nd</sup> request letters were mailed in mid-February 2024. Fifteen 3 <sup>rd</sup> request letters mailed April 1, 2024.
<b>Subtotal Not Registered</b>	<b>31</b>	
<b>Total</b>	<b>188</b>	

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

**DATE:** April 11, 2024

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** SGMA Implementation Summit

**SUMMARY**

UVRGA was invited to participate in a panel discussion at the upcoming Annual GSA Summit on June 5-6 in Sacramento. The conference is put on by the Groundwater Resources Association of California (GRA) in collaboration with Association of California Water Agencies (ACWA) Groundwater Committee. This is an annual conference designed specifically for GSAs with the goal of creating a forum for GSAs, DWR, and communities of interest get-together to foster progress on SGMA implementation.

Many GSAs are struggling to adequately address the depletions of interconnected surface water sustainability indicator in their GSPs. Case in point, the nearby Fillmore and Piru GSPs were recently deemed deficient (not approved) by DWR, with inadequate treatment of the depletions of interconnected surface water sustainability indicator being cited as a primary reason. As one of the few GSAs that tackled the depletions of interconnected surface water sustainability indicator head on, UVRGA has received recognition by some across the State. As a result, UVRGA was invited to participate in a panel discussion alongside representatives from another GSA, the Department of Water Resources, and the State Water Resources Control Board (SWRCB). The panel will discuss the challenges and approaches to addressing the depletions of interconnected surface water sustainability indicator under SGMA.

As a point of clarification, SWRCB will be participating on the panel in their capacity as the agency charged with enforcement of basins in SGMA probation because of inadequate GSPs. The panel discussion will be entirely focused on SGMA matters and the Executive Director understands that he is prohibited from discussing any confidential information concerning the adjudication.

In addition to sharing UVRGA's success with the SGMA community, the Executive Director will have the opportunity to learn from other GSAs about how they are addressing the depletions of interconnected surface water sustainability indicator (we don't have all the answers yet!). The Executive Director will also have the opportunity to learn from other GSAs about how they are handling DWR's GSP comments and their approaches for completing the upcoming 5-year GSP assessment and update. The Executive Director will also have the opportunity to hear DWR's perspectives on these issues and ask questions. Lastly, the Executive Director will also make contacts with other GSA managers, who may be able to assist with brainstorming SGMA issues as they arise during GSP implementation.

To maximize the value of this trip, the Executive Director is actively trying to schedule a meeting with DWR management from DWR's Sacramento headquarters to discuss DWR's Recommended Corrective Actions on the UVRGA and Mound Basin GSPs (I am also the Executive Director of Mound Basin GSA). If such a meeting is scheduled, it is very likely that the travel expenses will be split with Mound Basin GSA.

**RECOMMENDED ACTIONS**

Authorize travel expenses in an amount up to \$2,000 for the Executive Director to attend the 2024 Annual SGMA Implementation Summit as an invited speaker.

**BACKGROUND**

Not applicable

**FISCAL SUMMARY**

Travel expenses can be accommodated using the contingency line item in the annual budget. Labor for conference attendance is included in the annual budget for GSP implementation.

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

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

P. Kaiser \_ B. Kuebler \_ A. Anslem \_ E. Ayala \_ V. Sedgwick \_ J. Tribo \_ J. Kentosh