

## MINUTES REGULAR BOARD MEETING Wednesday, November 10, 2021, 12:00 P.M.

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

General Manager Mauricio E. Guardado, Jr.

Legal Counsel David D. Boyer

#### **DIRECTORS PARTICIPATING**

President Michael W. Mobley
Vice President Bruce E. Dandy
Secretary/Treasurer Sheldon G. Berger
Director Mohammed A. Hasan
Director Lynn. E. Maulhardt
Director Edwin T. McFadden III
Director Daniel C. Naumann

#### STAFF PARTICIPATING

Mauricio E. Guardado, Jr., general manager David D. Boyer, legal counsel Anthony Emmert, assistant general manager Dr. Maryam Bral, chief engineer Brian Collins, chief operations officer Dan Detmer, water resources manager Evan Lashly, environmental scientist Tessa Lenz, associate environmental scientist Craig Morgan, engineering manager Josh Perez, human resource manager Zachary Plummer, IT administrator Linda Purpus, environmental services manager Robert Richardson, senior engineer Daryl Smith, controller Kris Sofley, executive assistant/clerk of the board Clayton Strahan, chief park ranger

#### **PUBLIC PARTICIPANTS**

Guillermo Cojo, Jr., LIUNA Local 585 Abraham Maldanado, City of Oxnard Anthony Mireles, LIUNA Local 585

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

President Mobley called the meeting to order at 12:05p.m.

## 1.1 Public Comments <u>Information Item</u>

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

President Mobley then asked District's Legal Counsel David Boyer to report on the items to be discussed during Executive (Closed) Session.

Mr. Boyer reported that, pursuant to Government Code Section 54956.9(d)(2), the Board would be discussing two cases of anticipated legislation; and, pursuant to Government Code Section 54956.9(d)(1), there were five cases of existing litigation to discuss including the case of City of San Buenaventura v. UWCD; Wishtoyo Foundation v UWCD; the Dorsey and Estate of Naya Rivera case v. County of Ventura, UWCD and Parks Management Company; the OPV Coalition v Fox Canyon GMA case and the Sun Cress Distributors Inc. bankruptcy case.

#### 1.2 EXECUTIVE (CLOSED) SESSION 12:08 P.M.

President Mobley adjourned the meeting into Executive (Closed) session at 12:08 p.m.

#### 2. SECOND OPEN SESSION AND CALL TO ORDER 1:22 P.M.

President Mobley called the Second Open Session of the UWCD Board meeting to order at 1:22 p.m.

#### 2.1 Pledge of Allegiance

President Mobley asked Director Naumann to lead everyone in reciting the Pledge of Allegiance.

#### 2.2 Public Comment

#### **Information Item**

President Mobley asked if there were any public comments. 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 reported that on the staff report for motion item 2.8, there is a reference to increasing an hourly rate from \$325 to \$350, however, the amount should be an increase from \$325 to \$375.

President Mobley asked if there were any other changes. Mr. Guardado said no.

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

## 2.4 Oral Report Regarding Executive (Closed) Session Information Item

President Mobley asked Mr. Boyer if there was anything to report from the Board's Executive (Closed) session. Mr. Boyer stated that, by a unanimous vote, the Board rejected the County of Ventura's claim in the Dorsey case and the claim received from Joseph Jereb's attorney in a letter dated October 6, 2021. Mr. Boyer said that both claims and notices of rejection will be available in the District's office and that no other actions were taken that would be reportable under the Brown Act.

## 2.5 Board Members' Activities Report Information Item

The Board received and filed information regarding meeting participation provided by each of the Board Members through Monthly Activities (aka per diem) Reports. President Mobley asked if there were any questions or comments. None were offered.

## 2.6 General Manager's Report Information Item

The General Manager stated that he had no additions to his report and asked President Mobley if there were any questions or comments from the Board. None were offered.

## 2.7 Approving California Special Districts Association's Revised Bylaws Motion

In the Board's consideration of approving the California Special Districts Association's (CSDA) revised bylaws, President Mobley asked Vice President Dandy, who serves as President to the Ventura County Special Districts Association chapter, if he had any recommendations. Vice President Dandy said he recommends approving the revised bylaws and authorizing the Clerk of the Board to submit an electronic vote of approval on behalf of the Board to the CSDA by the November 12, 2021 deadline.

Motion to approve the revised CSDA bylaws and authorize the Clerk of the Board to submit an electronic vote of approval on behalf of the Board to the CSDA before the November 12, 2021 deadline; second, Director Naumann. Voice vote: seven ayes (Berger, Dandy, Hasan, Maulhardt, McFadden, Naumann, Mobley), none opposed. Motion carries unanimously 7/0.

District Legal Counsel David Boyer recused himself from motion item 2.8 and left the Boardroom

## 2.8 Approval of Hourly Rate Increase for General Counsel Motion

President Mobley reminded the Board that the hourly rate increase being considered for approval was an increase from \$325 per hour to \$375 per hour for District's General Counsel and the motion, if approved, should include authorizing the

District's General Manager to execute an amendment to the fees agreement consistent with the Board's approval. Director Maulhardt said the Finance Committee had a lengthy discussion of this motion and agreed to recommend the Board approve the increase to \$375 per hour for District's General Counsel.

Motion to approve the hourly rate increase from \$325 per hour to \$375 per hour for District's General Counsel and to authorize the General Manager to execute an amendment to the fees agreement with AALRR consistent with the Board's approval, Director Hasan; second, Vice President Dandy. Voice vote: seven ayes (Berger, Dandy, Hasan, Maulhardt, McFadden, Naumann, Mobley), none opposed. Motion carries unanimously 7/0.

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 13, 2021.

#### **B.** Groundwater Basin Status Reports

#### **Information Item**

Receive and file Monthly Hydrologic Conditions Report for the District.

#### C. Monthly (September 30, 2021) Investment Report

#### **Information Item**

Receive and file report on the District's investments and the availability or restriction of these funds. All investments are in compliance with the District's investment policy, which is reviewed and approved annually by the Board.

D. First Quarter Fiscal Year 2021-2022 Financial Report (July 1, 2021 – September 30, 2021)

#### **Information Item**

Receive and file the Fiscal Year 2021-2022 First Quarter Financial Report for the period of July 1, 2021 through September 30, 2021.

E. Resolution 2021-21 Subsequent Finding that the Governor of California issued a Proclamation of a State of Emergency on March 4, 2020 relating to the COVID-19 virus and local officials continue to recommend social distancing measures to mitigate the spread of the COVID-19 virus and Authorizing remote teleconference meetings of the legislative bodies of United Water Conservation District for the period of November 10 through December 9, 2021, pursuant to Brown Act provisions Motion

The Board will consider adopting <u>Resolution 2021-21</u> continuing subsequent findings that the requisite conditions exist for remote teleconference meetings of the District's legislative bodies without compliance with Government Code section 54953(b)(3), as authorized by Government Code section 54953(e).

Director Maulhardt asked District Counsel if it was legal to adopt a motion in the Consent Calendar. Mr. Boyer replied that it was legal.

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

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

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

4.1 <u>Resolution 2021-22</u> Adoption of the California Environmental Quality Act (CEQA) Notice of Exemption (NOE) Determination for the Lake Piru Sediment Sampling Project

#### Motion

Ms. Purpus addressed the Board and stated that both motion items 4.1 and 4.2 were presented to the Engineering and Operations Committee and introduced Tessa Lenz to address Resolution 2021-22.

Ms. Lenz reported that four exploratory test pits, each 12 feet deep, were used to demonstrate that the sediment sampling project was categorically exempt, (see slides) and that staff is asking the Board will consider approving Resolution 2021-22, adopting the California Environmental Quality Act (CEQA) Notice of Exemption (NOE) for the Lake Piru Sediment Sampling Project (Project), approving the Project, and directing staff to file the NOE in accordance with CEQA.

Motion to approve <u>Resolution 2021-22</u>, adopting the CEQA Notice of Exemption for the Lake Piru Sediment Sampling project, approve the Lake Piru Sediment Sampling project and direct staff to file the Notice of Exemption in accordance with CEQA, Director Maulhardt; second, Director Naumann. Roll call vote: seven ayes (Berger, Dandy, Hasan, Maulhardt, McFadden, Naumann, Mobley), none opposed. Motion carries unanimously 7/0.

#### 4.2 Pre-implementation Studies in Support of Federal Energy Regulatory Commission Fish Passage Assessment – Sixth Amendment to Professional Services Agreement with Cramer Fish Sciences - \$440,950 Motion

Evan Lashly addressed the Board and shared several slides explaining the work that Cramer Fish Sciences had done to date and the remaining scope of work still necessary to complete the pre-implementation studies in support of the FERC Fish Passage Assessment. Mr. Lashly explained how three years of activities were interrupted in year two due to Covid and that field sampling, including tagging and monitoring fish populations to complete the studies.

Director Dandy asked if fish were being tagged downstream of the dam and Mr. Lashly said that the tagging program was denied by NMFS so no trapping or tagging could be conducted at the Freeman. Mr. Guardado explained that while the District had submitted an application for the tagging program, National Marine Fisheries Services denied the application.

Board members asked various questions about the number, size and residence of the fish that had been tagged and Mr. Lashly explained that about 842 fish had been tagged to date, that the sensors can only track a few feet in any direction, so it is possible for fish to evade detection and that most of the fish are two years or younger. He added that since this is the driest year on record, available habitat has likely diminished restricting fish to specific areas. Ms. Purpus interrupted Mr. Lashly to say that the 842 tagged fish were omykiss (resident trout) and that migration was not happening among the tagged population.

Director Maulhardt reported that the Finance Committee had reviewed the motion and was recommending for continued funding of the program.

Motion to authorize the General Manager to execute an amendment to the professional services agreement (PSA) with Cramer Fish Sciences in the amount of \$440,950 to re-initiate pre-implementation study activities outlined in the "Santa Felicia Dam Fish Passage Program Pre-Implementation Study Plan," Director Maulhardt; second, Director McFadden. Roll call vote: seven ayes (Berger, Dandy, Hasan, Maulhardt, McFadden, Naumann, Mobley), none opposed. Motion carries unanimously 7/0.

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

#### **Operations and Maintenance Department – Brian Collins**

## 5.1 Monthly Operation and Maintenance Department Report Information Item

Mr. Collins addressed the Board and included a presentation on monthly activities of the Operations and Maintenance Department (see slides). Vice President Dandy asked how much soil was removed from the desilting basin at the Freeman and Mr. Collins said that Tri County Trucking had hauled out approximately 10,000 yards of soil from the desilting basin and delivered it to Brokaw Nursery.

#### Park and Recreation Department - Clayton Strahan

## 5.2 Monthly Park and Recreation Department Report <u>Information Item</u>

Chief Ranger Strahan addressed the Board and included a presentation on monthly activities of the Park and Recreation Department (see slides). Vice President Dandy asked how many children participated in the CAST event and Chief Ranger Strahan said 40 children with special needs were taught to fish by many professional fisherman volunteers who used their own boats (15 in total) and equipment so these

children could experience outdoor recreation. It was a very positive event and the CAST organizers have committed to returning to Lake Piru. Chief Ranger Strahan also reported that this year, without boat rentals and without a store, the District generated \$835,000 in revenue compared to \$1 million in 2019, which was the best year for Lake Piru revenue to date. He also reminded the Board that previous earnings were largely PMC's with the District receiving a small share, but now, 100 percent of the earnings are the District's.

Director Maulhardt asked why camping revenue was down and Chief Ranger Strahan explained that due to Covid, there was no overnight camping at the lake for about 10 weeks, and camping didn't open up until mid-March. Director Naumann asked about the impact of the lower lake levels. Chief Ranger Strahan said that it was a great time to take care of maintenance and clean-up projects and that the O&M and Dam crews were providing help as well.

Director Hasan said that the Recreation department should consider cross training operations staff. Mr. Guardado explained that cross training programs were in place throughout the District, including in Finance, Operations, Engineering, Environmental Services and that everyone has roles within specific departments as well as in other departments. He added that it enhances collaboration efforts among staff, saves the District money and builds morale.

Director Berger asked about the situation with boat rentals. Chief Ranger Strahan said he is currently working on a draft agreement with Tommy's and hopes to bring a contract to the GM shortly as he is looking at a March 15, 2022 start date. Director Maulhardt stated this is a third party company, not in house, correct? Chief Ranger Strahan confirmed it was a third party vendor. Secretary/Treasurer Berger said Tommy's is a national company and its their policy to sell off boats after 12 months rental use and restock the inventory with new boats, and due to the volume they work in, there are significant savings and safety considerations, too. Mr. Guardado added that it is a revenue generator and reduces the District's liability.

#### Water Resources Department – Dan Detmer

## 5.3 Monthly Water Resources Department Report Information Item

Mr. Detmer addressed the Board and gave a presentation on the monthly activities of the Water Resources Department (see slides). He provided updates on Dr. Jason Sun's modeling efforts and providing different scenarios for Prop 1 Planning grant. He also mentioned a public workshop on the Coastal Brackish Groundwater Extraction project on Monday, December 6, and that staff is reaching out to the GMA, regulators the TAC and ratepayers and public for feedback.

## 5.4 Update on Groundwater Sustainability Agencies (GSAs) and Sustainable Groundwater Management Act (SGMA)

#### **Information Item**

Providing an update and presentation 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 the Santa Paula basin (adjudicated) Technical Advisory Committee (see slides), Mr. Detmer reported that Maryam Bral and John Lindquist are spearheading an effort to garner support for the District's sustainability projects, which need to be included in the GSPs for Oxnard and Pleasant Valley basins and should be amended. He added that Pat O'Connell is helping the FPBGSA upload its GSPs, which is a complicated process and Mound Basin GSA has finalized its GSP and will move to formally adopt it at its November 18 Board meeting.

#### Administrative Services Department – Anthony Emmert and Josh Perez

## 5.5 Monthly Administrative Services Department Report – Josh Perez <u>Information Item</u>

Summary report on the monthly activities of the Administration Department was received by the Board. No questions or comments were offered.

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

## 5.6 Monthly Engineering Department Report Information Item

Summary report on the various monthly activities of the Engineering Department was received by the Board. No questions or comments were offered.

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

## 5.7 Monthly Environmental Services Department Report Information Item

Summary report on the various monthly activities of the Environmental Services Department was received by the Board. No questions or comments were offered.

#### 6. BOARD OF DIRECTORS READING FILE

#### 7. FUTURE AGENDA ITEMS

President Mobley asked if there were any suggestions regarding future agenda items. None were offered.

#### 8. ADJOURNMENT

President Mobley adjourned the Board at 2:40p.m. until its next **Regular Board Meeting** scheduled for Wednesday, December 8, 2021 or call of the President.

UWCD Board of Directors Meeting MINUTES November 10, 2021 Page 9

I certify that the above is a true and correct copy of the minutes of the UWCD Board of Directors meeting of November 10, 2021.

ATTEST:

Sheldon G. Berger, Secretary/Treasure

ATTEST:

Kris Sofley, Clerk of the Board



**MEETING: UWCD Board of Directors Meeting** 

## ATTENDANCE LIST

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

General Manager Mauricio E. Guardado, Jr.

Legal Counsel David D. Boyer

MEETING DATE: Wednesday, November 10, 2021 12 noon

	ors of United Water Conservation District without signing
Name (Please Print)	Representing
ANTHONY MIRELES  Guianna Cot. 52.  Abraham Maldonado	Representing LIUNA 585
Commo Cojo Jr.	LIUND LOBONERS LOCAL 585
Abraham Maldonado	City of Otnard
	•

#### Resolution 2021-22

Lake Piru Sediment Sampling Project CEQA NOE

BOARD OF DIRECTORS MEETING | NOVEMBER 10, 2021

AGENDA ITEM 4.1

Request Board consideration to approve
Resolution 2021-22 adopting the
California Environmental Quality Act (CEQA)
Notice of Exemption (NOE)
for the Lake Piru Sediment Sampling Project



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### **Project Overview**

#### **Objective**

- Obtain information on the character of accumulated sediments in Lake Piru
- Four exploratory test pits (12 feet in depth)

#### **CEQA Findings**

 Categorical Exemption: Information Collection (Class 6, Section 15306)



United Water Conservation District







## Project Background

#### 2008 - NMFS Biological Opinion

Stipulated a process for evaluating the feasibility of fish passage

## **2019 - Pre-Implementation Study Plan:** Downstream Passage

Study plan designed to address uncertainties related to passage of downstream migrants

#### 2017 - Fish Passage Feasibility Report

Identified "trap and haul" as potentially feasible, contingent upon resolving specific uncertainties



**United Water Conservation District** 

## Pre-implementation Studies Overview

Years 1-3

## Spring to fall field sampling

Mark-recapture, demographics, movement, genetic sampling Years 1-3

Operate Passive Integrated Transponder (PIT) antennas

Movement

Years 2-3

## Operate low-tech fish traps

Test various trap designs, movement, genetic sampling **Analysis** 

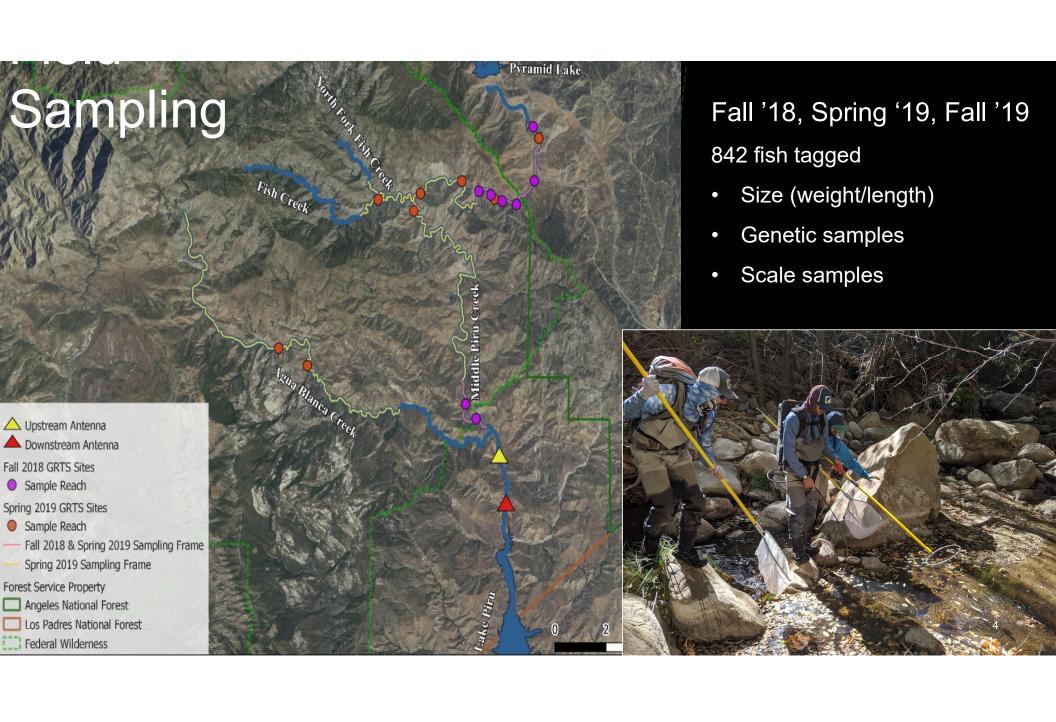
## Develop summary documents and analysis

Conceptual and quantitative life-cycle model, habitat capacity model, feed into biological trigger development and IAMP









## Recommendation

Board of Directors approval authorizing the General Manager to execute a contract amendment with Cramer Fish Sciences for \$440,950 (for a contract total NTE \$1,275,490)

## Next Steps

- Genetic analysis
- Pick up where year 2 left off









# Freeman Diversion Fish Passage: Hardened Ramp Physical Model Update

Model Visit #1 October 26-27, 2021

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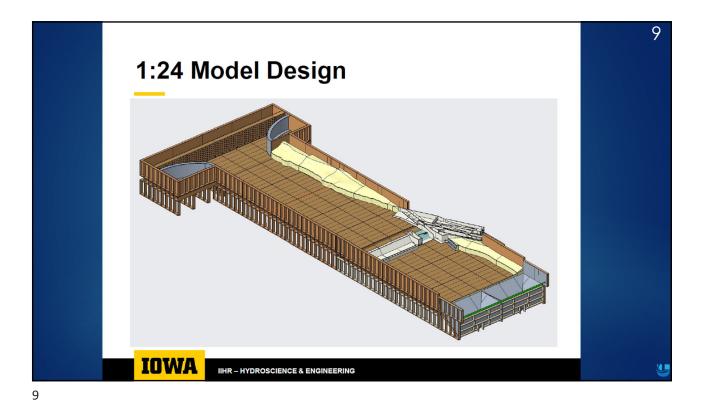
## **Next Steps**

- Sediment balancing
- Determine run times for equilibrium of key features at each discharge
- Document MOD-6 baseline condition
- Convert to MOD-9 configuration



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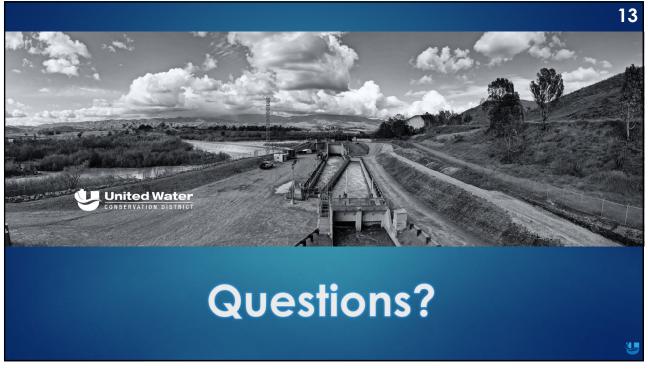


Water Up and Leak Test

IIHR - HYDROSCIENCE & ENGINEERING

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**IOWA** 





**Economic Update** 

2021 vs. 2019 Revenue and Visitation Comparison

Year	Day Use Revenue	Camping Revenue	Revenue Collected	Revenue Received	Persons	Vehicles	Vessels
2021	\$274,111.20	\$389,198.40	\$812,157.00	\$812,157.00	46,769	23,211	5,898
2019	\$174,665.60	\$420,642.57	\$1,068,865.00	\$26,331.43	67,620	24,423	4,548

2021 revenue and visitation figures are current through October 20, 2021.

2019 figures are for entire month and were provided by PMC. PMC revenue collected includes boat rental and store operations for Jan-Oct.

**57% increase** in **Day Use Revenue** between January 1 and October 20(2021 vs. same period 2019).

**20% decrease** in total **revenue** between January 1 and October 20 (2021 vs. same period 2019) – affected by availability of boat rentals, no store operations, loss of 2 months camping, loss of filming.

20% decrease in daily revenue collected January to October 20 (2019 vs. 2021 collection period – \$3,482/day 2019 vs. \$2,771/day 2021).

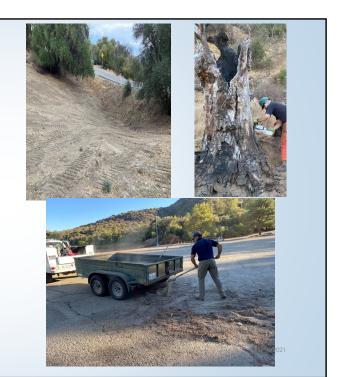
5.2 Monthly Recreation and Park Department report presentation

#### **Operational Update**

#### **Facilities Maintenance**

- Began process of clearing and sumping out drainages throughout Recreation Area
- Used streetsweeper to clean roadways and parking lots
- Located and repaired leak in domestic line in Olive Grove
- Began sign survey for departmental signage
- Quality Ag and staff placed boulders around trailhead potholes to block vehicle access
- Staff performed campus beautification to structures and curve line painting







## **Monthly Water Resources Department Report**

Information Item 5.3

Presented by Dan Detmer, PG, CHG - Water Resources Department Manager

**Board of Directors Meeting** 



#### **Modeling**

- Regional model:
  - · Model expansion and 4-year update is complete and published
- Coastal transport model refinement:
  - · Coastal plain model has been converted to MODFLOW-USG and recalibrated
  - · Dr. Sun has developed scripts to display and quantify vertical flow components
  - · Currently modeling Project scenarios for Prop 1 Planning Grant
- Surface-water-delivery and project-optimization modeling
  - · Staff continue to evaluate project optimization scenarios and cost/benefit of different distribution and delivery options



## Project Implementation and Optimization (Oxnard and Pleasant Valley basins)

- Brackish-water extraction and treatment: sampling and permitting
- SWP water purchases: Allocations very small this year
- Freeman expansion: support to Engineering and Environmental Services
- Recycled water and optimizing sustainable yield: discussions ongoing with Oxnard, Camrosa, and PVCWD regarding quantities of recycled water

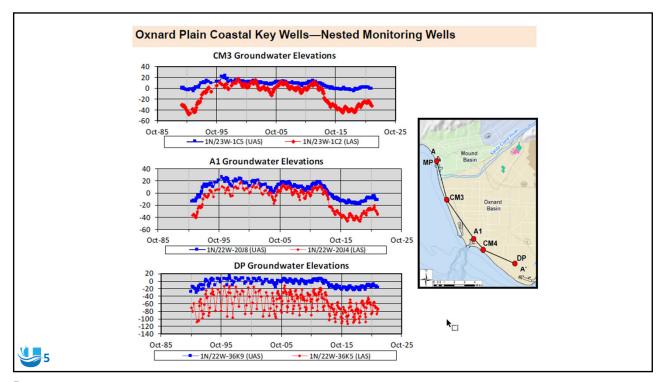


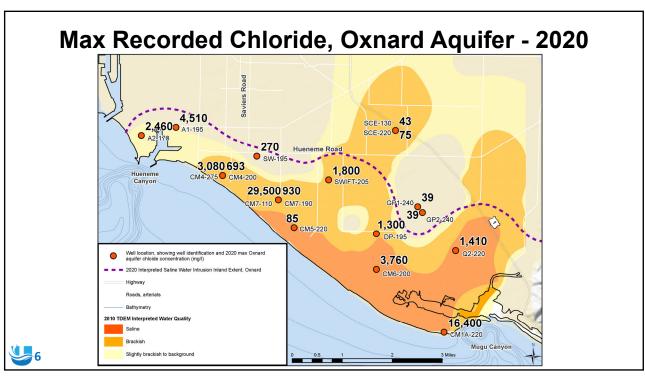
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#### **Other Activities**

- Monitoring:
  - · Seawater intrusion update report done, awaiting internal review
  - Fall monitoring run (groundwater elevations) and water quality sampling for noncoastal wells completed in October
- Outreach and education:
  - · Water Sustainability Summit #2 on October 14
  - Drought-cycle presentation to Santa Paula Rotary
  - Support of Oxnard HS "Ag/Green Tech/Natural Resources" vocation program, planning for STEAM Day
  - Seawater intrusion information exchange with other water agencies in CA
  - Shared information at meetings and calls with FCGMA, local and state government representatives, and other stakeholders









# Groundwater Sustainability Agencies and Sustainable Groundwater Management Act Update

Information Item 5.4



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#### **Notable FCGMA Activities**

- Simi Valley has indicated they are no longer interested in recycling discharge water from their water-quality control plant
  - Will continue to discharge 5,200 AFY to Arroyo Las Posas, where some of the water recharges the East Las Posas Valley Basin Management Area
  - Modeling by Dudek suggests an increase in sustainable yield of 1,200 AFY in Las Posas Valley Basin, compared to scenarios without that discharge
- Board voted to continue \$20 per AF reserve fee for potential legal costs
  - Applies to Oxnard, Pleasant Valley, and Las Posas Valley basin pumpers



#### **Other Basins**

- · Fillmore and Piru Basins:
  - · Public comment period for draft GSPs has closed
  - Consultant currently responding to comments and revising GSPs
  - United staff supporting FPBGSA in developing monitoring plan, grant reporting and monitoring well installations
- · Mound Basin:
  - Final Draft GSP submitted to Board (and available to public) on October 20
  - Potential Board hearing to adopt on November 18
- · Santa Paula Basin:
  - 2020 Annual Report expected to be finalized this fall



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#### **Questions?**

Outcrop of the Pico Formation along the axis of the Santa Felicia syncline, east shore of Lake Piru.

Photo by United staff, January 2020.



