

# 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, September 11, 2025 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: 1-669-900-6833**

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

**<https://us02web.zoom.us/j/81007384197?pwd=YQTEbbJH6cpmbrij4ybMrpcV2mndJEK.1>**

**Meeting ID: 810 0738 4197      Passcode: 757383**

### *Disclaimer Concerning On-line / Teleconference Meeting Access*

*Audio / teleconference meeting access is not required by law but is provided as a convenience for UVRGA stakeholders and the public. However, due to circumstances beyond our control, users may experience significant difficulties hearing or seeing the meeting when attending remotely. UVRGA does guarantee the audio or video quality of the on-line / teleconference system, and its use is at your own risk.*

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

**September 11, 2025**

### **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 of July 10, 2025 Regular Board Meeting**
- b. Approve Financial Report for July 2025**
- c. Approve Financial Report for August 2025**
- d. Approve Fiscal Year 2024-2025 4<sup>th</sup> Quarter Budget Report**

## **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. Agency Bylaws Amendment Concerning Designation of Authorized Check Signers**

The Board will consider adopting Resolution 2025-02, a resolution modifying the Agency Bylaws Section 7.2 updating the Agency's authorized check signers.

### **b. Designation of Ventura County Treasury Investment Pool Authorized Signers**

The Board will consider adopting Resolution 2025-03, a resolution updating the Agency's Ventura County Treasury Investment Pool list of authorized signers.

### **c. Fiscal Audit Frequency Modification**

The Board will consider adopting Resolution 2025-04, a resolution to change the Agency's fiscal audit frequency from annual to biennial.

### **d. Stakeholder Director Participation in Closed Session**

The Board will discuss Stakeholder Director participation in closed session and may provide direction to staff.

### **e. Proposed Joint Powers Agreement Amendments**

The Board will discuss proposed amendments to the UVRGA Joint Powers Agreement and will consider providing feedback or direction to staff.

### **f. Review of Small Groundwater Sustainability Agencies Coalition Draft Memorandum of Understanding**

The Board will discuss a draft memorandum of understanding (MOU) for the Small Groundwater Sustainability Agencies Coalition and will consider authorizing the Executive Director to negotiate and execute a final version of the MOU subject to Agency Counsel review.

## **6. GSP IMPLEMENTATION ITEMS**

### **a. Groundwater Dependent Ecosystems Monitoring Plan Amendments**

The Board will consider approving proposed amendments to the aquatic groundwater dependent ecosystems monitoring workplans.

## **7. 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)**

## **8. ADJOURNMENT**

The next Regular Board meeting is scheduled for October 9, 2025 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 JULY 10, 2025**

### **A. CALL TO ORDER**

A regular meeting of the Board of Directors of Upper Ventura River Groundwater Agency was held at the Ventura River Water District Meeting Room, 409 Old Baldwin Road, Ojai, CA on Thursday, July 10, 2025. Chair Kaiser called the meeting to order at 1:05 p.m.

### **B. PLEDGE OF ALLEGIANCE**

Director Martinez led the Pledge of Allegiance.

### **C. ROLL CALL**

Directors Present:

Pete Kaiser, Chair  
Bruce Kuebler, Vice Chair  
Emily Ayala, Director  
Justin Martinez, Alternate Director  
Vivon Sedgwick, Director  
Jennifer Tribo, Secretary (arrived at 1:12 p.m. during Item No. 2)

Directors Absent: No County of Ventura Director appointed at time of meeting.

Staff Present:

Bryan Bondy, Executive Director  
Steven O'Neill, Assistant Agency Counsel  
Maureen Tucker, Administrative Assistant

Identified Members of the Public:

In Person: Kelley Dyer

Online: Burt Handy and Mike Flood

### **D. APPROVAL OF THE AGENDA**

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

Director Kuebler moved approval of the agenda. Seconded by Director Ayala.

Roll Call Vote:      P. Kaiser - Y              J. Martinez – Y              V. Sedgwick - Y  
                                 B. Kuebler – Y              E. Ayala – Y

Directors Absent: Jennifer Tribo; no County of Ventura Director appointed at time of meeting.

## **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 of June 12, 2025 Regular Board Meeting
- b) Approve Minutes of June 26, 2025 Special Board Meeting
- c) Approve Financial Report for June 2025

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

Director Ayala requested clarification on the meaning of "*SDRMA*." Executive Director Bondy said SDRMA stands for *Special District Risk Management Authority*, which provides the agency's liability insurance.

Director Kaiser asked about the liability insurance coverage. Executive Director Bondy said the insurance coverages are director and officer liability and general liability, which is required for the Agency's permits related to its monitoring activities.

Director Kuebler moved approval of the consent calendar items. Seconded by Director Ayala.

Roll Call Vote:      P. Kaiser - Y              J. Martinez – Y              V. Sedgwick - Y  
                                 B. Kuebler – Y              E. Ayala – Y

Directors Absent: Jennifer Tribo; no County of Ventura Director appointed at time of meeting.

### **2. DIRECTOR ANNOUNCEMENTS**

Chair Kaiser called for Director announcements.

Director Kaiser	No report
Director Ayala:	No report
Director Martinez:	No report
Director Kuebler:	No report
Director Tribo:	No report
Director Sedgwick:	Reported that Ojai Valley Land Conservancy (OVLC) was awarded a grant from CAL FIRE's Forest Health Grants Program for \$7M to remove Arundo for the river reach extending from the Ventura River Preserve through Foster Park.

### 3. EXECUTIVE DIRECTOR'S REPORT

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

Administrative: Ventura County Public Works Agency (VCPWA) plans to seek Board of Supervisors approval for a new appointment to the UVRGA Board in August.

Financial: Groundwater Extraction Fees: All extraction fees have been paid except those under Board-approved payment plans.

Well Registration & Flowmeter Compliance: Two wells remain unregistered, accruing \$100/day each. As of June 30, 2025, penalties per well total \$16,120. All active wells excluding those damaged in the January 2023 flood are meeting the flowmeter requirements.

Groundwater Monitoring: The semi-annual groundwater level data downloads were completed in May, and the data were submitted to the Department of Water Resources. Executive Director Bondy reviewed groundwater level charts included in the meeting packet. Executive Director Bondy said he has continued to try to schedule the Casitas Mutual Water Company wellhead retrofit. The work has been delayed due other contractor projects. Executive Director Bondy will continue to follow up with the contractor.

Surface Water Flow Monitoring: Executive Director Bondy reviewed recent measured flowrates. Executive Director Bondy will change the name of the Foster Park location to "Upper Foster Park" and add the USGS stream gauge to the next report.

Visual Surface Water Monitoring: The Ventura River has had discontinuous flow since April.

Aquatic & Riparian GDE Monitoring: The first post-wet season habitat and snorkeling surveys were completed in June. No steelhead were observed. Riparian vegetation mapping is scheduled for July.

Director Kaiser asked about the definition of steelhead. Executive Director Bondy will consult with the biologists and report back.

Director Tribo asked if other sensitive species were observed. Executive Director Bondy said a red legged frog was observed.

Numerical Model: The model sensitivity analysis and calibration updates are progressing well. A presentation to the Board currently expected in July.

Outreach & Coordination: Regarding the Matilija Dam Ecosystem Restoration Project (MDERP),: Ventura County agreed to incorporate replacement of the two Live Oak Levee groundwater monitoring wells into levee upgrade design plans. This will preserve two of UVRGA's monitoring locations. Regarding the Ventura River Watershed Resilience Program, a second community workshop is planned.

Small GSA Coalition: The coalition met on June 26 to discuss legislation and funding for small GSA fiscal issues.

Chair Kaiser called for public comments. No comments were offered.

#### 4. AGENCY COUNSEL'S REPORT

Assistant Agency Counsel Steven O'Neill updated the Board on recent legislation signed into law last week concerning the California Environmental Quality Act (CEQA).

#### 5. ADMINISTRATIVE ITEMS

##### a. PUBLIC HEARING

**Second Reading of Resolution 2025-01: 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 2025/2026 (July 1, 2025-June 30, 2026).**

Assistant Agency Counsel Steven O'Neill briefed the Board on the supermajority voting requirements that apply to this item.

Executive Director Bondy provided background on the item. This is a second reading of the item pursuant to the Agency's joint powers agreement (JPA) and failure to receive unanimous approval during the first reading on June 12, 2025. The second reading was originally scheduled for June 26, 2025 but a successful vote could not be held due to an insufficient number of directors present. The JPA mandates a supermajority (defined as six affirmative votes) for extraction fees.

Discussion:

Director Martinez asked if fees could be adopted for multiple years. Executive Director Bondy said that is an option in the future.

Directors Tribo asked if last year's fees could be extended. Executive Director Bondy said no because the approval was only for one year. Assistant Agency Counsel Steven O'Neill added that doing so would be inconsistent with SGMA and the Government Code.

Director Martinez noted that the fee is only increasing \$2 from last year and asked Director Kaiser why that is a deal breaker for him.

Director Kaiser said it impacts the agencies' rates and that small agencies like UVRGA need to be frugal.

Director Ayala said she wishes these concerns were raised during the budgeting process instead of after.

Directors Martinez and Tribo agreed with Director Ayala.

Director Kuebler suggested postponing the vote until the County of Ventura appoints a director.

Director Sedgwick said the \$2 difference is not significant enough to jeopardize the agency's operations.

Director Kaiser stated that he believes Casitas Municipal Water District has made its point and that he will not obstruct the process.

Director Tribo moved to adopt Resolution 2025-01 A Resolution of the Board of Directors of Upper Ventura River Groundwater Agency Determining and Establishing Groundwater Extraction Fees

Item 1(a)

Against All Persons Operating Groundwater Extraction Facilities Within the Upper Ventura River Valley Basin for Fiscal Year 2025/2026 (July 1, 2025-June 30, 2026). Director Kuebler seconded the Motion.

Chair Kaiser called for public comments. No comments were offered.

Director Kaiser said everyone made good points. He requested that the budgeting process start earlier next year so that there can be more discussion before adopting fees.

Roll Call Vote: P. Kaiser - Y J. Martinez – Y V. Sedgwick - Y

B. Kuebler – Y J. Tribo - Y E. Ayala – Y

Directors Absent: No County of Ventura Director appointed at time of meeting.

**b. Professional Services Status**

Executive Director Bryan Bondy explained that Alternate Director Flood asked for an item to discuss whether to pursue requests for proposals for professional services during the June 12, 2025 Board meeting.

Executive Director Bryan Bondy reviewed the table included in the meeting agenda packet presenting the status of each professional service provider, including the position/role, service provider name, whether the position is designated by the Board, date selected, date of last contract review, current fee, and comparable fees.

After reviewing the table, the Board found that the current professional service rates are competitive, except for the auditor. Several potential cost savings measures were identified for further investigation:

- Audits: The Executive Director and Legal Counsel will research the potential for switching to biennial audits and whether UVRGA can contract directly with the audit firm instead of a member agency (currently Ventura River Water District [VRWD]).
- Auditor: Executive Director to work with VRWD to obtain proposals for audits after the current contract expires.
- Legal Counsel and Administrative Assistant: Legal Counsel and Administrative Assistant will attend board meetings remotely unless there is a closed session.
- Bookkeeping: The Board discussed whether the Agency needs a certified public accountant performing bookkeeping. The Executive Director will investigate OBGMA bookkeeper's rate and availability.
- Board of Directors: The Board discussed meeting less frequently and noted that the next item concerning voting procedures could lead to cost savings. Director Kaiser also emphasized being mindful of the fact that questions of counsel and staff have costs associated with them.

Chair Kaiser called for public comments. No comments were offered.



### **c. Agency Voting Procedures**

Executive Director Bondy explained that the Board asked for an item to review the Agency's voting procedures and begin discussion of potential modifications, which are contained in the Agency's JPA and Bylaws. The JPA Agreement is controlling over the Bylaws. Any JPA amendments would have to be approved by the Boards of the five Member Agencies.

The JPA requires unanimous approval during the first reading of an item and a supermajority during second readings of some items. This process has caused delays, extra meetings, and logistical challenges when there are vacancies or when some Directors are unable to attend Board meetings. The JPA also lacks guidance on handling vacancies when a Member Agency fails to appoint a director and does not provide for alternates for the Stakeholder Director seats, both of which exacerbate these challenges.

Director Kaiser said he believes we moved beyond the concerns that existed when the Agency was being formed and that it is time to move to a traditional simple majority voting approach.

Directors Kuebler and Tribo agreed with Director Kaiser.

Director Ayala noted that adding alternates for the Stakeholder Director seats could address the issue with the current Stakeholder Directors being unable to participate in certain closed session matters.

Chair Kaiser called for public comments. No comments were offered.

After a brief discussion, the Board requested that the Executive Director and Agency Counsel draft proposed amendments for discussion that address voting procedures, quorum, Stakeholder Director alternates, and provisions for addressing Member Director vacancies.

## **6. GSP IMPLEMENTATION ITEMS**

### **a. Rincon Consultants, Inc. Work Order No. 13 for Field Monitoring Programs for Water Year 2025/2026.**

Executive Director Bondy summarized Rincon Consultants, Inc. (Rincon) proposal for Work Order No. 13 to provide field monitoring and reporting services for Water Year 2025/2026 (October 1, 2025 – September 30, 2026). The scope includes monitoring of groundwater levels, streamflow, and aquatic and riparian groundwater-dependent ecosystems (GDEs) in accordance with the Groundwater Sustainability Plan. This work continues efforts under prior Work Orders Nos. 8, 9, and 12, but consolidates all monitoring under a single work order to improve efficiency and reduce both consultant and administrative costs. The first task in the work order is to draft amendments to the GDE monitoring work plan, which would need to be approved before the next water year begins on October 1, 2025, making timely approval of this work order necessary.

Executive Director Bondy explained the fiscal impact of the proposed work order. Approving the work order would commit 46% of the Fiscal Year 2025/2026 contingency budget. In recognition of this, Rincon included a 5% discount on this work order to help reduce costs. Executive Director also noted that Rincon has absorbed certain costs over the past three years.

Director Martinez asked if the Agency used all its contingency budget last year. Executive Director Bondy said no.

Item 1(a)

Director Kaiser asked about water quality sampling and whether storm events could complicate the work. Executive Director Bondy explained that water quality sampling is called for in the GSP to address domestic wells and to address data gaps. Rincon demobilizes monitoring equipment installed in the river before high-flow events.

Director Kuebler emphasized that, while the cost is significant, the work is essential.

Director Sedgwick and others expressed satisfaction with the Executive Director's oversight and cost management with Rincon.

Chair Kaiser called for public comments. No comments were offered.

Director Kuebler moved to authorize the Executive Director to issue Work Order No. 13 to Rincon Consultants, Inc. for field monitoring and reporting for Water Year 2025/2026 (October 1, 2025 through September 30, 2026) in an amount not to exceed \$189,030 and \$32,792 for optional tasks and contingency to be authorized at the discretion of the Executive Director (\$221,822 total authorization). Director Sedgwick seconded the Motion.

Roll Call Vote:      P. Kaiser - Y              J. Martinez – Y              V. Sedgwick - Y

                         B. Kuebler – Y              J. Tribo - Y              E. Ayala – Y

Directors Absent: No County of Ventura Director appointed at time of meeting.

## 7. FUTURE AGENDA ITEMS

None

## 8. ADJOURNMENT

The meeting was adjourned at 3:20 p.m.

The next scheduled Board meeting is August 2025, but it was noted that it would likely be cancelled.

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

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

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

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

**DATE:** August 6, 2025  
**TO:** Board of Directors  
**FROM:** Carrie Troup C.P.A., Treasurer  
**SUBJECT:** Approve Financial Report for July 2025

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**June 2025 UVRGA Balance** \$ 518,841.11  
**July 2025 Activity**

**Checks, Electronic payments, Transfers:**

2624	Bondy Groundwater Consulting, Inc.	June Services	\$	9,308.35
2625	Intera Incorporated	May Services	\$	20,080.00
2626	Aleshire & Wynder, LLP	April Services	\$	57.60
2627	Carrie Troup, CPA	June Services	\$	1,537.64
2628	Aleshire & Wynder, LLP	May Services	\$	489.60
2629	Rincon Consultants, Inc.	May -June Services	\$	3,557.50
2630	Rincon Consultants, Inc.	May-June Services	\$	1,913.55
2631	Rincon Consultants, Inc.	June Services	\$	12,985.14
2632	Aleshire & Wynder, LLP	May Services	\$	2,025.60
2633	Aleshire & Wynder, LLP	April Services	\$	403.20
EFT	FedEx	Shipping	\$	37.13
Total Expenditures Paid & To Be Paid			\$	52,395.31

**July 2025 UVRGA Total Funds Ending Balance<sup>1</sup>**

Ventura County Treasury Investment Pool (VCTIP)	\$	418,489.52
Bank of Sierra	\$	55,429.24
Total Cash Balance	\$	473,918.76

**Notes:**

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.

VCTIP balance reflects most recent Fair Market Value adjustment released by the County of Ventura.

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

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

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

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

**DATE:** September 5, 2025  
**TO:** Board of Directors  
**FROM:** Carrie Troup C.P.A., Treasurer  
**SUBJECT:** Approve Financial Report for August 2025

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**July 2025 UVRGA Balance** \$ 473,918.76

**August 2025 Activity**

**Revenues/ Credits:**

Extraction Fees	\$ 659,878.94
Less Bounced Deposit Check	<u>\$ (950.48)</u>

**Checks, Electronic payments, Transfers:**

2634	Bondy Groundwater Consulting, Inc.	July Services	\$ 11,562.75
2635	Intera Incorporated	June Services	\$ 1,520.00
2636	Intera Incorporated	June Services	\$ 10,439.00
2637	Carrie Troup, CPA	July Services	\$ 2,457.81
2638	Aleshire & Wynder, LLP	June Services	\$ 1,411.20
2639	Rincon Consultants, Inc.	July Services	\$ 2,901.00
2640	Rincon Consultants, Inc.	July Services	\$ 9,195.99
2641	Aleshire & Wynder, LLP	June Services	\$ 3,443.20
2642	Intera Incorporated	July Services	\$ 11,431.00
EFT	FedEx	Shipping	<u>\$ 36.86</u>
Total Expenditures Paid & To Be Paid			<u>\$ 54,398.81</u>

**August 2025 UVRGA Total Funds Ending Balance<sup>1</sup>**

Ventura County Treasury Investment Pool (VCTIP)	\$ 418,489.52
Bank of Sierra	\$ 659,958.89
Total Cash Balance	<u><u>\$ 1,078,448.41</u></u>

**Notes:**

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.

VCTIP balance reflects most recent Fair Market Value adjustment released by the County of Ventura.

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

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

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

**Upper Ventura River Groundwater Agency**  
**Profit & Loss Budget vs. Actual**  
July 2024 through June 2025

	Jul '24 - Jun 25	Budget	\$ Over Budget	% of Budget	Comments
<b>Ordinary Income/Expense</b>					
Income					
Interest/Penalties	23,174.46				Includes VCTIP earnings and civil penalties issued
43000 · Groundwater Extraction Fee					
43000 · Groundwater Extraction Fee - Other	576,030.68	570,985.00	5,045.68	100.88%	
Total 43000 · Groundwater Extraction Fee	576,030.68	570,985.00	5,045.68	100.88%	
Total Income	599,205.14	570,985.00	28,220.14	104.94%	
Expense					
55000 · Administrative Exp					
55015 · Postage & Shipping	866.75	625.00	241.75	138.68%	More certified mail for unregistered wells than anticipated
55020 · Office Supplies & Software	1,082.30	750.00	332.30	144.31%	Unanticipated purchase of blank checks
55025 · Minor Equipment	0.00	300.00	-300.00	0.0%	
55030 · Bank Service Charges	42.50	0.00	42.50	100.0%	
55035 · Advertising and Promotion	637.58	1,250.00	-612.42	51.01%	
55055 · Insurance Expense-SDRMA	8,814.52	4,250.00	4,564.52	207.4%	Includes \$4,975 pre-paid for 25/26 policy year paid June 2025
55060 · Memberships-CSDA	1,991.50	2,100.00	-108.50	94.83%	
55065 · Permit Fees	517.63	0.00	517.63	100.0%	Live Oak Levee monitoring wells encroachment permit fees
55070 · Memberships- VRWC	703.00	0.00	703.00	100.0%	Prorated dues for Ventura River Watershed Council
Total 55000 · Administrative Exp	14,655.78	9,275.00	5,380.78	158.01%	
58000 · Professional Fees					
58005 · Executive Director /GSP Manager	38,204.57	47,000.00	-8,795.43	81.29%	
58010 · Legal Fees	28,159.98	39,337.00	-11,177.02	71.59%	
58015 · Website	2,070.91	3,372.00	-1,301.09	61.42%	
58020 · Accounting	23,102.31	18,544.00	4,558.31	124.58%	Extra effort setting up, tracking, and reporting for VCTIP
58040 · Audit Expense	14,045.68	15,735.00	-1,689.32	89.26%	
58050 · Other Professional Services	384,974.37	448,500.00	-63,525.63	85.84%	
Total 58000 · Professional Fees	490,557.82	572,488.00	-81,930.18	85.69%	
Total Expense	505,213.60	581,763.00	-76,549.40	86.84%	
Net Ordinary Income	93,991.54	-10,778.00	104,769.54	-872.07%	
Other Income/Expense					
Other Expense					
Contingency - Non Capital Exp	0.00	58,176.00	-58,176.00	0.0%	
Total Other Expense	0.00	58,176.00	-58,176.00	0.0%	
Net Other Income	0.00	-58,176.00	58,176.00	0.0%	
Net Income	93,991.54	-68,954.00	162,945.54	-136.31%	

## UPPER VENTURA RIVER GROUNDWATER AGENCY Item No. 3

**DATE:** September 11, 2025

**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: Ventura County notified the Executive Director that Assistant Public Works Director Jeff Palmer will serve as Ventura County's primary representative on the UVRGA Board of Directors. Earthea Nance will serve as the alternate representative. The official appointment notice is provided in Attachment A.
2. Financial:
  - a. Groundwater Extraction Fees and Civil Penalties:
    - i. The public agencies were invoiced for fiscal year 2025/2026 extraction fees. All four payments were received before the due date.
    - ii. Private well owners were invoiced for January – June 2025 extraction fees. Total private well extractions for the semi-annual period were 103.8 acre-feet, compared with 100.5 acre-feet assumed in the fiscal year 2024/2025 budget. Payments were due August 27. Four payments totaling \$1,171.96 were past due as of September 5, 2025. Past due notices were sent to these well owners.
    - iii. One civil penalty issued by the Board in November 2024 remains unpaid.
    - iv. The owner of state well no. 04N23W04H01S has defaulted on their payment plan for civil penalties and first extraction fee invoice. The well owner is also past due on the extraction fee invoices for the July-December 2024 and January – June 2025 semi-annual extraction fee periods. A payment demand letter was sent on September 3, 2025.
  - b. Financial Statements Audit for Fiscal Year 2024/2025:
    - i. The auditor began work on the fiscal year 2024/2025 audit. Confirmation request letters requested by the auditor were prepared by staff.
    - ii. A letter to the Board from the auditor concerning communication during the audit is provided in Attachment B.

c. Cost Savings Measures:

- i. Agency Counsel will attend board meetings via Zoom unless there is a closed session. This will reduce travel costs.
- ii. The administrative assistant will attend board meetings via Zoom unless there is a closed session. This will reduce travel costs.
- iii. The Executive Director investigated the potential for shifting bookkeeping tasks to the OBGMA bookkeeper; however, the bookkeeper is not accepting new work at this time.
- iv. The Executive Director and Rincon Consultants, Inc. are investigating the potential eliminating stream gauging activities at the Lower Confluence location, as the City of Ventura has installed its VR-1 stream gauge replacement nearby.
- v. The Executive Director is working with the Department of Water Resources (DWR) to install a stream gauge at Camino Cielo. This gauge will be free to UVRGA and may eventually replace stream gauging currently conducted by Rincon Consultants, Inc. on behalf of UVRGA. DWR obtained permits from Ventura County and has installed a river stage monitoring device (bubbler). Next steps include installation of a staff gauge when feasible and rating curve development.
- vi. Legal Counsel reinvestigated the potential for switching from annual to biennial fiscal audits and reconfirmed that biennial audits are permissible. Please see Item 5(c) for more information.
- vii. The Executive Director requested consideration of reduced fees for the fiscal year 2025 and 2026 annual audits. The auditor agreed to reduce the fees by \$2,500 for annual audits (now \$12,000 for 2025 and \$12,500 for 2026). Should the Agency switch to biennial audits, the fee would be \$21,500, which is \$3,000 less than performing separate annual audits at the discounted rate.

3. GSP Implementation:

- a. GSP Periodic Evaluation: No reportable activity this period. This project will be kicked off later this year.
- b. GSP Annual Report The annual report for water year 2024 was approved by DWR (Attachment C).

c. Well Registration and Flowmeter Compliance:

- i. Two wells remain unregistered and continue to accrue civil penalties at a rate of \$100 per day. As of August 31, 2025 each well owner has accrued \$22,320 in civil penalties.
- ii. All active wells subject to flowmeter requirements that were not damaged in the January 2023 flood are in compliance.

d. Monitoring Networks:

i. Groundwater Level Monitoring:

1. Casitas Mutual Water Company Well: The Board approved the estimate for Hansen Well-Do Service to tap an access hole to facilitate groundwater level monitoring. The work was completed on September 5, 2025.

ii. Surface Water Flow Monitoring: Monitoring is ongoing in all three areas (Camino Cielo, Confluence Area, and Foster Park). Flows in late July / late August were as follows (from north to south – see Attachment D for stream monitoring locations):

1. Camino Cielo
  - a. UVRGA Gauge: 5.7 / 3.6 cubic feet per second (cfs)
  - b. DWR “OLA” Gauge: under construction
2. Upper Confluence (above confluence): 6.2 / 4.6 cfs
3. Lower Confluence (below confluence): 12.1 / 9.7 cfs
4. Upper Foster Park: 1.4 / 0.4 cfs
5. USGS Gauge: 6.4 / 5.5 cfs

iii. Visual Surface Water Monitoring: River flow has been discontinuous since April. The length of the dry reach continued to expand in July and August.

iv. Aquatic GDE Monitoring<sup>1</sup>:

1. Confluence Aquatic GDE mortality survey was completed in July. No steelhead were observed. No stranding of any fish species was observed within the isolated pools.
2. Rincon Consultants, Inc. prepared proposed modifications to the Aquatic GDE Monitoring Workplans. Please see Item 6(a) for more information.

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<sup>1</sup> Rainbow trout and steelhead are the same species (*Oncorhynchus mykiss irideus* [*O. mykiss*]). Steelhead is the anadromous form of Rainbow trout, meaning that steelhead is a variant. If an aquatic system is connected to the ocean without a 100% fish passage impediment, then *O. mykiss* in that system are considered steelhead. If the freshwater aquatic system or a reach of an aquatic system is completely blocked from the ocean, then *O. mykiss* in that system or reach are considered Rainbow trout or resident rainbow trout.



- v. Riparian Groundwater Dependent Ecosystem (GDE) Monitoring: Drone imagery collected in June was processed. Imagery desktop review was completed. Field vegetation mapping was deemed unnecessary.
- 4. Numerical Model: Work on the numerical model sensitivity analysis and calibration update is essentially complete, and work has begun on the technical memorandum. A presentation is planned for the next Board meeting.
- 5. Outreach and Coordination:
  - a. Ventura County Matilija Dam Ecosystem Restoration Project (MDERP): Ventura County Public Works Agency (VCPWA) requested groundwater level data from the two groundwater monitoring wells located on the Live Oak Acres Levee and a site visit to measure current levels. The Executive Director provided groundwater level data collected to date and facilitated a site visit to the wells with Rincon Consultants, Inc.
  - b. Ventura River Watershed Council (VRWC) / Ventura River Watershed Resilience Program (VRWRP):
    - i. VRWC met on September 4, 2025 and received updates on OVLC's riparian restoration program, Ventura Land Trust activities, and the VRWRP water budget.
    - ii. A VRWRP advisory group meeting was held on July 21, 2025. The advisory group received updates on outreach and water budget development and discussed problems statements for the plan.
    - iii. The Executive Director provided comments on the VRWRP vision statement, goals, and problem statements.
- 6. Small GSA Coalition: Coalition meetings were held on August 7 and September 4, 2025. The group has been focused on developing a memorandum of understanding. Please see Item 5(f) for more information.
- 7. Correspondence: No correspondence other than previously noted.

#### **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. Ventura County UVRGA Representative Appointment Letter
- B. Auditor Letter to Board
- C. DWR Water Year 2024 Annual Report Approval Letter
- D. Stream Gauge Locations Map

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

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

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



# COUNTY *of* VENTURA

**Gregg Strakaluse**  
Agency Director

**Jeff Palmer**  
Assistant Director

Central Services  
**Joan Araujo**, Director

Engineering Services  
**Anastasia Seims**, Director

Roads & Transportation  
**Anitha Balan**, Director

Water & Sanitation  
**Vacant**, Director

Watershed Protection  
**Earthea Nance**, Director

July 18, 2025

Bruce Kuebler  
Vice President of Upper Ventura River Groundwater Agency  
409 Old Baldwin Road  
Ojai, CA 93023

RE: Appointment to the Upper Ventura River Groundwater Agency Board of Directors, County Representative Replacement

To Whom It May Concern,

Effective July 18, 2025, Jeff Palmer will serve as the primary Director representing the County of Ventura to the Upper Ventura River Groundwater Agency Board of Directors. Earthea Nance will serve as the alternate Director representing the County of Ventura. They will be replacing Arne Anselm, who has retired, and resigned from this Board effective April 25, 2025.

In accordance with County procedures, the Clerk of the Board of Supervisors posted an unscheduled vacancy notice for 10 days. Our staff applied for the appointments, and both candidates have successfully completed the County's background clearance process.

Please update your distribution lists and meeting invitations accordingly by removing Mr. Anselm and adding Mr. Jeff Palmer and Ms. Earthea Nance.

Thank you for your consideration,

A handwritten signature in blue ink, appearing to read "G. Strakaluse", followed by a long horizontal flourish.

**Gregg Strakaluse, P.E.**  
Director

CC: County of Ventura Clerk of the Board of Supervisors





BARTLETT, PRINGLE & WOLF, LLP  
CERTIFIED PUBLIC ACCOUNTANTS AND CONSULTANTS

August 19, 2025

Board of Directors  
Upper Ventura River Groundwater Agency

Board Members:

This letter is intended to communicate certain matters related to the planned scope and timing of our audit of Upper Ventura River Groundwater Agency's (the Agency) financial statements as of and for the year ending June 30, 2025.

**Communication**

Effective two-way communication between our firm and the Board of Directors is important to understanding matters related to the audit and developing a constructive working relationship.

Your insights may assist us in understanding the Agency and its environment, identifying appropriate sources of audit evidence and providing information about specific transactions or events. We will discuss with you your oversight of the effectiveness of internal control and any areas where you request additional procedures to be undertaken. We expect that you will timely communicate to us any matters you consider relevant to the audit. Such matters might include strategic decisions that may significantly affect the nature, timing and extent of audit procedures, your suspicion or detection of fraud, or any concerns you may have about the integrity or competence of senior management.

We will timely communicate to you any fraud involving senior management and other fraud that causes a material misstatement of the financial statements, instances of noncompliance with laws and regulations that come to our attention (unless they are clearly inconsequential), and disagreements with management and other serious difficulties encountered in performing the audit. We also will communicate to you and to management any significant deficiencies or material weaknesses in internal control that become known to us during the course of the audit. Additionally, we will communicate significant unusual transactions, matters that are difficult or contentious for which we consulted outside the engagement team, and circumstances that affect the form and content of the auditor's report. Other matters arising from the audit that are, in our professional judgment, significant and relevant to you in your oversight of the financial reporting process will be communicated to you in writing.

Upper Ventura River Groundwater Agency  
August 19, 2025  
Page 2

### **Shared Responsibilities: AICPA Independence**

The AICPA regularly emphasizes that auditor independence is a joint responsibility and is managed most effectively when management, audit committees, and audit firms work together in considering compliance with AICPA independence rules. For Bartlett, Pringle & Wolf, LLP (BPW) to fulfill its professional responsibility to maintain and monitor independence, management, the audit committee, and BPW each play an important role.

#### *Our responsibilities*

- AICPA rules require independence both of mind and in appearance when providing audit and other attestation services. BPW is to ensure that the AICPA's General Requirements for performing non-attest services are adhered to and included in all letters of engagement.
- Maintain a system of quality control over compliance with independence rules and firm policies.

#### *The Agency's responsibilities*

- Timely inform BPW, before the effective date of transactions or other business changes, of the following:
  - New affiliates, directors, or officers.
  - Change in corporate structure impacting affiliates such as add-on acquisitions or exits.
- Provide necessary affiliate information such as new or updated investment structure charts, as well as financial information required to perform materiality calculations needed for making affiliate determinations.
- Understand and conclude on the permissibility, prior to the Agency and its affiliates, officers, directors, or persons in a decision-making capacity, engaging in business relationships with BPW.
- Not entering into relationships resulting in BPW, BPW-covered persons or their close family members, temporarily or permanently acting as an officer, director, or person in an accounting or financial reporting oversight role at the Agency.

### **Independence**

Our independence policies and procedures are designed to provide reasonable assurance that our firm and its personnel comply with applicable professional independence standards. Our policies address financial interests, business and family relationships, and non-audit services that may be thought to bear on independence. For example, partners and professional employees of BPW are

Upper Ventura River Groundwater Agency  
August 19, 2025  
Page 3

restricted in their ability to own a direct financial interest or a material indirect financial interest in a client or any affiliate of a client. Also, if an immediate family member or close relative of a partner or professional employee is employed by a client in a key position, the incident must be reported and resolved in accordance with firm policy. In addition, our policies restrict certain non-audit services that may be provided by BPW and require audit clients to accept certain responsibilities in connection with the provision of permitted non-attest services.

### **The Audit Planning Process**

Our audit approach places a strong emphasis on obtaining an understanding of how the Agency functions. This enables us to identify key audit components and tailor our procedures to the unique aspects of the Agency. The development of a specific audit plan will begin by meeting with you and with management to obtain an understanding of the Agency's objectives, strategies, risks and performance.

As part of obtaining an understanding of the Agency and its environment, we will obtain an understanding of internal control. We will use this understanding to identify risks of material misstatement, which will provide us with a basis for designing and implementing responses to the assessed risks of material misstatement. We will also obtain an understanding of the users of the financial statements in order to establish an overall materiality level for audit purposes. We will conduct formal discussions among engagement team members to consider how and where your financial statements might be susceptible to material misstatement due to fraud or error.

### **The Concept of Materiality in Planning and Executing the Audit**

We apply the concept of materiality in both planning and performing the audit; evaluating the effect of identified misstatements on the audit and the effect of uncorrected misstatements, if any, on the financial statements; and forming the opinion in our report. Our determination of materiality is a matter of professional judgment and is affected by our perception of the financial information needs of users of the financial statements. We establish performance materiality at an amount less than materiality for the financial statements as a whole to allow for the risk of misstatements that may not be detected by the audit. We use performance materiality for purposes of assessing the risks of material misstatement and determining the nature, timing and extent of further audit procedures. Our assessment of materiality throughout the audit will be based on both quantitative and qualitative considerations. Because of the interaction of quantitative and qualitative considerations, misstatements of a relatively small amount could have a material effect on the current financial statements as well as financial statements of future periods. We will accumulate misstatements identified during the audit, other than those that are clearly trivial. At the end of the audit, we will inform you of all individual uncorrected misstatements aggregated by us in connection with our evaluation of our audit test results.

Upper Ventura River Groundwater Agency  
 August 19, 2025  
 Page 4

### Significant Risks of Material Misstatement

Our audit of the financial statements includes the performance of risk assessment procedures in order to identify risks of material misstatement, whether due to fraud or error. As part of these risk assessment procedures, we determine whether any risks identified are a significant risk. A significant risk is an identified and assessed risk of material misstatement that, in our professional judgment, requires special audit consideration. As part of our initial risk assessment procedures, we identified the following risks as significant risks. Additional significant risks may be identified as we perform additional audit procedures.

<b>Risk Name</b>	<b>Risk Description</b>	<b>Planned Response</b>
Management Override of Controls	Management override of controls is a presumed risk due to management's ability to manipulate accounting records by overriding controls.	BPW will gain an understanding of the journal entry process and evaluate and perform testing of journal entries which are susceptible to risk of management override. BPW will also review minutes of the board meetings documenting its review and approval of disbursements. Any transactions which appear to be out of the normal course of operations will be evaluated for proper treatment.
Fraudulent Revenue Recognition	Fraudulent revenue recognition is a presumed risk due to potential fraudulent financial reporting relative to fictitious revenue and improper revenue recognition schemes.	BPW will perform substantive procedures over revenue. BPW will review billing schedules to evaluate timing of revenue recognition. Journal entry testing will be performed for revenue related adjustments based on evaluation of risk.
Segregation of Duties	There is limited segregation of duties with respect to Agency operations.	BPW will gain an understanding of the significant transaction cycles. We will review interim bank statements to ensure checks are in accordance with signing policies. We will implement our supplemental procedures addressing qualitative internal control considerations.

### Our Approach to Internal Control Relevant to the Audit

Our audit of the financial statements will include obtaining an understanding of internal control sufficient to plan the audit and determine the nature, timing and extent of audit procedures to be performed. A financial statement audit is not designed to provide assurance on internal control or identify significant deficiencies or material weaknesses. Our review and understanding of the Agency's internal control is not undertaken for the purpose of expressing an opinion on the effectiveness of internal control.

### Timing of the Audit

Fieldwork will take place in November and December 2025, and we have wrap-up work scheduled for January 2026. Management's adherence to its closing schedule and timely completion of information used by us in performance of the audit is essential to timely completion of the audit.

Upper Ventura River Groundwater Agency  
August 19, 2025  
Page 5

**Closing**

We will be pleased to respond to any questions you have about the foregoing. We appreciate the opportunity to continue to be of service to Upper Ventura River Groundwater Agency.

This communication is intended solely for the information and use of the Board of Directors and is not intended to be, and should not be, used by anyone other than this specified party.

Very truly yours,

A handwritten signature in black ink that reads "Bartlett, Pringle & Wolf, LLP". The signature is written in a cursive, flowing style.

**BARTLETT, PRINGLE & WOLF, LLP**  
*Certified Public Accountants and Consultants*





CALIFORNIA DEPARTMENT OF WATER RESOURCES

## SUSTAINABLE GROUNDWATER MANAGEMENT OFFICE

715 P Street, 8<sup>th</sup> Floor | Sacramento, CA 95814 | P.O. Box 942836 | Sacramento, CA 94236-0001

July 11, 2025

Bryan Bondy  
Upper Ventura River Subbasin – Plan Manager  
202 W. El Roblar Drive  
Ojai, CA 93023  
[bbondy@uvrgroundwater.org](mailto:bbondy@uvrgroundwater.org)

RE: Review of Annual Report for the Upper Ventura River Subbasin, Water Year 2024

Dear Bryan Bondy,

As the basin point of contact for the groundwater sustainability plan (GSP) in the Upper Ventura River Subbasin (Subbasin), this letter is to inform you that the Department of Water Resources (Department) has completed the review of the annual report for the Subbasin for Water Year 2024 and determined that no further information or action is required at this time.

The Sustainable Groundwater Management Act (SGMA) requires on April 1, following the adoption of a GSP and annually thereafter, an annual report be submitted to the Department. (Wat. Code § 10728). Once an annual report has been submitted, the Department is required: to notify the submitting agency of receipt within 20 days, review the information to determine whether the basin's GSP is being implemented in a manner likely to achieve its established sustainability goal, and notify the submitting agency in writing if additional information is required (23 CCR § 355.8).

Here, the submitted information appears to satisfy the requirements of the GSP Regulations (23 CCR § 356.2), so the Department does not require additional information at this time. Previously, following a comprehensive evaluation of the GSP for the Subbasin, the Department issued an assessment that the GSP was likely to achieve the sustainability goal for the Subbasin. Following review of the 2024 annual report, the Department has determined that the GSP continues to be implemented in a manner consistent with achieving the Subbasin's sustainability goal as described in the GSP. The Department reached this conclusion based on a review of information in the annual report, any public comments submitted to the Department regarding this annual report, and other relevant information regarding Subbasin conditions available to the Department.

The Department noted that the annual report provided an update on all the applicable sustainable management criteria for the Subbasin, as required by GSP Regulations (23 CCR § 356.2). The Department will require that you continue to include this information

in your subsequent annual report, including a description of progress towards implementing the Plan for each of the applicable sustainable indicators.

The Department's review of this and other annual reports noted information contained in the annual report may not precisely match the schedules, projections, or estimates reported in the initial GSP as approved by the Department because of numerous factors over which the GSA has varying levels of knowledge and control (e.g., annual hydrology, actions of other private or public entities, unforeseen delays or events, and unexpected physical or geologic processes, etc.).

The approved GSP for the Subbasin is still in the early years of its implementation and it is State policy that sustainable groundwater management is best achieved locally through the development, implementation, and updating of plans and programs (Wat. Code §113, §10720.1). Accordingly, for this Subbasin, the Department concluded that any discrepancies between information in the annual report and the GSP as approved by the Department, did not at this time create an appreciable concern regarding GSP implementation and its continued likelihood of achieving the Subbasin's sustainability goal.

The Department anticipates conducting a review of GSP implementation as part of its periodic review of the GSP, which, in contrast to annual report reviews that consider information about only one year, will look at the periodic evaluation and the collective annual reports that provide the Department with numerous years of reporting data to better assess trends, issues or conditions of concern in the basin, and whether GSP implementation remains on track to achieve sustainability.

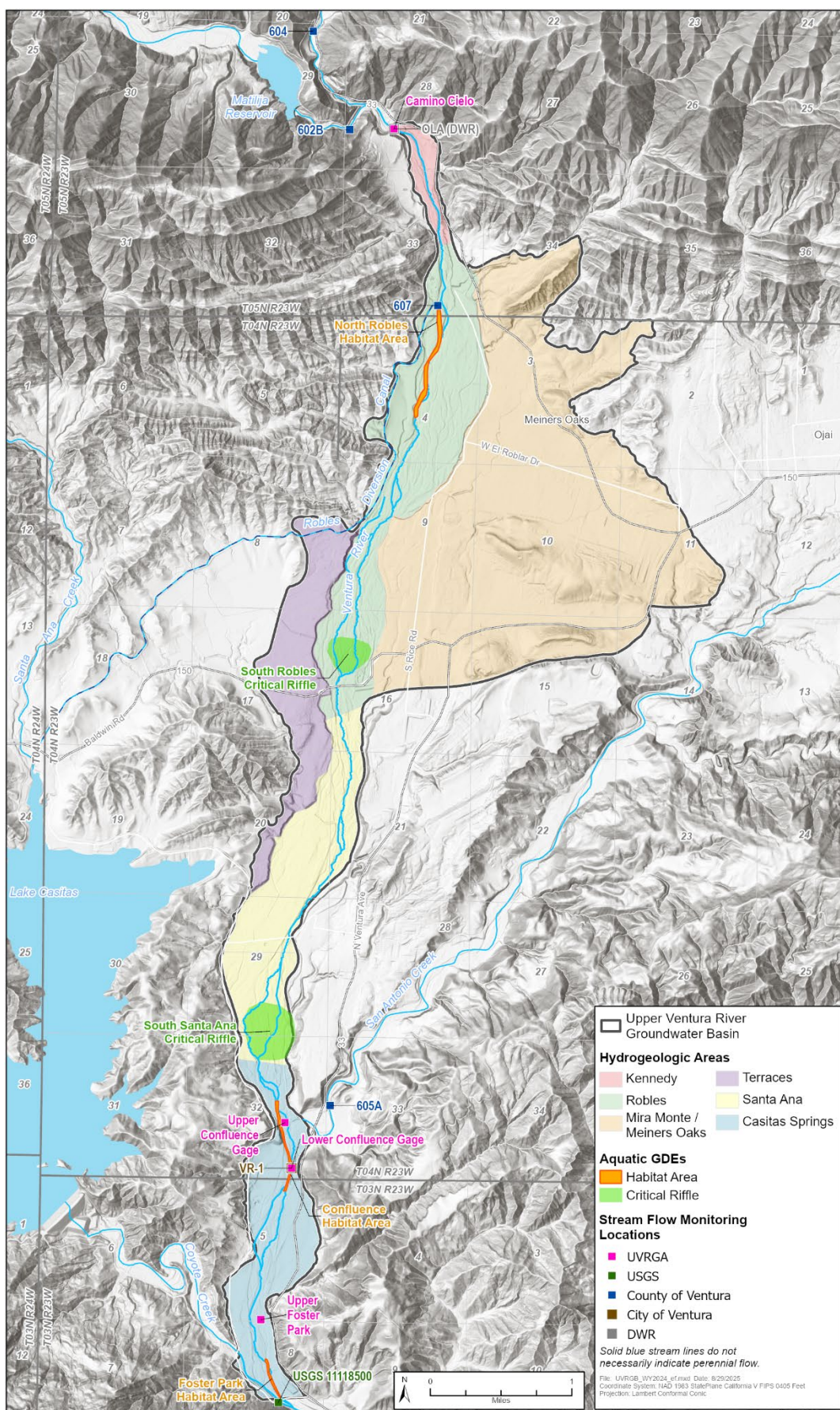
Please contact the assigned DWR basin point-of-contact or [sgmps@water.ca.gov](mailto:sgmps@water.ca.gov) if you have questions about this notice or the annual reporting process. The Department looks forward to receiving your Water Year 2025 Annual Report by April 1, 2026.

Thank You,

*Paul Gosselin*

Paul Gosselin  
Deputy Director  
Sustainable Groundwater Management

Item 3, Attachment D



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

**DATE:** September 11, 2025

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** Agency Bylaws Amendment Concerning Designation of Authorized Check Signers

**SUMMARY**

Due to the recent changes in the appointments to the UVRGA Board, it is necessary to update the authorized check signers on the Agency's Bank of the Sierra (BOS) account. BOS requires a resolution to delete and add check signers to the account. Adopting Resolution 2025-02 would provide the required documentation. Only those Member Directors who are willing to complete the BOS onboarding process and are willing to sign checks should be included on resolution.

**RECOMMENDED ACTION**

Adopt Resolution No. 2025-02

**BACKGROUND**

Check signers were most recently designated by the Board via adoption of Resolution No. 2023-10 on November 9, 2023.

**FISCAL SUMMARY**

Not Applicable

**ATTACHMENTS**

A. Resolution 2025-2

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

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

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



**BOARD OF DIRECTORS**

**UPPER VENTURA RIVER GROUNDWATER AGENCY**

**RESOLUTION NO. 2025-02**

**A RESOLUTION OF THE UPPER VENTURA RIVER GROUNDWATER AGENCY  
TO DESIGNATE BANK OF SIERRA CHECK SIGNING AUTHORITY**

**WHEREAS**, Article 7.2 of the Upper Ventura River Groundwater Agency's ("Agency"), Bylaws, as amended via Resolution 2023-07 on November 9, 2024, authorizes any two Member Directors, or the Treasurer and one Member Director, to approve warrants and sign checks on behalf of the Agency;

**WHEREAS**, The Agency holds Bank of The Sierra Account No. 3701611998;

**WHEREAS**, Member Agency County of Ventura appointed Jeff Palmer to replace Arne Anselm on the Agency Board of Directors, effective July 18, 2025; and

**WHEREAS**, On September 11, 2025 the Board clarified that the following individuals holding the following positions are authorized to sign checks on behalf of the Agency, consistent with the Agency Bylaws:

- Treasurer, Carrie Troup
- Member Director, Pete Kaiser
- Member Director, James Kentosh
- Member Director, Bruce Kuebler
- Member Director, Jeff Palmer
- Member Director, Jennifer Tribo

**NOW, THEREFORE**, the Board does hereby resolve, find, determine and order as follows:

1. Arne Anselm is not authorized to sign checks on behalf of the Agency, effective April 25, 2025.
2. Carrie Troup in her role as Agency Treasurer and Pete Kaiser, James Kentosh, Bruce Kuebler, Jeff Palmer, and Jennifer Tribo, in their roles as Member Directors are authorized to sign checks on behalf of Agency consistent with the Agency Bylaws.

**PASSED, APPROVED AND ADOPTED** this 11<sup>th</sup> day of September 2025.

[Signature page follows]

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Pete Kaiser, Board Chair

ATTEST:

---

Jennifer Tribo, Secretary

APPROVED AS TO FORM:

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Keith Lemieux, General Counsel  
Upper Ventura River Groundwater Agency

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

**DATE:** September 11, 2025

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** Designation of Ventura County Treasury Investment Pool Authorized Signers

**SUMMARY**

Due to recent changes in appointments to the UVRGA Board, it is necessary to update the list of authorized signers on the Ventura County Treasury Investment Pool account. Adopting Resolution 2025-03 (Attachment A) would implement the changes.

**RECOMMENDED ACTION**

Adopt Resolution No. 2025-03

**BACKGROUND**

Ventura County Treasury Investment Pool account signers were designated by the Board via adoption of Resolution No. 2024-01 on January 11, 2024.

**FISCAL SUMMARY**

Not Applicable

**ATTACHMENTS**

A. Resolution 2025-03

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

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

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

**BOARD OF DIRECTORS**  
**UPPER VENTURA RIVER GROUNDWATER AGENCY**

**RESOLUTION NO. 2025-03**

**A RESOLUTION OF THE UPPER VENTURA RIVER GROUNDWATER AGENCY  
AMENDING RESOLUTION 2024-01 AUTHORIZING AND REQUESTING THE  
INVESTMENT OF EXCESS FUNDS IN THE VENTURA COUNTY  
TREASURY INVESTMENT POOL**

**WHEREAS**, on January 11, 2024, the Board of Directors (“Board”) of the Upper Ventura River Groundwater Agency (“Agency”) adopted Resolution 2024-01, providing that the deposit and withdrawal of excess funds in Ventura County Treasury Investment Pool is authorized and will be made in accordance with Government Code section 53684 for the purpose of investment as stated therein; and

**WHEREAS**, Resolution 2024-01 provided that certain Agency officials or their successors shall be authorized to order the deposit or withdrawal of excess funds in the Ventura County Treasury Investment Pool, including Arne Anselm as the Member Director for the County of Ventura, who at the time was the Agency Secretary; and

**WHEREAS**, the Member Director for the County of Ventura is now Jeff Palmer, and the Agency Secretary is now Jennifer Tribo of the City of San Buenaventura; and

**WHEREAS**, the Board desires to amend Resolution 2024-01 to have Jeff Palmer, as the successor to Arne Anselm, to be authorized to order the deposit or withdrawal of excess funds in the Ventura County Treasury Investment Pool.

**NOW, THEREFORE, BE IT RESOLVED**, that the Agency Board of Directors hereby amends Resolution No. 2024-01 to authorize Jeff Palmer, as the Member Director for County of Ventura, to order the deposit or withdrawal of excess funds in the Ventura County Treasury Investment Pool, and to remove Arne Anselm from such authorization.

**PASSED AND ADOPTED** by the Board of Directors of Upper Ventura River Groundwater Agency. Ventura County of State of California on this 11th day of September 2025.

[Signature page follows]



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Pete Kaiser, Board Chair

ATTEST:

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Jennifer Tribo  
Board Secretary

APPROVED AS TO FORM:

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Keith Lemieux, General Counsel  
Upper Ventura River Groundwater Agency

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

**DATE:** September 11, 2025

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** Fiscal Audit Frequency Modification

### **SUMMARY**

On June 14, 2018, the UVRGA Board of Directors adopted Resolution No. 2018-3 establishing an annual fiscal audit frequency. Although the Government Code presents two options for audits of the Agency's financial records, either annually or biennially, the Board decided at that time that the most prudent course of action is to perform fiscal audits annually.

During its July 10, 2025 meeting, the Board requested Agency Counsel review whether the Agency is permitted to switch to biennial fiscal audits. Agency Counsel's findings are presented in Attachment A. In summary, Agency Counsel reconfirmed that biennial fiscal audits are permissible. A unanimous vote of the Board on Resolution 2025-04 (Attachment B) would be required to make the switch.

### **FISCAL SUMMARY**

Switching to biennial fiscal audits with the current audit contractor would save approximately \$2,400 over the next two years (i.e., \$3,000 less \$600 of costs incurred to date for the fiscal year 2024/2025 audit).

Additional cost savings may be possible by contracting with a different auditor. However, the Government Code requires that a Member Agency perform or contract for UVRGA's fiscal audits given how UVRGA currently fills its Treasurer appointment. Ventura River Water District (VRWD) currently contracts for UVRGA's fiscal audits. VRWD staff have indicated that they have insufficient resources to issue a request for proposals on behalf of UVRGA. Thus, UVRGA would need to ask another Member Agency or designate a board member to serve as Treasurer instead of Carrie Troup, CPA so that UVRGA can contract directly for its audits. Agency Counsel's memorandum provides more background on audit contracting rules. These options can be explored further if desired.

### **RECOMMENDED ACTIONS**

1. Consider adopting Resolution No. 2025-04, a resolution changing the Agency's fiscal audit frequency from annual to biennial.

## **BACKGROUND**

Please see summary.

## **ATTACHMENTS**

- A. Memo from Agency Counsel
- B. Resolution No. 2025-04

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

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

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

**TO: Board of Directors – Upper Ventura River Groundwater Agency**

**FROM: Keith Lemieux and Michael R. Linden – General Counsel**

**DATE: September 5, 2025**

**RE: Requirements for Agency Audit and Contracting for Auditors**

---

Members of the Board of Directors:

### **Executive Summary**

This memorandum concerns two issues related to the annual audits for the Upper Ventura River Groundwater Agency (“Agency”).

The first issue is whether the audit must be an annual audit, or can the Board choose to have a bi-annual audit. Although the applicable code is unclear, we believe a reasonable reading can be made for the Board to approve bi-annual audits for the Agency with a unanimous vote.

The second issue has to do with the Agency’s ability to contract for the annual audit. Currently, the Agency has an outside CPA as the Treasurer, and in this situation the auditor of a member agency or the County of Ventura (who is also a member agency) is required to either make the audit or contract for the audit. That role is currently filled by Ventura River Water District (“VRWD”). Should the Agency desire to contract directly for its audits, there are several options. The Agency could (1) have an officer or employee at Treasurer, (2) have one officer/employee be the Treasurer and another officer/employee be the Auditor, or (3) have one officer/employee be the combined Treasurer/Auditor. Under any of these options, the audit (whether annual or biennial) would have to be performed by a CPA or public accountant.

### **I. Annual v. Bi-Annual Audits**

On June 14, 2018, the Agency adopted Resolution No. 2018-3, stating that Government Code section 6505(b) required the Agency to retain a certified public accountant (“CPA”) to perform the Agency’s annual audit. The staff report noted that “[t]he Government Code also appears to provide an alternative option to perform a biennial audit in place of the annual audit.” Government Code section 6505(f) states that “[a]ll agencies or entities may, by unanimous request of the governing body thereof, replace the annual special audit with an audit covering a two-year period.” However, a bi-annual audit was not recommended because the only reference in the statute to a “special audit,” which is not defined.

The question is whether Section 6505, as a whole, could be defined to allow for the option of a bi-annual audit. Subdivision (b) starts by providing for the retention of a CPA “to make *an annual audit* of the accounts and records of every agency or entity, ...” Then, in the lower subsection (f), it provides for an alternative to “replace the annual special audit” with a biannual audit. The question is what “the annual special audit” means. The word “special” is not contained in the early part of the statute, but this raises the question of why subsection (f) would exist except as to provide an alternative for the “annual audit” described in subsections (b)-(c). There are no reported cases, and the latest revision of Section 6505 in 1998 did not concern this alternative. A general maxim of statutory interpretation is that all the words in a statute must be given meaning, and that statutes are to be considered as a whole.<sup>1</sup> Therefore, subdivision (f) cannot be ignored and must be given meaning. Since the statute as a whole deals with audits, and the word “special” is not specifically defined, a reasonable interpretation of the statute is that the Board, by unanimous vote, can provide for a bi-annual audit. Other agencies, such as the Mound Basin Groundwater Sustainability Agency, complete audits on a bi-annual basis.

## II. Contracting for the Audit

Section 7.1 of the JPA Agreement states that “[t]he Agency shall also appoint a treasurer consistent with the provisions of Section 13.3.” Section 13.3 provides that “[t]he treasurer and Auditor shall be appointed and/or retained in the manner, and shall perform such duties and responsibilities, specified in sections 6505, 6505.5 and 6505.6 of the Act.” The current arrangement for the Agency’s Treasurer is an independent contractor who was appointed Treasurer by the Board. This person is a CPA and does all the Agency’s bookkeeping. However, this person does not perform the annual audit. Instead, one of the member agencies, VRWD contracts with Bartlett, Pringle & Wolf (“BPW”) for the annual audit. The Agency then reimburses VRWD.

A question has been raised as to whether a member agency is required to contract for the audit, rather than the Agency itself. (This was the advice of the previous general counsel.) As discussed below, it is legally permissible for an independent CPA to be appointed the Treasurer of the Agency. However, in this instance, there must also be a separate Auditor, which would be the auditor of a member agency or the county auditor. When the Agency’s Auditor is the auditor of a member agency, it is the member agency who would contract for the annual audit.

Government Code section 6505(b) states that “[i]n addition, and provided a separate agency or entity is created, the public officer performing the functions of auditor or controller as determined pursuant to Section 6505.5, shall *either make or contract with a certified public accountant or public accountant to make* an annual audit of the accounts and records of every

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<sup>1</sup> See *United Riggers & Erectors, Inc. v. Coast Iron & Steel Co.* (2018) 4 Cal.5th 1082, 1086

agency or entity, ..." (Emphasis added.) The use of the word "or" in the statute provides for the alternative of retaining a CPA to make the audit.

The analysis then moves to Section 6505.5, which states that "[i]f a separate agency or entity is created by the agreement, the agreement shall designate the treasurer of one of the contracting parties, or in lieu thereof, the county treasurer of a county in which one of the contracting parties is situated, *or a certified public accountant* to be the depository and have custody of all the money of the agency or entity, from whatever source." (Emphasis added.) While the JPA Agreement does not expressly designate a CPA as the Treasurer, the Board was given the option of doing so, and that is the action the Board has taken.

The duties and responsibilities for "[t]he treasurer or certified public accountant so designated" are as follows:

- (a) Receive and receipt for all money of the agency or entity and place it in the treasury of the treasurer so designated to the credit of the agency or entity.
- (b) Be responsible, upon his or her official bond, for the safekeeping and disbursement of all agency or entity money so held by him or her.
- (c) Pay, when due, out of money of the agency or entity held by him or her, all sums payable on outstanding bonds and coupons of the agency or entity.
- (d) Pay any other sums due from the agency or entity from agency or entity money, or any portion thereof, only upon warrants of the public officer performing the functions of auditor or controller who has been designated by the agreement.
- (e) Verify and report in writing on the first day of July, October, January, and April of each year to the agency or entity and to the contracting parties to the agreement the amount of money he or she holds for the agency or entity, the amount of receipts since his or her last report, and the amount paid out since his or her last report.

However, Section 6505.5 also states that "where a certified public accountant has been appointed as treasurer of the entity, the auditor of one of the contracting parties or of a county in which one of the contracting parties is located shall be designated as auditor of the entity." Under Section 6505, it is the "auditor or controller as determined pursuant to Section 6505.5" that "shall either make or contract with a certified public accountant or public accountant to make an annual audit ..." Therefore, when a CPA has been appointed as Treasurer, and the auditor of a member agency has become the Auditor of the Agency, that entity is required to contract with a CPA to make the annual audit.

With that said, there are several options open to the Agency. First, the auditor of the member agency who serves as the Auditor of the Agency can make the annual audit, instead of contracting out for the audit. Also, the auditor of a county where any of the member agencies are located can be designated as the Auditor for the Agency. The county auditor can make the audit or contract for the audit. However, the Board previously decided against these options.

Another option is to change who the Agency Treasurer is. Under Section 6505.5, the JPA Agreement “shall designate *the treasurer of one of the contracting parties*, or in lieu thereof, the county treasurer of a county in which one of the contracting parties is situated, or a certified public accountant to be the depository and have custody of all the money of the agency or entity, from whatever source.” However, Section 6505.5 also states that “[t]he officer performing the functions of auditor or controller shall be of the same public agency as the treasurer designated as depository pursuant to this section.” Therefore, a member agency, through its treasurer, can be designated the Agency’s Treasurer. However, that member agency’s auditor would also have to perform the function of the Agency’s Auditor, and either make the audit or contract with a CPA to perform the audit. However, it was previously determined that no member agency is willing to serve as Treasurer.

Another option is to appoint the officer or employee of the Agency as the treasurer and/or auditor. Section 6505.6 provides that “[i]n lieu of the designation of a treasurer and auditor as set forth in Section 6505.5, the agency or entity may appoint *one of its officers or employees* to either or both of such positions.” (Italics added.) “Such offices may be held by separate officers or employees or combined and held by one officer or employee,” and “[s]uch person or persons shall comply with the duties and responsibilities of the office or offices as set forth in subdivisions (a) to (d), inclusive, of Section 6505.5.” However, Section 6505.6 also states that “[i]n the event the agency or entity designates its officers or employees to fill the functions of treasurer or auditor, or both, pursuant to this section, such officers or employees *shall cause an independent audit to be made by a certified public accountant, or public accountant*, in compliance with Section 6505.” (Italics added.)

Based on Section 6505.6, the Agency could (1) have an officer or employee at Treasurer, (2) have one officer/employee be the Treasurer and another officer/employee be the Auditor, or (3) have one officer/employee be the combined Treasurer/Auditor. Still, under any of these options, the audit (whether annual or biennial) would have to be performed by a CPA or public accountant.

**BOARD OF DIRECTORS**  
**UPPER VENTURA RIVER GROUNDWATER AGENCY**

**RESOLUTION NO. 2025-04**

**A RESOLUTION OF THE UPPER VENTURA RIVER GROUNDWATER AGENCY  
ESTABLISHING A BIENNIAL FINANCIAL AUDIT**

**WHEREAS**, the Upper Ventura River Groundwater Agency (“Agency”) is a Joint Powers Authority (“JPA”) operating under California law; and

**WHEREAS**, Government Code section 6505(b) requires an annual audit to be performed of the accounts and records of the Agency; and

**WHEREAS**, on June 14, 2018, the Board of Directors (“Board”) for the Agency adopted Resolution No 2018-3, establishing that a certified public accountant (“CPA”) would perform an audit of the Agency’s records starting in Fiscal Year 2016-17 and annually thereafter; and

**WHEREAS**, Government Code section 6505(f) provides that the governing board of a JPA may, by unanimous vote, “replace the annual special audit with an audit covering a two-year period;” and

**WHEREAS**, the Board desires to replace the annual audit provided for in Resolution No. 2018-3 with a biennial audit as allowed for in Government Code section 6505(f), to be performed by a CPA.

**NOW, THEREFORE, BE IT RESOLVED**, that the Agency Board of Directors hereby replaces the annual audit provided for in Resolution No. 2018-3 with a biennial audit as allowed for in Government Code section 6505(f), starting with Fiscal Year ending June 30, 2025.

**PASSED AND ADOPTED** by the Board of Directors of Upper Ventura River Groundwater Agency. Ventura County of State of California on this 11<sup>th</sup> day of September 2025.

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[Signature page follows]



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Pete Kaiser, Board Chair

ATTEST:

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Jennifer Tribo  
Board Secretary

APPROVED AS TO FORM:

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Keith Lemieux, General Counsel  
Upper Ventura River Groundwater Agency

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

**DATE:** September 11, 2025

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** Stakeholder Director Participation in Closed Session

**SUMMARY**

Agency Counsel will provide an oral report on his conversations with Casitas Municipal Water District's legal counsel concerning review of conflict of interest law pertaining to stakeholder director participation in close sessions matters involving the case *Santa Barbara Channelkeeper v. City of San Buenaventura*.

**FISCAL SUMMARY**

Not applicable.

**RECOMMENDED ACTIONS**

Discuss Stakeholder Director participation in closed session and provide direction to staff, if desired.

**BACKGROUND**

Please see summary.

**ATTACHMENTS**

None

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

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

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

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

**DATE:** September 11, 2025

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** Proposed Joint Powers Agreement Amendments

**SUMMARY**

During its July 10, 2025 meeting, the Board requested that the Executive Director and Agency Counsel draft proposed amendments to the Joint Powers Agreement for discussion. The topics of interest include voting procedures, quorum definition, Stakeholder Director alternates, and provisions for addressing Member Director vacancies. Please see Attachment A for the proposed amendments.

**FISCAL SUMMARY**

Not applicable.

**RECOMMENDED ACTIONS**

Discuss proposed amendments to the UVRGA Joint Powers Agreement and consider providing feedback or direction to staff.

**BACKGROUND**

Amending the Joint Powers Agreement would require approval of all Member Agency governing bodies.

**ATTACHMENTS**

A. Memo from Agency Counsel

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

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

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

TO: **Board of Directors**

FROM: **Keith Lemieux and Michael R. Linden – General Counsel**

DATE: **August 28, 2025**

RE: **Proposed Revisions to Joint Powers Authority Agreement Regarding Voting Requirements, Unfilled Vacancies, and Stakeholder Director Alternates**

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Members of the Board of Directors:

This memorandum concerns three matters that have been raised recently regarding provisions in the Joint Powers Authority (“JPA”) Agreement regarding voting requirements, unfilled vacancies on the Board, and stakeholder director alternates. With respect to voting, the Agreement currently requires a unanimous vote for anything the comes first to the Board, and if there is no unanimity the matter cannot be resolved until a future meeting. With the vacancies, there is currently no requirement for JPA members to fill vacancies within any time period, nor is there a provision that requires directors or alternates to attend meetings at the risk of being replaced. As for stakeholder directors, having alternates would provide for greater flexibility and help ensure that quorums are present. Our suggested revisions are set forth below.

## **I. Voting Requirements**

The JPA Agreement currently has a provision whereby a matter can only be approved on the “first reading” if there is unanimous vote of all Directors. (§ 9.3.1.) If no such unanimity is obtained, the matter must be addressed at a subsequent meeting of the Board, where certain matters required a supermajority, where others require a simple majority of all Directors present at the meeting. (§ 9.3.2.) To provide greater flexibility for Board decision making, we suggest that Section 9.3 be revised as follows:

9.3 Affirmative Decisions of the Board of Directors. The structure of voting and the determination of affirmative decisions of the Board of Directors, as set forth herein, are designed to encourage and facilitate consensus, pursuant to the following procedure:

9.3.1 ~~First Reading. A matter may be approved on the first reading of the matter pursuant to a unanimous vote of all Directors.~~ Matters Requiring Supermajority Vote. Decisions concerning the following matters shall require a supermajority of the entire Board: (i) any capital expenditure of \$50,000 or more; (ii) the Agency’s annual budget and amendments thereto; (iii) the GSP for the Basin or any amendments thereto; (iv) the

Proposed Revisions to Joint Powers Authority Agreement  
Regarding Voting Requirements, Unfilled Vacancies, and  
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Agency's adoption of groundwater extraction fees; (v) the Agency's adoption of any taxes, fees, or assessments subject to Proposition 218; (vi) the issuance of assessments for contributions by Members pursuant to Section 14.2; or (vii) any stipulation to resolve litigation concerning groundwater rights within, or groundwater management for, the Basin. A supermajority vote shall be calculated pursuant to Section 1.23.

~~9.3.2 Second Reading. If unanimity is not obtained on the first reading of a matter, the Board shall continue a final vote on the matter for a second reading. The second reading shall occur at the next regular meeting of the Board, unless the Board votes to continue the second reading of the matter to another regular or special meeting of the Board. Simple Majority Vote for All Other Matters.~~ Unless otherwise specified in this Agreement, for all matters not specified in Section 9.31, an affirmative decision of the Board shall require a simple majority of the entire Board.

~~(a) Matters Requiring Supermajority Vote on Second Reading.~~  
Decisions concerning the following matters shall require a supermajority vote in order to pass on the second reading: (i) any capital expenditure of \$50,000 or more; (ii) the Agency's annual budget and amendments thereto; (iii) the GSP for the Basin or any amendments thereto; (iv) the Agency's adoption of groundwater extraction fees; (v) the Agency's adoption of any taxes, fees, or assessments subject to Proposition 218; (vi) the issuance of assessments for contributions by Members pursuant to Section 14.2; or (vii) any stipulation to resolve litigation concerning groundwater rights within, or groundwater management for, the Basin. A supermajority vote shall be calculated pursuant to Section 1.23.

~~(b) Simple Majority Vote for All Other Matters on Second Reading.~~  
Unless otherwise specified in this Agreement, for all matters not specified in Section 9.3.2(a), an affirmative decision of the Board on the second reading shall require a simple majority of all Directors present at the meeting and eligible to vote on the matter.

Section 1.23, defining a "Supermajority," would be rewritten as follows:

1.23 "Supermajority" shall mean the following:

- 1.23.1 If seven (7) Directors are in attendance and eligible to vote, a supermajority shall mean five (5) affirmative votes.
- 1.23.2 If only six (6) Directors are in attendance, or only six directors are eligible to vote, a supermajority shall mean five (5) affirmative votes.

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- 1.23.3 If only five (5) Directors are in attendance, or only five directors are eligible to vote, a supermajority shall mean four (4) affirmative votes.
- 1.23.4 If only five (4) Directors are in attendance, or only four directors are eligible to vote, a supermajority shall mean four (3) affirmative votes.

We would also suggest that Section 9.1 be revised as follows:

9.1 Quorum. A quorum of any meeting of the Board of Directors shall consist of a majority of the total number of Directors ~~plus one Director~~ ("Quorum"). In the absence of a quorum, any meeting of the Directors may be adjourned by a vote of the Directors present, but no other business may be transacted at the meeting. For purposes of this Article, a Director shall be deemed present if the Director appears at the meeting in person or participates telephonically, provided the telephone appearance is consistent with the requirements of the Ralph M. Brown Act.

## II. Unfilled Vacancies

To provide clarity and urgency to the process of replacing directors or alternates, and to encourage participation, we would suggest the following edits to Section 6.6 (set forth in bold type):

6.6 Vacancies. A vacancy on the Board of Directors shall occur when a Director resigns or reaches the end of that Director's term, as set forth in Section 6.5. For Member Directors, a vacancy shall also occur when he or she is removed by his or her appointing Member **or, in the case of Member Agency employees, when he or she is no longer employed by the Member Agency**. For Stakeholder Directors, a vacancy shall also occur when the Stakeholder Director is removed, as set forth in Section 6.5. Upon the vacancy of a Member Director, the Alternate Director shall serve as Director until a new Director is appointed as set forth in Section 6.3 unless the Alternate Director is already serving as an Alternate Director in the event of a prior vacancy, in which case, the seat shall remain vacant until a replacement Director is appointed as set forth in Section 6.3. **A Member shall appoint a new Director and/or Alternative Director within sixty (60) days of the occurrence of the vacancy, or after two consecutive absences by any Director or Alternate Director.** Members shall submit any changes in Director or Alternate Director positions to the Executive Director by written notice signed by an authorized representative of the Member. The written notice shall include a resolution of the governing board of the Member directing such change in the Director or Alternative Director position. **In the event a Member fails to make a timely appointment to fill a vacancy, the remaining Members may, by**

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**unanimous vote, remove that Member from the Agency, subject to the dispute resolution process in Section 18.9 of this Agreement.**

### **III. Stakeholder Director Alternates**

The JPA Agreement does not currently call for alternates for Stakeholder seats. To provide greater flexibility for the Board, we would recommend amending Sections 6.3.6 and 6.4 to provide for the selection of alternates after a nomination process (set forth in bold type):

6.3.6 The two (2) Stakeholder Directors shall be appointed as follows:

(a) Agricultural Stakeholder Director: The Member Directors shall select the Agricultural Stakeholder Director **and Alternate** from a list of ~~three (3)~~ qualified nominees submitted by the Farm Bureau of Ventura County ("Farm Bureau"). The Farm Bureau shall submit its nominees to the Member Directors pursuant to a process determined by the Member Directors. The Member Directors shall consider the nominees at a regular meeting and at that meeting shall appoint the Agricultural Stakeholder Director **and Alternate** upon a vote of all Member Directors.

(b) Environmental Stakeholder Director. The Member Directors shall select the Environmental Stakeholder Director **and Alternate** from qualified nominees submitted by environmental nonprofit, 501(c)(3) organizations meeting the criteria specified in Section 6.1.2(b). The nominations shall be submitted to the Member Directors pursuant to a process determined by the Member Directors. The Member Directors shall consider the nominees at a regular meeting and shall appoint the Environmental Stakeholder Director **and Alternate** upon a vote of all Member Directors.

6.4 Alternate Directors. Each Member may also appoint one Alternate Director to the Board of Directors. ~~A Stakeholder Director shall not have an Alternate Director.~~ All Alternate Directors shall be appointed in the same manner as set forth in Section 6.3. Unless appearing as a substitute for a Member Director due to absence or conflict of interest, Alternate Directors shall have no vote, and shall not participate in any discussions or deliberations of the Board. If the Director is not present, or if the Director has a conflict of interest which precludes participation by the Director in any decision-making process of the Board, the Alternate Director appointed to act in his/her place shall assume all rights of the Director, and shall have the authority to act in his/her absence, including casting votes on matters before the Board. Each Alternate Director shall be appointed prior to the third meeting of the Board. Alternate Directors are encouraged to attend all Board meetings and stay informed on current issues before the Board.

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

**DATE:** September 11, 2025

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** Review of Small Groundwater Sustainability Agencies Coalition Draft  
Memorandum of Understanding

**SUMMARY**

The Agency has been participating in the Small Groundwater Sustainability Agencies (GSA) Coalition for nearly three years. The Small GSA Coalition is currently a loosely organized group of approximately one dozen small GSAs that got together to explore and advocate for cost reduction measures for Sustainable Groundwater Management Act (SGMA) implementation and reporting. The coalition has also lobbied to earmark dedicated funding for small GSAs.

Small GSAs are at a disadvantage to larger GSAs because we must complete the same basic SGMA implementation and reporting steps but must spread those costs over a much smaller amount of groundwater extractions, resulting in high extraction fees on dollar per acre-foot basis.

The Small GSA Coalition is supported by an administrator and lobbyist (Pacific Policy Group). With their support, the Small GSA Coalition has made substantial progress on getting the attention of Department of Water Resources (DWR) management and Sacramento lawmakers. Most notably, the Small GSA Coalition is working with DWR management to outline potential changes to SGMA that would decrease implementation costs. Tangible results in the years to come appear likely if the Small GSA Coalition continues its efforts to influence DWR and the State legislature.

To date, the Small GSA Coalition has been funded by Sonoma County Water Agency (SCWA). Understandably, SCWA cannot bear the full cost of supporting the coalition forever and it will stop providing funding at the end of 2025. The coalition is developing a memorandum of understanding (MOU) to formalize its membership and fund its efforts.

Given that the process for preparing the MOU is messy because of the considerable number of GSAs involved and because of the short timeframe to finalize and execute the MOU, it is recommended that the Board authorize the Executive Director to work with Agency Counsel to negotiate and execute the final MOU. The current working draft of the Small GSA Coalition MOU is provided in Attachment A. Your feedback on any concerns with the draft MOU would certainly guide our negotiations.



## **FISCAL SUMMARY**

The Agency's cost share for participation in the Small GSA Coalition depends on the number of GSAs that elect to sign the MOU. The anticipated contribution ranges from approximately \$4,000 to \$7,500 per year. The Agency's fiscal year 2025/2026 budget includes \$3,750 for Small GSA Coalition dues for the six months (i.e., January-June 2026). Dues would be billed annually thereafter. The Agency would have the option to leave the coalition each year before paying dues.

## **RECOMMENDED ACTIONS**

Discuss a draft MOU for the Small Groundwater Sustainability Agencies Coalition and consider authorizing the Executive Director to negotiate and execute a final version of the MOU subject to Agency Counsel review.

## **BACKGROUND**

Please see summary.

## **ATTACHMENTS**

A. Draft Small GSA Coalition MOU

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

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

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

**SMALL GROUNDWATER SUSTAINABILITY AGENCIES COALITION  
MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding for the Small Groundwater Agency Coalition (**"Memorandum"**) is made and entered into by and between the Groundwater Sustainability Agencies listed as signatories, below (collectively **"Parties."**)

**RECITALS**

1. The comprehensive groundwater legislation referred to as the "Sustainable Groundwater Management Act" at California Water Code Section 10720 *et. seq.* (**"SGMA"**) initially became effective on January 1, 2015.
2. **The** purpose of SGMA, as set forth in California Water Code section 10720.1, is to provide for the sustainable management of groundwater basins at a local level.
3. SGMA requires designation of Groundwater Sustainability Agencies (**"GSAs"**) for the purpose of achieving groundwater sustainability through the adoption and implementation of Groundwater Sustainability Plans or an alternative plan for all medium and high priority basins as designated by the California Department of Water Resources.
4. Medium and high priority basins must comply with the requirements of SGMA regardless of the volume of groundwater extractions.
5. GSAs that manage basins, sub-basins, or portions of basins with less than average annual groundwater extractions of 10,000 acre-feet per year (**"AFY"**) (**"Small GSAs"**) face unique challenges in implementing SGMA.
6. By working together, Small GSAs have been able to advise the California Legislature (**"Legislature"**), state agencies and the public about the challenges of SGMA implementation and identified potential ways for reducing compliance burden while still achieving sustainability goals.
7. The Parties will enter into this Memorandum to establish the Small Groundwater Sustainability Agencies Coalition and provide operating principles for carrying out its objective.

The Parties agree as follows:

1. **Purpose.** Small Groundwater Sustainability Agency Coalition (**"Coalition"**) is a group

of Small GSAs formed to advise the Legislature and relevant agencies on SGMA issues unique to Small GSAs, including paying for the fixed cost of administration, reporting, maintaining new monitoring networks, data management, annual reports, groundwater models, and periodic evaluations. The Coalition will advocate for funding for Small GSAs and for changes in regulations and laws that reduce the compliance burdens.

2. **Membership.** GSAs that manage basins, sub-basins, or portions of basins with a five-year rolling average of less than 10,000 AFY of groundwater extractions are eligible to join the Coalition as Voting Members (“Members”). GSAs that manage basins, sub-basins, or portions of basin that extract more than 10,000 AFY may be considered for Coalition membership on a case-by-case basis provided they demonstrate a fiscal burden comparable to GSAs that extract less than 10,000 AFY.
3. **Meetings.** Members will be notified by the Administrator of Coalition meetings at least five (5) days in advance. Members are responsible for selecting representatives (staff, consultants, board members) to attend the meetings.
  - a. Regular Meetings. The Coalition will establish a meeting schedule on an annual basis and will hold regularly scheduled meetings, unless a meeting is deemed unnecessary. In case of a meeting cancellation, the Members will be notified in advance by the Administrator. Meetings may be held virtually or in-person.
  - b. Special Meetings. The Coalition may hold special meetings from time-to-time to discuss critical legislative issues or special topics. To the extent possible, these meetings will be held virtually.
  - c. Member Responsibilities. The Member representatives will make every effort to attend at least 50% of the meetings. They will agree to share the information and decisions with their respective GSAs.
4. **Officers.** If determined necessary by a vote of the Members, the Coalition will elect a Chairperson and a Vice-Chairperson by casting a majority vote at the first meeting of each calendar year. The Chairperson will preside at all meetings and the Vice-Chairperson will perform the duties of the Chairperson in their absence. The Chairperson and Vice-Chairperson will exercise and perform such other powers and duties as may be assigned by the Coalition.
5. **Coalition Administrator.** The Coalition will designate an Administrator that may be a Member or an individual or a firm as the Administrator assigned with the responsibility for coordinating meetings, communicating with members, and carrying out other activities. The Coalition may periodically review the Administrator’s performance and provide direction.
6. **Coalition Advocate.** The Coalition may designate an individual or a firm (“Advocate”) to represent its interests, including interacting with the Legislature, legislative staff and regulatory agency representatives on behalf of the Coalition and facilitating

communications between Coalition Members and members of the Legislature, legislative staff and regulatory agencies. The Coalition may periodically review the Advocate's performance and provide direction.

7. **Quorum.** A quorum of the Coalition shall consist of a majority of the Voting Members.
8. **Decision Making.** To the degree possible, the Coalition will use a consensus approach to make decisions, particularly regarding Coalition positions on legislative issues. If consensus cannot be reached, the voting approach will be used with each GSA in attendance having one vote.
  - a. Items that require a supermajority vote (three-fourth of the GSAs in attendance) are the Memorandum of Understanding, the Annual Budget and positions on legislation. [**NOTE: Group is working on language that will limit scope of legislation that it would take positions on to only legislation that would directly impact SGMA implementation costs or provide funding that would benefit small GSAs** ]
  - b. All other items will require a majority vote.
  - c. To the extent possible, all decisions will be made at the meetings. If it is necessary for a decision to be made between the meetings, the votes may be taken by email.
9. **Annual Budget.** The Coalition will prepare and approve a budget following a calendar year or fiscal year cycle, as determined by the Members.
10. **Financial Obligations.** Members of the Coalition shall share equal responsibility in funding the Annual Budget of the Coalition.
11. **Effective Date.** This MOU shall be effective on the date that it has been signed by all of the Parties.
12. **New Parties.** Additional eligible Small GSAs, as defined in Section 1, may become parties to the Memorandum upon a supermajority vote of the Voting Members and upon the new Member agreeing in writing to the terms of the Memorandum.
13. **Withdrawal.** A Member may withdraw from the Memorandum by notifying the Coalition of its intention at least 60 days before the annual budget is approved. [**NOTE: Group is working on language to prevent GSAs from being committed to the Coalition for another year before they have approved their annual budget.**] In the event of a withdrawal, the Memorandum continues in full force and effect among the remaining Parties provided that there are at least five (5) Voting Members remaining. Unless the withdrawal is scheduled to be effective at the close of the budget year in which the notice is given, withdrawal shall constitute forfeiture of all the terminating Party's share of the annual budget, for the budget year in which the termination

occurred (both paid and obligated but unpaid amounts). The Coalition shall recalculate the cost allocations for the remaining Parties for the following budget year.

14. Notices. Notices permitted or required to be given pursuant to this Memorandum shall be sent via email and shall be deemed to have been given when emailed to each of Parties at the email address listed below their signature or to such other changed email addresses communicated by email to the Parties.
15. Paragraph Headings. All paragraph headings in this Memorandum are for convenience only and shall not be used to interpret the MOU.
16. Assignment. Except as specifically authorized by this Paragraph 16, the rights and duties of the Parties under this Memorandum may not be assigned without the written consent of all of the Parties. Any attempt to assign such right or duties in contravention of this MOU shall be null and void.
17. Governing Law/Disputes. This Memorandum is governed by and construed in accordance with the laws of the State of California. The venue for any dispute concerning this MOU shall be in the County of Sacramento.
18. Counterparts. This Memorandum may be executed in parts or counterparts, each part or counterpart being an exact duplicate of all other parts or counterparts, and all parts or counterparts shall be considered as constituting one complete original and may be attached together when executed by all of the Parties. Electronic signatures shall be binding.
19. Integration. The foregoing constitutes the full and complete agreement of the Parties. This MOU supersedes all prior agreements and understandings, whether in writing or oral, related to the subject matter of this MOU that are not set forth in writing herein.

IN WITNESS WHEREOF, the Parties have executed this Memorandum by and through their duly authorized representatives.

[INSERT SIGNATURE BLOCKS WITH EMAILS BELOW]

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

**DATE:** September 5, 2025

**TO:** Board of Directors

**FROM:** Executive Director

**SUBJECT:** Groundwater Dependent Ecosystems Monitoring Plan Amendments

### **SUMMARY**

In accordance with the adopted GSP, two aquatic groundwater dependent ecosystem (GDE) monitoring programs are being implemented by UVRGA. The Confluence Aquatic GDE monitoring program is being implemented to provide data that will inform whether sustainable management criteria (SMC) for the Depletion of Interconnected Surface Water sustainability indicator are warranted for the Confluence Aquatic Habitat Area. The Foster Park Aquatic GDE monitoring program is being implemented to provide data to facilitate UVRGA's ongoing evaluation of SMC developed in the GSP for the Depletion of Interconnected Surface Waters sustainability indicator in the Foster Park Aquatic Habitat Area, as required by the Sustainable Groundwater Management Act (SGMA). Aquatic GDE monitoring workplans were developed for both aquatic GDE areas and approved by the Board of Directors in August 2022.

The focus of both aquatic GDE monitoring programs is to collect data during periods of low surface water flow when the effects of depletions caused by groundwater extraction could potentially cause undesirable results. Surface water flows have been generally high during the first two-plus years of aquatic GDE monitoring. A first round of workplan amendments were approved in 2024 that focused on limiting monitoring activities during higher flows due to safety concerns and because the data are not particularly useful for GSP implementation.

The currently proposed amendments are intended to provide more refined criteria for implementing monitoring activities. The amendments also include a new monitoring element focused on collecting data in potential refuge areas identified during lower flow conditions, which may be particularly relevant to the GSP. The workplans amendments for both aquatic GSE areas are presented in Attachments A and B.

### **FISCAL SUMMARY**

Amending the workplans may result in a reduction in aquatic GDE monitoring costs by helping maintain focus on monitoring during periods when river flow and habit conditions are most relevant to the GSP.

### **RECOMMENDED ACTIONS**

Approve proposed amendments to the aquatic groundwater dependent ecosystems monitoring

workplans for the Confluence Aquatic Habitat Area and the Foster Park Aquatic Habitat Area.

## **BACKGROUND**

The workplans were prepared pursuant to GSP Sections, 4.9, 5.8, and 6.7 and were approved by the Board of Directors on August 11, 2022. Amendments to the workplans were most recently approved by the Board of Directors on June 13, 2024.

## **ATTACHMENTS**

- A. Confluence Aquatic Habitat Area Aquatic Groundwater Dependent Ecosystem Monitoring Workplan Amendment
- B. Foster Park Aquatic Habitat Area Aquatic Groundwater Dependent Ecosystem Monitoring Workplan Amendment

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

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

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



**Rincon Consultants, Inc.**

180 North Ashwood Avenue  
Ventura, California 93003  
805-644-4455

September 4, 2025  
Project No: 25-18126

Bryan Bondy, PG, CHG  
Executive Director  
Upper Ventura River Groundwater Agency  
Via email: [bbondy@uvrgroundwater.org](mailto:bbondy@uvrgroundwater.org)

**Subject: Proposed Amendments to the Confluence Aquatic Habitat Area Aquatic Groundwater Dependent Ecosystems Monitoring Workplan**

Dear Mr. Bondy:

Per our discussion, this letter documents formerly incorporated, and newly proposed, amendments to the Confluence Aquatic Habitat Area Aquatic Groundwater Dependent Ecosystem (Aquatic GDE) Monitoring Workplan (Workplan). Following guidance provided in Sections 4.9.1 and 5.8 of the Groundwater Sustainability Plan (GSP), Upper Ventura River Groundwater Agency (UVRGA) adopted the Workplan on August 11, 2022, to determine if interconnected surface water (ISW) depletion is causing significant and unreasonable effects on the Aquatic GDE. The monitoring program was designed to provide data that can inform whether sustainable management criteria (SMC) for the Depletion of Interconnected Surface Water sustainability indicator are warranted for the Confluence Aquatic GDE. The Workplan's monitoring elements were specifically crafted to assess conditions during periods of low surface water flow during which significant and unreasonable effects to the Aquatic GDE could potentially occur. Following initial implementation of the Workplan, the first round of Workplan amendments were approved by the UVRGA Board of Directors on June 13, 2024. This document presents a second round of Workplan amendment based on additional information gained since spring 2024.

## **Summary 2024 Workplan Amendments**

As a result of two consecutive high rainfall seasons in Water Years 2023 and 2024, elevated flows occurred in the Aquatic GDE and throughout the Ventura River. The Workplan established anticipated schedules for snorkel and habitat suitability surveys, continuous water quality and flow data collection without regard to flows. While the purpose of the Workplan was to assess habitat suitability conditions at lower flows, it did not specify flow ranges or targets to trigger monitoring activities. In light of the elevated flow conditions and the need for more specificity, Workplan amendments were proposed on March 31, 2024, and ultimately approved on June 13, 2024, which clarify the monitoring schedule and establishes flow- and condition-based triggers for monitoring components. The goal of these amendments was to focus monitoring efforts during periods of lower flows that are most relevant to the GSP sustainability criteria.

The implemented modifications include:

- Continue to conduct one snorkel and habitat survey in the winter, timing dependent upon safe flow conditions for river access.
- Continue to conduct at least one snorkel and habitat survey in the summer/fall.



- Do not conduct additional summer/fall snorkel and habitat surveys if flows do not recede below 12.7 cubic feet per second (cfs) at Casitas Vista Road Bridge (location of the USGS Stream Site 11118500) unless visual inspection of the Confluence Aquatic Habitat Area suggest monitoring is warranted.<sup>1</sup>
- Deploy continuous data loggers and conduct stream gaging activities once receding baseflow conditions allow for safe access to the river, flow is confined to a primary/main channel, and instantaneous discharge measurements can be safely collected.
  - This will require discretion based on professional judgement, and appropriate conditions are anticipated to occur around 40 - 50 cfs, measured at Casitas Vista Road Bridge.

## Proposed Additional Workplan Amendments

Additional workplan amendments are proposed based on field observations made between spring 2024 and spring 2025. The proposed amendments are as follows:

- Thresholds for summer/fall snorkel and habitat surveys, which includes a trigger for the initial summer survey to occur after flows recede to 12.7 cfs, and additional thresholds that trigger surveys between 5.0 to 7.0 cfs and another between 3.0 to 5.0 cfs. These targeted surveys at the established flow thresholds provide data for specific flow ranges that are currently missing from the monitoring program's dataset. Few surveys have been completed at or below 7cfs, and no surveys have been conducted below 5 cfs. The 5.0 – 7.0 cfs flow range is important for data collection as flows recede and change the habitat suitability conditions and flows below 5.0 cfs are when many riffles and runs are expected to dry and pool isolation is likely to occur. Together, data collected within these flow thresholds will support habitat suitability assessment.
- In addition to continued snorkel and habitat surveys, a new monitoring component is proposed for targeted continuous water quality monitoring in areas of habitat refuge (e.g., pools) of the Aquatic GDE during low flow conditions. This targeted monitoring effort is called "Refuge Water Quality Monitoring" and more details are provided below and in Appendix A.
- Updates to the Monitoring Program Components Overview table from the workplan to present monitoring component updates, such as the "As Needed Habitat Mapping Reset" component, as well as the addition of other details. These updates are provided in Appendix A.

### New Monitoring Component: Refuge Water Quality Monitoring

Over the course of the monitoring program, field biologists have observed areas of potential aquatic habitat refuge within pools in the Aquatic GDE. These pools are deeper than the surrounding habitat features and have been documented and mapped. A characteristic of these pools, that is important to aquatic species, is their cooler water temperatures when compared to the ambient, shallower surface water. While continuous water quality monitoring occurs at two established sites in the Aquatic GDE, targeted continuous water quality monitoring at these potential habitat refuge areas may support UVRGA's understanding the dynamic conditions of these refuge areas and whether potential significant and unreasonable effects might occur for steelhead and other special status species. The water quality conditions in these potential refuge areas is of particular importance when flows recede and/or when channel conditions are shallow across the Aquatic GDE (e.g., during braided or spread-out flows).

As surface water flows recede, field biologists will evaluate the appropriate location for targeted refuge water quality monitoring within the Aquatic GDE. Surveyors will assess each designated mesohabitat

<sup>1</sup> This flow threshold is based on the current measurable objective included in the GSP for the Foster Park Aquatic Habitat Area GDE



unit within the Confluence Aquatic GDE to identify areas where steelhead and other sensitive species may be taking refuge. These detected locations will be georeferenced, and one location will be selected for the installation of continuous data loggers within the corresponding refuge area (e.g. pool). For these focused water quality monitoring locations, two continuous data loggers will be installed to record water quality parameters at an hourly interval, including water temperature, dissolved oxygen (DO), and pH. One logger will be deployed at a shallow depth to record the near surface water conditions, and the second logger will be deployed near the riverbed to record water quality conditions at depth. The selected refuge area will be selected using data and observations from past mesohabitat mapping and snorkel and habitat suitability surveys. Specific attention to mesohabitat structures within the Aquatic GDE and previous observations of water quality conditions and species presence during surveys will inform pool selection. Through this selection process, Rincon's experienced lead field aquatic biologist will seek to ensure that the selected location represents an area that steelhead and/or other aquatic species would be likely to use as refuge during unfavorable ambient surface water conditions in the Aquatic GDE.

### **Purpose of Refuge Water Quality Monitoring**

The primary objective of this monitoring component is to characterize the different water quality conditions between the flowing water at or near the surface (ambient surface water) and the water that is within the pools that may provide aquatic habitat refuge. This effort may provide insight into groundwater-surface water interactions and the potential role ISW has in maintaining thermal refuge, DO availability, and water chemistry stability during varying hydrologic conditions, specifically during low surface water flows. These data may also support a detailed assessment of seasonal variability and inform management decisions regarding the persistence and ecological function of these key refuge areas related to potential significant and unreasonable effects.

A summary of the Confluence Aquatic GDE monitoring program components, including data collected, purpose, schedule, locations, and references/protocols are provided in Appendix A.

Sincerely,

**Rincon Consultants, Inc.**

A handwritten signature in black ink, appearing to read 'CR', with a long horizontal line extending to the right.

Charleen Rode  
Lead Aquatic Senior Biologist

A handwritten signature in black ink, appearing to read 'KB', with a long horizontal line extending to the right.

Kiernan Brtalik  
Director of Watershed Sciences

### **Appendices**

Appendix A      Monitoring Program Components Overview

## **Appendix A**

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### Monitoring Program Components Overview



## Monitoring Program Components Overview

Monitoring Component	Data Collected	Purpose	Schedule	Locations	References/Protocols
Initial Habitat Mapping	Map aquatic mesohabitats in the Confluence Aquatic Habitat Area Aquatic GDE	Will provide in-depth information on existing habitats within the GDE and allow for identification of specific mesohabitats to monitor	Once at beginning of the program (likely during Fall 2022)	Entire Confluence Aquatic Habitat Area Aquatic GDE (approximately 3,450 feet in length)	California Salmonid Stream Habitat Restoration Manual (Flosi et al. 2010)
<u>As-Needed Habitat Mapping Reset</u>	<u>In the event of a habitat resetting flood event, aquatic mesohabitats in Confluence would be mapped.</u>	<u>Provides in-depth information on mesohabitats within Confluence and allows for identification of specific mesohabitats to monitor.</u>	<u>Will only occur if a significant flooding event occurs and substantially changes the river channel and habitat structures (based on best professional judgement).</u>	<u>Entire Confluence Aquatic GDE.</u>	<u>California Salmonid Stream Habitat Restoration Manual (Flosi et al. 2010).</u>
Fish Stranding and Mortality Surveys	Document any observed fish stranding and/or mortality that might occur as streamflow recedes <u>and becomes discontinuous</u> . The extent of wetted and dry portions of the river will also be documented <u>to illustrate areas that can lead to stranding or habitat isolation.</u>	<del>Will provide</del> <u>Provides</u> important information on steelhead migration habitat within the GDE, as well as fine scale data on when and how streamflow recedes within this area following varying climatic conditions and modeled ISW depletion estimates.	<del>Monthly to weekly during dry season, as streamflow recedes</del> <u>Begin monthly surveys once streamflow reaches 12.7 (cfs). Increase to weekly surveys as flows continue to recede, based on professional judgement.</u>	Designated monitoring locations at important riffles <u>and isolated pools</u> within the Confluence Aquatic Habitat Area Aquatic GDE	Pedestrian Bank Surveys <u>(assumes no in-stream access is necessary).</u>
Routine Habitat Suitability and Snorkel Surveys	Survey <del>HSI</del> <u>habitat suitability</u> parameters, including sediment type, riparian vegetation/cover, water depth, and various in-stream structure, as well as all species observed, within predetermined pools, riffles, and <u>glides/runs</u> . Steelhead presence/absence will be documented during snorkel surveys. Fish stranding/mortality will also be documented.	<del>Will provide</del> <u>Provides</u> detailed information on existing conditions <del>and allow</del> for assessment of habitat suitability for steelhead, CRLF, and other aquatic organisms. Conditions can be quantified and compared with streamflow, as well as climatic data, <u>groundwater levels</u> , and modeled ISW depletion.	<u>At least four times per year (once during winter and at least three times during summer/fall) Up to four times during the Water Year, as follows:</u> <u>Survey #1: Will occur during the winter season when streamflow conditions are safe and with good water visibility</u> <u>Survey #2: Occurs when flows decrease to ≤ 12.7 cfs</u> <u>Survey #3: Occurs when flows are between 5.0 to 7.0 cfs using best professional judgement</u> <u>Survey #4: Occurs when flows are between 3.0 to 5.0 cfs using best professional judgement.</u>	Designated monitoring locations (e.g., pools, riffles, <u>glides/runs</u> ) within the Confluence Aquatic Habitat Area Aquatic GDE	SS HSI (Normandeau Associates, Inc. 2015, Padre Associates, Inc. 2013) California Salmonid Stream Habitat Restoration Manual (Flosi et al. 2010). Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog (USFWS 2005). NWFS and CDFW Integration of Steelhead Viability Monitoring, Recovery Plans and Fisheries Management in the Southern Coastal Area (Boughton et al. 2022).



## Proposed Amendments to the Confluence Aquatic Habitat Area Aquatic Groundwater Dependent Ecosystems Monitoring Workplan

Monitoring Component	Data Collected	Purpose	Schedule	Locations	References/Protocols
Water Quality and Flow Monitoring	<u>Continuous</u> water level, DO, pH, temperature	<del>Will provide</del> <u>Provides</u> continuous flow and water quality data that can then be correlated with streamflow <u>and habitat suitability</u> , as well as climatic data, <u>groundwater levels</u> , and modeled ISW depletion.	Continuous data collection, data downloaded during each field visit	<del>One</del> <u>Two</u> designated locations within the <del>Confluence Aquatic Habitat Area Aquatic GDE</del> <u>Confluence</u>	LARWQCB <sup>1</sup> Basin Plan (2014), USGS <sup>2</sup> standards for stream gauge installation, UVRGA Monitoring and Data Collection Protocols (2018)
<u>Refuge Water Quality Monitoring</u>	<u>Continuous water quality monitoring at targeted refuge areas (e.g., pools) for water temperature, DO, and pH.</u>	<u>Provides localized data pertaining to areas of potential refuge.</u>	<u>During receding flows, based on best professional judgement.</u>	<u>Two data loggers will be installed within the same designated refuge area. One shallow logger will be deployed to collect near surface water quality measurements, and another will be deployed deeper to measure water quality at depth near areas of suspected groundwater inflow. One set of data loggers will be installed within the Confluence Aquatic GDE.</u>	<u>UVRGA Monitoring and Data Collection Protocols (2018).</u>
Aerial Photography	Aerial images	<del>Will provide</del> <u>Provides</u> a visual time series of overall conditions within <del>the</del> <u>GDE</u> <u>Confluence</u> and allows for comparison of conditions over time and during different hydrologic and climatic conditions	<del>At least</del> <u>Up to</u> four times per year, concurrent with habitat suitability <u>and snorkel</u> surveys	Aerial photographs will be taken of the upper, middle, and lower portions of the <u>Confluence</u> Habitat Area Aquatic GDE	General photography and FAA rules.


**Proposed Amendments to the Confluence Aquatic Habitat Area Aquatic Groundwater Dependent Ecosystems Monitoring Workplan**

Monitoring Component	Data Collected	Purpose	Schedule	Locations	References/Protocols
Repeat Ground Photography	Photographs of instream and riparian habitat from fixed locations	Will provide a visual time series for each monitoring location that will allow for comparison of habitat conditions over time and during different hydrologic and climatic conditions	<del>At least</del> <u>Up to</u> four times per year, concurrent with habitat suitability <u>and snorkel</u> surveys	Photographs will be taken from fixed locations at each mesohabitat that is monitored during the habitat suitability <u>and snorkel</u> surveys	General photography

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

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

<sup>3</sup> City of Ventura stream gage location at Lower Confluence ("VR-1") may be used upon approval of UVRGA.



**Rincon Consultants, Inc.**

180 North Ashwood Avenue  
Ventura, California 93003  
805-644-4455

September 4, 2025  
Project No: 25-18126

Bryan Bondy, PG, CHG  
Executive Director  
Upper Ventura River Groundwater Agency  
Via email: [bbondy@uvrgroundwater.org](mailto:bbondy@uvrgroundwater.org)

**Subject: Proposed Amendments to the Foster Park Aquatic Habitat Area Aquatic Groundwater Dependent Ecosystems Monitoring Workplan**

Dear Mr. Bondy:

Per our discussion, this letter documents formerly incorporated and newly proposed amendments to the Foster Park Aquatic Habitat Area Aquatic Groundwater Dependent Ecosystem (Aquatic GDE) Monitoring Workplan (Workplan). Following guidance provided in Section 5.8 of the Groundwater Sustainability Plan (GSP), Upper Ventura River Groundwater Agency (UVRGA) adopted the Workplan on August 11, 2022, to assess performance of the interconnected surface water (ISW) depletion sustainable management criteria (SMC) included in the GSP for the Foster Park Aquatic GDE. The Workplan's monitoring elements were specifically crafted to assess conditions during periods of low surface water flow during which significant and unreasonable effects to the Aquatic GDE could potentially occur. Following initial implementation of the Workplan, the first round of Workplan amendments were approved by the UVRGA Board of Directors on June 13, 2024. This document presents a second round of Workplan amendment based on additional information gained since spring 2024.

## **Summary 2024 Workplan Amendments**

As a result of two consecutive high rainfall seasons in Water Years 2023 and 2024, elevated flows occurred in the Aquatic GDE and throughout the Ventura River. The Workplan established anticipated schedules for snorkel and habitat suitability surveys, continuous water quality and flow data collection without regard to flows. While the purpose of the Workplan was to assess habitat suitability conditions at lower flows, it did not specify flow ranges or targets to trigger monitoring activities. In light of the elevated flow conditions and the need for more specificity, Workplan amendments were proposed on March 31, 2024 and ultimately approved on June 13, 2024, which clarify the monitoring schedule and establishes flow- and condition-based triggers for monitoring components. The goal of these amendments was to focus monitoring efforts during periods of lower flows that are most relevant to the GSP sustainability criteria.

The implemented modifications include:

- Continue to conduct one snorkel and habitat survey in the winter, timing dependent upon safe flow conditions for river access.
- Continue to conduct at least one snorkel and habitat survey in the summer/fall.
- Do not conduct additional summer/fall snorkel and habitat surveys if flows do not recede below 12.7 cubic feet per second (cfs) at Casitas Vista Road Bridge (location of the USGS Stream Site 11118500).<sup>1</sup>

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<sup>1</sup> This flow threshold is based on the current measurable objective included in the GSP



- Deploy continuous data loggers and conduct stream gaging activities once receding baseflow conditions allow for safe access to the river, flow is confined to a primary/main channel, and instantaneous discharge measurements can be safely collected.
  - This will require discretion based on professional judgement, and appropriate conditions are anticipated to occur around 40 - 50 cfs, measured at Casitas Vista Road Bridge.

## **Proposed Additional Workplan Amendments**

Additional workplan amendments are proposed based on field observations made between spring 2024 and spring 2025. The proposed amendments are as follows:

- Thresholds for summer/fall snorkel and habitat surveys, which includes a trigger for the initial summer survey to occur after flows recede to 12.7 cfs, and additional thresholds that trigger surveys between 5.0 to 7.0 cfs and another between 3.0 to 5.0 cfs. These targeted surveys at the established flow thresholds provide data for specific flow ranges that are currently missing from the monitoring program's dataset. Few surveys have been completed at or below 7cfs, and no surveys have been conducted below 5 cfs. The 5.0 to 7.0 cfs flow range is important for data collection as flows recede and change the habitat suitability conditions and flows below 5.0 cfs are when many riffles and runs are expected to dry and pool isolation is likely to occur. Together, data collected within these flow thresholds will support habitat suitability assessment.
- In addition to continued snorkel and habitat surveys, a new monitoring component is proposed for targeted continuous water quality monitoring in areas of habitat refuge (e.g., pools) of the Aquatic GDE during low flow conditions. This targeted monitoring effort is called "Refuge Water Quality Monitoring" and more details are provided below and in Appendix A.
- Updates to the Monitoring Program Components Overview table from the workplan to present monitoring component updates, such as the "As Needed Habitat Mapping Reset" component, as well as the addition of other details. These updates are provided in Appendix A.

### **New Monitoring Component: Refuge Water Quality Monitoring**

Over the course of the monitoring program, field biologists have observed areas of potential aquatic habitat refuge within pools in the Aquatic GDE. These pools are deeper than the surrounding habitat features and have been documented and mapped. A characteristic of these pools, that is important to aquatic species, is their cooler water temperatures when compared to the ambient, shallower surface water. While continuous water quality monitoring occurs at two established sites in the Aquatic GDE, targeted continuous water quality monitoring at these potential habitat refuge areas may support UVRGA's understanding the dynamic conditions of these refuge areas and whether potential significant and unreasonable effects might occur for steelhead and other special status species. The water quality conditions in these potential refuge areas is of particular importance when flows recede and/or when channel conditions are shallow across the Aquatic GDE (e.g., during braided or spread-out flows).

As surface water flows recede, field biologists will evaluate the appropriate location for targeted refuge water quality monitoring within the Aquatic GDE. Surveyors will assess each designated mesohabitat unit within the Foster Park Aquatic GDE to identify areas where steelhead and other sensitive species may be taking refuge. These detected locations will be georeferenced, and one location will be selected for the installation of continuous data loggers within the corresponding refuge area (e.g., pool). For these focused water quality monitoring locations, two continuous data loggers will be installed to record water quality parameters at an hourly interval, including water temperature, dissolved oxygen (DO), and pH. One logger will be deployed at a shallow depth to record the near surface water





conditions, and the second logger will be deployed near the riverbed to record water quality conditions at depth. The selected refuge area will be selected using data and observations from past mesohabitat mapping and snorkel and habitat suitability surveys. Specific attention to mesohabitat structures within the Aquatic GDE and previous observations of water quality conditions and species presence during surveys will inform pool selection. Through this selection process, Rincon's experienced lead field aquatic biologist will seek to ensure that the selected location represents an area that steelhead and/or other aquatic species would be likely to use as refuge during unfavorable ambient surface water conditions in the Aquatic GDE.

### **Purpose of Refuge Water Quality Monitoring**

The primary objective of this monitoring component is to characterize the different water quality conditions between the flowing water at or near the surface (ambient surface water) and the water that is within the pools that may provide aquatic habitat refuge. This effort may provide insight into groundwater-surface water interactions and the potential role ISW has in maintaining thermal refuge, DO availability, and water chemistry stability during varying hydrologic conditions, specifically during low surface water flows. These data may also support a detailed assessment of seasonal variability to inform management decisions regarding the persistence and ecological function of these key refuge areas related to potential significant and unreasonable effects.

A summary of the Foster Park monitoring program components, including data collected, purpose, schedule, locations, and references/protocols are provided in Appendix A.

Sincerely,

**Rincon Consultants, Inc.**

A handwritten signature in black ink, appearing to read 'CR', with a long horizontal flourish extending to the right.

Charleen Rode  
Lead Aquatic Senior Biologist

A handwritten signature in black ink, appearing to read 'KB', with a long horizontal flourish extending to the right.

Kiernan Brtalik  
Director of Watershed Sciences

### **Appendices**

Appendix A     Monitoring Program Components Overview

## **Appendix A**

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### Monitoring Program Components Overview



## Monitoring Program Components Overview

Monitoring Component	Data Collected	Purpose	Schedule	Locations	References/Protocols
Initial Habitat Mapping	Map aquatic mesohabitats in the Foster Park Aquatic Habitat Area Aquatic GDE	Will provide in-depth information on existing habitats within the GDE and allow for identification of specific mesohabitats to monitor	Once at the beginning of the program (likely during Fall 2022)	Entire Foster Park Aquatic Habitat Area Aquatic GDE (approximately 1,590 linear feet)	California Salmonid Stream Habitat Restoration Manual (Flosi et al. 2010)
<u>As-Needed Habitat Mapping Reset</u>	<u>In the event of a habitat resetting flood event, aquatic mesohabitats in Foster Park would be mapped.</u>	<u>Provides in-depth information on mesohabitats within Foster Park and allows for identification of specific mesohabitats to monitor.</u>	<u>Will only occur if a significant flooding event occurs and substantially changes the river channel and habitat structures (based on best professional judgement).</u>	<u>Entire Foster Park Aquatic GDE.</u>	<u>California Salmonid Stream Habitat Restoration Manual (Flosi et al. 2010).</u>
Routine Habitat Suitability and Snorkel Surveys	Survey <u>HSI-habitat suitability</u> parameters, including sediment type, riparian vegetation/cover, water depth, and various in-stream structure, as well as all species observed, within predetermined pools, riffles, and <u>glides/runs</u> . Steelhead presence/absence will be documented during snorkel surveys. Fish stranding/mortality will also be documented.	<del>Will provide</del> -Provides detailed information on existing conditions for assessment of habitat suitability for steelhead, CRLF, and other aquatic organisms. Conditions can be quantified and compared with streamflow, as well as climatic data, <u>groundwater levels</u> , and modeled ISW depletion.	<del>At least four times per year (once during winter and at least three times during summer/fall))</del> <u>Up to four times during the Water Year, as follows:</u> <u>Survey #1: Will occur during the winter season when streamflow conditions are safe and with good water visibility</u> <u>Survey #2: Occurs when flows decrease to ≤ 12.7 cfs</u> <u>Survey #3: Occurs when flows are between 5.0 to 7.0 cfs using best professional judgement</u> <u>Survey #4: Occurs when flows are between 3.0 to 5.0 cfs using best professional judgement</u>	Designated monitoring locations (e.g., pools, riffles, <u>glides/runs</u> ) within the Foster Park Aquatic Habitat Area Aquatic GDE	SS HSI (Normandeau Associates, Inc. 2015, Padre Associates, Inc. 2013) California Salmonid Stream Habitat Restoration Manual (Flosi et al. 2010). Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog (USFWS 2005). NWFS and CDFW Integration of Steelhead Viability Monitoring, Recovery Plans and Fisheries Management in the Southern Coastal Area (Boughton et al. 2022).



## Item 6(a), Attachment B

Upper Ventura River Groundwater Agency

### Proposed Amendments to the Foster Park Aquatic Habitat Area Aquatic Groundwater Dependent Ecosystems Monitoring Workplan

Monitoring Component	Data Collected	Purpose	Schedule	Locations	References/Protocols
Water Quality and Flow Monitoring	<u>Continuous</u> water level, DO, pH, temperature.	<u>Provides</u> continuous flow and water quality data that can then be correlated with streamflow, as well as climatic data, <u>groundwater levels</u> , and modeled ISW depletion.	Continuous data collection, data downloaded during each field visit. <u>Initial deployment will occur when flow conditions are safe for river access (anticipated to occur around 40 - 50 cfs)</u>	<del>One</del> <u>Two</u> designated locations within the Foster Park Aquatic Habitat Area Aquatic GDE <sup>3</sup>	LA RWQCB <sup>1</sup> Basin Plan (2014), USGS <sup>2</sup> standards for stream gauge installation, UVRGA Monitoring and Data Collection Protocols (2018)
<u>Refuge Water Quality Monitoring</u>	<u>Continuous water quality monitoring at targeted refuge areas (e.g., pools) for water temperature, DO, and pH.</u>	<u>Provides localized data pertaining to areas of potential refuge.</u>	<u>During receding flows, based on best professional judgement</u>	<u>Two data loggers will be installed within the same designated refuge area. One shallow logger will be deployed to collect near surface water quality measurements, and another will be deployed deeper to measure water quality at depth near areas of suspected groundwater inflow. One set of data loggers will be installed within Foster Park.</u>	<u>UVRGA Monitoring and Data Collection Protocols (2018).</u>
Aerial Photography	Aerial images.	<del>Will provide</del> <u>Provides</u> a visual time series of overall conditions within <del>the</del> <u>GDE Foster Park</u> and allow for comparison of conditions over time and during different hydrologic and climatic conditions.	<del>At least</del> <u>Up to</u> four times per year, concurrent with habitat suitability <u>and snorkel</u> surveys	Aerial photographs of the upper, middle, and lower portions of the Foster Park Aquatic Habitat Area Aquatic GDE.	General photography and FAA rules.
Repeat Ground Photography	Photographs of instream and riparian habitat from fixed locations	Will provide a visual time series for each monitoring location that will allow for comparison of habitat conditions over time and during different hydrologic and climatic conditions	<del>At least</del> <u>Up to</u> four times per year, concurrent with habitat suitability <u>and snorkel</u> surveys	Photographs will be taken from fixed locations at each mesohabitat that is monitored during the habitat suitability <u>and snorkel</u> surveys.	General photography

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

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

<sup>3</sup> USGS stream gage (VENTURA - 11118500) satisfies the lower Foster Park flow monitoring location