



Board of Directors  
Michael W. Mobley, President  
Bruce E. Dandy, Vice President  
Sheldon G. Berger, Secretary/Treasurer  
Patrick J. Kelley  
Lynn E. Maulhardt  
Edwin T. McFadden III  
Daniel C. Naumann

General Manager  
Mauricio E. Guardado, Jr.

Legal Counsel  
David D. Boyer

**MINUTES**  
**UWCD BOARD MEETING**  
**TUESDAY, November 10, 2020 at 12 noon**  
**UWCD Headquarters (and via Webex)**  
**1701 N. Lombard Street, Oxnard CA 93030**

**DIRECTORS PARTICIPATING**

President Michael W. Mobley  
Vice President Bruce E. Dandy  
Secretary/Treasurer Sheldon G. Berger (virtual)  
Patrick J. Kelley (virtual)  
Lynn E. Maulhardt  
Edwin T. McFadden III (virtual)  
Daniel C. Naumann

**STAFF PARTICIPATING**

Mauricio E. Guardado, Jr., general manager  
David D. Boyer, legal counsel  
Dr. Maryam Bral, chief engineer (virtual)  
Anthony Emmert, assistant general manager  
John Carman, operations and maintenance program supervisor (virtual)  
Brian Collins, operations and maintenance manager  
Dan Detmer, supervising hydrogeologist  
Joseph Jereb, chief financial officer  
Tessa Lenz, associate environmental scientist  
Craig Morgan, senior engineer (virtual)  
Josh Perez, human resource manager  
Zachary Plummer, IT administrator  
Linda Purpus, senior environmental scientist (virtual)  
Robert Richardson, senior engineer (virtual)  
Kris Sofley, executive administrative coordinator/clerk of the board  
Dr. Jason Sun, senior hydrogeologist/modeler (virtual)

**PUBLIC PARTICIPANTS**

Dan Flourey, Provost & Pritchard (virtual)  
Burt Handy (virtual)  
Jennifer Tribo, Ventura Water (virtual)

**1. FIRST OPEN SESSION 12:00 P.M.**

President Mobley called the meeting to order at 12:01p.m. He asked District's Legal Counsel, David Boyer, to report on the items to be discussed in Executive (Closed) Session.

Mr. Boyer reported under Government Code Section 54956.9 (d)(1), the Board would be discussing three cases of existing litigation with the City of San Buenaventura and one case of existing litigation with Wishtoyo Foundation; and under Government Code Section 54956.9(d)(2), the Board would also be discussing two cases of anticipated litigation. Mr. Boyer added that there is a real property matter, regarding leasing of office space at District's headquarters, the negotiations for price and terms of the lease would be discussed by the Board in Executive session.

**1.1 Public Comments**

**Information Item**

President Mobley asked if there were any questions or comments from the public. None were offered.

President Mobley adjourned the meeting into Executive (Closed) session at 12:05p.m.

**1.2 EXECUTIVE (CLOSED) SESSION 12:05 P.M.**

**2. SECOND OPEN SESSION AND CALL TO ORDER 1:05 P.M.**

President Mobley called the second open session of the UWCD Board of Director meeting to order at 1:05p.m. and asked Director Dandy to lead participants in reciting the Pledge of Allegiance.

**2.1 Pledge of Allegiance**

Director Dandy led participants in reciting the Pledge of Allegiance

President Mobley asked the Clerk of the Board to take roll call. All seven Directors were present. Directors Berger, Kelley and McFadden were participating virtually. Directors Dandy, Maulhardt, Naumann and President Mobley were present in the Boardroom

**2.2 Public Comment**

**Information Item**

President Mobley asked if there were any public comments or questions for the Board of Directors. None were offered.

**2.3 Approval of Agenda**

**Motion**

President Mobley asked General Manager Mauricio Guardado if there were any changes to the agenda. Mr. Guardado responded that the agenda stands as is. President Mobley then asked for a motion to approve the agenda.

Motion to approve the agenda, Director Maulhardt; second, Director Naumann. Roll call vote: seven ayes (Berger, Dandy, Kelley, Maulhardt, McFadden, Naumann, Mobley); none opposed. Motion carries unanimously 7/0.

**2.4 Oral Report Regarding Executive (Closed) Session**

**Information Item**

President Mobley asked District Legal Counsel David D. Boyer to report the Board's actions in Executive Session. Mr. Boyer reported that the Board took no action reportable under the Brown Act.

**2.5 Board Communication**

**Information Item**

Director McFadden reported his participation at a Special Board Meeting for the Fillmore and Piru Basins Groundwater Sustainability Agency (FPBGSA) Board of Directors on November 4 to discuss Sustainable Management Criteria (SMC); UWCD's Water Resources committee meeting on November 3 as well as the UWCD Engineering and Operations committee meeting on November 5 and a Special Engineering and Operations committee meeting yesterday, November 9. He also said that he would be attending the next FPBGSA Board meeting scheduled for November 19.

Director Kelley reported his participation at the October 13 UWCD Finance committee meeting and the October 15 AWA virtual meeting featuring speakers from Casitas. He also reported attending the UWCD Board meeting on October 11, UWCD's Water Resources committee meeting on November 3 and the Finance committee on Monday, November 9.

Director Berger reported his participation in the UWCD Special Board meeting on October 27, an ad hoc legislative meeting on October 30, the AWA meeting on October 15 and the UWCD Finance committee meeting on November 9.

Director Naumann reported attending the two UWCD Board meetings in October (October 14 and Special Board meeting on October 27), the Engineering and Operations and the Water Resources committee meetings last week (November 3 and November 5), two meetings with the District's consultant, Dr. Mathis; a prep meeting with President Mobley, Mr. Guardado and District staff prior to the Fox Canyon GMA meeting on October 28 and the AWA Leadership event. He added his congratulations to Mr. Guardado again for being named the AWA's Leadership award recipient for 2020.

Director Maulhardt reported his participation at the UWCD Special Board meeting on October 27 and the various committees that he serves on in addition to several phone calls with Dr. Mathis.

Director Dandy reported his participation at the UWCD Board Meeting on October 14 and Special Board meeting on October 27, the Legislative and Outreach committee meeting on October 5, the Finance committee meeting on October 13 and the ad hoc legislative committee meeting on October 30. He also reported attending two AWA VC events and a VCSDA meeting on October 6.

President Mobley reported his attendance at the Regular and Special Board meetings in October; a lunch meeting with the General Manager and Dr. Mathis; the Mound Basin GSA Board meeting on October 15, and another Mound Basin Board meeting on November 19; the Fox Canyon GMA prep meeting on October 26 for the Fox Canyon GMA meeting on October 28. He also reported meeting with the District's General Manager yesterday, November 9, to prepare for today's Board meeting and was planning on participating in the Fox Canyon GMA Operations committee meeting on November 19.

## **2.6 General Manager's Report**

### **Information Item**

Mr. Guardado reported that Operations and Maintenance have added two new full-time staff members: Timothy Lewsadder, who will be working with the Saticoy facility team, was previously with the City of Oxnard where he performed Distribution Operator duties; and James "JD" Smallwood, who will join Greg DeJarnette's team at the Santa Felicia Dam. JD previously worked with Veolia, where he performed wastewater treatment operator duties in Fillmore.

Mr. Guardado also commented on the continuing education opportunities that the District provides to staff, which also strengthens the expertise of the District. With that he told the Board that Chief Park Ranger Clayton Strahan had recently completed the prestigious Ron Walker Recreation Leadership Development program at Clemson University. Mr. Guardado explained that the program was designed specifically for emerging leaders interested in finding innovative solutions and approaches to persistent and complex management issues. He added that Walker's Leadership Development Program immerses participants in real world challenges, and that by using case studies and field experiences, participants work through relevant and timely park issues such as learning to anticipate and approach challenges with a strategic focus and strengthening critical thinking and decision-making skills. Mr. Guardado congratulated Chief Strahan on this achievement and reminded the Board that only a handful of people are invited to participate in the program each year.

Mr. Guardado stated that he was proud to report that Josh Perez recently graduated from California Lutheran University's Executive Master of Business Administration program, and that he graduated with honors, earning a consistent 3.98 GPA throughout the program. Mr. Guardado reported that Josh completed the program in July and his degree was conferred last month. The Executive MBA program at California Lutheran is currently in its seventh iteration and is a program that is limited to twenty of California Lutheran's top students biannually. Mr. Guardado explained that applicants for the EMBA program at Cal Lutheran are vetted and approved by the Dean of the School of Management. The program is built upon learning real world practical experiences that will aid in managing people, processes, and operations within any type of organization. He also quoted the Dean of the program, who wrote about Josh on LinkedIn, saying: "Josh will be completing our EMBA program this May. He is currently the Human Resources Director at the United Water Conservation District. During his career, Josh has

worked with The Walt Disney Company, the Los Angeles Dodgers, and the US Department of Justice, to name only a few. He brings a lot of expertise from working at these top organizations to the classroom.”

Mr. Guardado congratulated Mr. Perez and said these two individuals were fine examples of the high level of expertise and skill sets that District employees seek through continuing education opportunities offered by the District.

Director Naumann congratulated both gentlemen and Director Maulhardt added that he was proud of Mr. Perez’ achievement.

## **2.7 Update on Public Health Mandates Regarding Coronavirus Pandemic (COVID-19)**

### **Information Item**

Mr. Perez reported to the Board that Ventura County reported 147 new COVID cases on Friday and over the weekend, that number increased to 349, which is 113 new cases per day on average. He added that the marker (or goal) for the county is eight to 20 cases per day. This increase in cases could put the county back in the critical purple tier, resulting in more restrictive behaviors and guidelines.

Mr. Perez said the good news is there are two pharmaceutical companies readying vaccines which should be available within six to nine months nationwide.

Director Naumann clarified that the target number is based on number of cases per 100,000 people tested and that the more testing the county does the higher the number of cases will be. Mr. Perez said that the recent uptick in cases is thought to be related to Halloween with hot spots in Los Angeles, Orange and Riverside counties. He added that in most areas, Ventura County meets the metrics for the orange tier. Director Naumann asked when do statistics get reevaluated. Mr. Perez said the county reviews numbers every Tuesday, and that goals of the next tier must be met and sustained for three consecutive weeks before the county can be downgraded to the less restrictive tier.

## **2.8 Acceptance of Peace Officers Oath of Office for Park Rangers**

### **Ceremonial Item**

President Mobley administered the Peace Officers’ Oath of Office, in accordance with the California Commission on Peace Officer Standards and Training (POST), to the two newly hired Park Rangers: Peter Witman and Danny Helton, both working at the District’s Lake Piru Recreation Area. After administering the oath, President Mobley welcomed both Rangers to United and thanked them for their service.

3. **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. (ROLL CALL VOTE REQUIRED)**

A. **Approval of Minutes**

**Motion**

Approval of the Minutes for the Regular Board Meeting of October 14, 2020 and the Special Board Meeting of October 27, 2020.

B. **Groundwater Basin Status Reports**

**Information Item**

Receive and file Monthly Hydrologic Conditions Report for the District.

C. **Fiscal Year 2020-21 First Quarter Financial Report**

**Information Item**

The Board will review FY 2020-21 First Quarter Financial Report, for the period of July 1, 2020 through September 30, 2020.

President Mobley asked if there were any questions or comments from the Board on the Consent Calendar items. None were offered.

Motion to approve the Consent Calendar, Director Naumann; Second, Director McFadden. Roll call vote: seven ayes (Berger, Dandy, Kelley, Maulhardt, McFadden, Naumann, Mobley); none opposed. Motion carries unanimously 7/0.

4. **MOTION ITEMS (By Department)**

**Administrative Services Department – Anthony Emmert**

4.1 **Resolution 2020-21 Adopting Direction to the Ventura County Watershed Protection District (VCWPD) to Execute the California State Water Project Contract Amendments for Water Supply Management on Behalf of the United Water Conservation District Board of Directors**

**Motion**

Operations and Maintenance Manager Brian Collins addressed the Board and said he had a presentation in support of staff's recommendation to approve Resolution 2020-21, directing the Ventura County Watershed Protection District to execute the California State Water Project Supply Amendment for Water Management on behalf of United Water Conservation District. He explained that Department of Water Resources and Public Water Agencies (PWAs) worked to resolve various issues during the negotiation process and the water management tools, as presented to the Engineering and Operations committee, providing PWAs with more flexibility regarding water purchase, sales, leases and storage options (see presentation).

Director Naumann said the Engineering and Operations committee agreed to recommend approval of the Resolution. Director Maulhardt said it is the logical decision as participants in this process.

President Mobley asked if there were any additional comments or questions. None were offered.

Motion to approve Resolution 2020-21, adopting direction to the Ventura County Watershed Protection District (VCWPD) to execute the California State Water Project Contract Amends for Water Supply Management on Behalf of the United Water Conservation District Board of Directors, Director Naumann; Second, Director Maulhardt. Roll call vote: seven ayes (Berger, Dandy, Kelley, Maulhardt, McFadden, Naumann, Mobley); none opposed. Motion carries unanimously 7/0.

**4.2     Resolution 2020-24 Resolution of the Board of Directors of United Water Conservation District Directing the Ventura County Watershed Protection District to Execute The Department Of Water Resources Funding Agreement In Principle (AIP) for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Facility (DCF) on Behalf of United Water Conservation District**

**Motion**

Mr. Collins addressed the Board, providing a recap of yesterday's Special Engineering and Operations committee which provided clarification of the three choices in front of the Board regarding the Delta Conveyance Facility. As summarized by Mr. Collins (see presentation) the Board could opt out of funding this facility; could opt in at 100 percent; or could opt in at 100 percent plus.

Mr. Collins explained that if the Board decided to opt out, it would mean a likely reduction in its Table A allocation from State Water Contractors; opting in at 100 percent would likely result in a 60 percent reduction in allocation; while opting in at 100 percent plus, afforded the District with the best opportunities for Table A water and would put the District at the head of the line for Article 21 water.

Director Maulhardt said this was covered at the November 5 Engineering and Operations Committee meeting and was very confusing and complicated, which is why the committee requested a special meeting yesterday to review the details of each of the option in greater detail. Director Maulhardt said staff did a very good job in presenting the various options and that while there is a risk in agreeing to pay for something without really knowing what the future benefits could be, but the District's constituents rely on outside water sources and even at a cost of \$132 per AF plus conveyance fees for Article 21 water, it is still considerably less than other sources currently available. He added that by opting in at 100 percent plus, it would put the District at the head of the line for Article 21 water. He added that by splitting the costs with Casitas, it makes it viable for both parties and believes the best option is 100 percent plus.

Director Dandy asked if the 5000AF allocation for Table A water is secured with this option. Mr. Collins replied that the average delivery is 60 percent of the allocation county-wide and the District shares 25 percent of its delivery. Director Dandy asked how the portion of the District's allocation that is contracted to Port Hueneme is being handled, Mr. Collins said that sub allocation of Table A water is unchanged and that this agreement does not involve Port Hueneme.

Director Naumann stated that there are currently 29 state contractors and that the opt in at 100 percent or 100 percent plus will cost a little more money but creates an opportunity for more Table A water and not all of the 29 contractors are opting in. He said in the past couple of years the District has purchased 25,000AF of Article 21 water and he would like to see the District continue that momentum.

Staff had recommended 100 percent opt in to the Engineering and Operations Committee, however, the committee members recommend the Board approve the Resolution and opt in at 100 percent plus.

Director Kelley asked why staff did not recommend the 100 percent plus option. Mr. Collins said the entire process could start over again and staff did not want to recommend that level of risk, which is why it left it to the Committee to make the recommendation to the Board. Director Maulhardt said that as the Committee learned more about the 100 percent plus option, it asked staff to go back and work those numbers for its consideration. Director Kelly asked if it is possible for Ventura to get State Water anyway from United or Casitas. Mr. Collins replied that with the Interconnection, Ventura could trade or transfer 50 percent of its allocated Table A water. Opting in at 100 percent, Ventura would get 60 percent of its allocation, or 6,000AF, so it would not benefit from the additional costs with more water.

President Mobley asked if there were any additional comments or questions. None were offered.

Motion to approve Resolution 2020-24, directing the Ventura County Watershed Protection District to execute the Department of Water Resources funding Agreement in Principle (AIP) for preliminary planning and design costs related to a potential Delta Conveyance Facility (DCF) at the opt-in 100 percent plus option, Director Maulhardt; Second, Director McFadden. Roll call vote: seven ayes (Berger, Dandy, Kelley, Maulhardt, McFadden, Naumann, Mobley); none opposed. Motion carries unanimously 7/0.

#### **4.3 Request from AT&T to Amend Lease Agreement for Cell Tower and Backup Generator at Lake Piru**

##### **Motion**

Chief Financial Officer Joseph Jereb addressed the Board, explaining this motion item was an amendment to the 2007 lease agreement with AT&T for the land where its 60-foot communication tower stands near Lake Piru. He explained that AT&T would like to expand the existing space to provide for the installation of an



emergency power generator. The increase in space would raise the lease agreement to \$400 per month. He also said he discussed the expansion of space with Mr. Collins and Chief Strahan and neither gentlemen had any concerns.

Director Berger stated that the Finance Committee reviewed the motion and recommends approval by the full Board.

President Mobley asked if there were any additional comments or questions. None were offered.

Motion to approve an amendment to the lease agreement with AT&T governing the company's use of property at Lake Piru for the operation of a cellular communications tower and backup power generator, Director Berger; Second, Director Maulhardt. Roll call vote: seven ayes (Berger, Dandy, Kelley, Maulhardt, McFadden, Naumann, Mobley); none opposed. Motion carries unanimously 7/0.

#### **Engineering Department – Dr. Maryam Bral**

#### **4.4     Resolution 2020-22 Authorizing the General Manager to Serve as the Board's Agent for the Execution and Acceptance of Utility Easement Deeds related to the District's Pumping Trough Pipeline Metering Replacement Project**

##### **Motion**

Chief Engineer Dr. Maryam Bral addressed the Board, explaining that the District was in the process of requesting utility easements deeds from all of the property owners with Pumping Trough Pipeline (PTP) turnouts so the District would have access to replace and maintain the meters on the PTP turnouts. Rather than bringing each individual utility easement deed to the full Board for approval, this Resolution would provide the General Manager with the authority to accept and execute only PTP related utility easement deeds on behalf of the Board of Directors going forward.

Director Naumann said the Engineering and Operations committee reviewed this item and believes it makes sense and is a more efficient process going forward.

President Mobley asked if there were any comments or questions. None were offered.

Motion to adopt Resolution 2020-22, authorizing the General Manager to serve as the agent for the Board of Directors for the execution and acceptance of utility easement deeds related only to the District's Pumping Trough Pipeline (PTP) metering replacement project, Director Naumann; Second, Director Maulhardt. Roll call vote: seven ayes (Berger, Dandy, Kelley, Maulhardt, McFadden, Naumann, Mobley); none opposed. Motion carries unanimously 7/0.

**4.5     Resolution 2020-23 Adopting the Revised Owner's Dam Safety Program dated October 2020**

**Motion**

Dr. Bral addressed the Board, stating that this was an update of the Owner's Dam Safety Program previously approved by the Board for submission and that the Engineering and Operations Committee had reviewed the revised document.

Director Maulhardt confirmed the Engineering and Operations Committee review of the motion item and stated that the committee recommends Board approval.

President Mobley asked if there were any additional comments or questions. None were offered.

Motion to adopt Resolution 2020-23, approving the revised Santa Felicia Dam Owner Dam Program, dated October 2020, Director Maulhardt; Second, Director Naumann. Roll call vote: seven ayes (Berger, Dandy, Kelley, Maulhardt, McFadden, Naumann, Mobley); none opposed. Motion carries unanimously 7/0.

**4.6     Contract Amendment with Stantec for the Vern Freeman Dam Modeling and Design of Vertical Slot Fish Ladder and Intake**

**Motion**

Dr. Bral addressed the Board, explaining that the amendment to Stantec's agreement with the District would provide for extensive analysis of the Vertical Slot alternative fish passage at the Freeman Diversion for an additional \$120,600.

Director Maulhardt said that the contract amendment was reviewed at the Engineering and Operations Committee meeting. He said the work needs to be done, that there are sufficient funds allocated in the budget and the committee recommends Board approval.

President Mobley asked if there were any other comments or questions. None were offered. President Mobley then asked if the motion was reviewed by the Finance Committee. Director Berger said if it had been reviewed by the Finance Committee, the committee would have recommended approval. Director Dandy added that the item did not come before the Finance Committee.

Motion to authorize the General Manager to execute an amendment to the professional services agreement with Stantec in the amount of \$120,600 to provide further analysis of the Vertical Slot as a Freeman Diversion Fish Passage Facility alternative, Director Maulhardt; Second, Director McFadden. Roll call vote: seven ayes (Berger, Dandy, Kelley, Maulhardt, McFadden, Naumann, Mobley); none opposed. Motion carries unanimously 7/0.

## **5. PRESENTATIONS AND MONTHLY STAFF REPORTS (By Department)**

### **Administrative Services Department - Anthony Emmert**

#### **5.1 Monthly Administrative Services Department Report – Anthony Emmert Information Item**

Mr. Jereb and Mr. Perez shared the Administrative Services monthly staff report and presentation to the Board (see attached), covering the activities of the finance, human resources, information technology, risk management and Lake Piru Recreation activities.

Among the notable highlights were the District significant revenue increase due to pipeline/surface water deliveries and the completion of the District's Bond issuance; updating employees' health care options; ongoing technology updates to the Boardroom to improve the virtual meeting experience; replacement and/or replenishment of First Aid Kits in all District vehicles and office locations and the significant increase in Lake Piru visitation and revenue.

### **Engineering Department – Maryam Bral**

#### **5.2 Monthly Engineering Department Report Information Item**

Dr. Bral delivered the Engineering Department's monthly staff report and presentation (see attached) to the Board, highlighting the progress made with a number of Engineering Department projects, including the Santa Felicia Dam drilling program and 2020 Bathymetric Survey; the upgrade of the Freeman Diversion Grand Canal Headworks; the El Rio Iron and Manganese Treatment project; the 2020 Urban Water Management Plan that is expected to be completed in June 2021 and the receipt of \$646,537 in Hazard Mitigation grant funding, which would contribute to the District's 800 KW backup diesel generators at El Rio, providing OH pipeline system support.

### **Environmental Services Department – Linda Purpus**

#### **5.3 Monthly Environmental Services Department Report Information Item**

Environmental Services Department Manager Linda Purpus presented the department's monthly staff report and presentation (see attached) to the Board, focusing on the recent response from FERC with regard to the National Marine Fisheries Services' (NMFS) request for a rehearing on the District's Habitat Improvement Plan (HIP). As reported by Ms. Purpus, FERC did determine it had erred in that it approved implementation of the HIP prior to NMFS formal agreement with the District. FERC did point out; however, its findings still approve the District's HIP. It also wrote that NMFS had "inappropriate consultation practices." Ms. Purpus pointed out to the Board that this was the sixth iteration of the District's HIP delivered over the past 11 years and that staff was now prioritizing only measure to fulfill the requirements which staff believed is supported by the FERC order. FERC, said Ms. Purpus, pointed to NMFS stretching of study findings and that NMFS' requirements were outside the RPA, and the

agency was consistently expanding measures beyond those of the RPA. Ms. Purpus concluded her presentation by stating that the FERC ruling establishes boundaries for future consultations with NMFS.

Director Maulhardt remarked that Ms. Purpus' presentation, which was also given to the Engineering and Operations Committee, essentially confirmed the FERC is stepping up and holding NMFS accountable. Director Naumann agreed and thanked Ms. Purpus for the great report.

**Operations and Maintenance – Brian Collins**

**5.4 Monthly Operation and Maintenance Department Report**

**Information Item**

Summary report on monthly operations and maintenance of District facilities was received by the Board.

**Park and Recreation Division – Clayton Strahan**

**5.5 Monthly Park and Recreation Department Report**

**Information Item**

Summary report on monthly operations and items of note relative to the Lake Piru Recreation Area was received by the Board.

**Water Resources Department – Maryam Bral**

**5.6 Monthly Water Resources Department Report**

**Information Item**

Summary report on monthly Water Resources Department activities was received by the Board.

**5.7 Update on Groundwater Sustainability Agencies (GSAs) and Sustainable Groundwater Management Act (SGMA)**

**Information Item**

Summary report on the monthly activities of the three local Groundwater Sustainability Agencies (Mound Basin GSA, Fillmore and Piru Basins GSA, and the Fox Canyon Groundwater Management Agency), for which the District serves as a member director, and Santa Paula basin (adjudicated) Technical Advisory Committee (including formation of groundwater sustainability agencies in the District's basins, stakeholder and basin user groups, joint powers or governance agreements, development of water markets, and potential basin boundary changes) was received by the Board.

**6. BOARD OF DIRECTORS READING FILE**

**7. FUTURE AGENDA ITEMS**

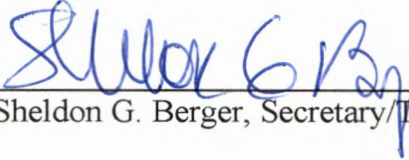
President Mobley asked if the Directors had any suggestions for future agenda items. None were offered.

**8. ADJOURNMENT 3:37p.m.**

President Mobley adjourned the meeting at 3:37p.m. to the next **Regular Board Meeting scheduled for Wednesday, December 9, 2020** or call of the President.

I certify that the above is a true and correct copy of the minutes of the UWCD Board of Directors meeting of November 10, 2020.

ATTEST: \_\_\_\_\_

  
Sheldon G. Berger, Secretary/Treasurer

ATTEST: \_\_\_\_\_

  
Kris Sofley, Clerk of the Board

# Water Management Tools Contract Amendment

United Water Conservation District  
November 2020



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## Presentation Outline

- Proposed Board Action
- Review Negotiation Objectives
- Review PWAs Issues to be Resolved During Negotiations
- Review Key Provisions in the SWP Water Management Tools (WMT) Contract Amendment

United Water Conservation District

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## Board Action

- Approve the execution of the State Water Project Contract Amendment for enhanced Water Management Tools and Actions
- Make appropriate CEQA Findings and adopt CEQA Findings and Statement of Overriding Considerations.

United Water Conservation District

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## Negotiated Objective

- **DWR and PWAs Negotiated Objective:**
  - 1) Supplement and clarify terms of the SWP water supply contract that will provide greater water management regarding transfers and exchanges of SWP water within the SWP service area

United Water Conservation District

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## PWAs Issues to be Resolved During Negotiations

- Existing contract limits the means (Turnback Pool) by which a PWA can transfer annual Table A Water
- Existing Contract prohibits PWAs from transferring or exchanging project water stored outside of the PWAs service area
- Need for greater certainty and flexibility for annual and multi-year transfers and exchanges between PWAs
- Existing contract prohibits PWAs from storing project water outside the PWAs service area and transferring water in the same year, effectively taking away flexibility for those PWAs entering multi-year transfers from storing a portion of their water during the term of those multi-year transfers
- Contract is vague on determination of exchange ratios, resulting in disagreements between PWAs and DWR

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## Key WMT Contract Provisions

- **Outline of Agreement in Principle (AIP):**
  1. Water Transfers
  2. Water Exchanges
  3. Water Transfers & Exchanges, including Transfers and Exchanges of Carryover Water in San Luis Reservoir
  4. PWA Due Diligence (Transparency)
  5. Stored Water/Carryover Water
- **Amended Contract Articles:**
  - Amended current Article 21 and 56
  - Added new Article 57

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## Water Transfers

- Eliminates the Turnback Pool
- Non-permanent transfers of project water allowed
- Creates new flexibility for non-permanent transfers, including allowing PWAs to:
  - Determine the duration (single or multi-year agreements)
  - Determine terms of compensation for transfers
  - Execute Transfer Packages (two or more transfer agreements presented to DWR for approval)
  - Transfer water stored outside their service territory directly to other PWAs.

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## Water Exchanges

- Establishes clear criteria for exchanges to provide more clarity.
- Permits consideration of hydrology under a bona fide exchange and will include the following criteria for return ratios:
  - For SWP allocations  $\geq 50\%$ , return ratio is up to 2: 1
  - For SWP allocations  $> 25$  and  $< 50\%$ , return ratio is up to 3: 1
  - For SWP allocations  $>15\%$  and  $\leq 25\%$ , return ratio is up to 4: 1
  - For SWP allocations  $\leq 15\%$ , return ratio is up to 5:1
- **SWP allocation** at the time the exchange transaction is executed between the PWAs
- Water must be returned within 10 years (State may approve extension)

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## Water Exchanges

### Cost Compensation

Sum of PWAs Fixed Charges for Conservation,  
Transportation, and CA WaterFix Facilities  
(capital and minimum charges including capital surcharges)

$\$/AF =$   
Maximum  
Compensation

PWAs allocation of Table A water set by the SWP  
allocation which has incorporated the May 1 monthly  
Bulletin 120 runoff forecast

United Water Conservation District

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## Transfers and Exchanges

- PWAs may be:
  - Both buyer and sellers in the same year
  - Enter into multiple transfers/exchanges in the same year
- Article 21 Transfers
  - Allowable for Tulare Lake Basin Water Storage District, Empire Westside Irrigation District, Oak Flat Water District, and Kings County
  - Allowable for other PWAs with DWR Director Approval

United Water Conservation District

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## Transfers and Exchanges

- Basic Criteria Requirement\*:

1. Must be transparent
2. Must not harm non-participating PWAs
3. Must not create significant adverse impacts in a PWA service area
4. Shall comply with all applicable laws and regulations
5. Shall be scheduled only if they do not impact normal SWP operations
6. Shall not impact the financial integrity of the SWP

\*If requested by the DWR Director with respect to any confirmation of Basic Criteria for Transfers, Exchanges and Carryover Water, the PWA shall cooperate with DWR in providing DWR with information supporting the basis for the confirmation or basic criteria.

United Water Conservation District

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## Transfers and Exchanges

- Exceptions

- PWA may petition the Director for an exception in the following cases:
  1. Transfer or exchange does not meet the basic criteria; compelling need to proceed
  2. PWA that has received water in a transfer or exchange cannot deliver all of the water from the transaction in the same calendar year, and wishes to carry over the water in its name

United Water Conservation District

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## Transfers and Exchanges

- **Dispute Resolution**
  - **Trigger:** Non-participating PWA claims that transfer/exchange will have a significant adverse impact prior to DWR approving transfer/exchange agreement
  - **Process:**
    1. PWAs attempt to resolve dispute
    2. Not resolved by PWAs, DWR convenes a Group
    3. Two weeks prior to convening Group, submit written documentation to support claim and proposed solution
    4. Not resolved by Group, DWR Director will decide resolution

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## Due Diligence (Transparency)

- PWA participating in transfer/exchange of Table A Water or the use of Stored Water/Carryover Water shall confirm in resolution or appropriate document the following:
  1. PWA has complied with all applicable laws for this transfer/exchange and shall specify the notices that were provided to the public agencies and the public regarding the proposed transfer or exchange.
  2. PWA has provided to all State Water Project PWAs and the SWC Water Transfer Committee all relevant terms of the transfer/exchange.
  3. PWA is informed and believes that this transfer/exchange will not harm other SWP PWAs, or impact SWP operations.
  4. PWA is informed and believes that the transfer/exchange will not affect its ability to make all payments, including payments for its share of the financing costs of DWR's Central Valley Project Revenue Bonds, when due, under its water supply contract.
  5. PWA has considered the potential impacts of the transfer/exchange within the PWA's service area.

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## Stored Water/Carryover Water

### Store and Transfer SWP Water in the Same Year

- Amendment allows PWAs to:
  - Store and transfer Table A water in the same year
  - Transfer or exchange Table A water stored outside of the PWAs service area to another PWA for use in that PWA's service area :
    - [Groundwater Storage Program](#) – any Table A water stored on or after the WMT effective date
    - [Project Surface Conservation Facilities](#) – 50% of the PWAs Article 56 Carryover Water
    - [Non-project Surface Storage Facilities](#) – per the contract executed between PWAs

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## Carryover Water Program

### Water stored under Article 56 in project surface conservation facilities

#### Receiving PWA Criteria:

1. Carryover water may only be exchanged or used in single-year transfers
2. PWA purchasing the carryover water must take delivery, in its service areas, unless an exemption is granted
3. PWA may transfer or exchange up to 50% of its carryover water
4. PWA may transfer/exchange greater than 50% of its carryover water, if the PWA demonstrate that the transfer or exchange of carryover water will not prevent it from meeting critical water needs in the current year or the following year and obtain approval by DWR Director
5. All transfer and exchange of carryover water are subject to the "Transparency Process Amongst SWP PWAs for Transfers and Exchanges"
6. PWA receiving the water must confirm that the PWA has a need for that water for use within its service area during the current year unless an exception is granted

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## Implementation Language

- Goes into effect on the last day of the month in which 24 or more contractors have executed it
- If a court determines portions are invalid, State and at least 24 contractors must agree that remaining provisions are still in effect
- If 24 contractors have not signed by February 28, 2021, State may waive the 24-contractor requirement and implement
- If a contractor does not execute the amendment within 60 days of the amendment going into effect, then it will not take effect as to such contractor unless DWR subsequently agrees (in its discretion)

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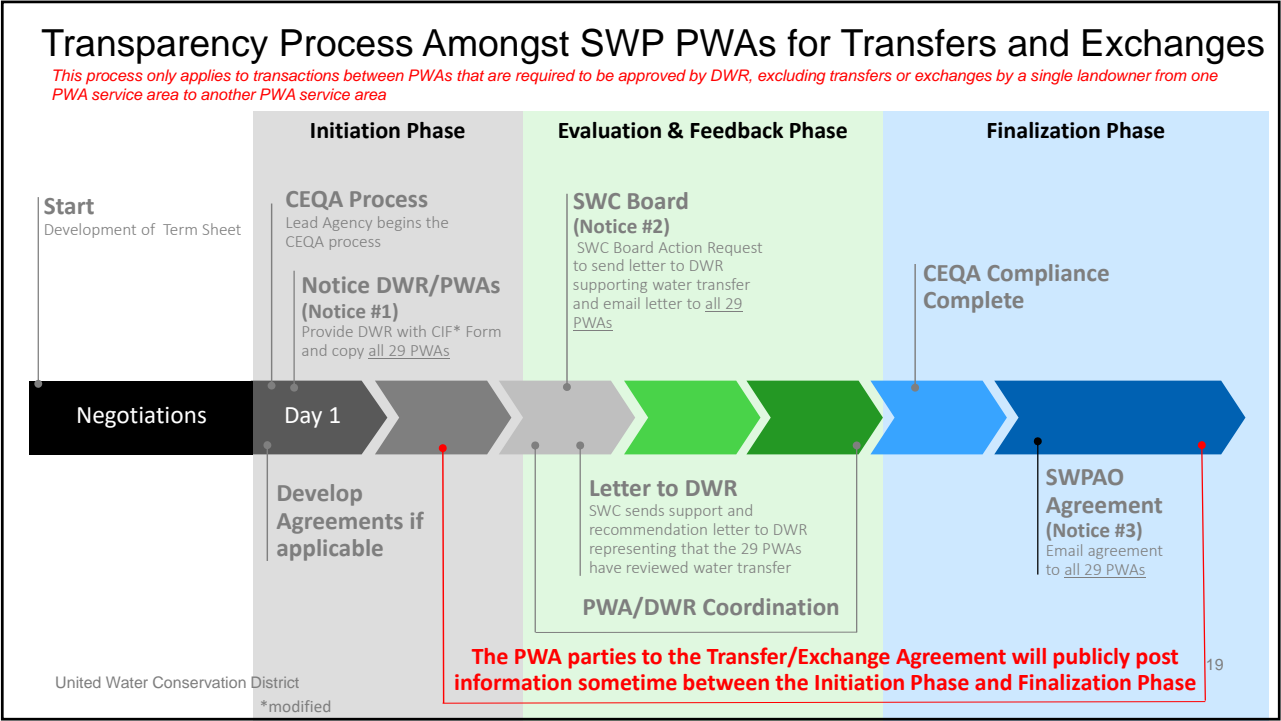
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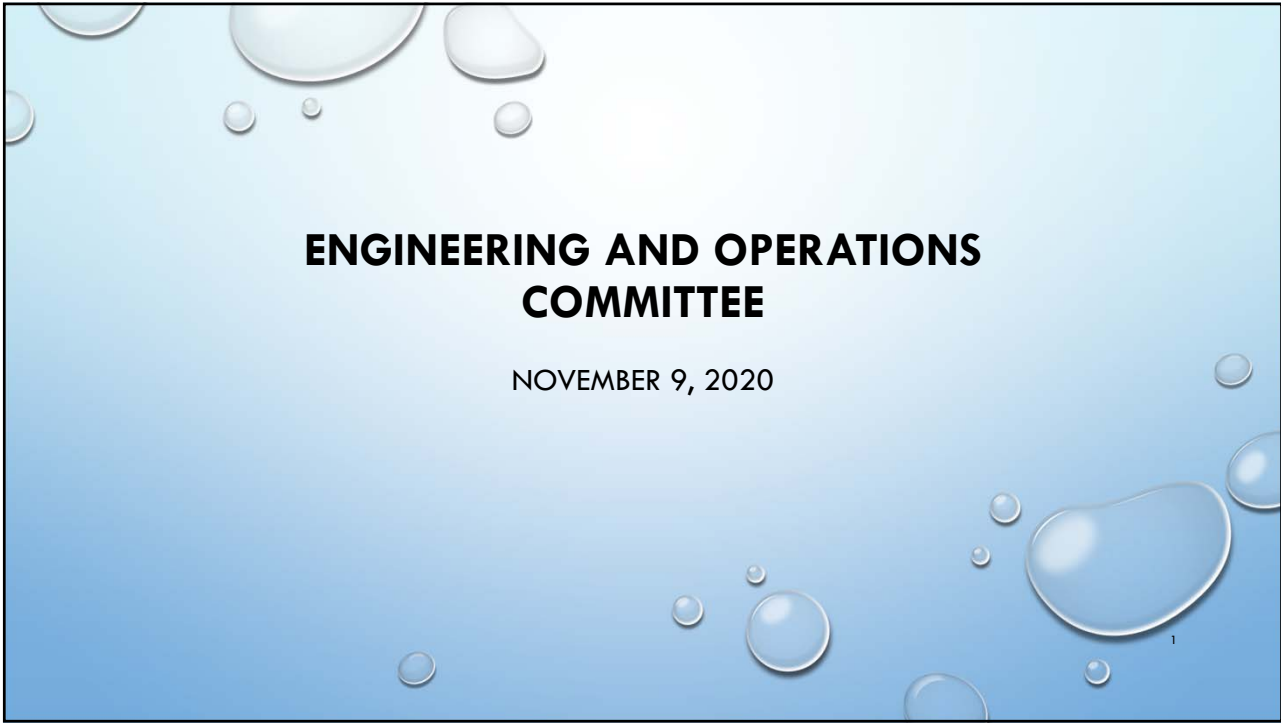
## Questions

United Water Conservation District

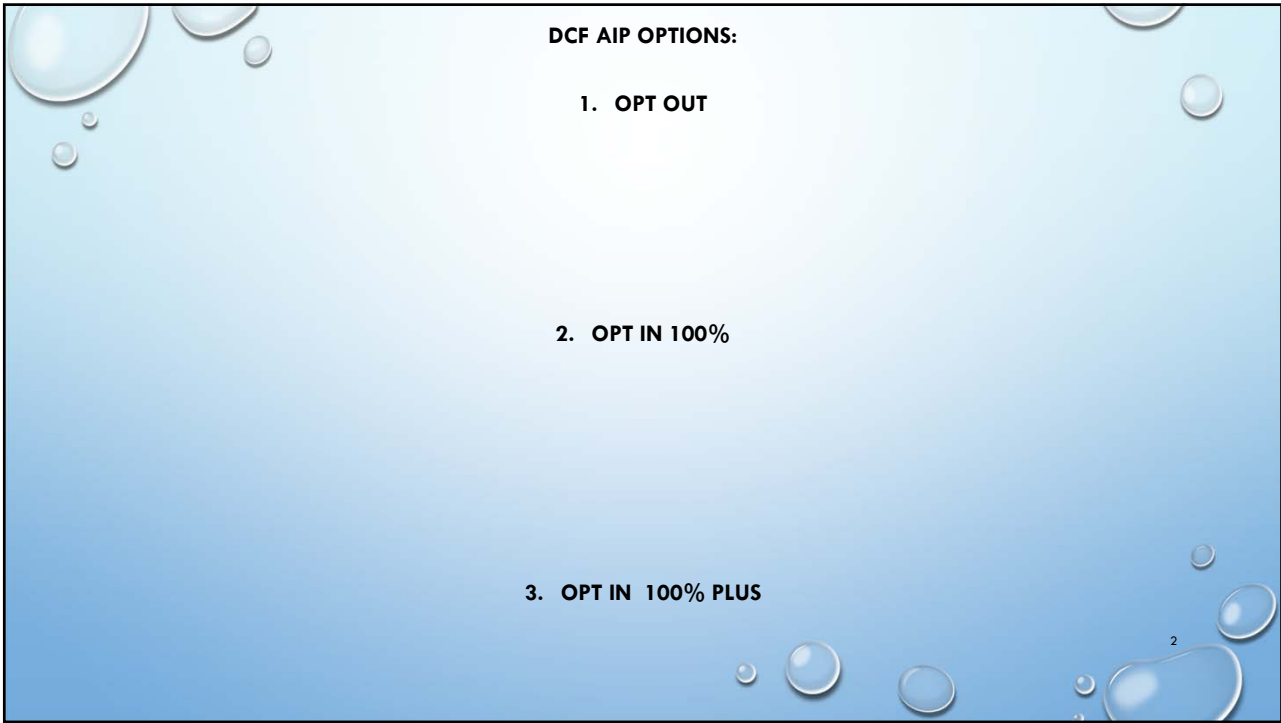
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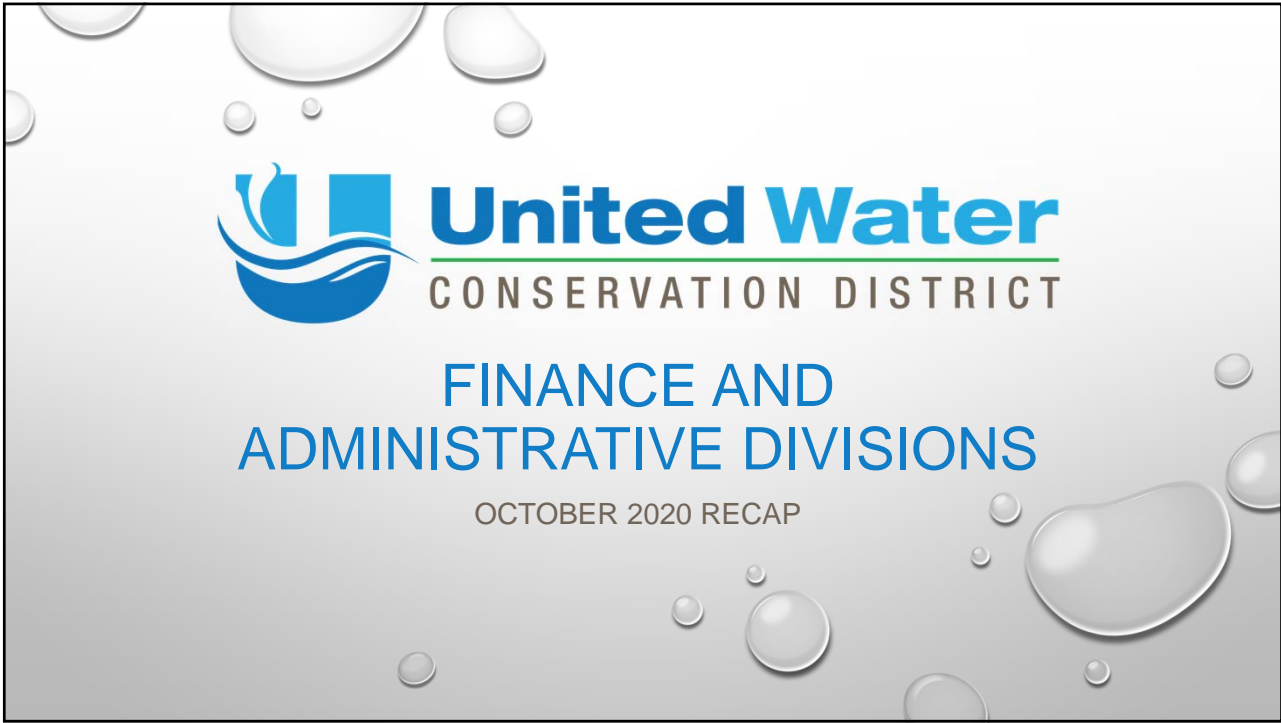


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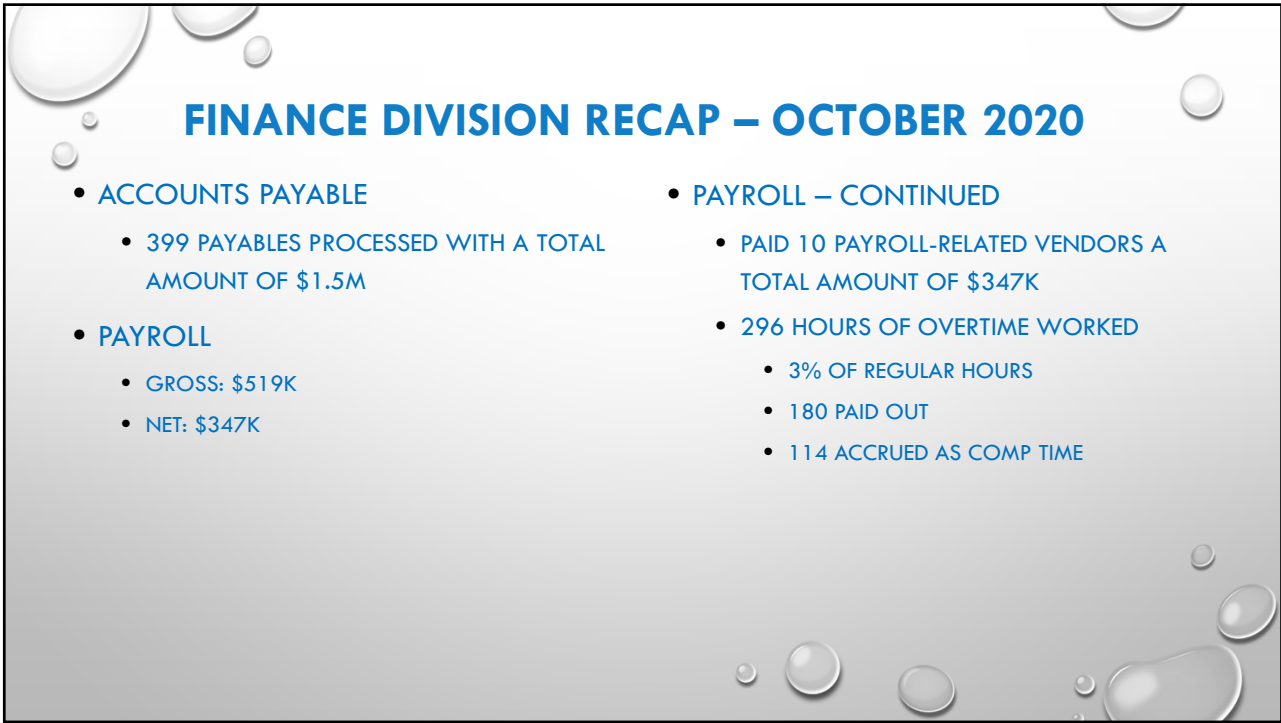


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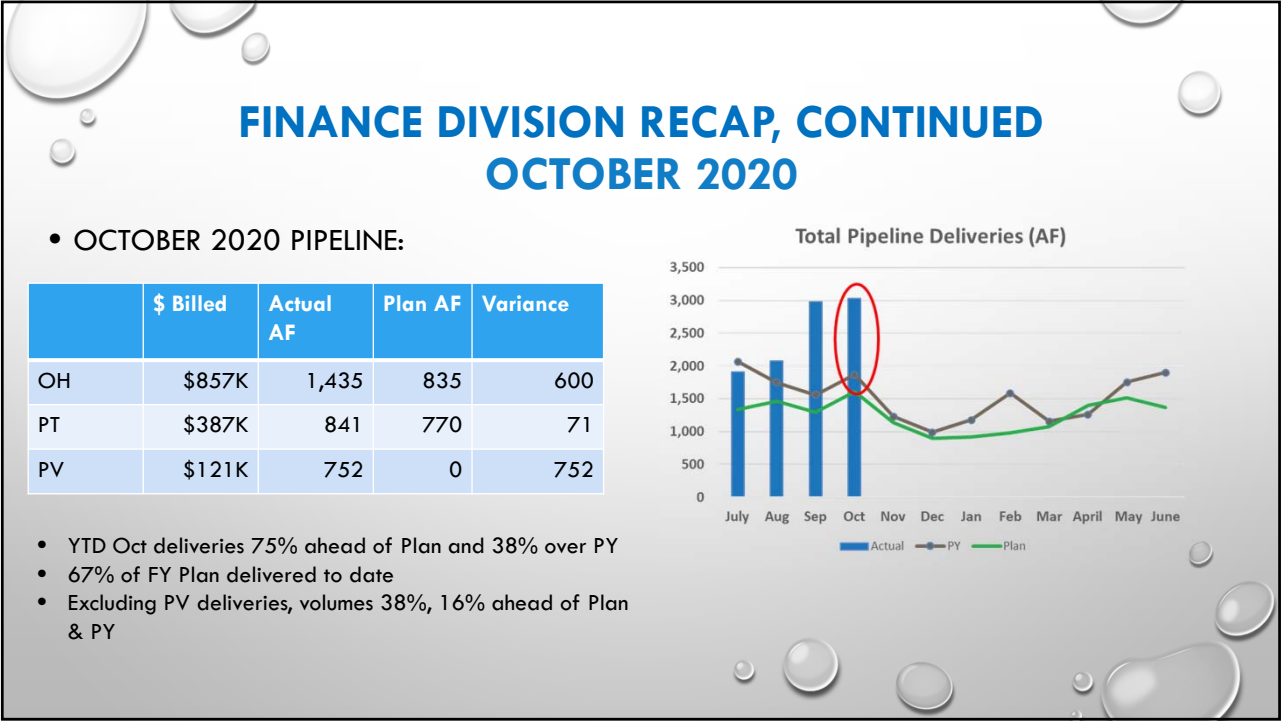




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FINANCE DIVISION RECAP, CONTINUED  
OCTOBER 2020

- COMPLETED FY 19-20 AUDIT FIELDWORK.
- FINANCE STAFF COMPLETED FY 19-20 PURCHASE ORDER AND CIP BUDGET ROLLOVERS.
- MET WITH DEPARTMENT MANAGERS TO REVIEW THEIR CURRENT YTD SPEND AND CREATE AN UPDATED PROJECTION OF TOTAL FY 20-21 SPEND
- ATTENDED A KICKOFF MEETING FOR THE INTEGRATED REGIONAL WATER MANAGEMENT PLAN REGARDING THE FIRST GRANT INVOICE
- CONTROLLER LEAVE OF ABSENCE EFFECTIVE OCTOBER 19, 2020 WITH ANTICIPATED RETURN DATE IN MARCH 2021
- RECRUITED TEMPORARY ACCOUNTANT
- COMPLETED PRICING/SALE OF 2020 COP ISSUE WITH ANTICIPATED CLOSE DATE OF NOVEMBER 10

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2020 COP UPDATE  
OCTOBER 2020

- PRICING/SALE ON OCTOBER 27
  - AGGRESSIVE PRICING—UNDERWRITER WAS CONFIDENT OF DEMAND
  - INITIAL RESISTANCE, SOME ISSUES UNDERSUBSCRIBED—RELATIVELY SMALL ISSUE IN CROWDED MARKET
  - NEGOTIATIONS WITH VANGUARD REACHED SALE OF LARGE TERM BONDS
    - VANGUARD REPUTATION FOR CREDIT SENSITIVITY
  - UNDERWRITER PURCHASED REMAINING ISSUE AT RELEASE PRICE

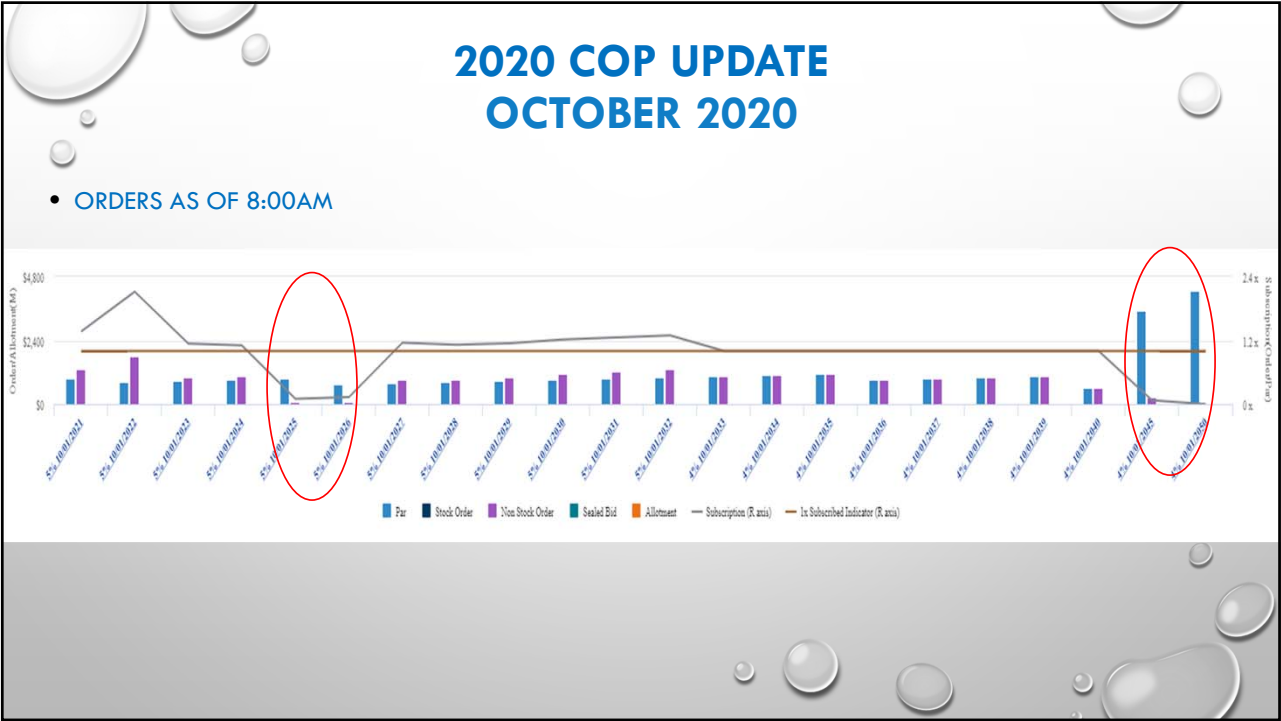
Results of Repricing

	Release Scale	Repricing Scale	Change
True Interest Cost (TIC)	2.57%	2.61%	0.04%
Par Amount	26,545,000	26,665,000	120,000
Total Interest	16,622,028	16,698,799	76,770
Total Debt Service	43,167,028	43,363,799	196,770
Gross Savings	4,381,831	4,345,506	(36,325)
Net PV Savings	3,081,608	3,030,320	(51,288)
Percentage savings of refunded bonds	23.93%	23.53%	(0)

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Sale Date	10/27/2020	Moody's	S&P	Fitch	Sale Date	10/15/20	Moody's	S&P	Fitch	
Par Amount	26,575	NR	AA-	NR	Par Amount	32,845	NR	AA+	AA+	
Issuer	United Water Conservation District				Issuer	South Coast Water District Financing Authority				
Series	2020 Revenue COPs				Series	Revenue Bonds, Series 2020A				
Call Date	10/1/30 @100				Call Date	2/1/29 @100				
Sale Type	Neg./JP Morgan				Sale Type	Neg./Morgan Stanley (Alone)			Compare to: Utd. Wtr.	
Maturity	Prin.	Coupon	Yield	YTM	Spread	Yield	YTM	Spread	Yield	YTM
2021	960	5.000%	0.29%	0.29%	0.12%	0.12%			0.13%	0.13%
2022	865	5.000%	0.33%	0.33%	0.15%	0.15%			0.14%	0.14%
2023	905	5.000%	0.36%	0.36%	0.17%	0.17%			0.14%	0.14%
2024	955	5.000%	0.40%	0.40%	0.18%	0.18%			0.13%	0.13%
2025	1,000	5.000%	0.48%	0.48%	0.20%	0.20%			0.13%	0.13%
2026	770	5.000%	0.65%	0.65%	0.22%	0.22%			0.13%	0.13%
2027	805	5.000%	0.82%	0.82%	0.24%	0.24%			0.14%	0.14%
2028	840	5.000%	0.97%	0.97%	0.25%	0.25%			0.13%	0.13%
2029	870	5.000%	1.12%	1.12%	0.26%	0.26%			0.12%	0.12%
2030	920	5.000%	1.23%	1.23%	0.27%	0.27%			0.11%	(0.24%)
2031	965	5.000%	1.35%	1.61%	0.30%	0.56%			0.07%	(0.12%)
2032	1,010	5.000%	1.46%	1.93%	0.33%	0.80%			0.07%	(0.06%)
2033	1,065	4.000%	1.71%	2.15%	0.50%	0.94%			0.22%	(0.05%)
2034	1,110	4.000%	1.81%	2.33%	0.55%	1.07%			0.26%	(0.01%)
2035	1,160	4.000%	1.88%	2.46%	0.57%	1.15%			0.26%	(0.01%)
2036	945	4.000%	1.93%	2.57%	0.57%	1.21%			0.23%	(0.03%)
2037	985	4.000%	1.97%	2.66%	0.57%	1.26%			0.21%	(0.04%)
2038	1,025	4.000%	2.01%	2.74%	0.57%	1.30%			0.02%	0.25%
2039	1,065	4.000%	2.05%	2.81%	0.57%	1.33%			0.04%	0.27%
2040	640	4.000%	2.09%	2.87%	0.57%	1.35%			0.06%	0.29%
2041				0.00%						
2042				0.00%						
2043				0.00%						
2044				0.00%						
2045	3,515	4.000%	2.31%	3.14%	0.62%	1.45%			(0.19%)	0.64%
2046				0.00%						
2047				0.00%						
2048				0.00%						
2049				0.00%						
2050	4,200	4.000%	2.39%	3.26%	0.65%	1.52%			(0.21%)	0.66%
2021	925	4.000%	0.14%	0.14%	(0.01%)	(0.01%)				
2022	545	4.000%	0.16%	0.16%	0.01%	0.01%				
2023	565	4.000%	0.19%	0.19%	0.03%	0.03%				
2024	590	4.000%	0.24%	0.24%	0.05%	0.05%				
2025	610	4.000%	0.32%	0.32%	0.07%	0.07%				
2026	640	5.000%	0.46%	0.46%	0.09%	0.09%				
2027	670	5.000%	0.60%	0.60%	0.10%	0.10%				
2028	700	5.000%	0.76%	0.76%	0.12%	0.12%				
2029	735	5.000%	0.93%	0.93%	0.14%	0.14%				
2030	785	5.000%	1.07%	1.42%	0.16%	0.51%				
2031	820	4.000%	1.23%	1.69%	0.23%	0.69%				
2032	850	4.000%	1.34%	1.94%	0.26%	0.86%				
2033	885	4.000%	1.44%	2.15%	0.28%	0.99%				
2034	925	4.000%	1.53%	2.32%	0.29%	1.08%				
2035	960	4.000%	1.60%	2.45%	0.31%	1.16%				
2036	995	4.000%	1.68%	2.58%	0.34%	1.24%				
2037	1,035	4.000%	1.74%	2.68%	0.36%	1.30%				
2038	1,080	3.000%	2.01%	2.46%	0.59%	1.04%				
2039	1,110	3.000%	2.07%	2.52%	0.61%	1.06%				
2040	1,145	3.000%	2.13%	2.57%	0.63%	1.07%				
2041				0.00%						
2042				0.00%						
2043				0.00%						
2044				0.00%						
2045	6,175	2.375%	2.48%	2.48%	0.81%	0.81%				
2046				0.00%						
2047				0.00%						
2048				0.00%						
2049				0.00%						
2050	10,100	2.500%	2.58%	2.58%	0.86%	0.86%				

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Sale Date 10/27/2020 Par Amount 26,575 Issuer United Water Conservation District Series 2020 Revenue COPs Call Date 10/1/30 @100 Sale Type Neg./JP Morgan							Sale Date 10/15/20 Par Amount 32,845 Issuer South Coast Water District Financing Authority Series Revenue Bonds, Series 2020A Call Date 2/1/29 @100 Sale Type Neg./Morgan Stanley (Alone)							Compare to: Utd. Wtr.			
Moody's NR S&P AA- Fitch NR							Moody's NR S&P AA+ Fitch AA+										
Maturity	Prin.	Coupon	Yield	YTM	Spread Yield	Spread YTM	Maturity	Prin.	Coupon	Yield	YTM	Spread Yield	Spread YTM	Spread Yield	Spread YTM		
2021	960	5.000%	0.29%	0.29%	0.12%	0.12%	2021	925	4.000%	0.14%	0.14%	(0.01%)	(0.01%)	0.13%	0.13%		
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2041			0.00%	0.00%			2041			0.00%							
2042			0.00%	0.00%			2042			0.00%							
2043			0.00%	0.00%			2043			0.00%							
2044			0.00%	0.00%			2044			0.00%							
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2047			0.00%	0.00%			2047			0.00%							
2048			0.00%	0.00%			2048			0.00%							
2049			0.00%	0.00%			2049			0.00%							
2050	4,200	4.000%	2.49%	3.30%	0.75%	1.56%	2050	10,100	2.500%	2.58%	2.58%	0.86%	0.86%	(0.11%)	0.70%		

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2020 COP UPDATE OCTOBER 2020					
NET RESULT:					
Sources:	CSCDA 2001B Refunding (United Water Portion)	CSCDA 2005B Refunding (United Water Portion)	Refunding of 2009 COPs	2020 New Money Component	Total
Bond Proceeds:					
Par Amount	145,000.00	4,085,000.00	6,075,000.00	16,360,000.00	26,665,000.00
Premium	6,075.50	844,313.25	1,323,934.35	2,871,581.45	5,045,904.55
	151,075.50	4,929,313.25	7,398,934.35	19,231,581.45	31,710,904.55
Other Sources of Funds:					
DSRF			654,557.43		654,557.43
	151,075.50	4,929,313.25	8,053,491.78	19,231,581.45	32,365,461.98
Project Fund Deposits:					
Project Fund				19,000,000.00	19,000,000.00
Refunding Escrow Deposits:					
Cash Deposit	146,260.18	4,870,936.84	7,965,313.42		12,982,510.44
Delivery Date Expenses:					
Cost of Issuance	4,406.05	46,846.15	71,031.17	185,403.93	307,687.30
Underwriter's Discount	409.27	11,530.26	17,147.19	46,177.52	75,264.24
	4,815.32	58,376.41	88,178.36	231,581.45	382,951.54
	151,075.50	4,929,313.25	8,053,491.78	19,231,581.45	32,365,461.98

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### HUMAN RESOURCES RECAP OCTOBER 2020

- FINALIZED OPEN ENROLLMENT FOR HEALTH CARE PLANS FOR ALL CHANGES REQUESTED.
- FSA AND AFLAC STILL OPEN UNTIL END OF THE YEAR.
- COMPLETED ONBOARDING PAPERWORK FOR FOLLOWING POSITIONS:
- RECHARGE O&M WORKER I (2 NEW HIRES AND 1 PROMOTION) STRENGTHENING AN EXCEPTIONAL O&M DEPARTMENT
- PART TIME FIELD ASSISTANTS (4 STAFF) STRENGTHENING OUR ENVIRONMENTAL SERVICES TEAM
- BEGAN COORDINATION OF NEW RECRUITMENT FOR INSTRUMENT & ELECTRICAL TECHNICIAN POSITION AFTER PREVIOUSLY SELECTED CANDIDATE ABRUPTLY WITHDREW FROM CONSIDERATION.
- PROCESSED EMPLOYEE EVALUATIONS AND STEP INCREASES THAT WERE SCHEDULED FOR THE MONTH OF OCTOBER.
- SUBMITTED QUARTERLY EMPLOYEE LIST TO SEIU PER AB 119.
- COORDINATED DEPARTMENT OF TRANSPORTATION REQUIRED TESTING TO COMPLY WITH DOT REQUIREMENTS
- PROCESSED EMPLOYEE PAYROLL CHANGES INTO INCODE (ADDRESS CHANGES, TAX CHANGES, CHANGES IN DEDUCTIONS, BASE PAY MODIFICATIONS, AND APPROVED CASH OUT REQUESTS SUBMITTED)
- WORKED WITH SDRMA TO ADD OR MODIFY DISTRICT VEHICLES AS APPROPRIATE ON OUR INSURANCE POLICY.
- WORKED IN COORDINATION WITH VARIOUS DEPARTMENTS TO POST JOB LISTINGS, SCHEDULED INTERVIEWS TO FILL VACANCIES / PROMOTIONS

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### RISK MANAGEMENT RECAP OCTOBER 2020

- ATTENDED OSHA CONFINED SPACE TRAINING COURSE (10/27) WHICH WILL CONTINUE TRAINING EFFORTS TO MINIMIZE INSURANCE COSTS TO DISTRICT IN 2021-2022 WHEN RENEWAL OCCURS.
- COORDINATED REPLENISHMENT OF FIRST AID VEHICLE KITS AS WELL AS CABINETS AT ALL DISTRICT LOCATIONS.
- PROVIDED TRAINING ON BLOOD BORNE PATHOGENS SAFETY, BRIEFED STAFF ON COVID-19 DEVELOPMENTS, AND PROVIDED GENERAL AWARENESS TRAINING ON SAFE DRIVING (AS PART OF DISTRACTED DRIVING AWARENESS MONTH).
- ASSIGNED SAFETY TRAININGS FOR NEW STAFF ON BOARDED IN THE PAST MONTH TO COINCIDE WITH THEIR ROLE AND DEPARTMENT ASSIGNMENT.
- EVALUATED AND ENGAGED WITH VENDORS AND KEY INTERNAL STAKEHOLDERS ON DEVELOPMENT OF A NEW SAFETY DATA SHEET (SDS) MANAGEMENT SYSTEM THAT WILL ENHANCE DISTRICT SAFETY, PROVIDE EFFICIENCIES FOR STAFF, AND ENSURE OSHA COMPLIANCE WITH SDS STANDARDS.

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- COLLABORATED WITH AWA VC EMERGENCY MANAGEMENT SUBCOMMITTEE ON TESTING EMERGENCY NOTIFICATION SYSTEM.
- IN COORDINATION WITH O&M CHIEF WATER TREATMENT OPERATOR, COORDINATED REGIONAL TRAINING WITH LOCAL FD HAZMAT UNITS.
- ATTENDED OSHA CONFINED SPACE TRAINING COURSE (10/27) WHICH WILL CONTINUE TRAINING EFFORTS TO MINIMIZE INSURANCE COSTS TO DISTRICT IN 2021-2022 WHEN RENEWAL OCCURS.
- REVIEWED & ASSIGNED MONTHLY DAILY TRAINING BULLETINS FOR PARK RANGER STAFF.
- REVIEWED CPR/FIRST AID/AED TRAINING OPTIONS FOR CURRENT PANDEMIC.
- PUBLISHED COMMUNICATION/AWARENESS TO STAFF ON FLU VACCINE ENCOURAGEMENT AND CYBER SECURITY TIPS AS PART OF NATIONAL CYBER SECURITY AWARENESS MONTH.
- REVIEWED EXISTING EARTHQUAKE PREPAREDNESS KIT AND COMPILED ITEMS NEEDED FOR KITS AT HQ, EL RIO, AND SATICOY.

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- PROVIDED WEBEX/ZOOM IT COORDINATION FOR VARIOUS MONTHLY BOARD AND COMMITTEE MEETINGS
- CONTINUED TO OPTIMIZE UWCD BOARD ROOM AND MEETING ROOM SPACES WITH ADDITIONAL TECHNOLOGY REQUEST.
- BOARD CHAMBERS UPDATED WITH A CAMERA AND PC CASTING COMPATIBLE WITH ZOOM/WEBEX/TEAMS
- COMPLETED THE PRELIMINARY MOVE-ORDER FOR MIGRATING LAKE PIRU RANGER PHONE NUMBERS INTO THE HQ VOIP SYSTEM.
- COMPLETED AN IN-DEPTH ANALYSIS OF NETWORK ACTIVITY DUE TO A VENDOR ADVISORY OF SUSPICIOUS ACTIVITY REPORTS OF THEIR OWN NETWORKS. COORDINATED WITH FINANCE AND HR TO ENSURE ALL ACTIVITY WAS GENERATED BY A UWCD STAFF REQUESTED SUPPORT CALL.
- FINALIZED A REPLACEMENT WINDOWS 2016 CONTROLLER SERVER THAT WILL LEAD TO A REPLACEMENT OF THE PREVIOUS CONTROLLER UTILIZED BY THE DISTRICT WHICH HAS REACHED ITS END LIFE STATE.
- REVIEWED FERC CYBER DOCUMENTATION WITH THE STAFF SUPPORTING THE LICENSING REQUIREMENTS.
  - CYBER INCIDENT RESPONSE PLAN DEVELOPMENT
  - IT BACKUP AND RECOVERY PLAN DEVELOPMENT
  - IT PATCH MANAGEMENT PLAN DEVELOPMENT

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## INFORMATION TECHNOLOGY RECAP OCTOBER 2020 (CONTINUED)

- VISITED SATICOY AND EL RIO FOR VARIOUS NETWORK RELATED CHANGES TO PHYSICAL CONNECTIONS.
- NEW STAFF STARTING AT THE DISTRICT, PHYSICAL DISTANCING HAVE US CREATING SOME NEW WORKSPACES
- CHANGES TO EL RIO NETWORK SWITCHES AND PROCEEDED WITH CREATING NEW BACKUP COPIES OF CERTAIN SWITCH CONFIGURATIONS BEFORE MAKING THE AFOREMENTIONED ADJUSTMENTS.
- FORMATTED END OF LIFE LAPTOP FROM STORAGE WITH NEW OS/OFFICE SUITE/ANTI-VIRUS. TRANSPORTED AND SETUP A/V EQUIPMENT IN SATICOY SHOP FOR DISTRICTS MONTH LONG TOUR OF THE FREEMAN DIVERSION WITH KEY STAKEHOLDERS.
- ORDERED COMPUTER EQUIPMENT FOR OPERATIONS AND MAINTENANCE AND ENGINEERING.
- ORDERED VARIOUS IT EQUIPMENT FOR CONFERENCING ROOM REQUIREMENTS.
- PURCHASED HIGH END CONFERENCE CAMERAS, ACCESSORIES, AND CABLES/SURGE PROTECTORS.
- ORDERED USB HEADSETS, MICE FOR USE IN VARIOUS ENVIRONMENTS, ACCESSORIES WILL BE ASSIGNED TO STAFF THAT WILL REQUIRE DEVICE USAGE DURING DISTRICTS MS TEAMS, ZOOM, OR WEBEX MEETINGS.
- ORDERED AND REPLACED SEVERAL HARD DRIVES FOR SEVERAL DISTRICT LAPTOPS
- ORDERED/REFURBISHED NEW AND EXISITING EQUIPMENT PROVISIONED FOR RECENT STAFFING CHANGES.
- HELPDESK TRACKING: 14 NEW REQUEST TICKETS WERE OPENED IN OCTOBER 2020

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## LAKE PIRU RECREATION UPDATE OCTOBER 2020

OCTOBER VISITATION COMPARISON - (2020 VS. 2019)

- TOTAL DAY USE TRAFFIC INCREASED BY 458% (6289 VS. 1126)
- PERSONS ENTERING THE PARK INCREASED BY 133% (5934 PERSONS VS. 2540)
- VEHICLE TRAFFIC INCREASED BY 233% (2591 VS. 801)
- VESSEL TRAFFIC INCREASED BY 40% (635 VS. 453)
- NIGHTS CAMPED INCREASED BY 5% (618 VS. 589)
- OCTOBER REVENUE DATA: NOT YET AVAILABLE.

SEPTEMBER VISITATION COMPARISON - (2020 VS. 2019)

- TOTAL DAY USE TRAFFIC INCREASED BY 73% (7664 VS. 4437)
- PERSONS ENTERING THE PARK INCREASED BY 29% (7781 VS. 6025)
- VEHICLE TRAFFIC INCREASED BY 60% (3109 VS. 1945)
- VESSEL TRAFFIC INCREASED BY 62% (760 VS. 468)
- NIGHTS CAMPED INCREASED BY 47% (686 VS. 468)
- SEPTEMBER REVENUE COMPARISON, 2020 VS. 2019
- REVENUE INCREASED 19.5% (\$103,759 VS. \$86,760)

16



The VCWPD SWP Contract cost of the DWR study along with United's assumed portion is outlined in the table below.

	Year 1	Year 2	Year 3	Year 4	Total
VCWPD SWP Contract Amount (100% plus)	\$431,184	\$469,390	\$600,382	\$600,382	\$2,101,339
United's Share (\$100% plus)	\$107,796	\$117,348	\$150,096	\$150,096	\$525,335
United's Share (100%)	\$94,847	\$103,165	\$131,994	\$131,994	\$462,000

The DWR can bill these costs through either monthly or semi-annual installments starting in January of 2021. The SWCs are requesting that all funding agreements be executed by the end of November.

**List of Pros & Cons:**

**Pros:**

1. Moving forward with the funding agreement allows the District to remain in a position to attain the project's benefits.
2. The District already has a funding mechanism in place for funding of the funding agreement.
3. Funding partners (City of Ventura and Casitas MWD) appear to support continued participation.

**Cons:**

1. If the DCP/DCF project conceptualizing process were to restart again, spent funds could be lost.
2. The full cost of the DCP/DCF is not yet fully known.

3

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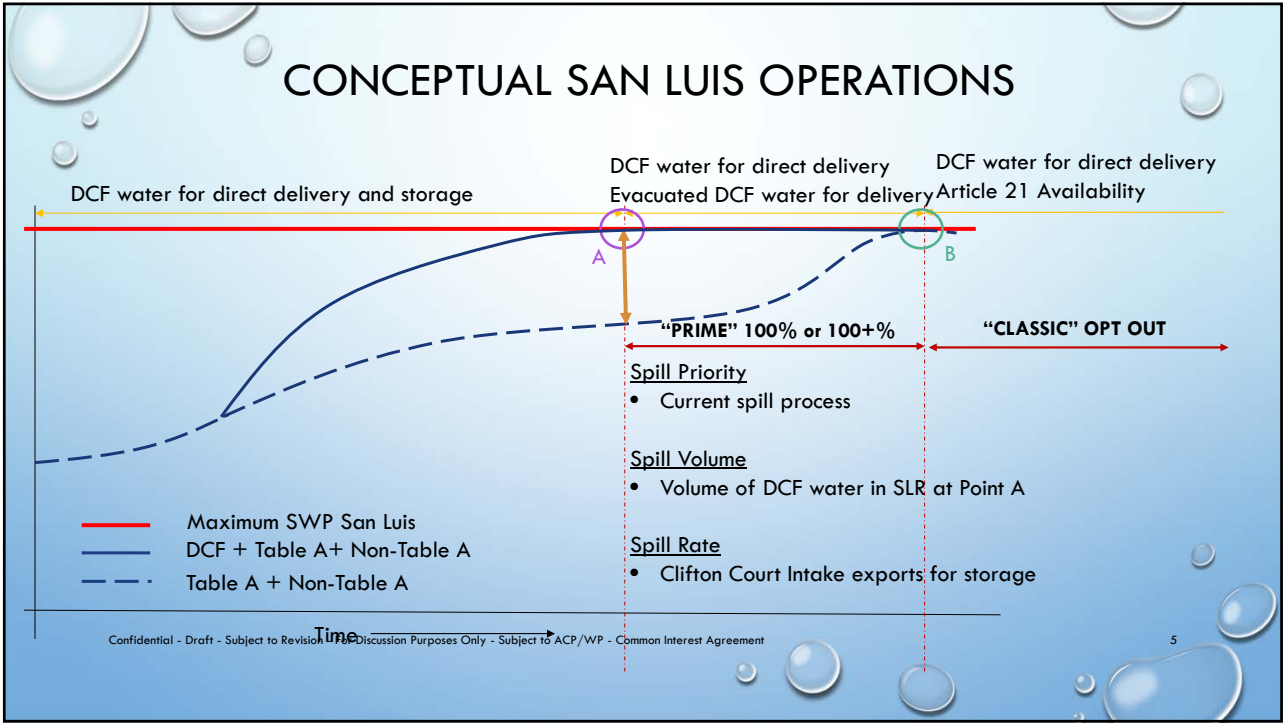
**DCP/DCF PROJECT COST OPTIONS AND ESTIMATES**  
(BASED ON A \$15,900,000,000 CURRENT PROJECT COST ESTIMATE)

OPTION	COST PERCENTAGE	ESTIMATED FULL VCWPD SWP CONTRACT COST*	UWCD SHARE (25%)	EXPECTED NET EFFECT IN TERMS OF WATER SUPPLY
OPT-OUT	ZERO	NONE	NONE	REDUCTION IN AVERAGE ANNUAL TABLE A ALLOCATION
OPT-IN (100%)	0.48%	\$76 MILLION	\$19 MILLION	MAINTAIN CURRENT AVERAGE ANNUAL TABLE A ALLOCATION OF 60%
OPT-IN (100% PLUS)	0.55%	\$87 MILLION	\$22 MILLION	ADDITIONAL AVERAGE ANNUAL TABLE A ALLOCATION

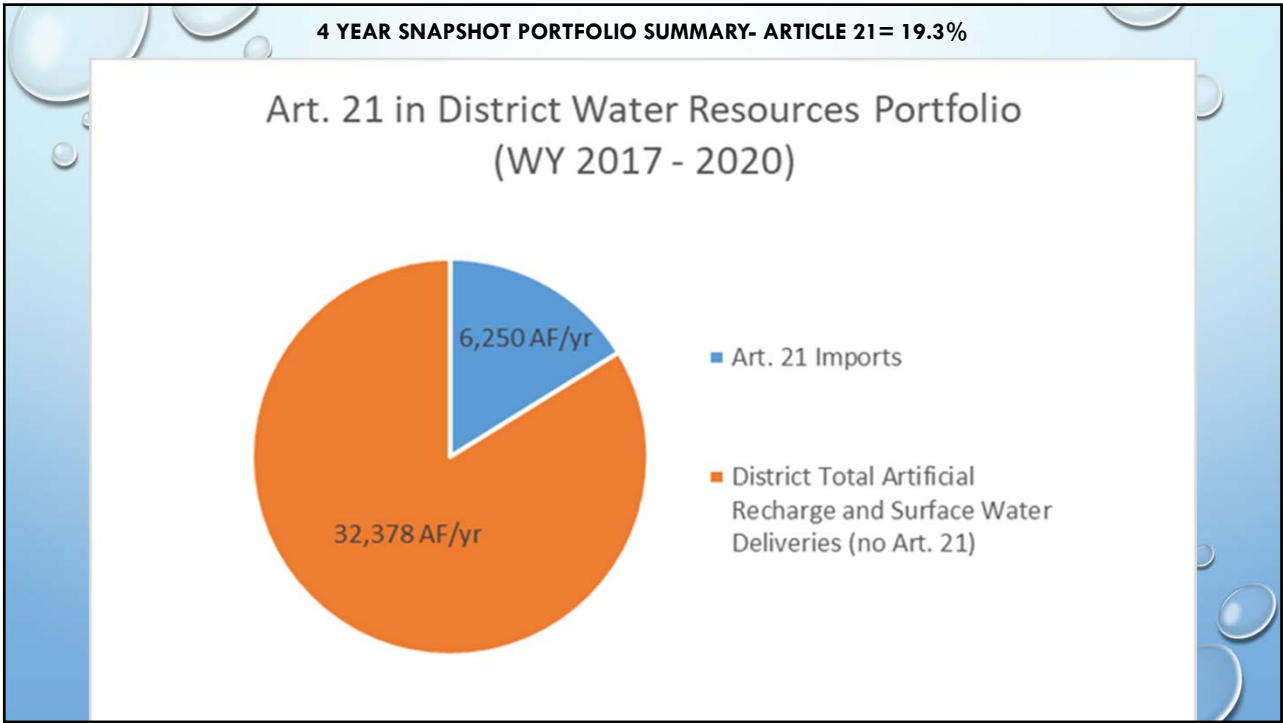
\*Note: The State Water Contract currently shared by Casitas, the City of Ventura, and the United Water Conservation District is in the name of the Ventura County Watershed Protection District. The *Opt-In Plus* option is expected to yield an additional 2,139 Acre-Feet of Equivalent Table A allocation to the full VCWPD SWP contract of which United Water would receive 25% or 535 Acre-Feet, if United elects to the *Opt-in 100% plus* option.

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# ARTICLE 21 COMPARISON

## Article 21 AIP yield analysis- 100,000 Acre Feet available-Example

AIP Option scenarios	ART 21 AF Requested	AF Delivered	Table A allocation AF (VCWPD)	Estimated Table A yearly average (VCWPD)	Article 21 Allocation (Demand exceeds supply)	% multiplier
100%: Fully subscribed- Demand exceeds supply	15,000	480	20,000	12,000	480	0.48%
100%: Not fully subscribed- Supply exceeds demand	15,000	15,000	20,000	12,000		0.48%
100%: Fully subscribed- Demand exceeds Supply	15,000	550	20,000	14,139	550	0.55%
100%: Not fully subscribed- Supply exceeds demand	15,000	15,000	20,000	14,139		0.55%

(BASED ON AN ESTIMATED \$385,000,000 FOR ENVIRONMENTAL PLANNING)

	Year 1	Year 2	Year 3	Year 4	Total
VCWPD SWP Contract Amount (100% plus)	\$431,184	\$469,390	\$600,382	\$600,382	\$2,101,339
United's Share (\$100% plus)*	\$107,796	\$117,348	\$150,096	\$150,096	\$525,336
United's Share (100%:)	\$94,847	\$103,165	\$131,994	\$131,994	\$462,000

\* Assumes all 3 agencies participate at 100%:

(BASED ON A \$15,900,000,000 CURRENT PROJECT COST ESTIMATE)

OPTION	COST PERCENTAGE	ESTIMATED FULL VCWPD SWP CONTRACT COST*	UWCD SHARE (25%)	EXPECTED NET EFFECT IN TERMS OF WATER SUPPLY
OPT-OUT	ZERO	NONE	NONE	REDUCTION IN AVERAGE ANNUAL TABLE A ALLOCATION
OPT-IN (100%)	0.48%	\$76 MILLION	\$19 MILLION	MAINTAIN CURRENT AVERAGE ANNUAL TABLE A ALLOCATION OF 60%
OPT-IN (100% PLUS)	0.55%	\$87 MILLION	\$22 MILLION	ADDITIONAL AVERAGE ANNUAL TABLE A ALLOCATION

\*Note: The State Water Contract currently shared by Casitas, the City of Ventura, and the United Water Conservation District is in the name of the Ventura County Watershed Protection District. The Opt-In Plus option is expected to yield an additional 2,139 Acre-Feet of Equivalent Table A allocation to the full VCWPD SWP contract of which United Water would receive 25% or 535 Acre-Feet, if United elects to the Opt-in 100% plus option.

7

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TABLE A COMPARISON					
(BASED ON AN ESTIMATED \$385,000,000 FOR ENVIRONMENTAL PLANNING)					
	Year 1	Year 2	Year 3	Year 4	Total
VCWPD SWP Contract Amount (100% plus)	\$431,184	\$469,390	\$600,382	\$600,382	\$2,101,339
VCWPD SWP Contract Amount (100%)	\$379,200	\$412,800	\$528,000	\$528,000	\$1,848,000
United's 25% Share (\$100% plus)	\$107,796	\$117,348	\$150,096	\$150,096	\$525,336
United's 25% Share (100%)	\$94,847	\$103,165	\$131,994	\$131,994	\$462,000
<b>VCWPD SWP Contract Amount (100% plus) VENTURA WATER @ 100% - UNITED &amp; CASITAS SHARE THE 100+% COSTS EQUALLY</b>					
100+% with Ventura Water @ 100% (Casitas & United split the 100+% costs equally)					
	Year 1	Year 2	Year 3	Year 4	Total
VCWPD SWP Contract Amount (100% plus)	\$431,184	\$469,390	\$600,382	\$600,382	\$2,101,339
Ventura Water 100%	\$189,600.00	\$206,400.00	\$264,000.00	\$264,000.00	\$924,000.00
United 50% share of 100+%	\$120,792.00	\$131,495.00	\$168,191.00	\$168,191.00	\$588,669.50
Casitas 50% share of 100+%	\$120,792.00	\$131,495.00	\$168,191.00	\$168,191.00	\$588,669.50
	Project Costs	Design Costs	Share of 100+%	Additional AF for 100+% per year	40 year additional yield AF
Ventura Water 100% (50% OF 100% COSTS)	0.48%	\$38,000,000	\$324,000.00	0%	0
United Water 100% PLUS (50% OF 100% PLUS COSTS)	0.55%	\$24,500,000	\$588,669.50	50%	1063.5
Casitas Water 100% PLUS (50% OF 100% PLUS COSTS)	0.55%	\$24,500,000	\$588,669.50	50%	1063.5
TOTALS		\$87,000,000	\$2,101,339.00	2139	85,560
(BASED ON A \$15,900,000,000 CURRENT PROJECT COST ESTIMATE)					
OPTION	COST PERCENTAGE	ESTIMATED FULL VCWPD SWP	UWCD SHARE (25%)	EXPECTED NET EFFECT IN TERMS OF WATER SUPPLY	
OPT-IN (100%)	0.48%	\$76 MILLION	\$19 MILLION	MAINTAIN CURRENT AVERAGE ANNUAL TABLE A ALLOCATION	
OPT-IN (100% PLUS)	0.55%	\$87 MILLION	\$22 MILLION	ADDITIONAL AVERAGE ANNUAL TABLE A ALLOCATION	

8

Questions?

9

STATE WATER PROJECT 2011 ARTICLE 21 REQUESTED-ALLOCATED-DELIVERED FEB 21 - APR 19, 2011					STATE WATER PROJECT 2017 ARTICLE 21 REQUESTED-ALLOCATED-DELIVERED FEB 15 - MAY 16, 2017					STATE WATER PROJECT 2019 ARTICLE 21 REQUESTED-ALLOCATED-DELIVERED FEB 19 - MAR 31, 2019				
SWP CONTRACTORS	TOTAL AVAILABLE	REQUESTED	ALLOCATED	DELIVERED	SWP CONTRACTORS	TOTAL AVAILABLE	REQUESTED	ALLOCATED	DELIVERED	SWP CONTRACTORS	TOTAL AVAILABLE	REQUESTED	ALLOCATED	DELIVERED
FEATHER RIVER COUNTY OF BUTTE PLUMAS COUNTY FCS&WCD CITY OF YUBA CITY					FEATHER RIVER COUNTY OF BUTTE PLUMAS COUNTY FCS&WCD CITY OF YUBA CITY		-	-	-	FEATHER RIVER COUNTY OF BUTTE PLUMAS COUNTY FCS&WCD CITY OF YUBA CITY		-	-	-
SUBTOTAL					SUBTOTAL		-	-	-	SUBTOTAL		-	-	-
NORTH BAY NAPA COUNTY FCS&WCD SOLANO COUNTY WATER AGENCY				14,733	NORTH BAY NAPA COUNTY FCS&WCD SOLANO COUNTY WATER AGENCY		-	-	6,423	NORTH BAY NAPA COUNTY FCS&WCD SOLANO COUNTY WATER AGENCY		-	-	3,964
SUBTOTAL					SUBTOTAL		-	-		SUBTOTAL		-	-	3,964
SOUTH BAY ALAMEDA COUNTY FCS&WCD-ZONE 7 ALAMEDA COUNTY V&D SANTA CLARA VALLEY V&D		350	350	1,959	SOUTH BAY ALAMEDA COUNTY FCS&WCD-ZONE 7 ALAMEDA COUNTY V&D SANTA CLARA VALLEY V&D		-	-		SOUTH BAY ALAMEDA COUNTY FCS&WCD-ZONE 7 ALAMEDA COUNTY V&D SANTA CLARA VALLEY V&D		2,094	2,094	1,123
SUBTOTAL		370	370	370	SUBTOTAL		-	-		SUBTOTAL		2,094	2,094	1,123
SAN JOAQUIN VALLEY OAK FLAT WATER DISTRICT COUNTY OF KINGS DUDLEY RIDGE WATER DISTRICT EMPIRE WEST SIDE ID KERN COUNTY V&A TULARE LAKE BASIN V&D	469,196	11,315	4,078	552	SAN JOAQUIN VALLEY OAK FLAT WATER DISTRICT COUNTY OF KINGS DUDLEY RIDGE WATER DISTRICT EMPIRE WEST SIDE ID KERN COUNTY V&A TULARE LAKE BASIN V&D	637,068	1,322	1,553	1,414	SAN JOAQUIN VALLEY OAK FLAT WATER DISTRICT COUNTY OF KINGS DUDLEY RIDGE WATER DISTRICT EMPIRE WEST SIDE ID KERN COUNTY V&A TULARE LAKE BASIN V&D	331,457	1,107	386	431
SUBTOTAL		420	247	138	SUBTOTAL		31,300	22,219	15,722	SUBTOTAL		7,823	5,577	3,468
CENTRAL COASTAL SAN LUIS OBISPO COUNTY FCS&WCD SANTA BARBARA COUNTY FCS&WCD		250,132	208,855	194,193	CENTRAL COASTAL SAN LUIS OBISPO COUNTY FCS&WCD SANTA BARBARA COUNTY FCS&WCD		264,624	205,363	114,112	CENTRAL COASTAL SAN LUIS OBISPO COUNTY FCS&WCD SANTA BARBARA COUNTY FCS&WCD		210	165	35
SUBTOTAL		27,333	16,419	6,303	SUBTOTAL		-	-		SUBTOTAL		193,665	157,575	130,806
SOUTHERN CALIFORNIA ANTELOPE VALLEY-EAST KERN V&A SANTA CLARITA VALLEY WATER AGENCY COACHELLA VALLEY V&D CRESTLINE-LAKE ARROWHEAD V&A DESERT WATER AGENCY LITTLE ROCK CREEK ID THE METROPOLITAN WATER DISTRICT MOJAVE WATER AGENCY PALMDALE WATER DISTRICT SAN BERNARDINO VALLEY M&D SAN GABRIEL VALLEY M&D SAN GORGONIO PASS V&A VENTURA COUNTY V&D		8,984	7,536	7,623	SOUTHERN CALIFORNIA ANTELOPE VALLEY-EAST KERN V&A SANTA CLARITA VALLEY WATER AGENCY COACHELLA VALLEY V&D CRESTLINE-LAKE ARROWHEAD V&A DESERT WATER AGENCY LITTLE ROCK CREEK ID THE METROPOLITAN WATER DISTRICT MOJAVE WATER AGENCY PALMDALE WATER DISTRICT SAN BERNARDINO VALLEY M&D SAN GABRIEL VALLEY M&D SAN GORGONIO PASS V&A VENTURA COUNTY V&D		22,300	17,400	17,400	SOUTHERN CALIFORNIA ANTELOPE VALLEY-EAST KERN V&A SANTA CLARITA VALLEY WATER AGENCY COACHELLA VALLEY V&D CRESTLINE-LAKE ARROWHEAD V&A DESERT WATER AGENCY LITTLE ROCK CREEK ID THE METROPOLITAN WATER DISTRICT MOJAVE WATER AGENCY PALMDALE WATER DISTRICT SAN BERNARDINO VALLEY M&D SAN GABRIEL VALLEY M&D SAN GORGONIO PASS V&A VENTURA COUNTY V&D		12,603	11,745	6,174
SUBTOTAL		400	400	400	SUBTOTAL		12,117	8,972	-	SUBTOTAL		-	-	-
SWP TOTAL		546,626	465,146	420,693	SWP TOTAL		4,883	3,676	-	SWP TOTAL		-	-	-
							167,395	123,350	123,350			81,562	65,430	65,431
							-	-	-			-	-	-
							-	-	-			360	335	335
							4,597	3,057	3,057			3,676	575	581
							-	-	-			3,050	550	438
							10,000	10,000	10,000			34,103	15,000	11,970
							525,745	405,357	296,804			136,160	94,038	30,477
												371,307	280,995	246,192





SFD Drilling Program Plan Cont.

❖ Three (3) borings drilled in the spillway discharge channel.

B312

A yellow drilling rig is positioned on a dirt area next to a concrete spillway structure. Two workers in safety gear are visible near the rig. A blue canopy is set up nearby.


B312

A close-up view of a drill core sample. The core is a dark, cylindrical material, likely rock or sediment, with a yellow measuring tape placed alongside it for scale. A small white tag with handwritten text is attached to the core.


3

Drilling Program Plan Cont.

Two (2) borings drilled on the east abutment.

An aerial view of a large dam and reservoir. The dam is a long, straight concrete structure. The reservoir is filled with greenish water. A small boat is visible on the water. The surrounding area is hilly and rocky.

B403

A yellow drilling rig is positioned on a rocky, sloping area next to a body of water. The rig is mounted on a metal frame. The background shows a steep, rocky hillside.

4

2



Federal Permitting Process

Federal Permitting Process and Section 7 Consultation

❖ Two meetings with FERC on October 14 and 21 to discuss FERC's Comments on draft EA and BA

❖ Path forward to initiate Section 7 consultation

5

2020 Bathymetric Survey

2020 and 2005

≤ -5'

≤ -2'

≤ 0'

≤ 1'

≤ 2'

≤ 5'

≤ 10'

Lake Storage Capacity:  
2015: 81,986 AF  
2020: 82,067 AF

2020 and 2015

≤ -5'

≤ -2'

≤ 0'

≤ 1'

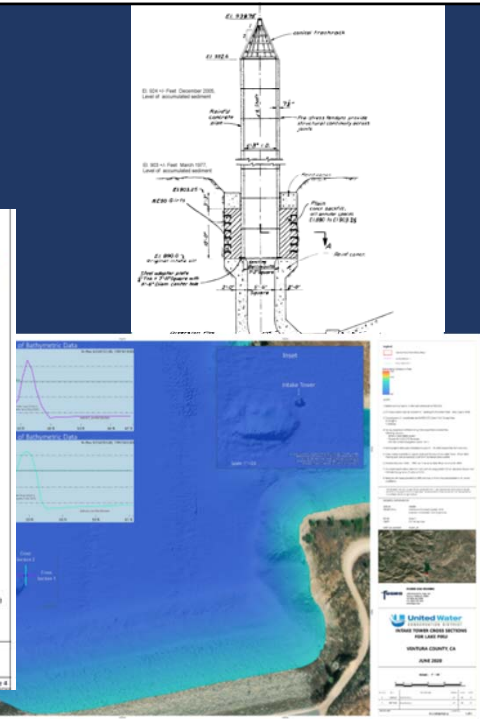
≤ 2'

≤ 5'

≤ 10'

6

3

[illegible]

7

Contractor	Bid Price
J&H Engineering	\$ 91,000.00
Summer Construction, INC.	\$ 128,642.00
LCR Earthwork & Engineering Corp.	\$ 149,310.00
Prestige Paving	\$ 163,985.35
Quality Ag, INC.	\$ 212,610.20
BSN Construction INC.	\$ 230,100.00



## Construction Completion – by December 31

8



### Freeman Fish Passage Facility Design

- Motion Item to approve an amendment to the PSA with Stantec for \$120,600 to provide further analysis and CDF model for the Vertical Slot Fish Passage Design alternative.
- On October 9, Staff met with Stantec, NHC and USBR to discuss the physical modeling.
- On October 23<sup>rd</sup>, Staff, NMFS, CDFW and USBR met to discuss the physical modeling of the hardened ramp and vertical slot.



9

### Grand Canal Headworks Upgrade

- ❖ Preconstruction Meeting on Oct 14
- ❖ Construction scheduled for Nov 2 - Dec 31.
- ❖ Reinforced precast concrete box culvert (Owner furnished) delivery was delayed from Oct to Nov.
- ❖ Potential loss of water in the event of November/December storms
- ❖ Construction start date postponed to Apr 15, 2021

### Grand Canal Gates



10




### El Rio Iron Manganese Treatment

- DWR Prop 1 IRWMP Grant Award: \$11,858,680 for 5 projects in the Ventura IRWMP region was announced in Sept 2020
- Calleguas remains the liaison for the Ventura IRWMP region
- Execution of a main grant agreement between Calleguas and DWR
- Other 4 project proponents, each, will sign a subgrant agreement with Calleguas
- United Staff is currently working on the subgrant agreement.

**Project Timeline (Tentative):**

- Nov 12, 2020 - Submit final design review comments to Consultant
- Feb 5, 2021 - Release the notice inviting construction bids
- April 14, 2021 - Award construction contract



13

### 2020 Urban Water Management Plan

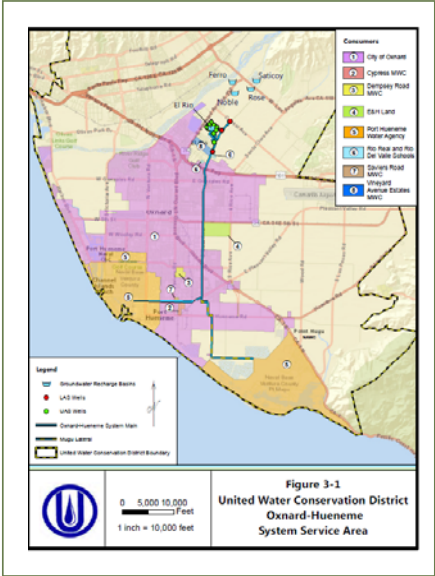
**Project Purpose:**  
Long-term resource planning to evaluate current and future supplies and demands for the O-H system – last UWMP in 2015

**New Policies:**  
Requires drought risk assessment, seismic risk assessment, groundwater supplier coordination, demand management measures, WSCP

**Consultant Selection:**  
Sept 2020 - Staff reviewed, and selected Stantec’s proposal.

**Path Forward:**

Nov 2020	Execute PSA and kick start project
Mar 2021	Develop draft UWMP
Mar 2021	Present draft UWMP to the Board
Mar-May 2021	Public Review Comment Period
Jun 2021	Board to adopt final UWMP
Jun 2021	Submit the final UWMP to DWR



14


Grant Funding Updates


Hazard Mitigation Grant Program Funds Approval

Project:

Furnish and Install an 800 KW backup diesel-powered generator at El Rio Booster Plant which supplies OH Pipeline system

Project Completion Date:  
by August 26, 2021






Reference: Application Approval, HMGP #4407-042-107R  
United Water Conservation District (UWCD)  
Oxnard-Hueneme Generator Project  
FIPS #: 111-U6UMJ, Supplement #58

Dear Mr. Ghilarducci:

The Federal Emergency Management Agency (FEMA) have approved and issued Hazard Mitigation Grant Program (HMGP) funds for the United Water Conservation District (sub-recipient), HMGP #4407-042-107R, Oxnard-Hueneme Generator Project.

The total eligible costs are \$862,050. As shown in the enclosed Obligation Report - Supplement #58, we have obligated \$646,537 for up to 75 percent Federal share; the non-Federal share match is \$215,513. These funds are available in SmartLink for eligible disbursements.



Federal Share: \$646,537 (75%)

15

8



### 5.3 Environmental Services FERC Order – Habitat Improvement Plan Update



★ Gravel  
Augmentation  
Sites

1

### Reasonable and Prudent Alternative from NMFS's Biological Opinion

- Prepare a Study Plan to quantify Geomorphic Effects
- Execute the Study Plan and prepare a Findings Report
- Develop Habitat Improvement Plan to address effects identified in the Findings Report



2

A. The April 27, 2020 Order Erred in Allowing  
Implementation of the Habitat Improvement Plan  
Prior to Receiving NMFS's Formal Agreement

"Although NMFS disagrees with **United's** and our  
interpretation of the RPA..."



"In order to assist United and NMFS in resolving the  
matters at issue, the remainder of this order  
discusses other issues raised by NMFS in its request  
for rehearing."

3

B. The April 27, 2020 Order Did Not Err in Determining  
That Habitat Improvement Measures Should Address  
the Effects Identified in the Findings Report

"We agree with the [Order's] determination that the  
mitigation NMFS requests is **outside the paraments  
of the RPA** and that each measure should  
compensate for the geomorphic effects..."

"These geomorphic effects were identified through  
the Commission and NMFS-approved Study Plan."

"NMFS's reference...**is taken out of context...**"

"None of the cited language contains a reference to  
actual study results contained in the Findings Report."



4

## B. Continued...

"Commission staff's review of the Findings Report did not indicate that the broad array of habitat improvements that NMFS requested **were warranted by the data** contained in the Findings Report."

"The [Order] **did not find a clear nexus** between RPA 1(c) and the need for channel modifications or supplemental features..."

"Contrary to NMFS's assertion, ... those **measures were not warranted** by the results of the Findings Report..."

"Thus, NMFS's ... approving authority should not be interpreted as an opportunity to expand existing requirements beyond those of the RPA."

"...the [Order] considered NMFS's proposed measures and determined that **they were outside the scope of the RPA** and Findings Report."

5

## C. The April 27, 2020 Order did not Err in Finding That United Would be unable to Provide Scouring Flows

"United has explained that it is unable to provide the full range of flows requested by NMFS due to the physical limitation of the flow outlet works."



6

D. The April 27, 2020 Order did not Err in Finding that Installation of Forcing Features is not Supported by the Findings Report

“... NMFS makes no reference to any relevant portions of the Findings Report that recommended improvements to pool frequency, pool quality, or forcing features.”

Results  
from  
Findings  
Report



NMFS's  
Recommended  
Improvement  
Measures

7

## Conclusion

**ON HOLD**

### FERC's Order Setting Aside Prior Order

- Only “error” identified -> allowing implementation of HIP without prior receipt of NMFS's agreement
- Validates and bolsters United's position regarding NMFS's inappropriate consultation practices
- Establishes boundaries for future consultation

8