



Board of Directors
Bruce E. Dandy, President
Sheldon G. Berger, Vice President
Lynn E. Maulhardt, Secretary/Treasurer
Mohammed A. Hasan
Gordon Kimball
Michael W. Mobley
Daniel C. Naumann

General Manager
Mauricio E. Guardado, Jr.

Legal Counsel
David D. Boyer

AGENDA
REGULAR BOARD MEETING

Wednesday, October 12, 2022, 12:00 P.M.
Board Room, UWCD Headquarters
1701 N. Lombard Street, Oxnard CA 93030

BOARD MATTERS

*Normally, Action (Motion) Items will be considered and acted upon separately; Consent Items will be considered and acted upon collectively, although a Consent Item may be considered and acted upon separately; and Information Items will be considered separately without action.
The Board of Directors in its discretion may change the order of agenda items.*

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

Items to be discussed in Executive (Closed) Session will be announced.

1.1 Public Comments
Information Item

Members of the public may address the Board on any matter on the Closed Session agenda or on any non-agenda item within the jurisdiction of the Board. All comments are subject to a five-minute time limit.

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

The Board will discuss matters outlined in the attached Executive (Closed) Session Agenda (Exhibit A).

2. SECOND OPEN SESSION AND CALL TO ORDER 1:00 P.M.

2.1 Pledge of Allegiance

2.2 Public Comment
Information Item

Members of the public may address the Board on any item on the Consent Calendar or on any non-agenda item within the jurisdiction of the Board. No action will be taken by the Board on any non-agenda item. All comments are subject to a five-minute time limit.

2.3 Approval of Agenda
Motion

2.4 Oral Report Regarding Executive (Closed) Session
Information Item

Presented by District Legal Counsel David D. Boyer.

2.5 Board Members' Activities Report

Information Item

The Board will receive and file information regarding meeting participation provided by each of the Board Members through Monthly Activities (aka per diem) Reports.

2.6 General Manager's Report

Information Item

The General Manager will present information on his activities of possible interest to the Board and that may have consequence to the District.

2.7 Ventura Local Agency Formation Commission (LAFCo) Call for Nominees

Motion

The Board will consider nominating any interested Board members as candidates for the Ventura LAFCo Special District Regular Member and Special District Alternate Member and submitting the name of nominee to LAFCo Executive Officer Kai Luoma via Resolution 2022-40.

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 September 14, 2022.

B. Groundwater Basin Status Reports

Information Item

Receive and file Monthly Hydrologic Conditions Report for the District.

C. Monthly Investment Report

Information Item

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. Fiscal Year 2021-2022 Year End Financial Reports (July 1, 2021 – June 30, 2022)

Information Item

The Board will receive the Fiscal Year 2021-2022 Financial Reports for the period of July 1, 2021, through June 30, 2022.

- E. **Resolution 2022-39 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 October 12, 2022 through November 9, 2022, pursuant to Brown Act provisions**

Motion

The Board will consider adopting Resolution 2022-39 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).

4. PRESENTATIONS AND MONTHLY STAFF REPORTS (By Department)

Operations and Maintenance Department – Brian Collins

4.1 Monthly Operation and Maintenance Department Report

Information Item

Summary report and presentation on monthly activities of the Operations and Maintenance Department, including but not limited to the District's facilities (Santa Felicia Dam and hydroplant; the Piru Groundwater Recharge facility; the Freeman Diversion; the Saticoy and El Rio Groundwater Recharge facilities; the Pleasant Valley and Pumping Trough Pipeline systems; and the Oxnard Hueneme Pipeline system), encompassing operating plans, the quantity and quality of water diverted and delivered, fish ladder operations, major maintenance problems and repairs, status of Operations and Maintenance projects and safety and training issues.

Park and Recreation Department – Clayton Strahan

4.2 Monthly Park and Recreation Department Report

Information Item

Summary report on monthly activities of the Park and Recreation Department, including but not limited to the Lake Piru Recreation Area, encompassing camping and boating policies at the lake; operations and activities; financing and status of facility improvement projects; maintenance activities; security issues; and emergency response activities.

Water Resources Department – Dan Detmer

4.3 Monthly Water Resources Department Report

Information Item

Summary report on the monthly activities of the Water Resources Department including but not limited to updates to the Ventura Regional Groundwater Flow Model; brackish water treatment feasibility study; upper Santa Clara River Chloride TMDL; hydrologic and well conditions statewide and locally; available Forebay storage; Ventura County well ordinance update; Fox Canyon GMA issues; City of Oxnard's recycled water program; potential water supply and recycled water projects, including use of United's terminal reservoirs; and various user groups

(including but not limited to Oxnard Plain and Pumping Trough Pipeline groups) including 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 (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).

Administrative Services Department – Brian Zahn and Josh Perez

4.4 Monthly Administrative Services Department Report – Josh Perez and Brian Zahn

Information Item

Summary report and presentation on the monthly activities of the Administrative Services Department including but not limited to issues associated with budget development, financial performance versus budget plan, financial accounting requirements and procedures, potential debt issuance and related financial services, status of District investments and reserves, updates on its capital improvement programs, human resources and safety, District property and facilities maintenance and administration, District records and reports, groundwater extraction statements administration, risk management and District liability insurance matters, management of District contracts, policy development, governance procedures, and supporting activities of Board and staff.

Engineering Department – Dr. Maryam Bral

4.5 Monthly Engineering Department Report

Information Item

Summary report and presentation on the monthly activities of the Engineering Department, including but not limited to water resources, planning efforts and department programs impacting the District, such as project design and construction; dam safety; FERC license compliance; Freeman Diversion; recycled water; pipeline operations and various engineering analysis.

Environmental Services Department – Linda Purpus

4.6 Monthly Environmental Services Department Report

Information Item

Summary report and presentation on the monthly activities of the Environmental Services Department, including but not limited to environmental and regulatory issues of note to the District, water releases, operations of the fish ladder at the Freeman Diversion, various monitoring efforts, study plans and issues associated with the Endangered Species Act, including the Section 10 MSHCP process, future fish passage requirements, compliance with the District's FERC license/Biological Opinion, the Santa Felicia Dam, studies and operations in and near Piru Creek, and any interactions with Rancho Temescal and Rancho Camulos.

5. MOTION ITEMS (By Department)

Engineering Department – Maryam Bral

5.1 Contract with Northwest Hydraulic Consultants for the Freeman Diversion Hardened Ramp Additional Modeling and Design Updates

Motion

The Board will consider approval of the motion authorizing the General Manager to execute a professional consulting services agreement with Northwest Hydraulic Consultants (NHC) in the amount of \$645,515 to provide additional modeling and design updates of the Hardened Ramp as a Freeman Diversion Fish Passage Facility alternative.

Environmental Services Department – Linda Purpus

5.2 Pre-implementation Studies in Support of Federal Energy Regulatory Commission Fish Passage Assessment – Amendment to Professional Consulting Services Agreement with Cramer Fish Sciences - \$425,633

Motion

The Board will consider approval of the motion to authorize the General Manager to execute an amendment to the professional consulting services (PCS) agreement with Cramer Fish Sciences in the amount of \$425,633 to continue and complete the monitoring phase of study activities outlined in the “Santa Felicia Dam Fish Passage Program Pre-Implementation Study Plan.”

Operations and Maintenance Department – Brian Collins

5.3 Verizon Request for Easement for Cell Tower Fiber Optic Conduit

Motion

The Board will consider authorizing the General Manager or his designee to execute both a Memorandum of Easement and Grant of Easement, and to record the Grant of Easement, to allow Verizon to install a fiber optic conduit in proximity to the Saticoy facility main gate.

6. BOARD OF DIRECTORS READING FILE

7. FUTURE AGENDA ITEMS

8. ADJOURNMENT

The Board will adjourn to the **Regular Board Meeting scheduled for Wednesday, November 9, 2022** or call of the President.

All testimony given before the Board of Directors is recorded. Materials, which are non-exempt public records and are provided to the Board of Directors to be used in consideration of the above agenda items, including any documents provided subsequent to the publishing of this agenda, are available for inspection at the District's offices at 1701 N. Lombard Street, Suite 200, Oxnard CA 93030 during normal business hours.

UWCD Board of Directors Meeting Agenda

October 12, 2022

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The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied the benefits of, the District's services, programs or activities because of any disability. If you need special assistance to participate in this meeting, or if you require agenda materials in an alternative format, please contact the District Office at (805) 525-4431. Notification of at least 48 hours prior to the meeting will enable the District to make appropriate arrangements.

Approved: _____

 **FOR MEG**
Mauricio E. Guardado, Jr. – General Manager

Posted: (date) October 6, 2022

(time) 1:30p.m.

(attest) Kris Sofley

At: United Water Conservation District Headquarters, 1701 N. Lombard Street, Oxnard CA 93030

Posted: (date) October 6, 2022

(time) 1:15p.m.

(attest) Kris Sofley

At: www.unitedwater.org

EXHIBIT A
EXECUTIVE (CLOSED) SESSION AGENDA

1. LITIGATION

1.1 Conference with Legal Counsel-Anticipated Litigation

Pursuant to Government Code Section 54956.9(d)(2), one (1) case.

1.2 Conference with Legal Counsel – Existing Litigation

Pursuant to Government Code Section 54956.9 (d)(1)

- A. City of San Buenaventura v. United Water Conservation District, et al, Santa Barbara County Superior Court Case No. 19CV06168, pending before the Court of Appeal of the State of California, Second Appellate District, Division 6, Court of Appeal No. B312471.
- B. Wishtoyo Foundation, et al v. United Water Conservation District, U.S. District Court for the Central District of California, Case No.2:16-cv-03869 GHK (PLAx).
- C. OPV Coalition v Fox Canyon Groundwater Management Agency, Superior Court of the State of California, County of Ventura, Case No. 56-2021-00555357-CU-PT-VTA; Complaint for Comprehensive Groundwater Adjudication of the Oxnard Groundwater Subbasin (No. 4-004.02) and Pleasant Valley Subbasin (No. 4-006) Pursuant to Sections 830, *Et Seq.* of the Code of Civil Procedure; Declaratory Relief; Quiet Title; and Petition for Writs of Mandate.
- D. UWCD v United States, U.S. Court of Federal Claims, Case No. 22-542L; Complaint for Just Compensation under the 5th Amendment.
- E. United Water Conservation District v. California Fish and Game Commis-sion, Los Angeles County Superior Court Case No. 2STCP02661; Petition for Writ of Mandate (CESA)



Staff Report

To: UWCD Board of Directors

Through: Mauricio E. Guardado, Jr., General Manager

From: Kris Sofley, Clerk of the Board

Date: October 4, 2022 (October 12, 2022 Meeting)

Agenda Item: 2.5 Board Members' Activities Reports
Information Item

Staff Recommendation:

The Board will receive and file information regarding meeting participation provided by each of the Board of Directors through Monthly Activities (aka per diem) Reports.

Discussion:

This item is provided on the agenda of each regular District Board of Directors meeting in order to allow Directors to report on non-agenda activities such as:

1. UWCD Committee participation – Committee Chair to report on Committee's objectives and actions to Board.
2. Meetings, workshops, conferences and functions attended during the previous month on behalf of the District.
3. Possible conflicts that Directors might have with respect to issues on the Agenda.

Attachments: A – Directors' Monthly Activities Reports (per diem)
B - 2022 Calendar of District's Standing Committee and Outside Agency meetings
C - 2022 AWA VC Calendar of Meetings and Events

Board of Directors
Activities and Expenses for Month September Year 2022

Due on last day of month

Director: Bruce Dandy

1. UWCD Board Meetings Regular, special or emergency meetings.			Date	Mileage	✓
			9/14	8	
2. UWCD Committee/Advisory Body Meetings Environmental, Executive, Finance/Audit, Groundwater, Operations, Planning, Recreation and RiverPark JPA Committees.		Committee Name & Location	Date	Mileage	✓
		Executive	9/12	8	
		Executive	9/22	8	
3. Meeting with GM or District Legal Counsel (LC)	W/ GM or LC	Meeting Description & Location	Date	Mileage	✓
	GM	Board Prep	9/13	8	
	GM	FCGMA Prep	9/27	8	
4. Conferences/Trainings. Includes conferences or educational activities organized by ACWA, AWAVC & CSDA.		Event Name & Location	Date	Mileage	✓
5. Appointed representative to meetings of other entities' Boards. Includes FCGMA, LAFCO, RiverPark JPA, AWAVC BoD, Oxnard Chamber of Commerce Water Committee, ACWA, CSDA and GSA. Or preparatory meetings with GM regarding above meetings.		Entity Name & Location	Date	Mileage	✓
		VCAWA	9/15	67	
		VCAWA Warer Issues	9/20	N/A	
6. Meetings of other government entities at request of BoD, BP or GM. Such as PVCWD, FCGMA or Oxnard City Council.		Entity Name & Location	Date	Mileage	✓
7. Meetings with board members or executive management of other agencies. Includes FCGMA, LAFCO, RiverPark JPA, AWAVC BoD, Oxnard Chamber of Commerce Water Committee, ACWA, CSDA, GSA.		Entity Name & Location	Date	Mileage	✓
8. Public meetings hosted by District regarding District matters Such as Section 10 HCP, Vern Freeman Fish Panel.		Meeting Description & Location	Date	Mileage	✓

Board of Directors
Per Diem and Expenses for Month September Year 2022

Due on last day of month

9. Meetings with state or federal legislators or officials or representatives from other entities. At the request of the BoD, BP or GM.	Official Name/Meeting Description & Location	Date	Mileage

Other Expenses	Total
Days of out of town travel	
Lodging*	\$
Meals*	\$
Transportation*	\$
Misc.*	\$

* attach all receipts

This section to be completed by Finance Department only			
Phone Allowance			\$50.00 ✓
Total # of meetings**	7	x \$248	\$ 1,736.00 ✓
**not to exceed 10 meetings and \$2,260. per month or 1 meeting per day			
Total days of travel		x \$100.00/day	
Total # of miles	107	x \$0.625/mile	\$ 66.88 ✓
Total other expenses			\$
TOTAL MILEAGE AND OTHER EXPENSES			\$ 1,852.88 ✓

Director Signature Bruce Dandy Date: 10/5/22

General Manager Signature [Signature] FOR MRS Date: 05 Oct 2022

Definitions

BoD: Board of Directors

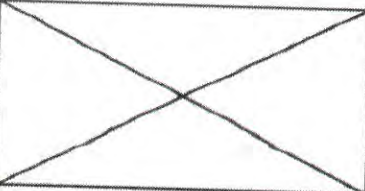
BP: Board President

GM: General Manager

Board of Directors
Activities and Expenses for Month 9 **Year** 22

Due on last day of month

Director: Mohammed A. Hasan, P.E.

1. UWCD Board Meetings Regular, special or emergency meetings.			Date	Mileage	
			9-14	12	✓
2. UWCD Committee/Advisory Body Meetings Environmental, Executive, Finance/Audit, Groundwater, Operations, Planning, Recreation and RiverPark JPA Committees.		Committee Name & Location	Date	Mileage	
		Finance	9-6	12	✓
		Rec	9-7	12	✓
3. Meeting with GM or District Legal Counsel (LC)	W/ GM or LC	Meeting Description & Location	Date	Mileage	
4. Conferences/Trainings. Includes conferences or educational activities organized by ACWA, AWAVC & CSDA.		Event Name & Location	Date	Mileage	
		AWA annual elected...	9-15	60	✓
		Ventura Chamber state of the city	9-22	16	✓
5. Appointed representative to meetings of other entities' Boards. Includes FCGMA, LAFCO, RiverPark JPA, AWAVC BoD, Oxnard Chamber of Commerce Water Committee, ACWA, CSDA and GSA. Or preparatory meetings with GM regarding above meetings.		Entity Name & Location	Date	Mileage	
6. Meetings of other government entities at request of BoD, BP or GM. Such as PVCWD, FCGMA or Oxnard City Council.		Entity Name & Location	Date	Mileage	
7. Meetings with board members or executive management of other agencies. Includes FCGMA, LAFCO, RiverPark JPA, AWAVC BoD, Oxnard Chamber of Commerce Water Committee, ACWA, CSDA, GSA.		Entity Name & Location	Date	Mileage	
8. Public meetings hosted by District regarding District matters Such as Section 10 HCP, Vern Freeman Fish Panel.		Meeting Description & Location	Date	Mileage	

Board of Directors
Per Diem and Expenses for Month 9 **Year** 22

Due on last day of month

9. Meetings with state or federal legislators or officials or representatives from other entities. At the request of the BoD, BP or GM.	Official Name/Meeting Description & Location	Date	Mileage

Other Expenses	Total
Days of out of town travel	
Lodging*	\$
Meals*	\$
Transportation*	\$
Misc.*	\$

* attach all receipts

This section to be completed by Finance Department only			
Phone Allowance			\$50.00 ✓
Total # of meetings**	<u>5</u>	x \$248	\$ <u>1,240.</u> ✓
**not to exceed 10 meetings and \$2,260. per month or 1 meeting per day			
Total days of travel		x \$100.00/day	
Total # of miles	<u>112</u>	x \$0.625/mile	\$ <u>70.</u> ✓
Total other expenses			\$
TOTAL MILEAGE AND OTHER EXPENSES			\$ <u>1,360.</u> ✓

Director Signature Mohammed Elam Date: 10-1-22

General Manager Signature [Signature] For MEG Date: 04 OCT 2022

Definitions

BoD: Board of Directors

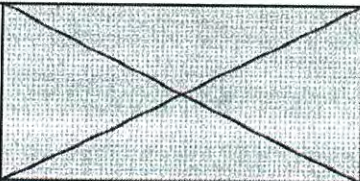
BP: Board President

GM: General Manager

Board of Directors
Activities and Expenses for Month August **Year** 2022

Due on last day of month

Director: Michael W. Mobley

1. UWCD Board Meetings Regular, special or emergency meetings.			Date	Mileage
2. UWCD Committee/Advisory Body Meetings Environmental, Executive, Finance/Audit, Groundwater, Operations, Planning, Recreation and RiverPark JPA Committees.		Committee Name & Location	Date	Mileage
3. Meeting with GM or District Legal Counsel (LC)	W/ GM or LC	Meeting Description & Location	Date	Mileage
4. Conferences/Trainings. Includes conferences or educational activities organized by ACWA, AWAVC & CSDA.		Event Name & Location	Date	Mileage
5. Appointed representative to meetings of other entities' Boards. Includes FCGMA, LAFCO, RiverPark JPA, AWAVC BoD, Oxnard Chamber of Commerce Water Committee, ACWA, CSDA and GSA. Or preparatory meetings with GM regarding above meetings.		Entity Name & Location	Date	Mileage
		Mound Basin GSA Board Meeting	8/18	0
6. Meetings of other government entities at request of BoD, BP or GM. Such as PVCWD, FCGMA or Oxnard City Council.		Entity Name & Location	Date	Mileage
7. Meetings with board members or executive management of other agencies. Includes FCGMA, LAFCO, RiverPark JPA, AWAVC BoD, Oxnard Chamber of Commerce Water Committee, ACWA, CSDA, GSA.		Entity Name & Location	Date	Mileage
8. Public meetings hosted by District regarding District matters Such as Section 10 HCP, Vern Freeman Fish Panel.		Meeting Description & Location	Date	Mileage

Board of Directors
Per Diem and Expenses for Month August Year 2022

Due on last day of month

9. Meetings with state or federal legislators or officials or representatives from other entities. At the request of the BoD, BP or GM.	Official Name/Meeting Description & Location	Date	Mileage

Other Expenses	Total
Days of out of town travel	
Lodging*	\$
Meals*	\$
Transportation*	\$
Misc.*	\$

* attach all receipts

This section to be completed by Finance Department only			
Phone Allowance			\$50.00 ✓
Total # of meetings**	<u>1</u>	x \$248	\$ <u>248</u> ✓
**not to exceed 10 meetings and \$2,480. per month or 1 meeting per day			
Total days of travel		x \$100.00/day	
Total # of miles	<u>✓</u>	x \$0.625/mile	\$ <u>✓</u>
Total other expenses			\$
TOTAL MILEAGE AND OTHER EXPENSES			\$ <u>298</u> ✓

Director Signature

Michael W. Holley

Date: 10/4/22

General Manager Signature

[Signature]

FOR MEX

Date: 05 OCT 2022

Definitions

BoD: Board of Directors

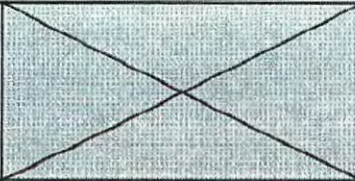
BP: Board President

GM: General Manager

Board of Directors
Activities and Expenses for Month September **Year** 2022

Due on last day of month

Director: Michael W. Mobley

1. UWCD Board Meetings Regular, special or emergency meetings.		Date	Mileage	✓
		9/14	26.0	
2. UWCD Committee/Advisory Body Meetings Environmental, Executive, Finance/Audit, Groundwater, Operations, Planning, Recreation and RiverPark JPA Committees.	Committee Name & Location	Date	Mileage	✓
	Recreation Committee	9/7	26.0	
3. Meeting with GM or District Legal Counsel (LC)	W/ GM or LC	Meeting Description & Location	Date	Mileage
4. Conferences/Trainings. Includes conferences or educational activities organized by ACWA, AWAVC & CSDA.	Event Name & Location	Date	Mileage	
5. Appointed representative to meetings of other entities' Boards. Includes FCGMA, LAFCO, RiverPark JPA, AWAVC BoD, Oxnard Chamber of Commerce Water Committee, ACWA, CSDA and GSA. Or preparatory meetings with GM regarding above meetings.	Entity Name & Location	Date	Mileage	✓
	Mound Basin GSA Board Meeting	8/18	0	
6. Meetings of other government entities at request of BoD, BP or GM. Such as PVCWD, FCGMA or Oxnard City Council.	Entity Name & Location	Date	Mileage	
7. Meetings with board members or executive management of other agencies. Includes FCGMA, LAFCO, RiverPark JPA, AWAVC BoD, Oxnard Chamber of Commerce Water Committee, ACWA, CSDA, GSA.	Entity Name & Location	Date	Mileage	
8. Public meetings hosted by District regarding District matters Such as Section 10 HCP, Vern Freeman Fish Panel.	Meeting Description & Location	Date	Mileage	

Board of Directors
Per Diem and Expenses for Month September Year 2022

Due on last day of month

9. Meetings with state or federal legislators or officials or representatives from other entities. At the request of the BoD, BP or GM.	Official Name/Meeting Description & Location	Date	Mileage

Other Expenses	Total
Days of out of town travel	
Lodging*	\$
Meals*	\$
Transportation*	\$
Misc.*	\$

* attach all receipts

This section to be completed by Finance Department only			
Phone Allowance			\$50.00 ✓
Total # of meetings**	<u>3</u>	x \$248	\$ <u>744.</u> ✓
***not to exceed 10 meetings and \$2,480. per month or 1 meeting per day			
Total days of travel		x \$100.00/day	
Total # of miles	<u>52</u>	x \$0.625/mile	\$ <u>32.50</u> ✓
Total other expenses			\$
TOTAL MILEAGE AND OTHER EXPENSES			\$ <u>826.50</u> ✓

Director Signature

Michael W. Whitley Date: 10/4/22

General Manager Signature

[Signature] For MEG Date: 05 OCT 2022

Definitions

BoD: Board of Directors

BP: Board President

GM: General Manager



United Water

CONSERVATION DISTRICT

2022 UWCD Standing Committee and Outside Agencies Meeting Dates

JANUARY 04- Water Resources (9am-10:05am)
05- Recreation (9am-9:28am)
05 Special UWCD Board Meeting (10am-10:02am)
06- Engineering and Operations (9am-10:53am)
11- Finance and Audit (9am-10:02am)
12- Board Meeting (12noon-3:48pm)
19- CoLAB VC WHEEL (1pm)
20- Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)
26- Fox Canyon GMA (1:30pm)

FEBRUARY: 01- Water Resources (canceled)
02- Recreation (9am-9:48am)
03- Engineering and Operations (9am-10:30am)
08- Finance and Audit (9am-10:04am)
09- Board Meeting (12noon-3:54pm)
16- CoLAB VC WHEEL (1pm)
17- Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)
23- Fox Canyon GMA (1:30pm)
28- Finance and Audit (9am-9:33am)
Special Board Meeting (12noon-12:14pm)

MARCH: 01- Water Resources (9am-11:23am)
02- Recreation (canceled)
03- Engineering and Operations (canceled)
09- Board Meeting (12noon)
16- CoLAB VC WHEEL (1pm)
17- Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)
23- Fox Canyon GMA (1:30pm)

APRIL: 05- Water Resources (9am)
06- Recreation (9am)
07- Engineering and Operations (9am)
12- Finance and Audit (9am)
13- Board Meeting (12noon)
20- CoLAB VC WHEEL (1pm)
21- Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)
27- Fox Canyon GMA (1:30pm)

MAY: 03 - Water Resources (9am)
04- Recreation (9am)
05- Engineering and Operations (9am)
10- Finance and Audit (9am)
11- Board Meeting (12noon)
18- CoLAB VC WHEEL (1pm)
19- Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)
25- Fox Canyon GMA (1:30pm)

31 – Water Resources* (9am)
JUNE: 01- Recreation (9am)
02- Engineering and Operations (9am)
07- Finance and Audit (9am)
08- Board Meeting (12noon)
15- CoLAB VC WHEEL (1pm)
16- Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)

22- Fox Canyon GMA (1:30pm)
JULY: 05- Water Resources (9am)
06- Recreation (9am)
07 - Engineering and Operations (9am)
12- Finance and Audit (9am)
13- Board Meeting (12noon)
20- CoLAB VC WHEEL (1pm)
21- Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)
27- Fox Canyon GMA (1:30pm)

AUGUST – 17- CoLAB VC WHEEL (1pm)
18- Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)
24- Fox Canyon GMA (1:30pm)

SEPTEMBER: 01- Engineering and Operations (9am)
06- Water Resources (9am)
07- Recreation (9am)
13- Finance and Audit (9am)
14- Board Meeting (12noon)
15- Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)
21- CoLAB VC WHEEL (1pm)

28- Fox Canyon GMA (1:30pm)
OCTOBER: 03- Finance and Audit (9am)
04- Water Resources (canceled)
05- Recreation (canceled)
06- Engineering and Operations (9am)
12- Board Meeting (12noon)
19- CoLAB VC WHEEL (1pm)
20- Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)
26- Fox Canyon GMA (1:30pm)

NOVEMBER: 01 - Water Resources (9am)
02- Recreation (9am)
03- Engineering and Operations (9am)
08- Finance and Audit (9am)
09- Board Meeting (12noon)
16- CoLAB VC WHEEL (1pm)
17- Mound Basin GSA (1pm)/Fillmore and Piru Basin GSA (5pm)

DECEMBER: 01- Engineering and Operations (9am)
06 – Water Resources (9am -)
07- Recreation (9am)
Fox Canyon GMA (1:30pm)
13- Finance and Audit (9am)
14- Board Meeting (12noon)
15 -Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)
21- CoLAB VC WHEEL (1pm)

*scheduled to prevent dual meetings on the same day



ASSOCIATION OF WATER AGENCIES OF VENTURA COUNTY

2022 CALENDAR OF EVENTS

DATES ARE SUBJECT TO CHANGE

AWA meetings are offered virtually until further notice. Hybrid (in-person & virtual) will occur when advisable.
Meeting/Event notices with all details will be sent via email prior to each occurrence. Contact AWA for more information

JANUARY	6	Board Meeting	3:00 pm, Thursday	
	18	Water Issues Committee	8:00 am, Tuesday	(AWA Members Only)
	20	WaterWise Program	8:00 am, Thursday	
	26	Channel Counties/Water Systems	8:00 am, Wednesday	
FEBRUARY	3	Executive Committee Meeting	3:00 pm, Thursday	
	15	Water Issues Committee	8:00 am, Tuesday	(AWA Members Only)
	17	WaterWise Program	8:00 am, Thursday	
	23	Channel Counties/Water Systems	8:00 am, Wednesday	
MARCH	3	Board Meeting (Annual Meeting-Elections)	3:00 pm, Thursday	
	15	Water Issues Committee	8:00 am, Tuesday	(AWA Members Only)
	17	WaterWise Program (Installation/Directors)	8:00 am, Thursday	(United Water Oxnard)
	23	Channel Counties/Water Systems	8:00 am, Wednesday	
APRIL	7	Executive Committee Meeting	3:00 pm, Thursday	
	19	Water Issues Committee	8:00 am, Tuesday	(AWA Members Only)
	20	Math Workshop: Water Distribution Exam Review	8:30am-Noon	(Virtual)
	21	WaterWise Program	8:00 am, Thursday	(United Water Oxnard)
MAY	27	Channel Counties/Water Systems	8:00 am, Wednesday	
	5	Board Meeting	3:00 pm, Thursday	
	26	Annual Water Symposium & Exposition (Hybrid)	7:30am-1:00pm, Thurs.	Location T.B.A.
	26	Operators Tech Workshop & Exposition	7:30 am-3:00pm, Thurs.	Location T.B.A.
JUNE	2	Executive Committee Meeting	3:00 pm, Thursday	
	16	WaterWise Program	8:00 am, Thursday	(Location T.B.A.)
	21	Water Issues Committee	8:00 am, Tuesday	(AWA Members Only)
	22	Channel Counties/Water Systems	8:00 am, Wednesday	
JULY		Math Workshop: Water Treatment Exam Review	8:30am-Noon	(T.B.A)
	7	Board Meeting	3:00 pm, Thursday	
	19	Water Issues Committee	8:00 am, Tuesday	(AWA Members Only)
	21	WaterWise Program	8:00 am, Thursday	(Location T.B.A.)
AUGUST	27	Channel Counties/Water Systems	8:00 am, Wednesday	
		DARK		
	1	Board Meeting	3:00 pm, Thursday	
	15	Reception for Members/Elected Officials (Only)	4:00 pm, Thursday	(AWA Members/Guests)
SEPTEMBER	20	Water Issues Committee	8:00 am, Tuesday	(AWA Members Only)
	28	Channel Counties/Water Systems Luncheon	8:00 am, Wednesday	
OCTOBER	6	Executive Committee Meeting	3:00 pm, Thursday	
	18	Water Issues Committee	8:00 am, Tuesday	(AWA Members Only)
	19	Math Workshop: Water Distribution Exam Review	8:30am-Noon	(Location T.B.A.)
	20	WaterWise Program	8:00 am, Thursday	(Location T.B.A.)
NOVEMBER	26	Channel Counties/Water Systems Luncheon	8:00 am, Wednesday	
	3	Board Meeting	3:00 pm, Thursday	
	9	Math Workshop: Water Treatment Exam Review	8:30am-Noon	(Location T.B.A.)
	15	Water Issues Committee	7:00 am, Tuesday	(AWA Members Only)
DECEMBER	17	WaterWise Breakfast Program	8:00 am, Thursday	(Location T.B.A.)
	*29	Channel Counties/Water Systems Lunch	8:00 am, Wednesday	
		Annual VC Water Supply Bus Tour	8:00 am - 3:00 PM	
	1	Executive Committee Meeting	3:00 pm,	
DECEMBER	*6 or 8	Holiday Mixer /Corporate Night (T.B.D.)	4:00 pm, Tues or Thurs	(AWA Members/Guests Only)
		CCWUC/Water Systems Workshop (Confined Space)	8-Noon	(Fire Dept-Camarillo/ T.B.A.)

Date to be Confirmed

* Indicates change from typical event date

ver: 5/01/22



Staff Report

To: UWCD Board of Directors

From: Mauricio E. Guardado, Jr., General Manager

Date: October 4, 2022 (October 12, 2022 meeting)

Agenda Item: 2.6 General Manager's Report
Information Item

Staff Recommendation:

The General Manager will present information on his activities of possible interest to the Board and that may have consequences to the District.

Discussion:

The General Manager's primary responsibility is to ensure that the policies and directions of the Board of Directors are adhered to as he oversees and manages the efforts of the department managers and their staff in the day-to-day operation and administration of the District. All of these efforts are to be consistent with the District's Mission Statement and within the fiscal constraints set by the Board of Directors.

The District's managers provide detailed monthly updates to the Board of Directors which outline projects' statuses, accomplishments, issues of concern, projects planning, etc. The monthly General Manager's report provides an opportunity for the General Manager to discuss issues that may impact the efforts of the separate departments as they pursue their defined goals and objectives. The report also provides the Board with information on the District's efforts and involvement in local, regional and state-wide issues.

Finally, the monthly General Manager's report offers the Board of Directors an overview of how their policies and directions are being administered through discussion of the work plan and efforts of the General Manager.



Staff Report

To: UWCD Board of Directors

Through: Mauricio E. Guardado, Jr., General Manager

From: Kris Sofley, Clerk of the Board

Date: September 27, 2022 (October 12, 2022 Meeting)

Agenda Item: 2.7 **Resolution 2022-40** Ventura Local Agency Formation Commission (LAFCo) Call for Nominees
Motion

Staff Recommendation:

The Board will consider nominating any interested Board members as candidates for the Ventura LAFCo Special District Regular Member and Special District Alternate Member and submitting the name of nominee to LAFCo Executive Officer Kai Luoma via Resolution 2022-40.

Background:

The terms of LAFCo special district regular member Elaine Freeman and alternate member John R. (Jack) Curtis will expire on December 31, 2022. As such, an appointment for each seat must be made for the subsequent four-year terms (January 1, 2023 through December 31, 2026) (Govt. Code § 56334).

Pursuant to state law, LAFCo special district members are appointed by the independent special district selection committee, which consists of the presiding officer of the legislative body of each independent special district in the county (Govt. Code § 56332).

Pursuant to Govt. Code 56332(f), Ventura LAFCo Executive Officer Kai Luoma has determined that a meeting of the committee for the purpose of selecting a regular member to LAFCo is not feasible due to the likelihood that a quorum will not be achieved. Thus, both the nominating process and the election itself will be conducted by mail (most special districts have consented to conducting the election via electronic mail).

If UWCD wishes to nominate an individual to be a candidate for either the regular member or alternate member on LAFCo, the UWCD Board must submit a nominating resolution (attachment B) along with a candidate's statement or resume of no more than one page to Kai Luoma, Executive Officer, at Ventura LAFCo either by mail or via email.

**2.7 Resolution 2022-40 Ventura Local Agency Formation Commission (LAFCo) Call
for Nominees
Motion**

The deadline for submitting nominating resolutions and candidate statements/resumes is 5:00 p.m., Friday, October 14, 2022. Any nomination submitted after the deadline will not be considered.

If at the end of the nominating period only one candidate for either position is nominated, that candidate shall be deemed appointed. If two or more candidates are nominated, LAFCo staff will prepare and deliver a ballot and voting instructions to each eligible district. For the election to be valid, a quorum of the 29 independent special districts must submit valid ballots.

Fiscal Impact:

There is no fiscal impact association with this motion.

- Attachment: A Copy of Ventura LAFCo letter to UWCD Board President re:
Nominations for Ventura LAFCo Special District Regular Member and
Special District Alternate Member**
- B Resolution 2022-40**



VENTURA LOCAL AGENCY FORMATION COMMISSION
801 S. Victoria Avenue, Suite 301, Ventura, CA 93003
(805) 654-2576
ventura.lafco.ca.gov

**CALL FOR NOMINATIONS
LAFCO SPECIAL DISTRICT REGULAR MEMBER
AND SPECIAL DISTRICT ALTERNATE MEMBER**

August 24, 2022

Chair of the Board
United Water Conservation District
1701 Lombard St, Ste 200
Oxnard, CA 93030

RE: CALL FOR NOMINATIONS – Ventura LAFCo Special District Regular Member and Special District Alternate Member

Dear Chair of the Board:

The terms of LAFCo special district regular member Elaine Freeman and alternate member John R. (Jack) Curtis will expire on December 31, 2022. As such, an appointment for each seat must be made for the subsequent four-year terms (January 1, 2023 through December 31, 2026) (Govt. Code § 56334). Pursuant to state law, LAFCo special district members are appointed by the independent special district selection committee, which consists of the presiding officer of the legislative body of each independent special district in the county (Govt. Code § 56332).

Pursuant to Govt. Code 56332(f), I have determined that a meeting of the committee for the purpose of selecting a regular member to LAFCo is not feasible due to the likelihood that a quorum will not be achieved. Thus, both the nominating process and the election itself will be conducted by mail (most special districts have consented to conducting the election via electronic mail).

If your district wishes to nominate an individual to be a candidate for either the regular member or alternate member on LAFCo, please submit a nominating resolution (attached is a sample resolution for your use) and a candidate's statement or resume of no more than one page to Kai Luoma, Executive Officer, at Ventura LAFCo either by mail or via email (for those districts that have previously consented to email – see attached list).

The deadline for submitting nominating resolutions and candidate statements/resumes is 5:00 p.m., Friday, October 14, 2022. Any nomination submitted after the deadline will not be considered.

Chair of the Board, United Water Conservation District
CALL FOR NOMINATIONS – Ventura LAFCo Special District Regular Member
August 24, 2022
Page 2

If at the end of the nominating period only one candidate for either position is nominated, that candidate shall be deemed appointed. If two or more candidates are nominated, LAFCo staff will prepare and deliver a ballot and voting instructions to each eligible district. For the election to be valid, a quorum of the 29 independent special districts must submit valid ballots.

Thank you for your attention to this matter. Please let me know if you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kai Luoma', with a stylized flourish at the end.

Kai Luoma
Executive Officer

c: General Manager

RESOLUTION 2022-40

**A RESOLUTION OF THE UNITED WATER CONSERVATION DISTRICT
NOMINATING *[NAME OF BOARD MEMBER]* TO FILL THE
TERM OF 1/1/2023 – 12/31/2026 FOR THE *[REGULAR or
ALTERNATE]* SPECIAL DISTRICT MEMBER OF THE VENTURA
LOCAL AGENCY FORMATION COMMISSION**

WHEREAS, the Executive Officer of the Ventura Local Agency Formation Commission (LAFCo) has notified the District of an anticipated vacancy on LAFCo for *[A REGULAR or AN ALTERNATE]* member appointed by the independent special districts in Ventura County to fill the term from 1/1/2023 to 12/31/2026, and has issued a call for nominations to be submitted in writing pursuant to California Government Code Section 56332(c); and

WHEREAS, at the time and in the manner required by law, the United Water Conservation District met on October 12, 2022 to consider the call for nominations by the LAFCo Executive Officer.

NOW THEREFORE BE IT RESOLVED by the United Water Conservation District as follows:

- 1) *[NAME OF BOARD MEMBER]* is hereby nominated to fill the anticipated vacancy in the term beginning 1/1/2023 and expiring 12/31/2026 as the *[REGULAR or ALTERNATE]* member of the Ventura LAFCo appointed by independent special districts in Ventura County.
- 2) The General Manager shall transmit a signed copy of this Resolution and a copy of the resume or candidate statement for *[NAME OF BOARD MEMBER]* to the Ventura LAFCo Executive Officer.

This resolution was adopted on October 12, 2022.

AYES

NOES

ABSTAINS

Dated: _____

Bruce E. Dandy, President



Board of Directors
Bruce E. Dandy, President
Sheldon G. Berger, Vice President
Lynn E. Maulhardt, Secretary/Treasurer
Mohammed A. Hasan
Gordon Kimball
Michael W. Mobley
Daniel C. Naumann

General Manager
Mauricio E. Guardado, Jr.

Legal Counsel
David D. Boyer

MINUTES

UWCD BOARD MEETING

Wednesday, September 14, 2022, 12:00 noon

DIRECTORS IN ATTENDANCE

Bruce E. Dandy, president
Lynn E. Maulhardt, secretary/treasurer
Mohammed A. Hasan, director
Gordon Kimball, director
Michael W. Mobley, director
Daniel C. Naumann, director

DIRECTORS ABSENT

Sheldon G. Berger, vice president

STAFF IN ATTENDANCE

Mauricio E. Guardado, Jr., general manager
David D. Boyer, legal counsel
John Carman, operations and maintenance program supervisor
Brian Collins, chief operations officer
Nyvee De Leon, accounting technician
Dan Detmer, water resources manager
Sara Guzman, accountant II
Eva Ibarra, administrative assistant III
Michel Kadah, engineer
Stephen Kadowaki, water treatment operator IV
Tessa Lenz, associate environmental scientist
John Lindquist, senior hydrogeologist
Jackie Lozano, administrative assistant III
Randall McNivale, principal environmental scientist
Josh Perez, chief human resources officer
Zachary Plummer, technology systems manager
Katie Prado, receptionist
Ed Reese, technology systems specialist
David Rivera, accountant II
Robert Richardson, senior engineer
Brenda Sanchez, accountant II
Kris Sofley, executive assistant/clerk of the Board
Jackie Sze, accountant PT
Clayton Strahan, chief park ranger
Kaili Taniguchi, engineer PT
Ambry Tibay, senior accountant
Vanessa Vasquez, administrative assistant III
Brian Zahn, chief financial officer

PUBLIC IN ATTENDANCE

Steve Trocino

Kurt Trocino

Leo Taniguchi

1. FIRST OPEN SESSION 12:01 P.M.

President Dandy called the meeting to order at 12:01pm.

**1.1 Public Comments
Information Item**

President Dandy asked if there were any comments from the public. No comments were offered.

President Dandy asked District Legal Counsel David Boyer to outline the topics for discussion during the Executive (Closed) session portion of today's meeting.

Mr. Boyer stated that, pursuant to Government Code Section 54956.9(d)(2), three (3) cases of anticipated litigation and, pursuant to Government Code Section 54956.9 (d)(1), four (4) cases of existing litigation – City of San Buenaventura v UWCD; Wishtoyo Foundation v UWCD; OPV Coalition v FCGMA and UWCD v United States would be discussed by the Board and legal counsel during Executive (Closed) session.

1.2 EXECUTIVE (CLOSED) SESSION 12:03 P.M.

President Dandy adjourned the meeting into Executive (Closed) Session at 12:03p.m.

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

President Dandy called the second open session of the meeting to order at 2:05p.m.

2.1 Pledge of Allegiance

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

**2.2 Public Comments
Information Item**

President Dandy asked if there were any comments from the public. No comments were offered

**2.3 Approval of Agenda
Motion**

President Dandy asked the General Manager if there were any changes to the agenda. Mr. Guardado replied that the agenda stands as is, no changes.

Motion to approve the agenda, Director Naumann; second, Director Mobley. Voice vote: six ayes (Hasan, Kimball, Maulhardt, Mobley, Naumann, Dandy); none opposed; one absent (Berger). Motion carries unanimously 6/0/1

2.4 Oral Report Regarding Executive (Closed) Session

Information Item

President Dandy asked District Legal Counsel David D. Boyer to report on the Board's actions from Executive (Closed) session.

Mr. Boyer reported that the Board took several actions during Executive (Closed) session including:

1. approving the extension of a tolling agreement with the City of San Buenaventura (motion to approve, Maulhardt; second, Naumann, voice vote: six ayes - Hasan, Kimball, Maulhardt, Mobley, Naumann, Dandy; none opposed; one absent - Berger);
2. approving the re-engagement of facilitation with the City of San Buenaventura (motion to approve, Naumann; second, Kimball, voice vote: six ayes - Hasan, Kimball, Maulhardt, Mobley, Naumann, Dandy; none opposed; one absent - Berger);
3. approve agreement to stay time for City of San Buenaventura to present a motion for attorneys' fees to the court, filing post facilitation (motion to approve, Maulhardt; second, Mobley, voice vote: six ayes - Hasan, Kimball, Maulhardt, Mobley, Naumann, Dandy; none opposed; one absent - Berger);
4. rejected City of Oxnard's request for a tolling agreement (motion to reject, Naumann; second, Mobley, voice vote: six ayes - Hasan, Kimball, Maulhardt, Mobley, Naumann, Dandy; none opposed; one absent - Berger);
5. authorize General Manager and District Counsel to negotiate and execute a Utility Agreement with the City of Oxnard for the Rice Avenue Overpass project (motion to authorize, Hasan; second, Naumann, voice vote: six ayes - Hasan, Kimball, Maulhardt, Mobley, Naumann, Dandy; none opposed; one absent - Berger).

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

2.5 Board Members' Activities Report

Information Item

President Dandy asked if there were any comments or questions regarding the Board Members' Monthly Activities (aka per diem) Reports. None were offered.

2.6 General Manager's Report

Information Item

The General Manager addressed the Board stating that he was very happy to introduce them to the new hires that have recently joined the District and to announce the promotions of several staff members, demonstrating the expertise, skills and professional experience the District continues to attract. He said new hire

part-time engineer Kalie Taniguchi is actually a rehire, as she had previously worked for the District under former Engineering Managers Jim Grisham and Maryam Bral, and brings her significant experience and knowledge of the Santa Felicia Dam to the Dam's Safety Improvement project.

He then introduced Accounting Technician Nyvee De Leon, Accountant II Brenda Sanchez; Receptionist Katie Prado, who had worked at Lake Piru Recreation Area previously; and Administrative Assistant III Vanessa Vasquez to the United family.

Mr. Guardado then congratulated Randall McInvale on his promotion to principal environmental scientist in the Environmental Services department; Stephen Kadowaki, who recently earned his water treatment operator IV license; Sara Guzman and David Rivera, both members of the finance team who have been cross training throughout the department, and have recently been promoted to accountant II; and Eva Ibarra and Jackie Lozano, both of whom have been promoted to administrative assistant III. Eva works with the Park and Recreation and Operations and Maintenance departments and serves as clerk of the board for the Fillmore and Piru Basins GSA while Jackie works to support AGM Emmert, Finance and Environmental Services departments, and serves as clerk of the board for the Mound Basin GSA.

Mr. Guardado said that he wanted to let the Board know that Chief Park Ranger Clayton Strahan and his team at Lake Piru have been recognized by Lexipol, the leading experts in policy, training and wellness support for first responders and government leaders, with its Bronze award for Law Enforcement Policy Management. Tony Huynh and Josh Perez have also played a role in keeping the Park Rangers up to date on training and policy awareness, so congratulations to the whole team.

Lastly, Mr. Guardado reported that he had recently participated in the Ventura Water Crisis Forum organized by Assemblymember Steve Bennett and State Senator Monique Limón. There were several general managers from the various water agencies and the executive director from the County speaking and presenting at the event, which included updates on actions being taken to address the drought and current water conditions. Mr. Guardado also stated that the Governor's recently released water supply strategy included recommendations for several project types that would help the state's water supply strategy. Mr. Guardado noted that these are the same types of projects that the District embarked on three years ago. He concluded by reporting on his participation at the City of Camarillo's public forum on the drought, which resonated with residents and rate payers. He focused his remarks on regulatory reforms and how agencies are weaponizing environmental laws, often making situations worse, such as not being able to fill our reservoir. He stated that we can't continue to cut our way out of the drought and encouraged participants to reach out and engage with their legislative representatives to do the right things right. He added that these events are a good way to collaborate with other water agencies and municipalities and help everyone to take a regional approach to resolving water sustainability challenges.

2.7 Recognition of the Retirement of Steve Trocino

Ceremonial Item

President Dandy invited Steve Trocino, who retired on September 12, 2022, after nearly seven years of service to the District to the podium. President Dandy thanked Mr. Trocino for his years of service as a key member of the Finance team, reminding the Board that Mr. Trocino initially joined the District on August 26, 2015, as a senior accountant in the Finance Department and, in 2017, after the District reclassified some positions, assumed his current position of accountant III. President Dandy stated that throughout his nearly seven years of service with the District, Mr. Trocino has been a valuable contributor to the United's success, covering each of the Finance department's sub-functions including Accounts Payable, Cash Management, Payroll, Taxation, and specialized journal entries. In addition, Mr. Trocino held the distinction of being the longest tenured member of the District's current Finance team. As a result, he has become something of a Finance historian, having experienced the transition from the District's old financial system (MOM) to the current financial system (Incode), and providing staff with valuable understanding and insights of both systems that were often critical to performing historical analysis of revenue and expense trends as well as in aiding newer staff to understand analysis retrieved from the old system. During his final few months with the District, explained President Dandy, Mr. Trocino extended his retirement date to ensure the District could identify and train staff members who would be fully up to speed to assume his responsibilities before he planned his departure; a sacrifice that demonstrates the kind of commitment and respect that is synonymous with Mr. Trocino's service to the District. In fact, his consummate professionalism especially during the succession planning process, validated his reputation as a patient mentor and a true Team United member. President Dandy then congratulated Mr. Trocino on his well-deserved retirement and expressed the Board, the District management team and all his colleagues' wishes for all the best as he begins this next exciting chapter of his life.

- 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 July 13, 2022, and the Special Board Meeting of July 27, 2022.

B. Groundwater Basin Status Reports

Information Item

Receive and file Monthly Hydrologic Conditions Report for the District.

C. Monthly Investment Report

Information Item

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. Resolution 2022-36 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 September 14, 2022 through October 12, 2022, pursuant to Brown Act provisions

Motion

The Board will consider adopting Resolution 2022-36 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).

E. Consideration to Amend the District's Conflict of Interest Code

Motion

The Board will consider adopting an amended Conflict of Interest Code and, if adopted, will update the Board of Directors Policies and Procedures with the amended Conflict of Interest Code.

President Dandy asked if there were any questions or comments on the Consent Calendar. None were offered.

Motion to approve the Consent Calendar items, Director Maulhardt; second, Director Naumann. Roll call vote: six ayes (Hasan, Kimball, Maulhardt, Mobley, Naumann, Dandy); no nays; one absent (Berger). Motion carries unanimously 6/0/1.

4. PRESENTATIONS AND MONTHLY STAFF REPORTS (By Department)

Administrative Services Department – Brian H. Zahn and Josh Perez

4.1 Monthly Administrative Services Department Report – Josh Perez and Brian H. Zahn

Information Item

Chief Financial Officer Brian Zahn addressed the Board asking if they had any comments or questions regarding the financial portion of the Administrative Services Department monthly report. No comments or questions were offered. Chief Human Resources Officer Josh Perez then addressed the Board, thanking President Dandy and Director Naumann for attending the CSDA Annual Conference and mentioned that their attendance at that event would save the District \$30,000 on its insurance premiums next year. He also stated that the Environmental Services Manager has confirmed her retirement for April 2023, and the HR team has posted the position to allow for sufficient training and a smooth transition when that time comes. He then asked if the Board had any comments or questions of the remainder of the department's monthly activities report. None were offered.

Engineering Department – Dr. Maryam Bral

4.2 Monthly Engineering Department Report

Information Item

Engineering Manager Craig Morgan addressed the Board in Dr. Bral's absence, sharing a presentation (see presentation) in support of the Department's monthly activities report. Mr. Morgan discussed the Santa Felicia Dam Safety Improvement Project, including progress on design, and FERC's 135 day review of the biological assessment that was submitted to the Commission. Mr. Morgan also reported that the Santa Felicia Dam passed the FERC annual inspection with no significant issues and Gannett Fleming is conducting an independent audit with District staff regarding safety and regulatory compliance. He also said that staff would be conducting a Table Top Emergency Action Plan exercise in October and Gannett Fleming staff are assisting District staff with developing the scenario for that exercise. Mr. Morgan reported Dr. Bral's public outreach activities including a presentation to the Society of American Military Engineers (SAME) on the EBB Water project and provided an update on the Santa Felicia Dam Safety Improvement project to the Piru Neighborhood Council on August 17. He then addressed the progress on the District's Iron and Manganese Treatment plant construction at El Rio.

President Dandy reminded the Board that the Iron and Manganese Treatment project was funded in large part through an \$8 million grant and that the project is a direct benefit to both Oxnard and Port Hueneme. Then Mr. Morgan, Senior Engineer Robert Richardson, President Dandy and Director Mobley had a brief discussion of how the Treatment plant will operate as well as dispose of waste product.

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

Environmental Services Department – Linda Purpus

4.3 Monthly Environmental Services Department Report

Information Item

Associate Environmental Scientist Tessa Lenz addressed the Board in Linda Purpus' absence, stating that while she did not have a formal presentation for the Board, she would answer any questions they may have regarding the Environmental Services Department monthly report. No comments or questions were offered. Ms. Lenz said that the department had secured permits for the Freeman Diversion sediment removal project, which would begin on Monday, had posted a request for qualifications (RFQ) for CEQA and environmental permitting for the EBB Water project and that the RFQ was closing this week and staff will likely have a motion to approve a contract for those services in November. Lastly, Ms. Lenz reported that prior to leaving on maternity leave earlier this year, she had submitted the District's Historical Property Management Plan to FERC and she is very happy to announce that the District received notification yesterday that the plan has been approved.

Operations and Maintenance Department – Brian Collins

4.4 Monthly Operation and Maintenance Department Report

Information Item

Chief Operations Officer Brian Collins addressed the Board, asking if there were any questions or comments regarding the Operations and Maintenance Department's monthly activities report. None were offered and Mr. Collins proceeded with his presentation to the Board, which included preparation for the Freeman Diversion desilting project; upgrading four meters and replacing six isolation valves on the PTP system; updates on the modeling of the vertical slot, desander, sluicing channel, outlet and low flow channel rock replacement.

Board members asked various questions about the Freeman Diversion physical modeling process and Director Maulhardt reported that during the Engineering and Operations Committee meeting earlier in the month, it was demonstrated that this modeling is an incredibly complex and expensive effort and the District is spending massive amounts of money to do the right thing by the river, the fish and the environment and someone needs to carry this message to the agencies.

Further discussion continued regarding permitting, costs, interest in the desander technology and how it mitigates sediment issues and offers a balanced approach to reducing the risks associated with flushing.

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

Park and Recreation Department – Clayton Strahan

4.5 Monthly Park and Recreation Department Report

Information Item

Chief Park Ranger Clayton Strahan addressed the Board, asking if they had any questions or comments regarding the Park and Recreation Department's monthly report. None were offered. Chief Strahan then began his presentation, including a comparison of revenue to date for January through July 2022 to January through July of 2021. Except for camping, all other revenue categories and number of visitors were all up over the same period in 2021 – the number of people visiting the Recreation area more than doubled over 2021. Chief Strahan explained that was due to staff using an actual count now, and not just the formula that was assuming an average number of visitors per vehicle. The only revenue that was down slightly was day use. Among the various items generating revenue, WiFi access is the top earner, followed by ice and water sales, location filming, and firewood sales. Chief Strahan also mentioned that Lexipol recognized the Lake Piru Recreation Area staff's efforts in training and policy updates by bestowing them with a Bronze award.

President Dandy asked Chief Strahan if there had been any follow-up with Supervisor LeVere's office regarding the monitoring and clean-up of trash, dumping and encampments along the Santa Clara River. Chief Strahan replied that he was in contact with the Supervisor's staff and he and the Rangers are planning another cleanup and have reached out to the Ventura County Sheriff's office, County Public Works, Behavioral Health and other agencies to present a unified clean up effort. President Dandy asked staff to draft a thank you letter to Supervisor LaVere for his signature.

President Dandy asked if there were any additional comments or questions for Chief Strahan. None were offered.

Water Resources Department – Dan Detmer

4.6 Monthly Water Resources Department Report

Information Item

Water Resources Manager Dan Detmer addressed the Board, providing a presentation (see presentation) in support of the Water Resources monthly report. He began updating the Board on staff's preparation and submission of an application for a Prop 1 Round 3 Implementation Grant for Phase 1B of the Extraction Barrier Brackish Water project. Mr. Detmer stated that this phase of the project includes the construction of seven extraction wells at a cost of \$18.6 million. The submitted grant application is currently for \$8.4 million, or 46 percent of the project costs. Mr. Detmer added that the grant administrators have stated that the District could request a larger grant amount. Mr. Detmer then went through the various steps included in Phase 1A (Geotech and engineering exploration), Phase 1B (implementation) and Phase 2 (build out) and the various studies that have been done to date, including Dr. Sun's modeling of groundwater flows and Solute (Chloride) transport, which have been very good at accurately projecting.

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

Information Item

Mr. Detmer continued his report on updates regarding the various GSAs. At the end of his brief discussion, he asked if there were any questions or comments from the Board. None were offered.

Mr. Guardado asked if the two reports – Water Resources Activities and GSAs’ updates could be combined into one report. Staff said it would make the consolidation of the reports at the October Board meeting.

5. MOTION ITEMS (By Department)

Administrative Services Department – Brian H. Zahn and Josh Perez

5.1 Resolution 2022-37 Approving a Change of United Water Conservation District’s Banking Relationship from Bank of the Sierra to Citizens Business Bank

Motion

Director Maulhardt reported to the Board that the Finance and Audit Committee had reviewed Mr. Zahn’s request regarding changing the District’s banks and the Committee was recommending the Board approve Resolution 2022-37 changing United Water Conservation District’s (District) banking relationship from Bank of the Sierra to Citizens Business Bank.

Motion to approve Resolution 2022-37, Director Maulhardt; second, Director Hasan. Roll call vote: six ayes (Hasan, Kimball, Maulhardt, Mobley, Naumann, Dandy); none opposed; one absent (Berger). Motion carries unanimously 6/0/1.

Engineering Department – Dr. Maryam Bral

5.2 Phase 1A License Agreement with U.S. Navy for the Extraction Barrier and Brackish Water Treatment Project – Phase 1A

Motion

Director Maulhardt reported to the Board that the Engineering and Operations Committee had reviewed Dr. Bral’s motions 5.2, 5.3 and 5.4 and that all requested motions are consistent with the projects and instrumental in the implementation of the projects, so the Committee was recommending the Board approve the motions.

President Dandy asked that the motions be addressed one at a time.

Motion to authorize the General Manager to enter into a License Agreement with U.S. Navy for Phase 1A of the Extraction Barrier and Brackish (EBB) Water Treatment Project at Naval Base Ventura County, Point Mugu, Director Hasan; second, Director Maulhardt. Roll call vote: six ayes (Hasan, Kimball, Maulhardt, Mobley, Naumann, Dandy); none opposed; one absent (Berger). Motion carries unanimously 6/0/1.

5.3 Authorize a Contract with GEI Consultants, Inc. to Develop the 90 percent Design Phase of the Santa Felicia Dam Outlet Works Improvement Project
Motion

Motion to authorize the General Manager to execute an agreement with GEI Consultants, Inc. in the amount of \$1,502,018.00 to Develop the 90 percent Design Phase of the Santa Felicia Dam Outlet Works Improvement Project, Director Maulhardt; second, Director Hasan. Roll call vote: six ayes (Hasan, Kimball, Maulhardt, Mobley, Naumann, Dandy); none opposed; one absent (Berger). Motion carries unanimously 6/0/1.

5.4 Authorize a Contract with GEI Consultants, Inc. to Develop the 60 percent Design Phase of the Santa Felicia Dam Spillway Improvement Project
Motion

Motion to authorize the General Manager to execute an agreement with GEI Consultants, Inc. in the amount of \$917,004.00 to Develop the 60 percent Design Phase of the Santa Felicia Dam Spillway Improvement Project, Director Hasan; second, Director Maulhardt. Roll call vote: six ayes (Hasan, Kimball, Maulhardt, Mobley, Naumann, Dandy); none opposed; one absent (Berger). Motion carries unanimously 6/0/1.

Operations and Maintenance – Brian Collins

5.5 Five-year Purchase of State Water from Casitas Municipal Water District
Motion

Mr. Collins addressed the Board and clarified that if a final agreement is executed with Casitas Municipal Water District, United would only pay for State Water Project water it receives and then went through the various percentages and costs associated with the agreement.

Motion to approve the terms as outlined in the Term Sheet for use by the General Manager or his designee in the negotiation and preparation of a final agreement which will be brought to the Board for consideration and approval at a later date, Director Hasan; second, Director Maulhardt. Roll call vote: six ayes (Hasan, Kimball, Maulhardt, Mobley, Naumann, Dandy); none opposed; one absent (Berger). Motion carries unanimously 6/0/1.

Director Naumann stated that it is nice to have collaboration with Casitas and commended staff on getting this done. Mr. Guardado added that Brian Collins is doing a great job working out the details with Casitas.

6. BOARD OF DIRECTORS READING FILE

7. FUTURE AGENDA ITEMS

President Dandy asked if there were any suggestions of future items for the agenda. Mr. Guardado said something about USC versus Stanford, but the Board's groans drowned out his remarks.

UWCD Board of Directors Meeting MINUTES

September 14, 2022

Page 12

8. ADJOURNMENT 4:02p.m.

President Dandy adjourned the meeting at 4:02p.m. to the **Regular Board Meeting scheduled for Wednesday, October 12, 2022** 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 September 14, 2022.

ATTEST: _____
Lynn E. Maulhardt, Board Secretary

ATTEST: _____
Kris Sofley, Clerk of the Board



Board of Directors
Bruce E. Dandy, President
Sheldon G. Berger, Vice President
Lynn E. Maulhardt, Secretary/Treasurer
Mohammed A. Hasan
Gordon Kimball
Michael W. Mobley
Daniel C. Naumann

General Manager
Mauricio E. Guardado, Jr.

Legal Counsel
David D. Boyer

ATTENDANCE LIST

MEETING DATE: Wednesday, September 14, 2022 12 noon

MEETING: UWCD Board of Directors Meeting

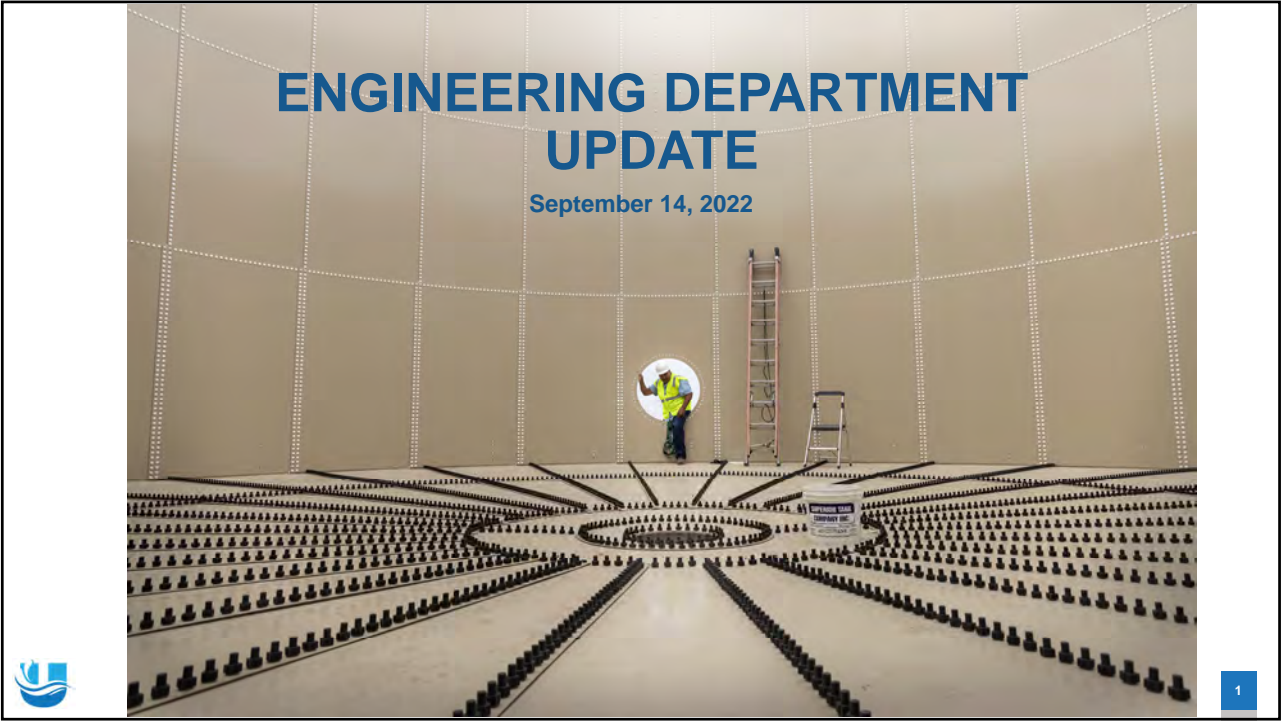
The signing or registering of your name on this sign-up form is not required but is voluntary. All persons may attend the meetings of the Board of Directors of United Water Conservation District without signing or registering their names on this form.

Name (Please Print)

Representing

Joseph Marinko

City of Oxnard



1

Santa Felicia Dam Safety Improvement Project

- ❑ **60% OW and 30% SpW Design**
 - Design of the New Outlet Works and Spillway Improvements on Schedule – BOC Meeting on September 28 and 29
 - Approval of Motion Items 5.4 and 5.5 Allows for Design Advancement
- ❑ **Biological Assessment Report**
 - Draft Biological Assessment Report Submitted to FERC on August 9
 - Draft Biological Assessment Report to NMFS by FERC on August 15

A photograph of a dam and a reservoir surrounded by mountains.

Santa Felicia Dam Safety Improvement Project
Draft Biological Assessment

Prepared for US Fish and Wildlife Service and National Marine Fisheries Service
July 29, 2022

2



Dam Safety and Regulatory Compliance

- July 19 - Annual Law Enforcement Consultation
- August 18 – ODSP Audit Kick Off Meeting
- August 23 – Annual FERC Inspection
- August 23, 24, 30 – 2022 Part 12D Inspection and PFMA Review Session
- Preparation for EAP Tabletop Exercise on October 20

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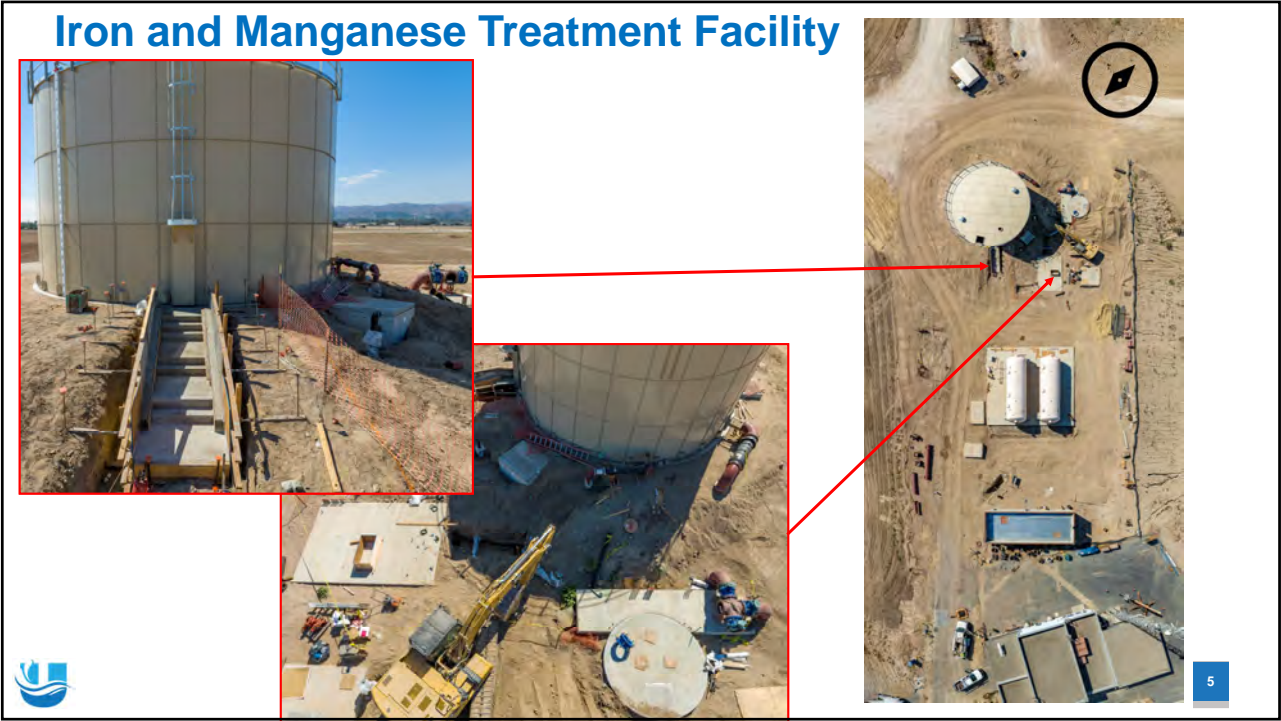
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Public Outreach

- ❑ July 14 – Society of American Military Engineers – San Francisco Post – Dam and Levee Resilience Webinar Series – Local Government
- ❑ August 17 – Piru Neighborhood Council Meeting
SFD Safety Improvement Project Updates

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Iron and Manganese Treatment Facility



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QUESTIONS

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OPERATIONS AND MAINTENANCE DEPARTMENT UPDATE

September 14, 2022



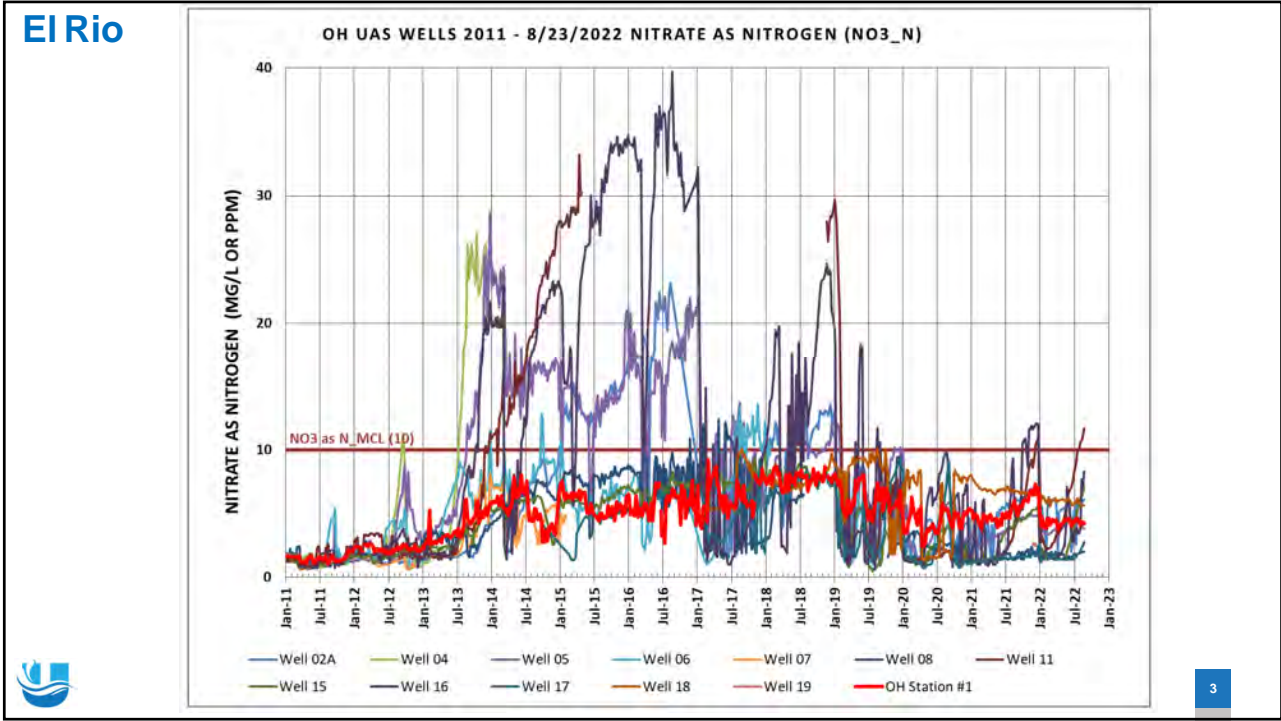
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Freeman Diversion Freeman Maintenance - Desilt Basin

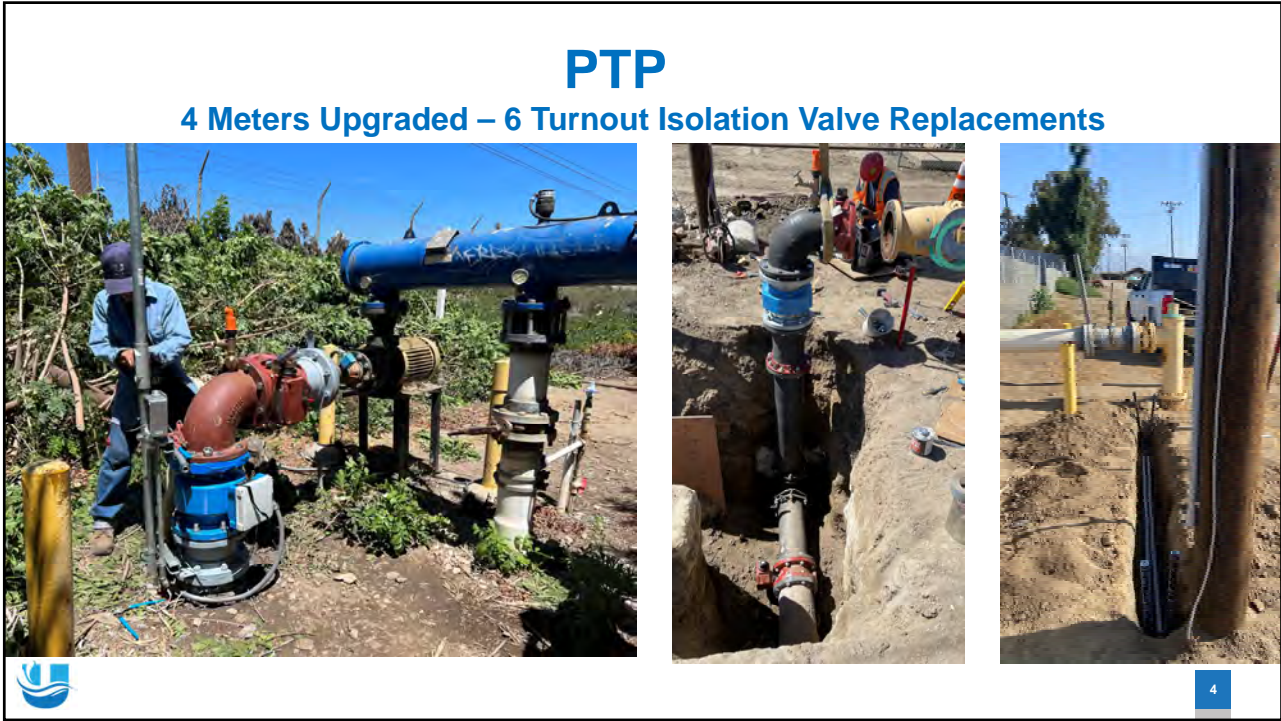


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Physical Modeling





5

Desander





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Sluicing Channel and Outlet





nhc

water resource specialists

7

7

Low Flow Channel Rock Placement





nhc

water resource specialists

8

8

Questions?





1

Operational Update						
Revenue Recap 2022 (Jan.-July)						
Year	Day Use Revenue	Camping Revenue	All Other Revenue	Revenue Collected	Revenue Received	Visitation (# of People)
2022	\$177,500	\$397,100	\$56,900	\$633,530	\$633,530	62,070
2021	\$185,000	\$377,900	\$46,900	\$609,800	\$609,800	30,567

United Water Conservation District

2

2

Operational Update

Other Revenue Recap 2022 (Jan-July)

Year	Firewood	Ice/Water	Showers/Laundry	Wi-Fi	Filming/Events	Concessions
2022	\$12,440	\$14,933	\$9,700	\$19,500	\$12,520	\$1,480
2021	\$11,200	\$12,900	\$10,200	\$9,000	\$1,450	-

United Water Conservation District

3


3

Departmental Highlight: July and August

District Recognition and Awards

- Recent Quarterly District Metrics

Metric	June 2022	May 2022	April 2022
Performance Level	Bronze	Bronze	Bronze
Policies Issued	100%	100%	100%
Updates Pending	1	0	1
DTBs Issued	100%	100%	100%
Policies Acknowledged	68%	68%	68%
DTBs Completed	99%	98%	94%



- Consistently trending towards silver and gold status
- CONGRATULATIONS TEAM UNITED!!!

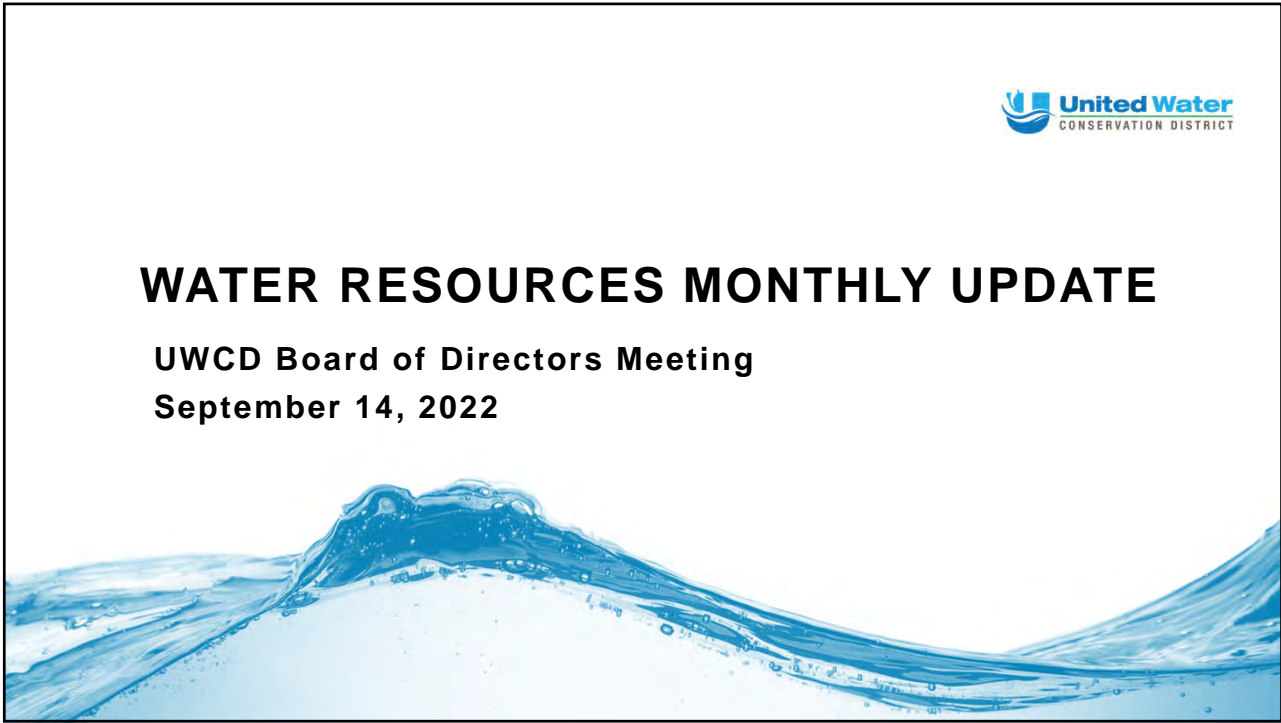
United Water Conservation District

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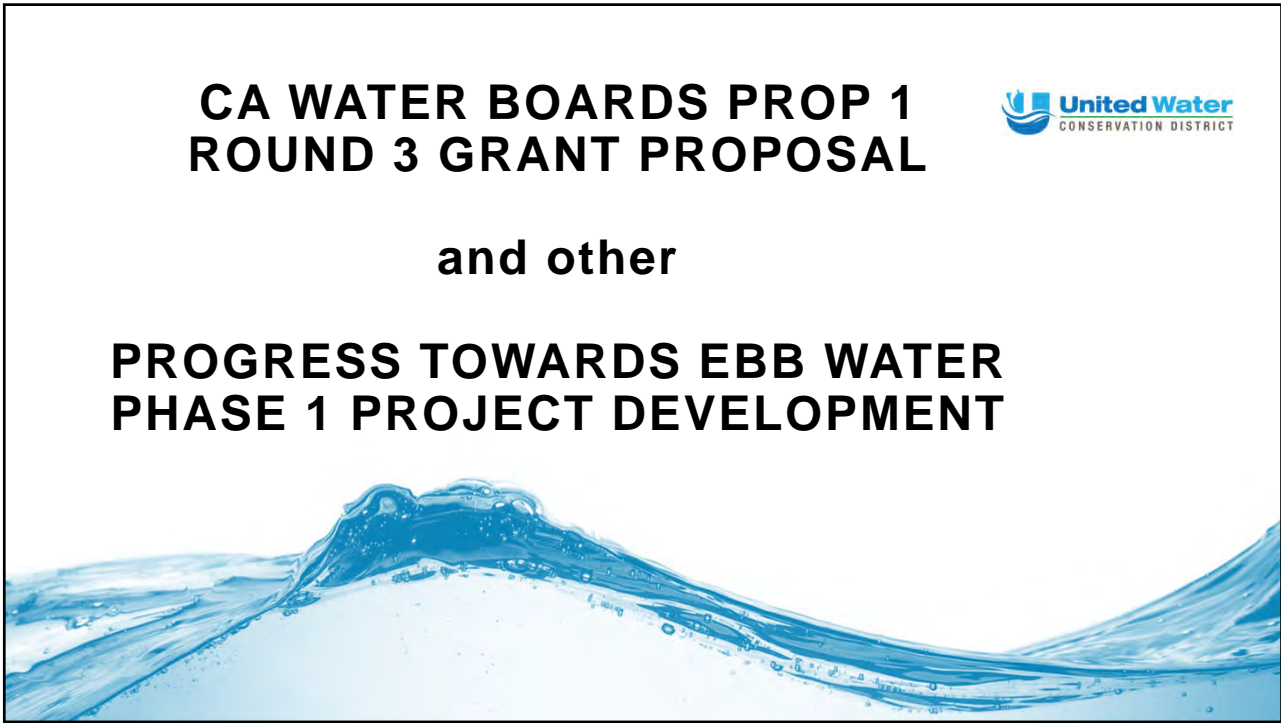
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United Water Conservation District



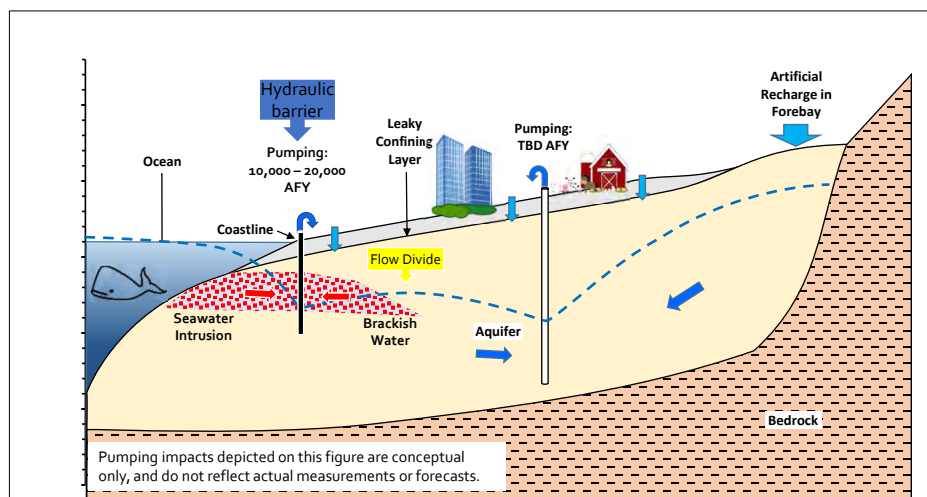
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Extraction Barrier Concept

Benefits- remove saline water from drinking water aquifers, no water intake structures



3

Prop 1 Round 3 Implementation Grant


Phase 1 of the EBB Water project is being designed to implement an extraction barrier of modest scale and to answer some remaining questions related to project permitting, engineering, operation and scale.

- Concept proposal submitted in September 2021
- In April 2022 United was invited to submit a full proposal
- Full proposal for Phase 1 completed and submitted in July 2022
 - The previous Prop 1 Round 2 Planning Grant funded improved modeling tools and project feasibility study, completed in December 2021.
 - Technical Advisory Committee (TAC) helped review the work and advise on critical regulatory elements (FCGMA, DDW, Regional WQ Board, Water Boards, U.S. Navy).
 - Feasibility study concluded that project was indeed feasible.



4

4



The map shows the Phase 1B Project area, including Mugu Lagoon and the Pacific Ocean. It highlights the locations of five Oxnard aquifer wells and two Mugu aquifer wells. A green line indicates the Phase 1 Raw Water Pipeline (Alternate), and a dashed line shows the Phase 1 Construction Footprint. A legend identifies symbols for Potential Plot Treatment Location, Provision for Future Extraction Well, Phase 1 Extraction Well Location, Potential Point of Discharge, Phase 1 Raw Water Pipeline (Alternate), Phase 1 Construction Footprint, Phase 1 Permanent Footprint, and NBVCNAS Point Mugu Boundary. A scale bar shows 0 to 0.2 miles, and a north arrow is present.

Phase 1B Project



Five Oxnard aquifer wells
Two Mugu aquifer wells
No treatment of extracted groundwater

Target production is 3,500 AFY
(2,170 gpm, 3.1 mgd, 4.8 cfs).

Intended discharge location is at or near
Laguna Road bridge (west arm of Mugu Lagoon)
Alternative discharge is to Calleguas SMP

Currently no extraction wells exist in the project area,
we need production wells to better assess:

- Degree of connection between aquifers
- Potential flow between aquifers
- Water quality and aquifer properties




5

5

Continued Regulatory Engagement

- FCGMA, GSA for the Oxnard basin, regulates pumping in the basin and will also likely require monitoring and contingency plans for project operations
- Division of Drinking Water wants to confirm source water for eventual drinking water facility if free of organic contaminants and surface water influence
- Regional Water Quality Control Board
 - Regulates discharge from Phase 1 operations and brine
 - Helps regulate contaminant sites on NBVC Point Mugu
 - Interest in basin salt balance for TMDLs and Salt and Nutrient Management Plans
- Also potential for CA Coastal Commission and State Lands Commission involvement



6

6

July 2022 Grant Proposal

- United proposed a project totaling \$18.6 million for construction of 7 extraction wells and control systems, discharge pipes, and funding for related design, permitting, sampling and reporting activities
- The Prop 1 Round 3 funding request was for \$8.4 million, or 46% of the estimated project cost
- Water Boards staff indicated that funding requests can be larger than what was in the concept proposals, but offered no assurance that funding will be increased
- Intent is to build and operate this initial phase of the EBB Water project before major additional investments are made for well field expansion, water treatment facilities and water distribution
- Phase 1 extraction wells provide benefit to basin while the full project is being developed



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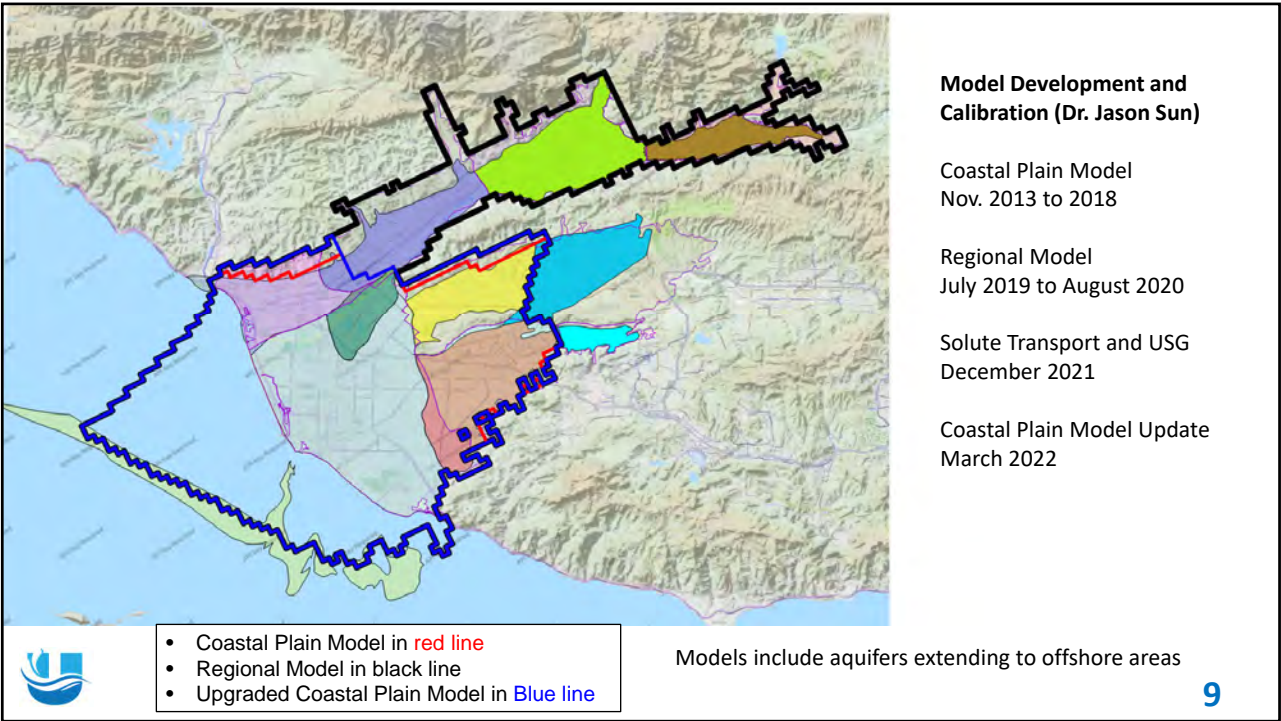
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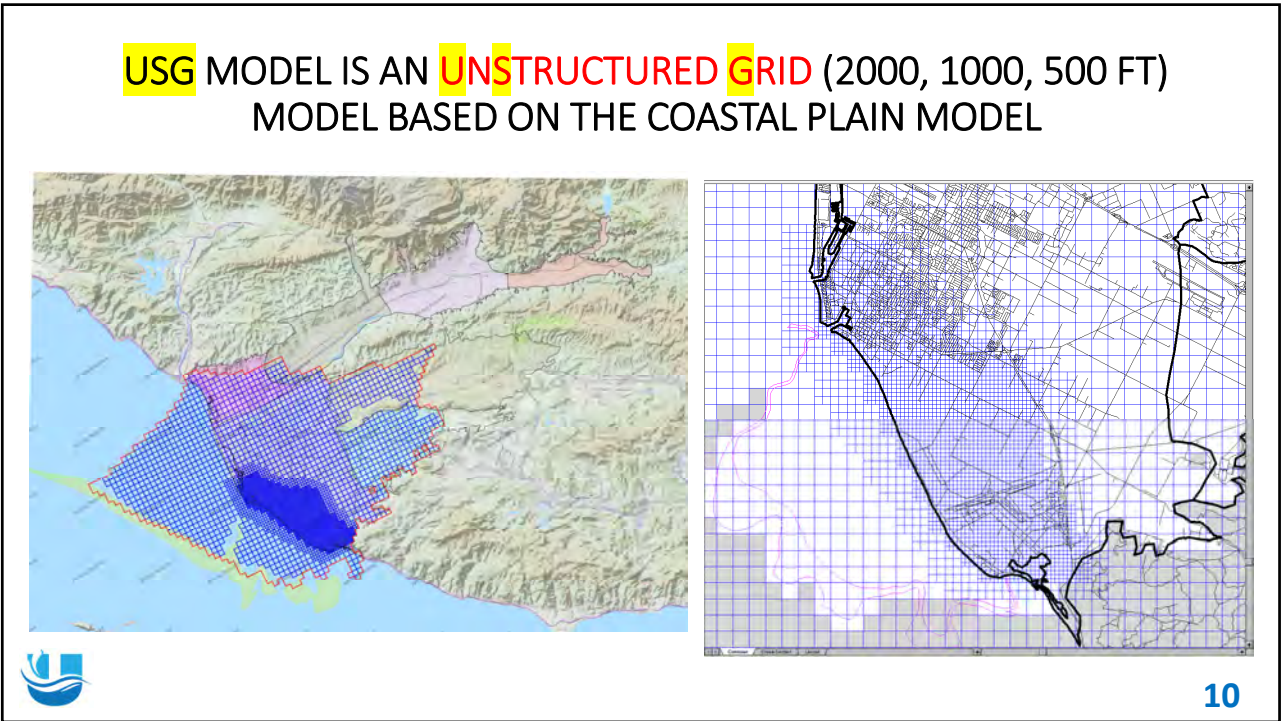
GROUNDWATER FLOW AND SOLUTE (CHLORIDE) TRANSPORT MODELING



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10

Modeling for EBB Water Project Feasibility Study (December 2021)

Assumptions:

- The extraction barrier wells are assumed to operate for 50 years
- The product water from the treatment plant is assumed to be 50% of the extracted water
- Project extraction rates from 3,500 to 20,000 AFY
- FCGMA GSP simulation run based on no pumping cutback (base case) is used for simulations
- 1930-1969 hydrology with 2070 climate factor adjustment is used

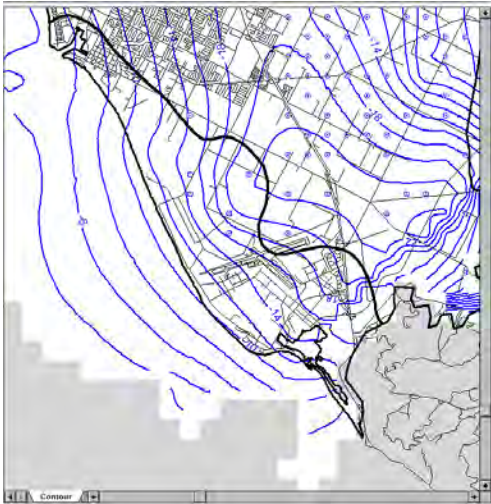
Scenario	Extraction rate (AFY)	Treated water for usage (AFY)	Treated water usage (AFY)			Oxnard well number	Mugu well number	Oxnard Extraction (AFY)	Mugu Extraction (AFY)
			Navy	PTP	PV				
No Action	0	0	0	0	0	0	0	0	0
Phase 1	3500	0	0	0	0	5	2	2500	1000
5K W	5000	0	0	0	0	6	4	3000	2000
5K T	5000	2500	1500	500	500	6	4	3000	2000
10K	10000	5000	1500	1750	1750	12	10	6000	4000
15K	15000	7500	1500	3000	3000	16	12	10000	5000
20K	20000	10000	1500	4250	4250	20	20	14000	6000



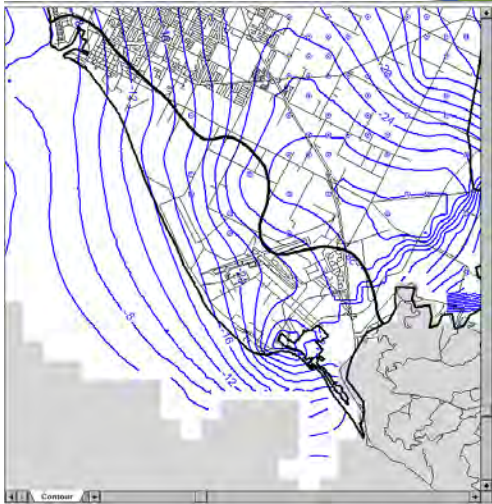
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Simulated Groundwater Level in **Oxnard** Aquifer in November 1965
(end of a drought period)

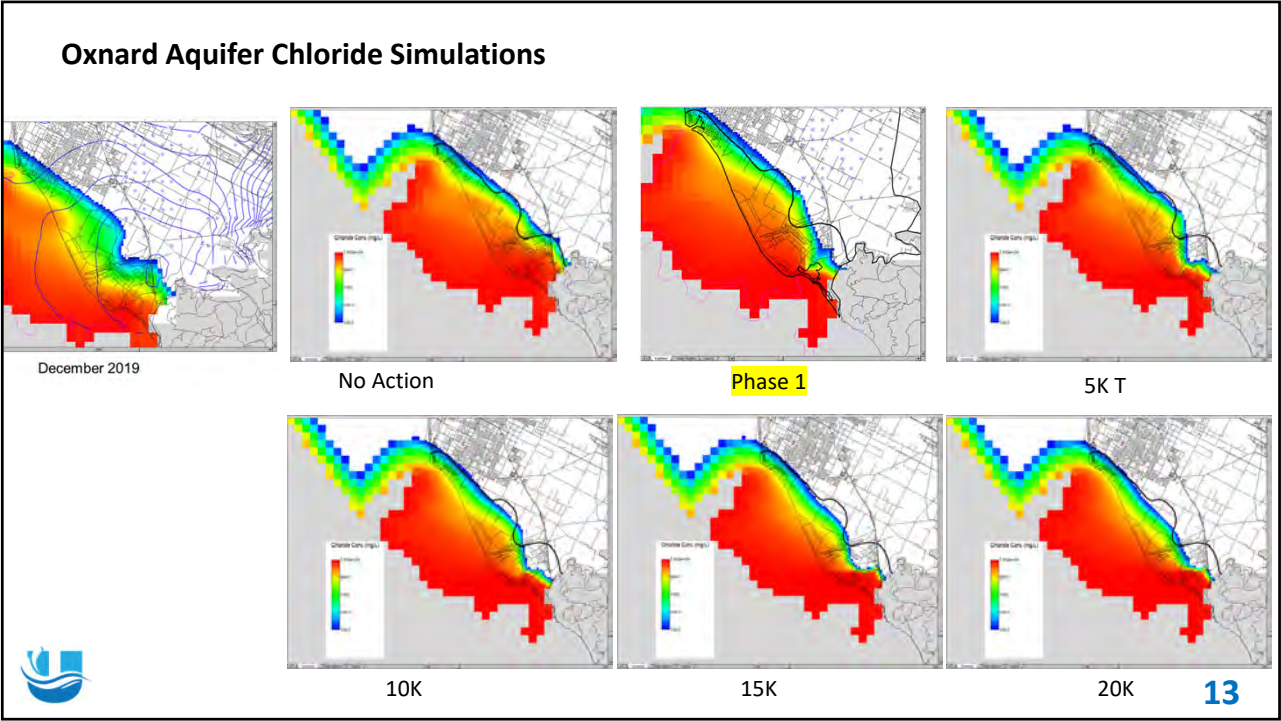


No Action (No Extraction Barrier Wells)

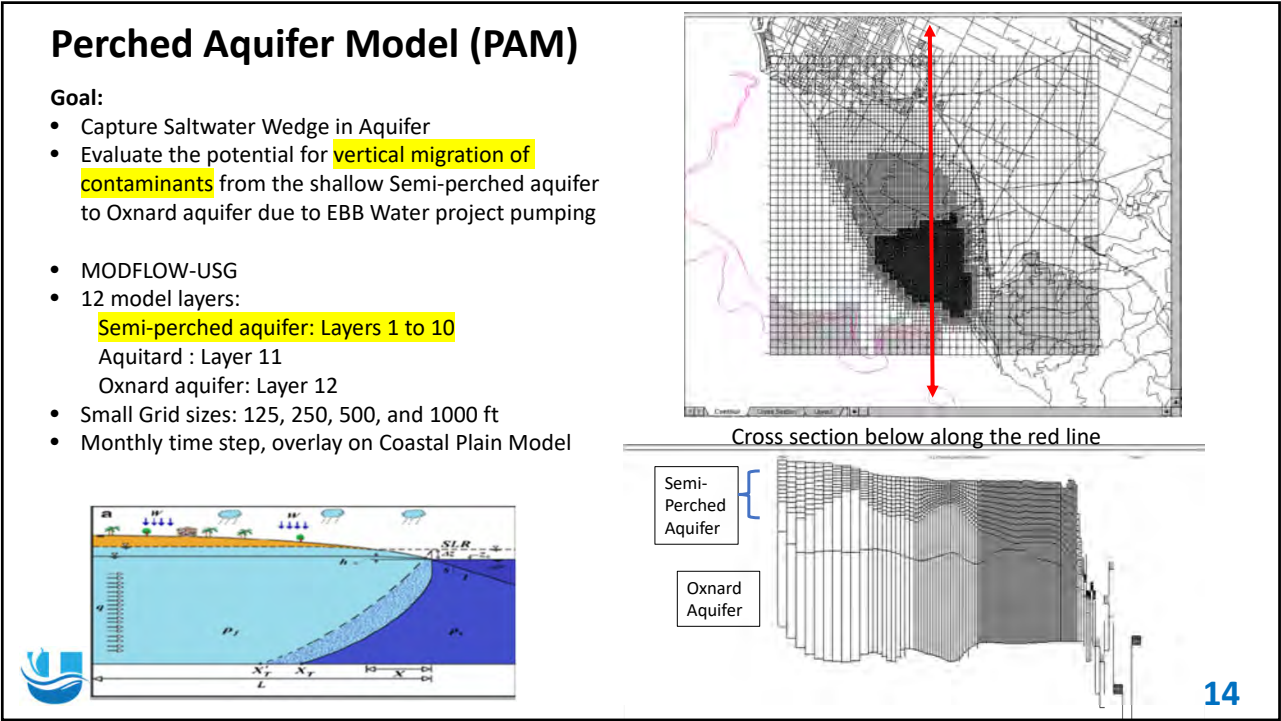


Phase 1 (2,500 AFY from Five Wells)

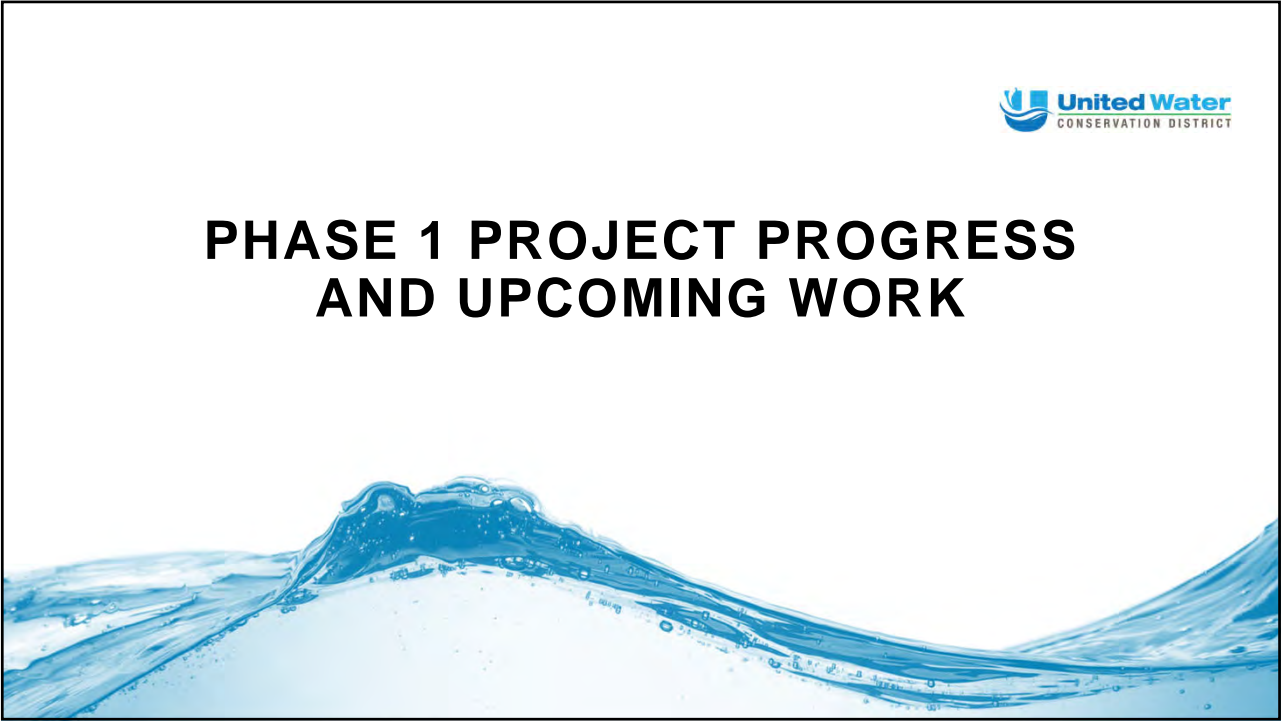
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15

Baseline Water Quality Sampling Event in April 2022

Project Location:
NBVC Point Mugu, existing Oxnard aquifer monitoring wells.

Purpose:
Establish baseline levels for expanded list of constituents.
Required for flow understanding, permits, treatment process.

Monitoring Wells:

- Sampled three monitoring wells.
- Screened in Oxnard aquifer (180-240 ft. below ground surface).
- Well #1 – representative of seawater.
- Well #3 – representative of freshwater.

Event Details:

- Sampled over 300 constituents.
- Low flow sampling - pump intake placed within the screens to reduce mixing with stagnant water and minimize drawdown.

An aerial photograph of a coastal area, likely Point Mugu. A red line delineates the project boundary. Three monitoring wells are marked with yellow dots and labeled with white boxes containing the numbers 1, 2, and 3. Well 1 is located near the coastline, Well 2 is in the center of the project area, and Well 3 is further inland. A blue area at the bottom left represents the ocean. A small scale bar is visible in the bottom left corner of the map.

16

Preliminary Results

Inorganic Constituents and General Parameters

- Inorganic constituents that showed results exceeded Secondary MCLs were consistent with historical sampling results (for example – high salinity (seawater influence) in wells #1 and #2).

Organic Constituents and other Contaminants

- No samples detected organic contaminants.
- Sampled for volatile organic compounds (VOCs), pesticides, PCBs, synthetic organic contaminants, explosives, disinfectant byproducts.

Constituent of Special Interest: PFAS


- Available results for PFOS and PFOA show no detections.

Radioactive Constituents

- Natural to environment.
- Low level detections were below Primary MCLs.

Microbial Indicators

- No samples detected indicator bacteria for fecal contamination (E. Coli, Enterococci).
- Low level detections of total coliform likely related to un-sanitized equipment used for routine monitoring.



17

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Phase 1 Project

Phase 1A


Exploration and Development Phase

- Field Exploration Activities (Planning, Design and Permitting Efforts)
- District’s Right-of-Access through License Agreement 1A (2022-2025)

Phase 1B

Implementation Phase

- Construction of Seven (7) Groundwater Extraction Wells, Installation of up to Six (6) Monitoring Well Clusters, and Discharge of Extracted Water



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Phase 1 Project

Requests for Qualifications/ Proposals:

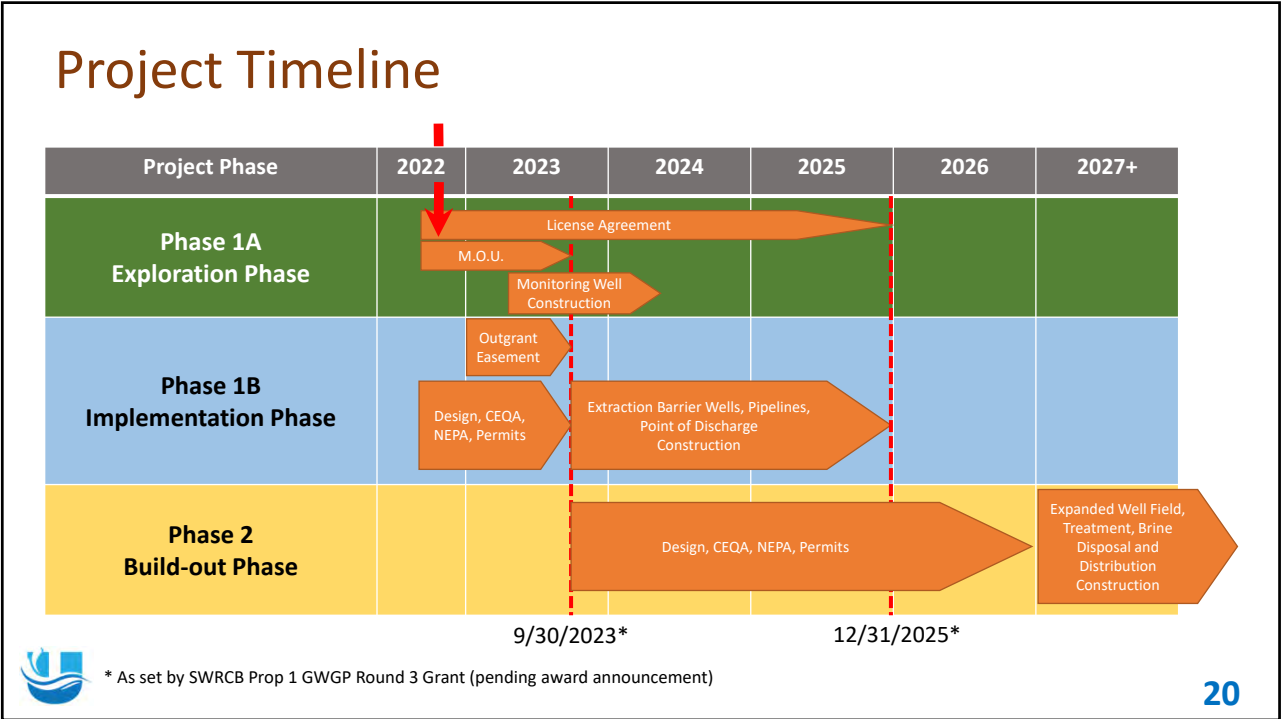
☐ CEQA and Permitting Services

- Released on Aug 8
- Proposals due on Sept 15

☐ Design Services

- Released on Aug 12
- Proposals due on Sept 22

19





1

Project Phases

➔ Phase 1A

Exploration and Development Phase

- Field Exploration Activities (Planning, Design and Permitting Efforts)
- District's Right-of-Access through License Agreement 1A (2022-2025)

Phase 1B

Implementation Phase

- Construction of Seven (7) Groundwater Extraction Wells, Installation of Monitoring Wells, and Discharge of Extracted Water

Phase 2

Build-out Phase

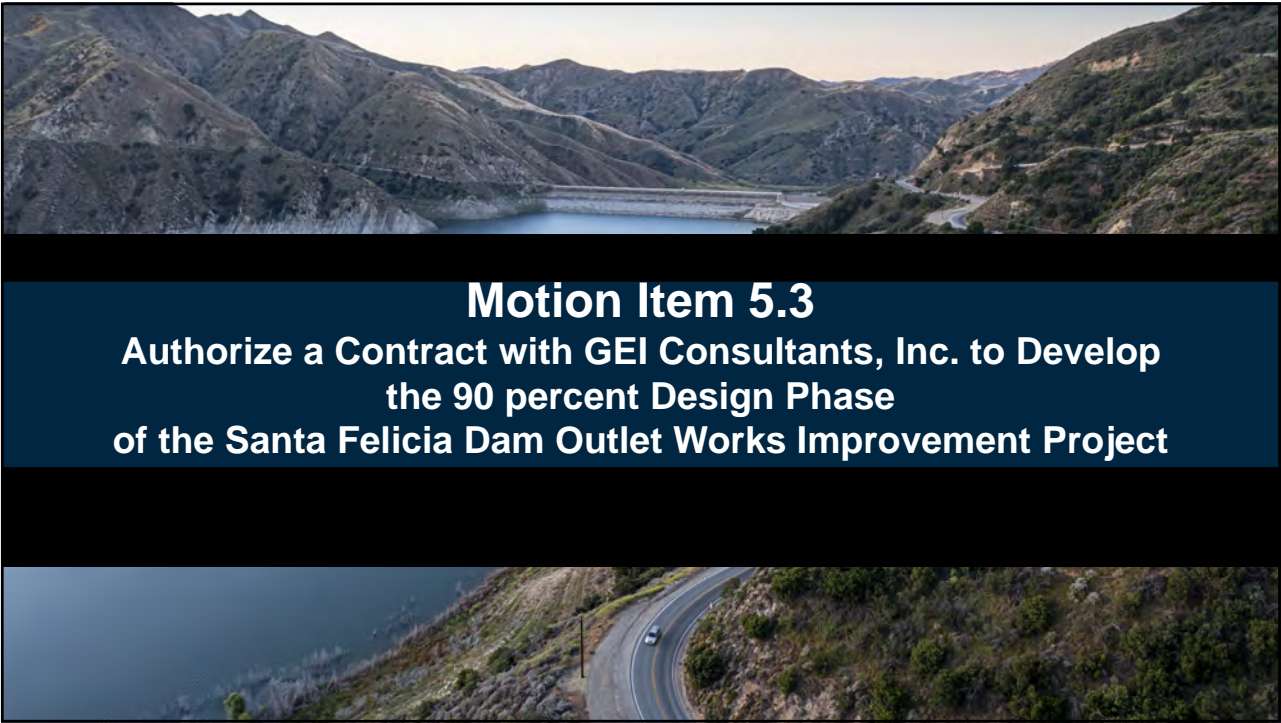
- Construction of Additional Extraction Wells, Water Treatment Plant, Drinking Water Delivery to U.S. Navy, Distribution Pipes, and Brine Disposal

2

Extraction Barrier and Brackish Water Treatment Project

- August 2-** Coordination Meeting with Calleguas MWD – Discussed Discharge Options to SMP
- August 10-** Fourth Navy Leadership Meeting between NBVC and United – Discussed License Agreement 1A, M.O.U, Public Outreach, and Funding Sources
- August 24-** Finalized Draft License Agreement 1A





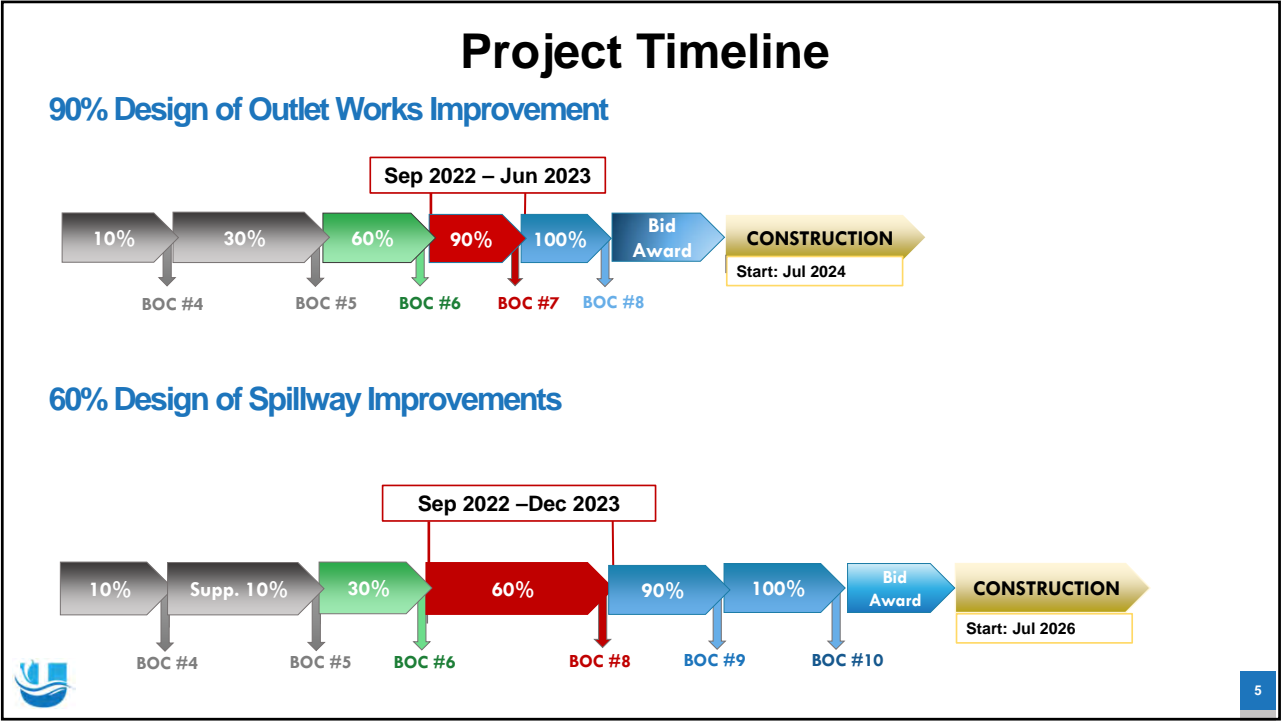
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Outlet Works Improvement Project - 90% Design

- ☐ Scope of Work (highlights):
 - Additional Analyses and Design Development
 - Basis of Design and Design Reports, Plans Drawings and Specifications
 - Geotechnical Baseline Report
 - Constructability Report and Updated Engineering Cost Estimate
 - **3D Design Rendering Model of the Improvements**
 - **Operations and Maintenance Manual**
 - **Reservoir Operations Plan during Construction**
 - **BOC Meeting #7 (May 2023)**
 - UWCD Board Presentation (optional)
 - Construction Schedule (Approved by FERC) - July 2024 to August 2026
- ☐ Design Fee:
 - \$1,502,018



2





3


Spillway Improvements Project - 60% Design

☐ Scope of Work:

- Additional Analyses and Design Development
- Basis of Design and Design Reports, Plans Drawings and Specifications
- Constructability Report and Updated Engineering Cost Estimate
- BOC Meeting #8 (Oct 2023)**
- UWCD Board Presentation (optional)

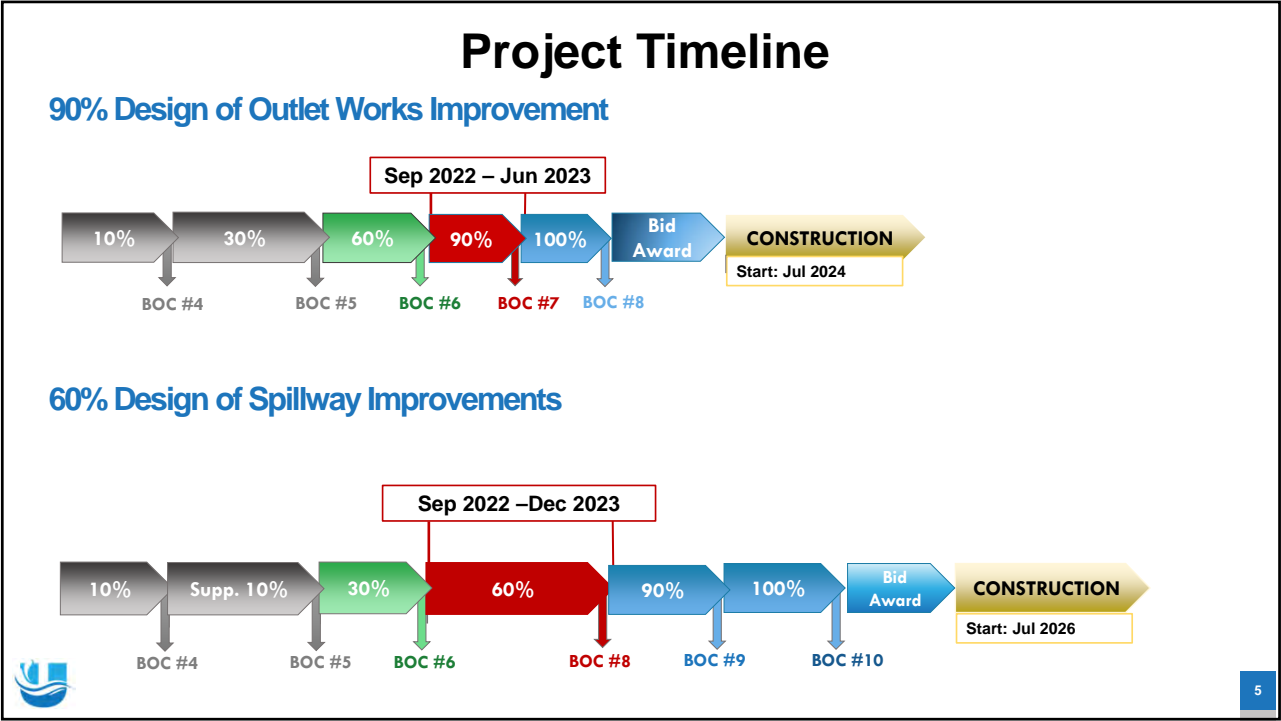
☐ Fee and Schedule:

- \$917,004



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OPERATIONS AND MAINTENANCE

Motion Item 5.5 - Five Year Purchase of State Water from Casitas Municipal Water

September 14, 2022



1

	Percent allocated (availability)	Water Received (AF)	Cost per AF	Conveyance Cost/AF	Total to CMWD	Total Cost of water
	5%	250	\$700	\$300	\$175,000	\$250,000
	10%	500	\$700	\$300	\$350,000	\$500,000
	15%	750	\$700	\$300	\$525,000	\$750,000
	20%	1000	\$600	\$300	\$600,000	\$900,000
	25%	1250	\$575	\$300	\$718,750	\$1,093,750
	30%	1500	\$550	\$300	\$825,000	\$1,275,000
	35%	1750	\$525	\$300	\$918,750	\$1,443,750
	40%	2000	\$500	\$300	\$1,000,000	\$1,600,000
	45%	2250	\$475	\$300	\$1,068,750	\$1,743,750
	50%	2500	\$450	\$300	\$1,125,000	\$1,875,000
	55%	2750	\$425	\$300	\$1,168,750	\$1,993,750
	60%	3000	\$400	\$300	\$1,200,000	\$2,100,000
	65%	3250	\$375	\$300	\$1,218,750	\$2,193,750
	70%	3500	\$350	\$300	\$1,225,000	\$2,275,000
	75%	3750	\$325	\$300	\$1,218,750	\$2,343,750
	80%	4000	\$300	\$300	\$1,200,000	\$2,400,000
	85%	4250	\$275	\$300	\$1,168,750	\$2,443,750
	90%	4500	\$275	\$300	\$1,237,500	\$2,587,500
	95%	4750	\$275	\$300	\$1,306,250	\$2,731,250
	100%	5000	\$275	\$300	\$1,375,000	\$2,875,000

2

Questions?





Staff Report

To: UWCD Board of Directors

Through: Mauricio E. Guardado, Jr., General Manager
Dan Detmer, Water Resources Manager

From: Kathleen Kuepper, Hydrogeologist
Bram Sercu, Senior Hydrologist

Date: October 4, 2022 (October 12, 2022 Meeting)

Agenda Item: 3.B Groundwater Basin Status Report
Informational Item

Staff Recommendation:

The Board will receive and file the Monthly Hydrologic Conditions Report for the District for the month of September 2022.

Summary:

Diversions, Recharge and Ag Pipeline Deliveries for Month of September 2022*

Activity	Amount (acre-feet)
Total Diversions at Freeman Diversion	0
Lloyd-Butler Mutual Water Company surface water use	0
Recharge to Saticoy basins (metered + unmetered)	0
Recharge to Noble and Rose basins	0
Recharge to El Rio basin	0
Total Ag Pipeline Deliveries of water diverted at Freeman	0
Total Ag Pipeline Deliveries of water pumped from Saticoy Well Field or Deep O-H Wells	0
Recharge to Piru spreading grounds	0

Groundwater Basin Available Storage at End of Month of September 2022

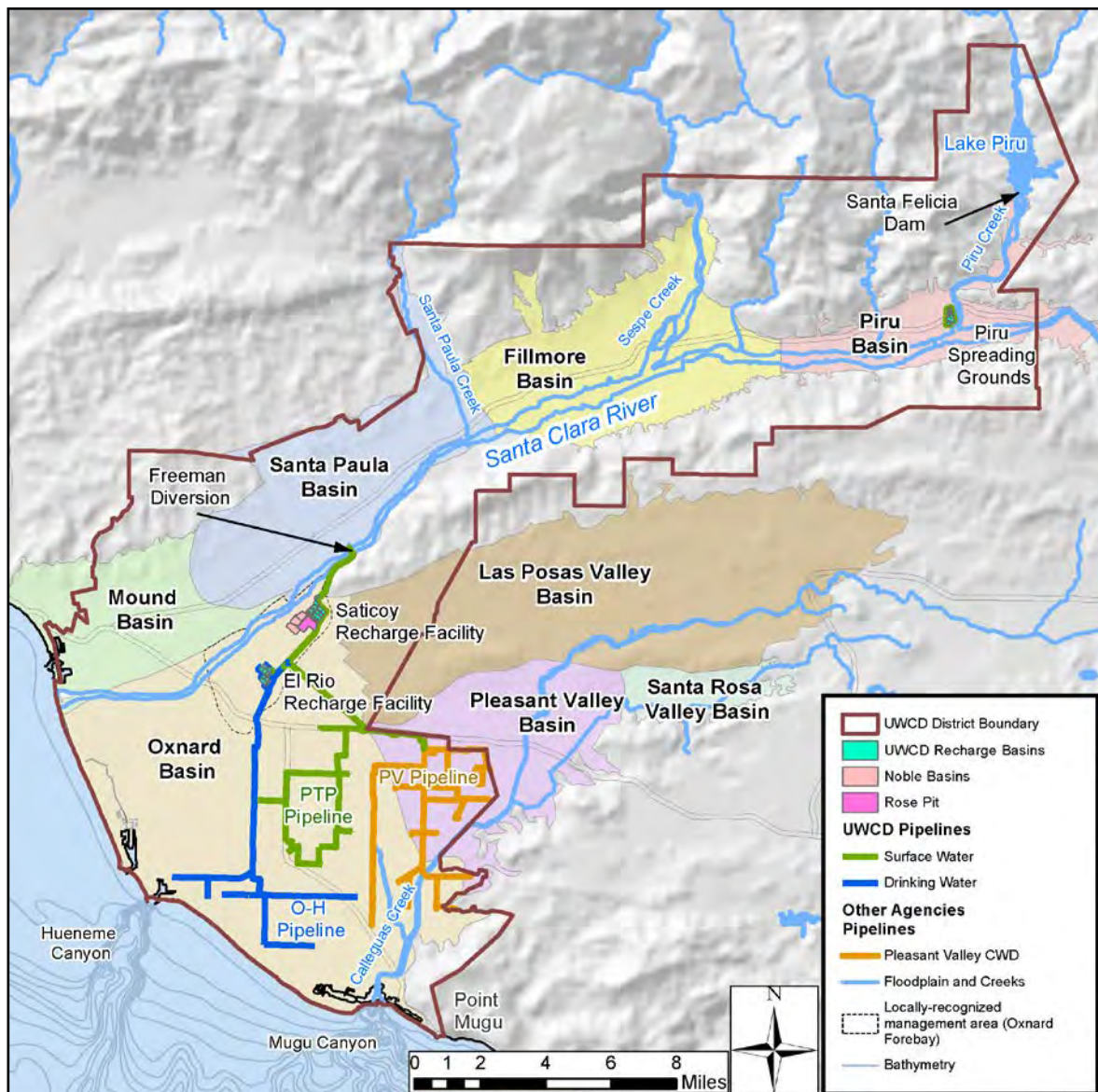
Basin	Available Storage (acre-feet)
Oxnard Forebay	123,600

Precipitation for Month of September 2022

Location	Precipitation (inches)
Lake Piru	0.21
Santa Paula	0.04
El Rio	0.23

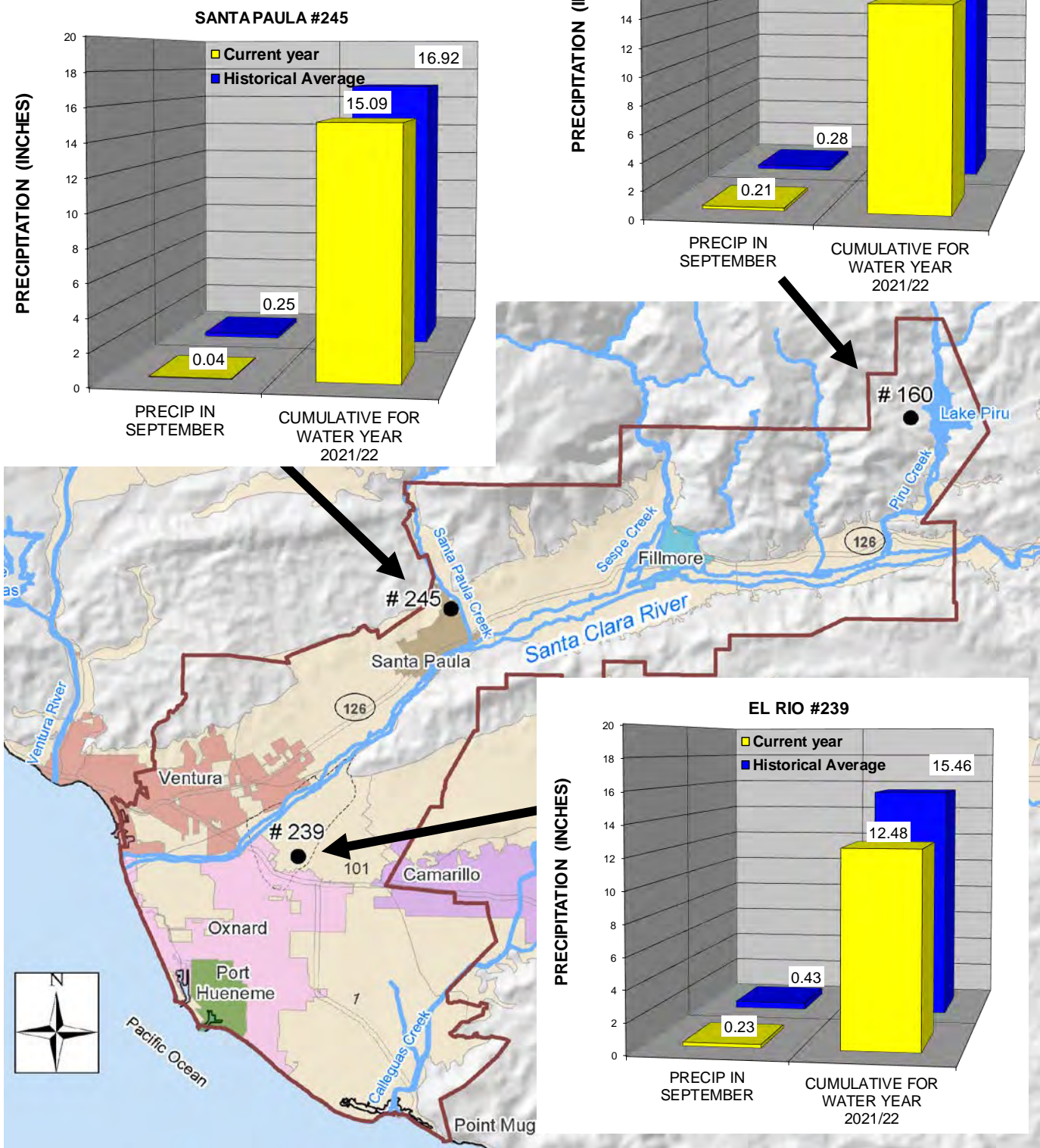
September 2022 Hydrologic Conditions Report 2021/22 Water Year

October 4, 2022



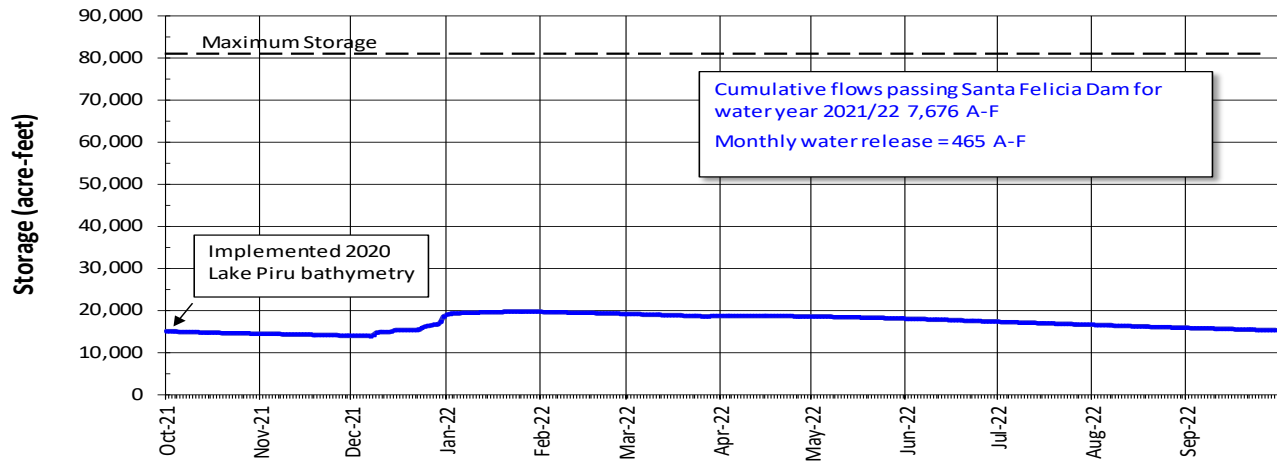
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Precipitation



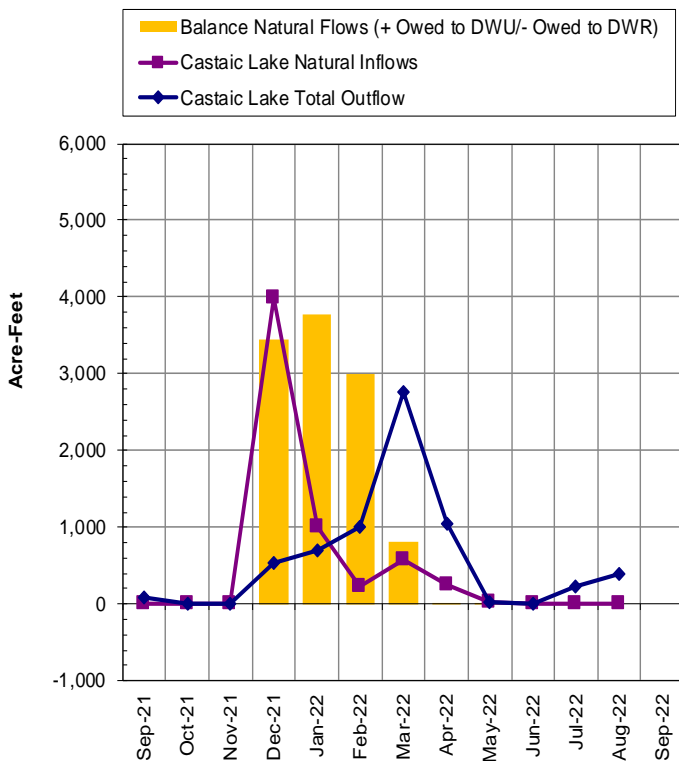
District-wide percent of normal precipitation = 81%

Lake Piru Storage and Outflow

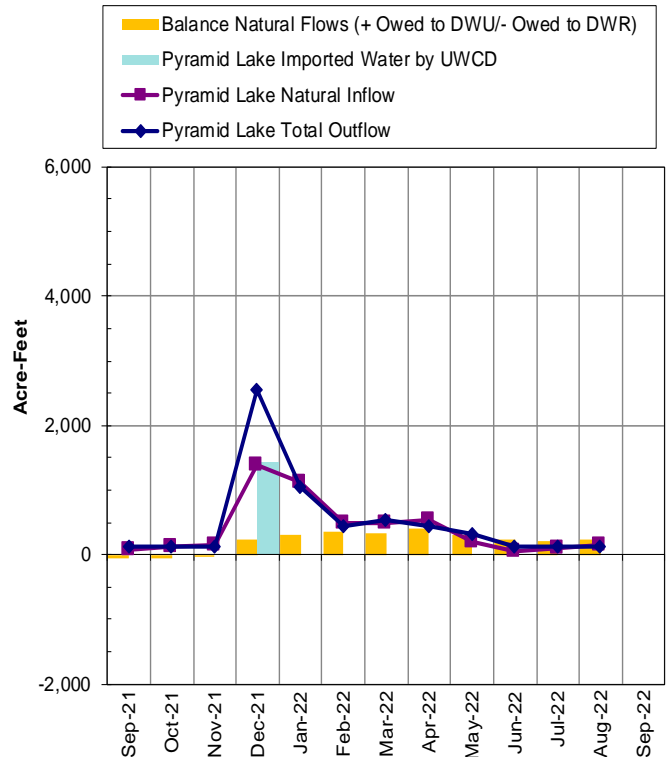


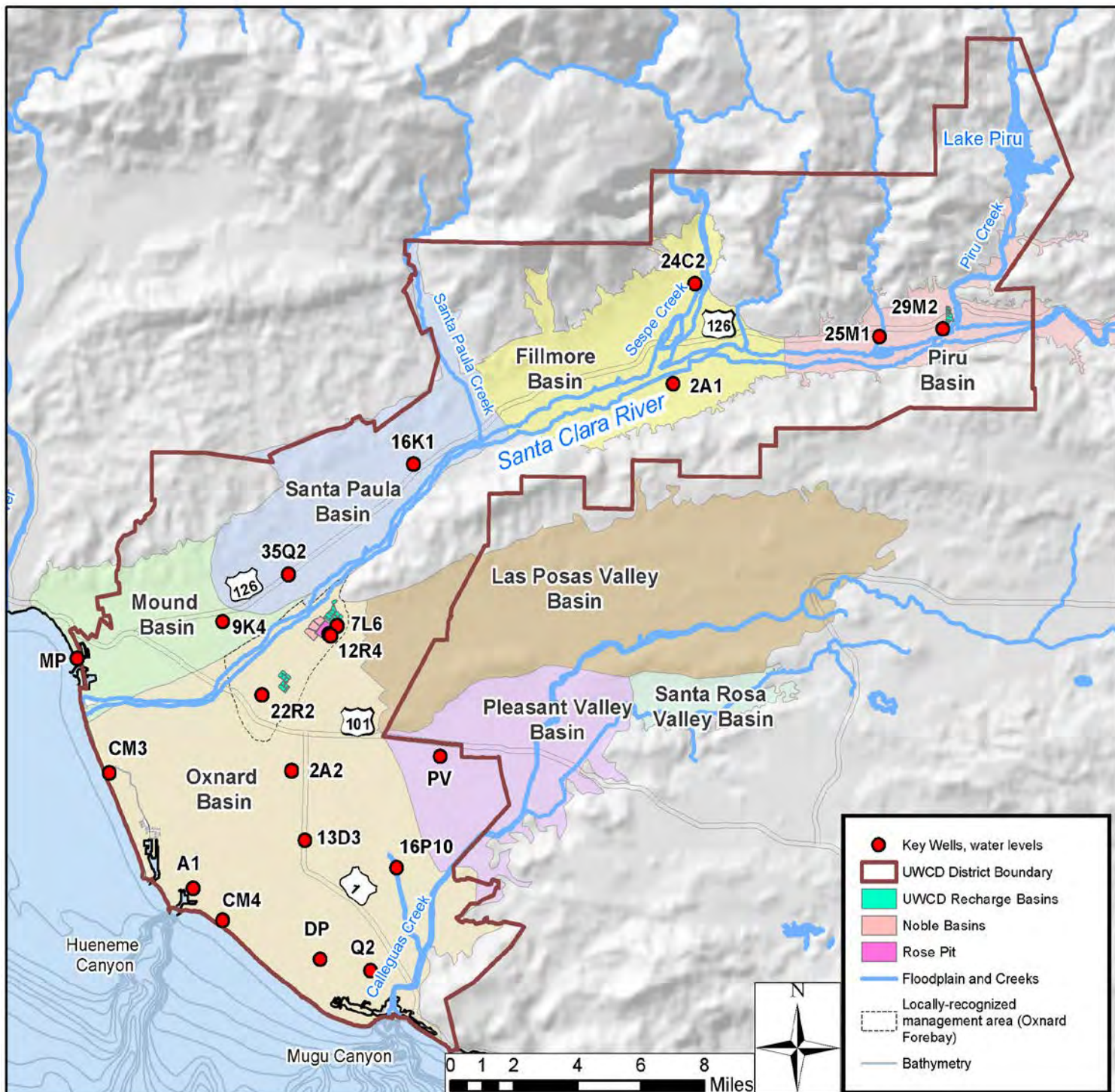
	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Hydro Plant Outflow (Acre-Feet)	0	0	0	0	0	0	0	0	0	0	0	0
Cumulative Hydro Plant Outflow (A-F)	0	0	0	0	0	0	0	0	0	0	0	0

Castaic Lake releases to downstream water users (DWU)



Pyramid Lake releases to UWCD

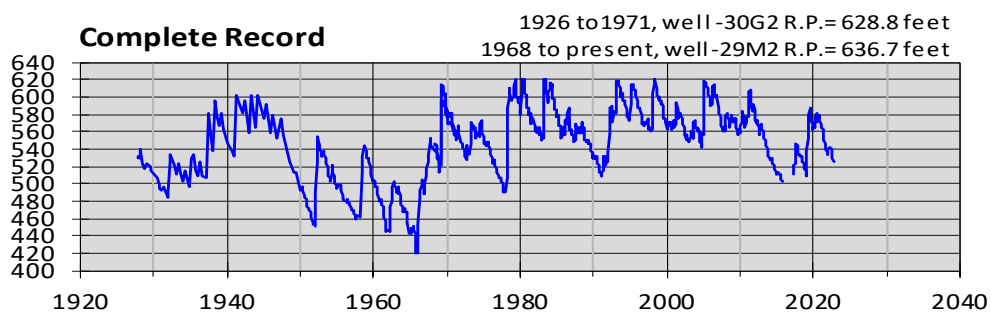
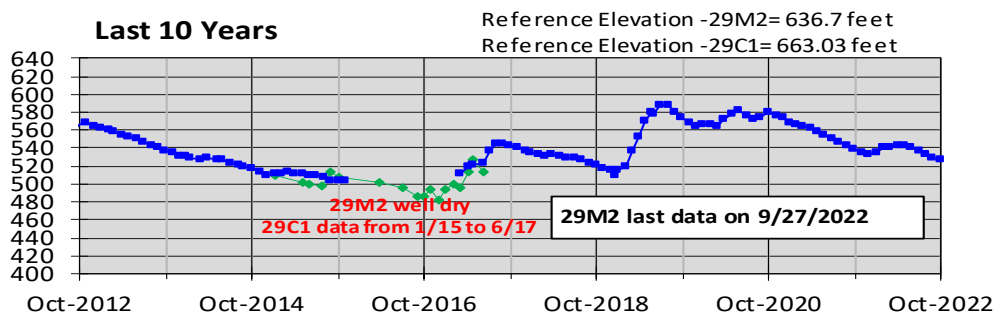




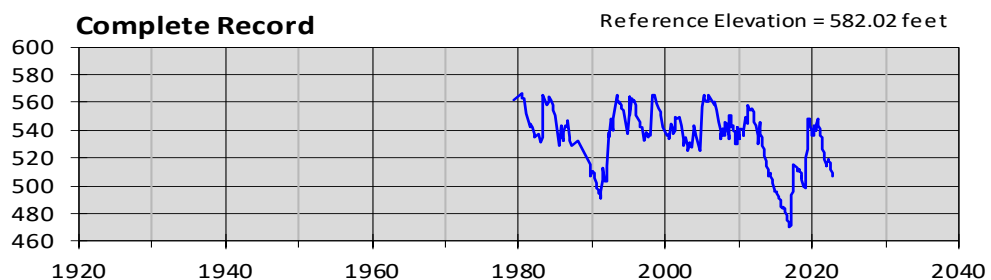
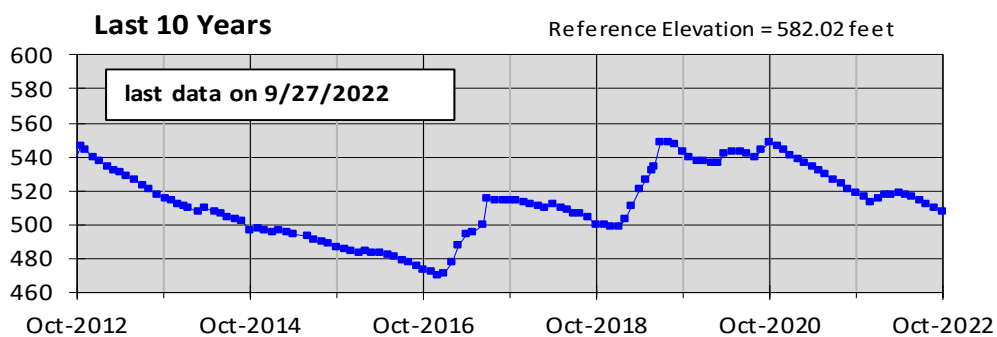
Locations of Key Wells, Monthly Groundwater Elevation Monitoring

Groundwater Elevation Records – Piru Basin

Well 04N18W29M02S (29M2)



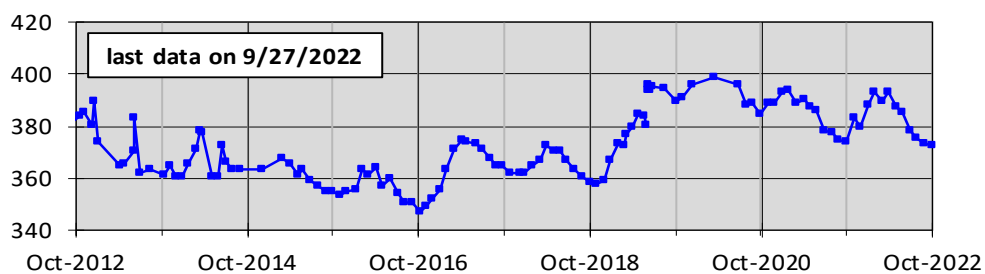
Well 04N19W25M01S (25M1)



Groundwater Elevation Records – Fillmore Basin

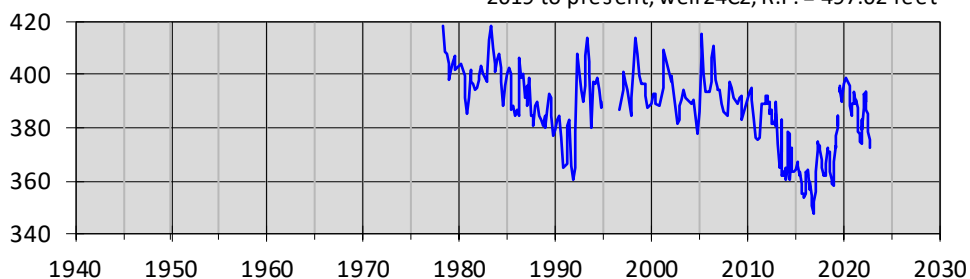
Well 04N20W24C02S (24C2)

Last 10 Years



Complete Record

1978 to 2014, well 23Q2, R.P. = 513.99 feet
2015 to 2019, well 23N1, R.P. = 559.00 feet
2019 to present, well 24C2, R.P. = 497.02 feet



Well 03N20W02A01S (2A1)

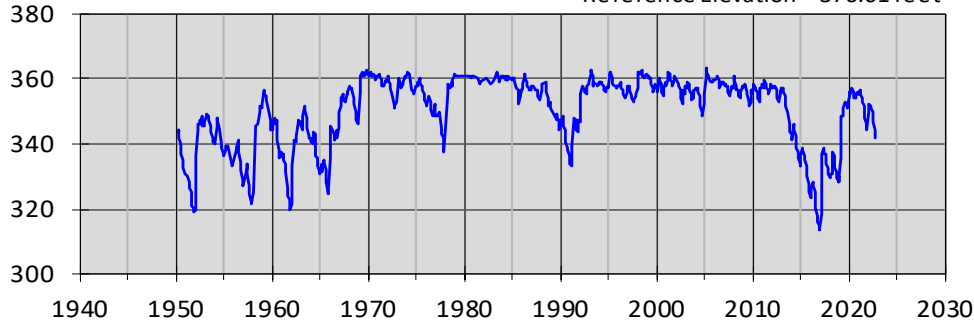
Last 10 Years

Reference Elevation = 376.61 feet

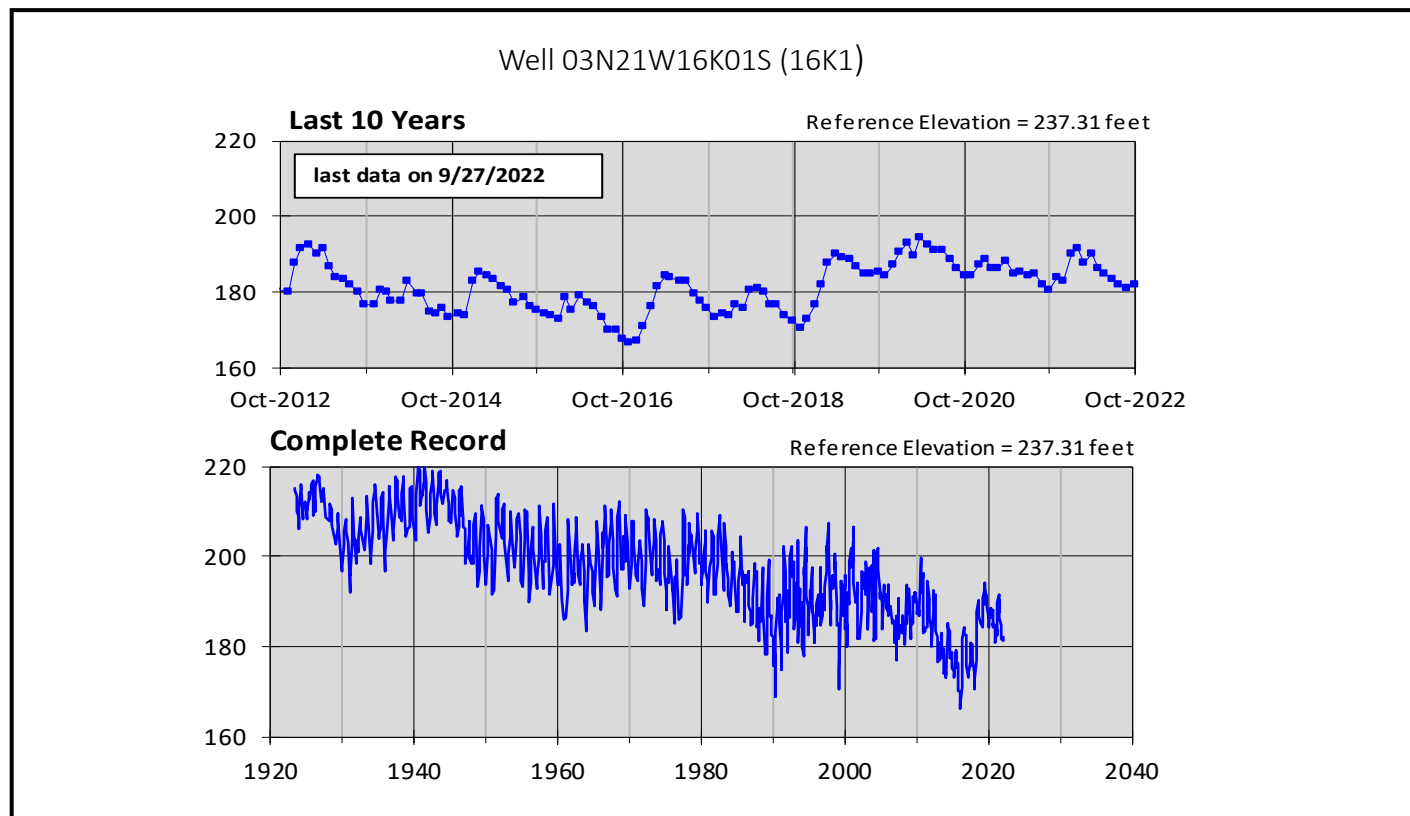


Complete Record

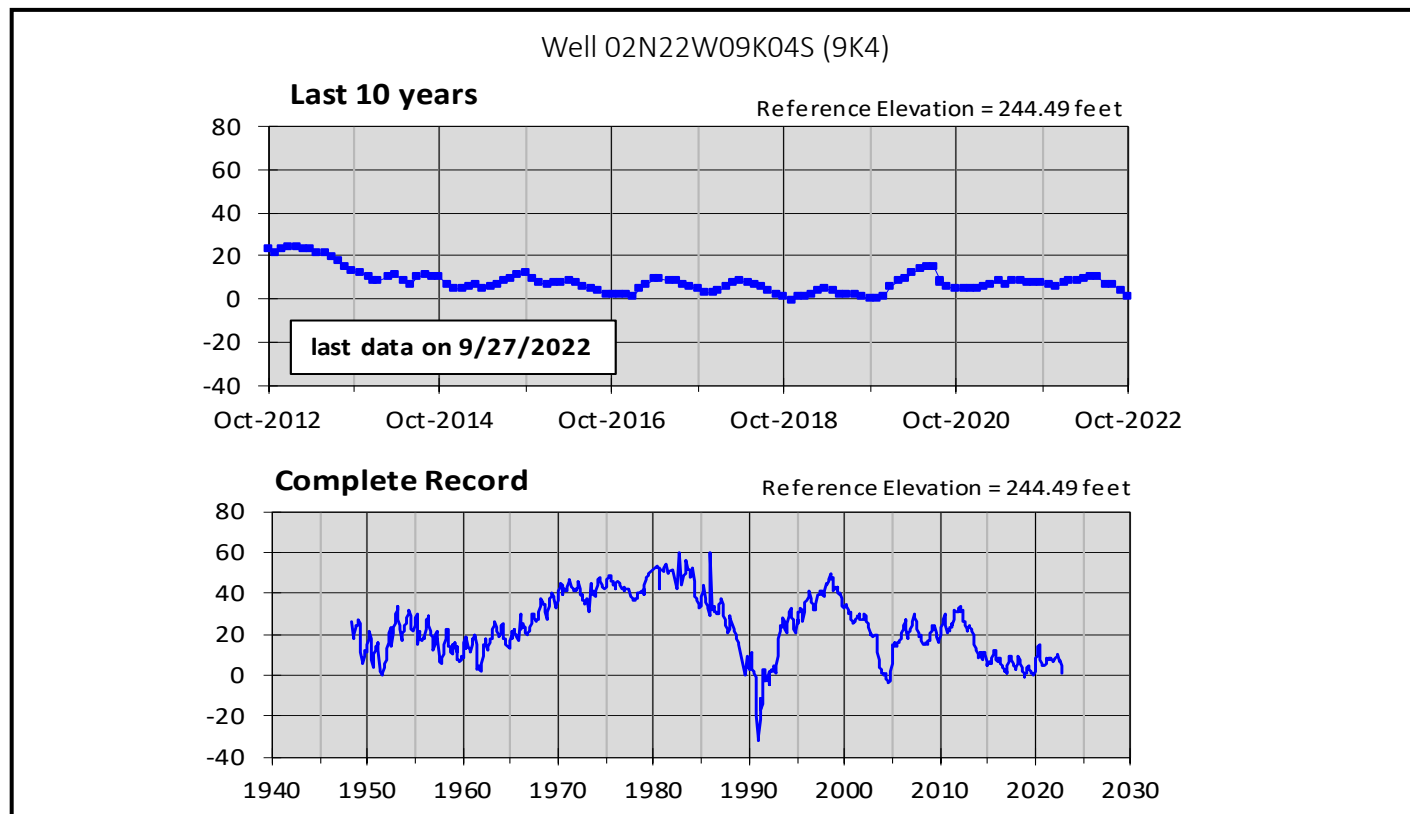
Reference Elevation = 376.61 feet



Groundwater Elevation Records – Santa Paula Basin

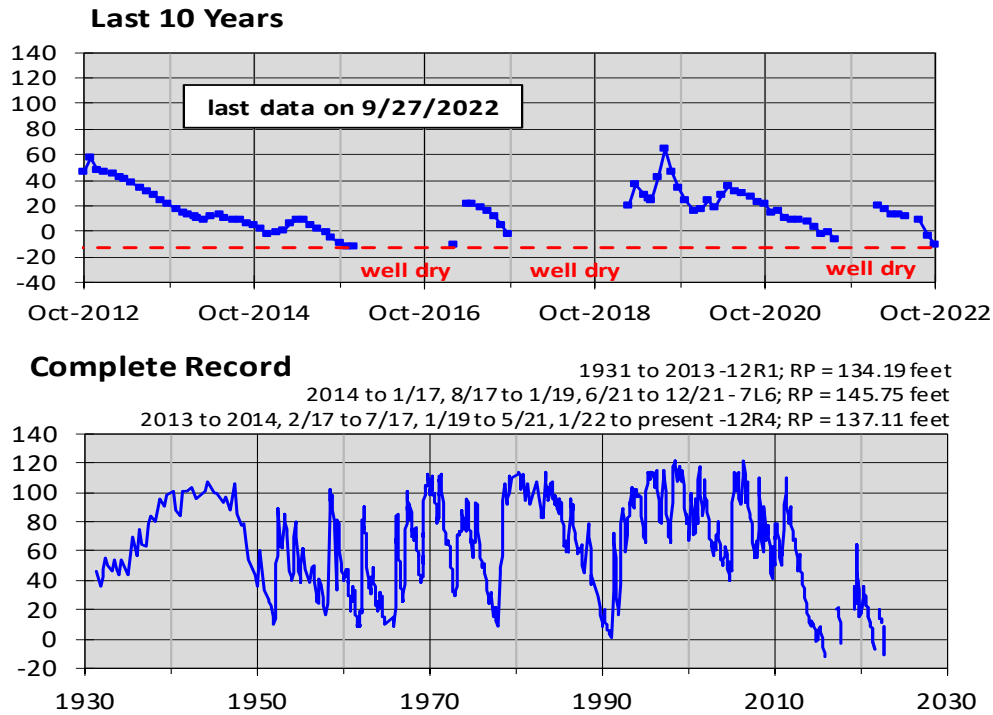


Groundwater Elevation Records – Mound Basin

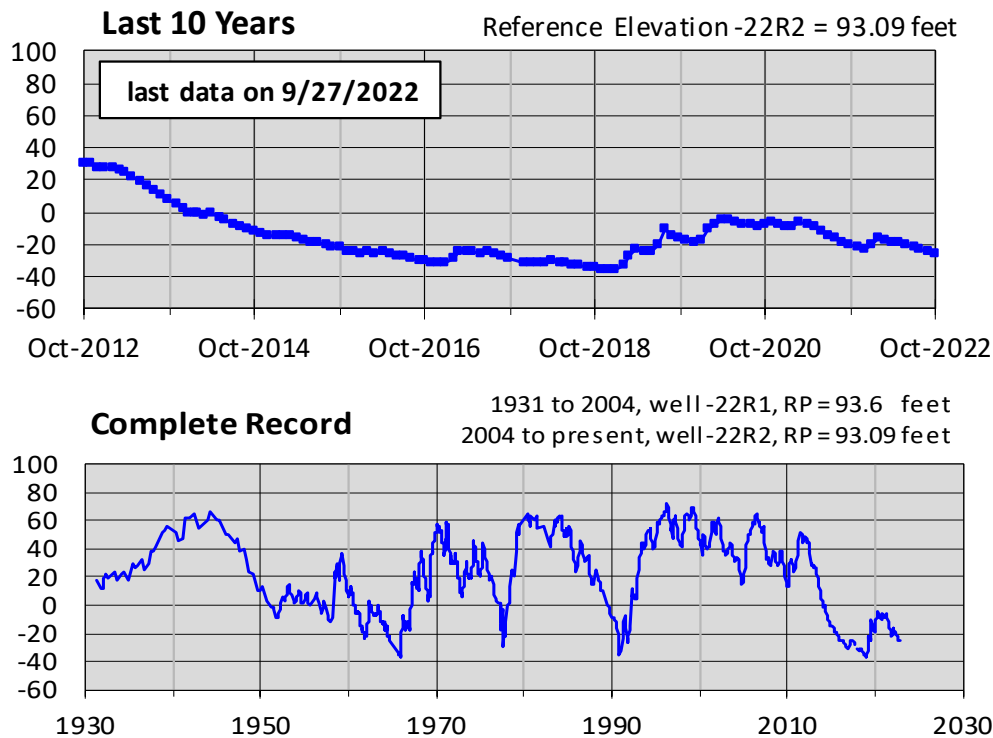


Groundwater Elevation Records – Oxnard Basin, Forebay

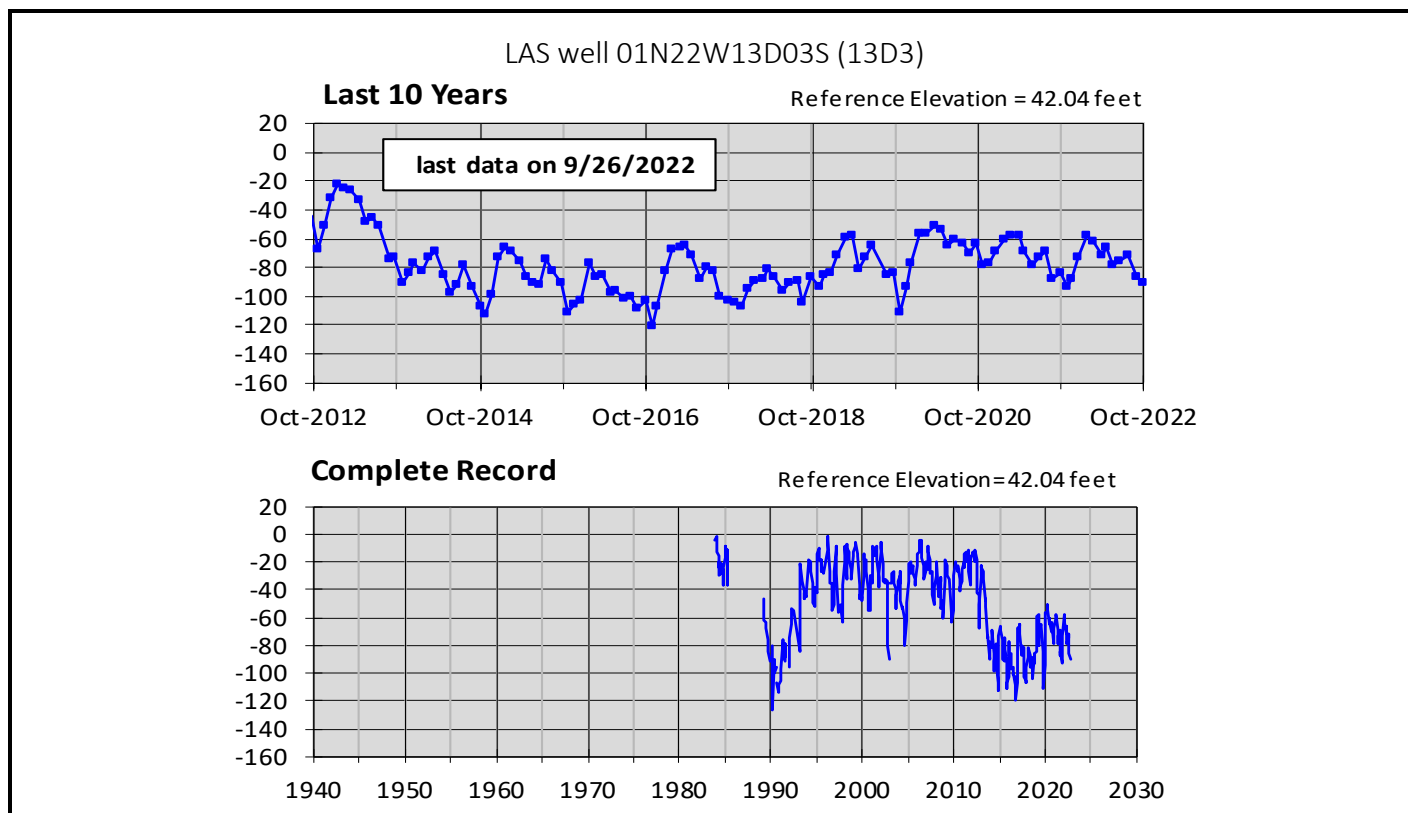
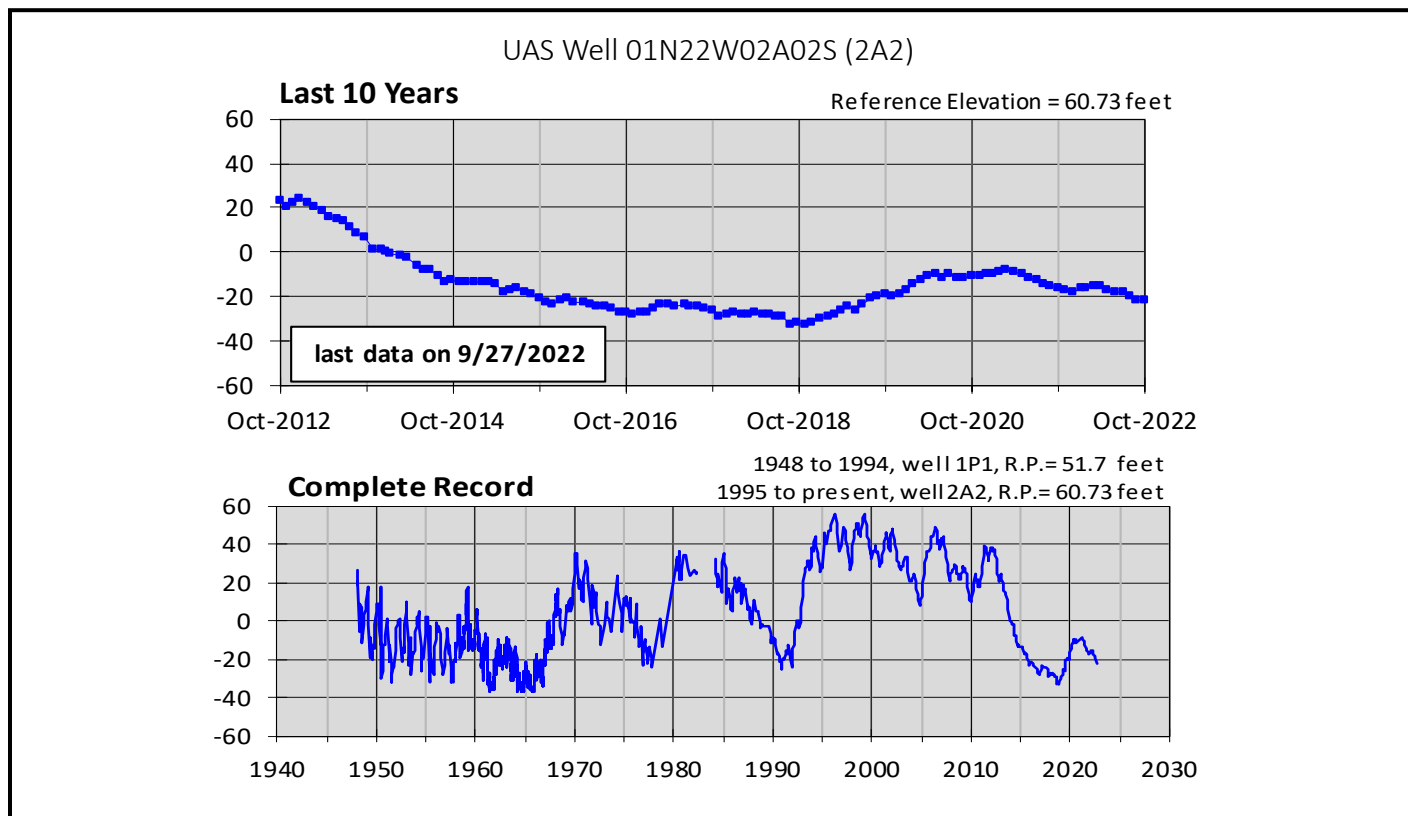
Wells 02N22W12R04S (12R4) and 02N21W07L06S (7L6)



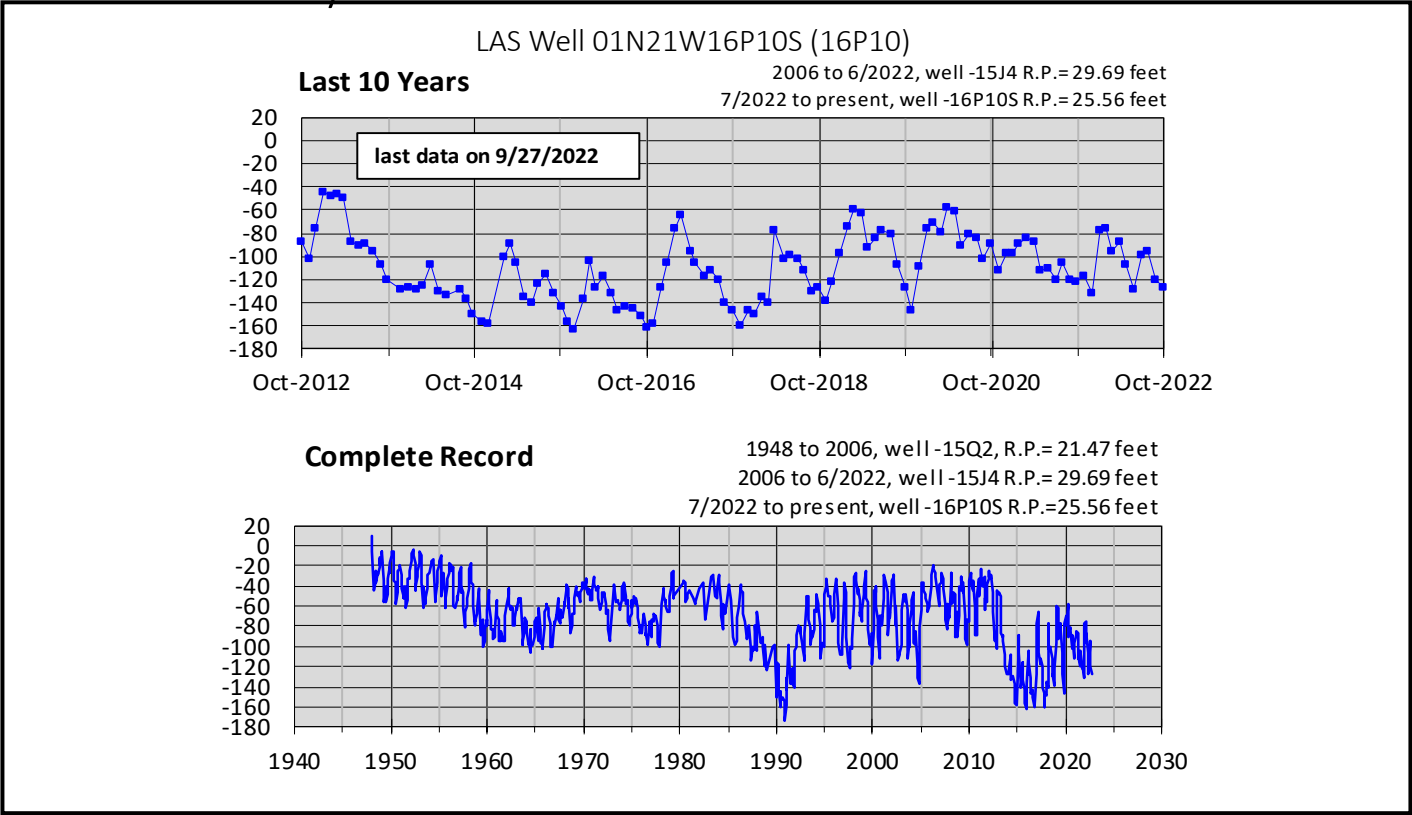
Well 02N22W22R02S (22R2)



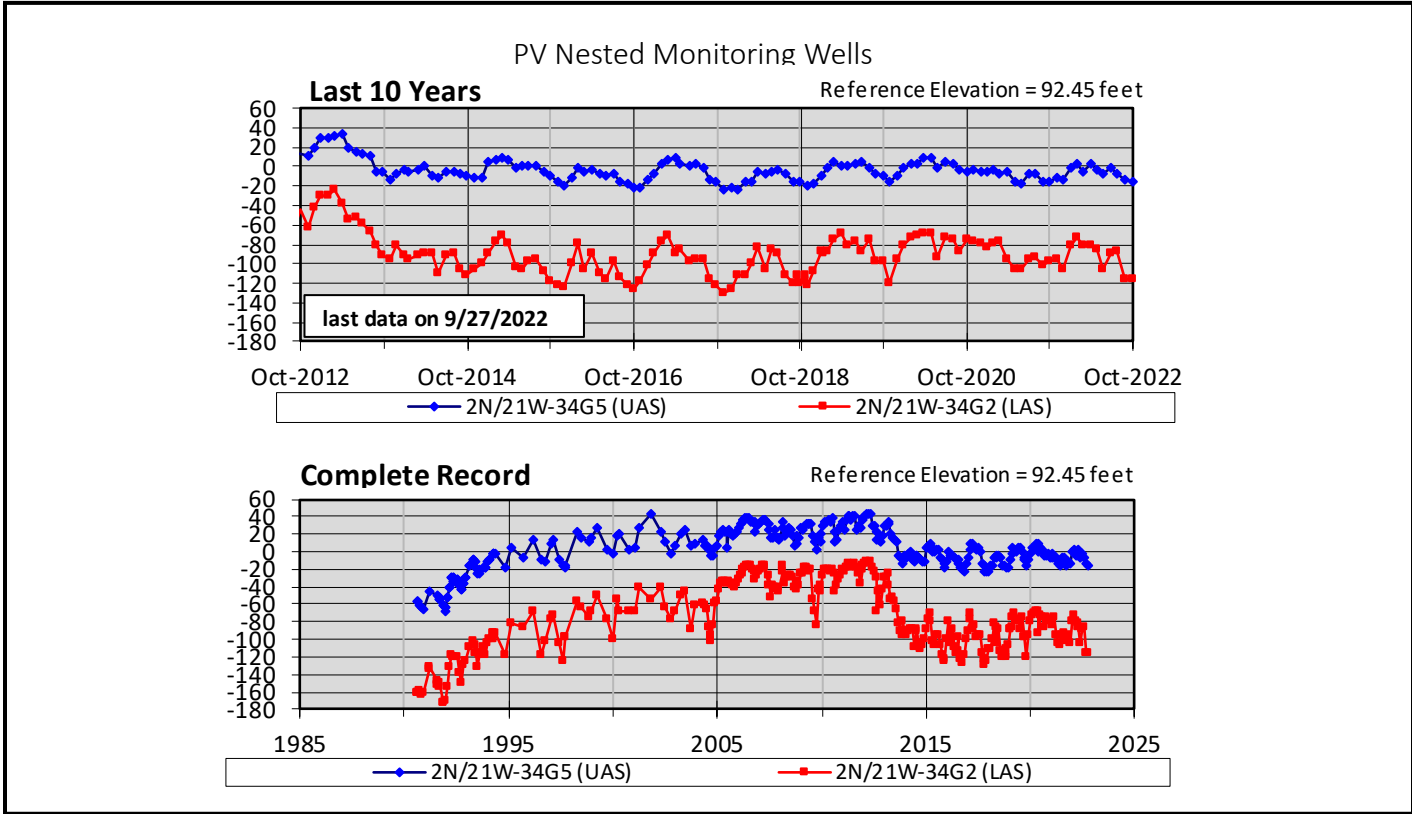
Groundwater Elevation Records – Oxnard Basin



Groundwater Elevation Records – eastern Oxnard/Pleasant Valley Basin Boundary Area

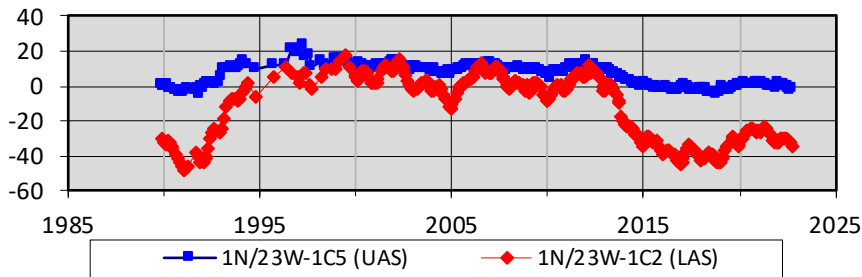


Groundwater Elevation Records – Pleasant Valley Basin

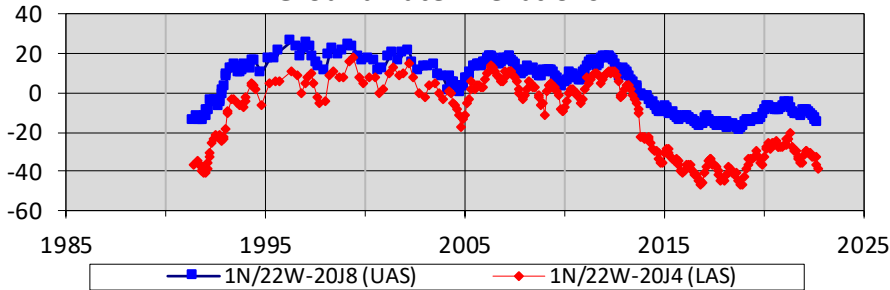


Groundwater Elevation Records – Coastal Nested Monitoring Wells

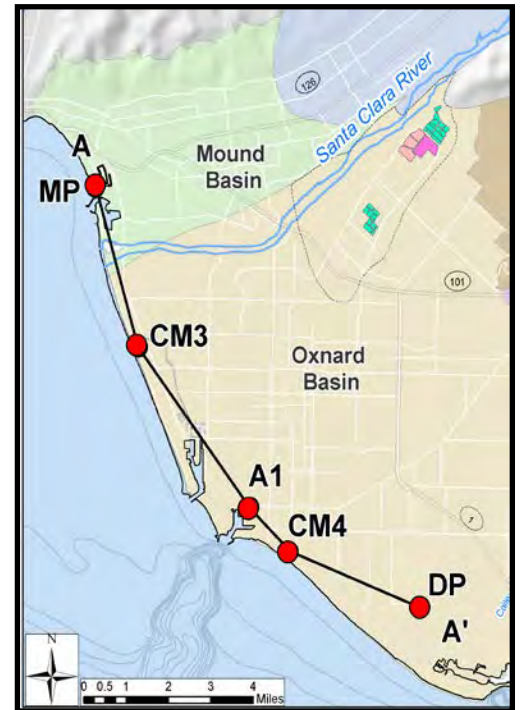
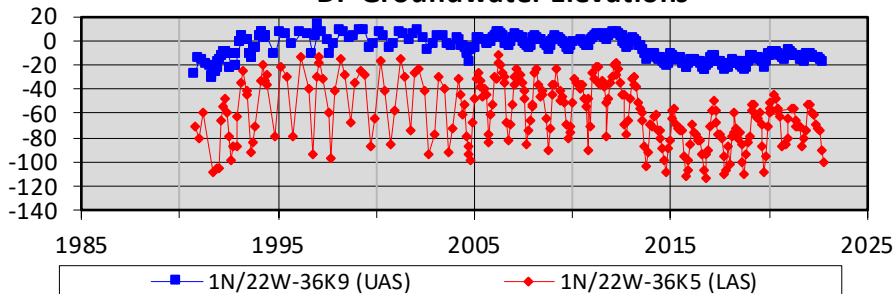
CM3 Groundwater Elevations



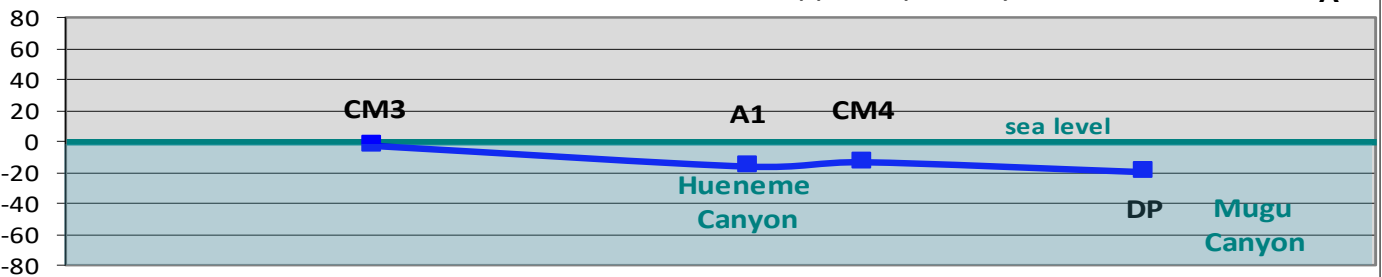
A1 Groundwater Elevations



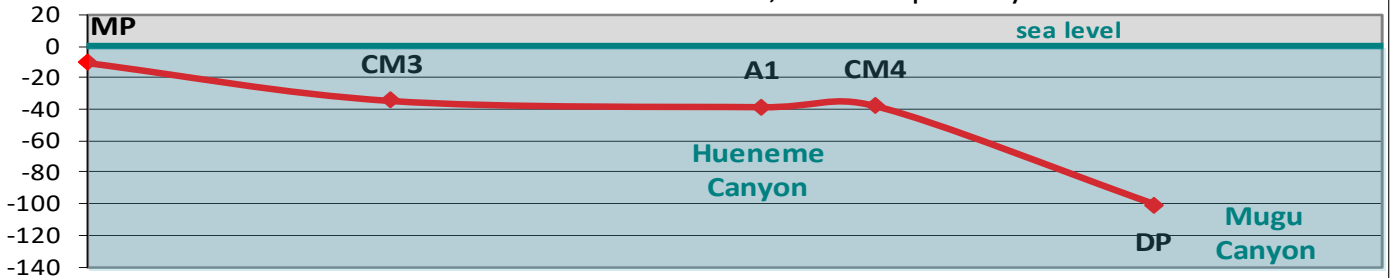
DP Groundwater Elevations



A Coastal Groundwater Elevation Transect, Upper Aquifer System A'



A Coastal Groundwater Elevation Transect, Lower Aquifer System A'



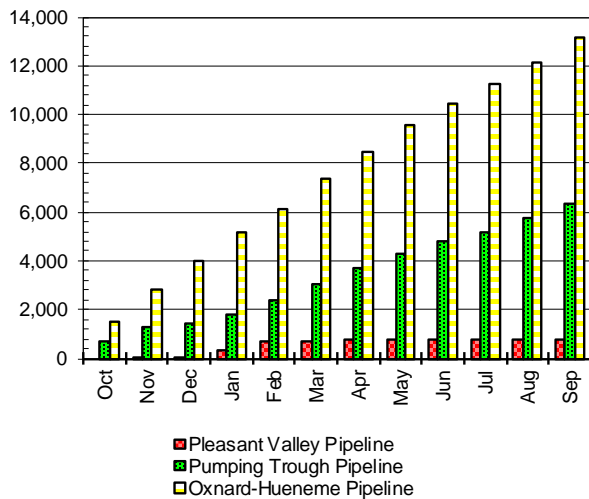
Monthly Water Deliveries, acre-feet (Water Year 2021/22)

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
PV Pipeline (surface water)	0.0	0.0	15.2	342.3	304.9	0.0	99.4	8.2	15.9	0.0	0.0	0.0
PV Pipeline (saticoy well field)	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total to Pleasant Valley Pipeline	0.0	0.1	15.2	342.3	304.9	0.0	99.4	8.2	15.9	0.0	0.0	0.0
Saticoy Well Field	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
PTP (surface water)	0.0	0.0	37.3	296.5	501.0	301.9	459.3	300.2	131.3	0.0	0.0	0.0
PTP (groundwater)	695.3	557.9	139.7	36.7	123.4	342.6	186.6	347.0	364.6	312.7	598.5	573.9
PTP (Saticoy well field)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total PTP	695.3	557.9	177.0	333.2	624.4	644.5	645.9	647.2	495.9	312.7	598.5	573.9
O-H Pipeline (groundwater)	1,497.9	1,346.1	1,161.3	1,148.7	993.9	1,210.7	1,074.2	1,130.6	864.2	813.1	892.8	1,028.1
Total Surface Water Delivery (PTP & PV)	0.0	0.0	52.5	638.8	805.9	301.9	558.7	308.4	147.2	0.0	0.0	0.0
Total Groundwater Delivery (OH & PTP)	2,193.2	1,904.0	1,301.0	1,185.4	1,117.3	1,553.3	1,260.8	1,477.6	1,228.8	1,125.8	1,491.3	1,602.0
Total Delivery, Surface Water & GW	2,193.2	1,904.0	1,353.5	1,824.2	1,923.2	1,855.2	1,819.5	1,786.0	1,376.0	1,125.8	1,491.3	1,602.0

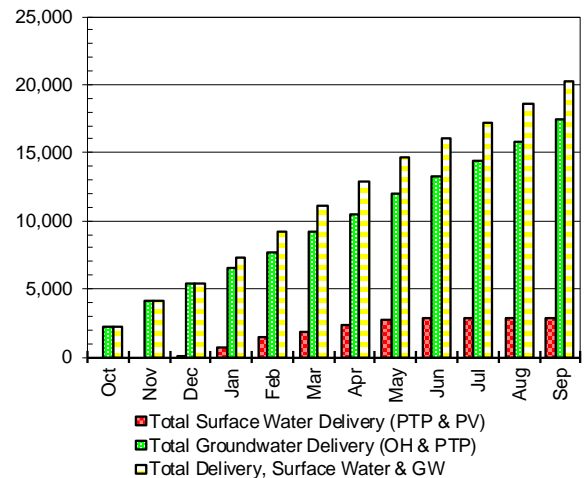
Cumulative Water Deliveries, acre-feet (Water Year 2021/22)

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
PV Pipeline (surface water)	0.0	0.0	15.2	357.5	662.4	662.4	761.8	770.0	785.9	785.9	785.9	785.9
PV Pipeline (saticoy well field)	0.0	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1
Total to Pleasant Valley Pipeline	0.0	0.1	15.3	357.6	662.5	662.5	761.9	770.1	786.0	786.0	786.0	786.0
Saticoy Well Field	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
PTP (surface water)	0.0	0.0	37.3	333.8	834.8	1,136.7	1,596.0	1,896.2	2,027.5	2,027.5	2,027.5	2,027.5
PTP (groundwater)	695.3	1,253.2	1,392.9	1,429.5	1,552.9	1,895.5	2,082.1	2,429.1	2,793.7	3,106.4	3,704.9	4,278.8
PTP (Saticoy well field)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total PTP	695.3	1,253.2	1,430.2	1,763.3	2,387.7	3,032.2	3,678.1	4,325.3	4,812.2	5,133.9	5,732.4	6,306.3
O-H Pipeline (groundwater)	1,497.9	2,844.0	4,005.3	5,154.0	6,147.9	7,358.6	8,432.8	9,563.4	10,427.6	11,240.7	12,133.5	13,161.6
Total Surface Water Delivery (PTP & PV)	0.0	0.0	52.5	691.3	1,497.2	1,799.1	2,357.8	2,666.2	2,813.4	2,813.4	2,813.4	2,813.4
Total Groundwater Delivery (OH & PTP)	2,193.2	4,097.2	5,398.2	6,583.5	7,700.8	9,254.1	10,514.9	11,992.5	13,221.3	14,347.1	15,838.4	17,440.4
Total Delivery, Surface Water & GW	2,193.2	4,097.2	5,450.7	7,274.8	9,198.0	11,053.2	12,872.7	14,658.7	16,034.7	17,160.5	18,651.8	20,253.8

Cumulative deliveries by system



Cumulative deliveries by source/type



Monthly diversion and recharge totals by facility, 2021/22, in acre-feet

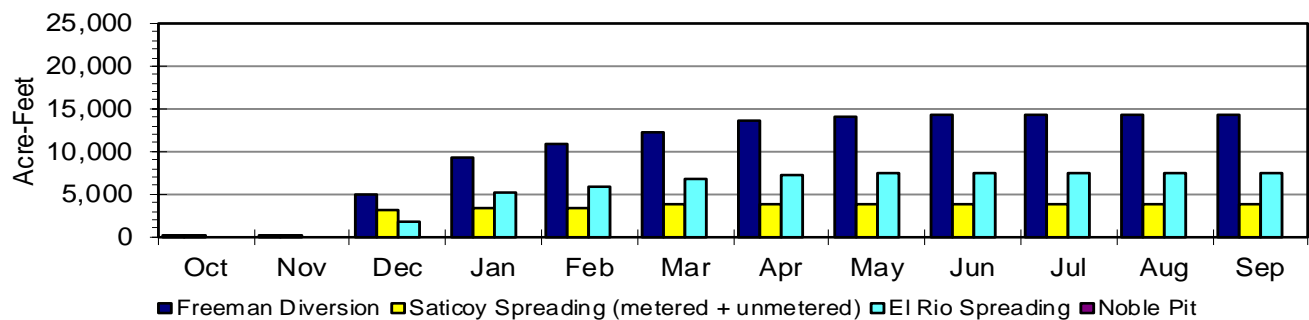
Month	Piru Spreading	Freeman Diversion	Saticoy Spreading (metered + unmetered)	El Rio Spreading	Noble Pit	LBMWC Water Use
Oct	0	2	2	0	0	0
Nov	0	76	76	0	0	0
Dec	0	4,936	3,024	1,860	0	0
Jan	0	4,168	253	3,262	0	15
Feb	0	1,702	52	807	0	37
Mar	0	1,445	370	744	0	29
Apr	0	1,337	142	621	0	15
May	0	428	-137 *	223	0	34
Jun	0	209	7	21	0	34
Jul	0	0	0	0	0	0
Aug	0	0	0	0	0	0
Sep	0	0	0	0	0	0

*Water delivered from desilting basin.

Cumulative diversion and recharge totals by facility, 2021/22, in acre-feet

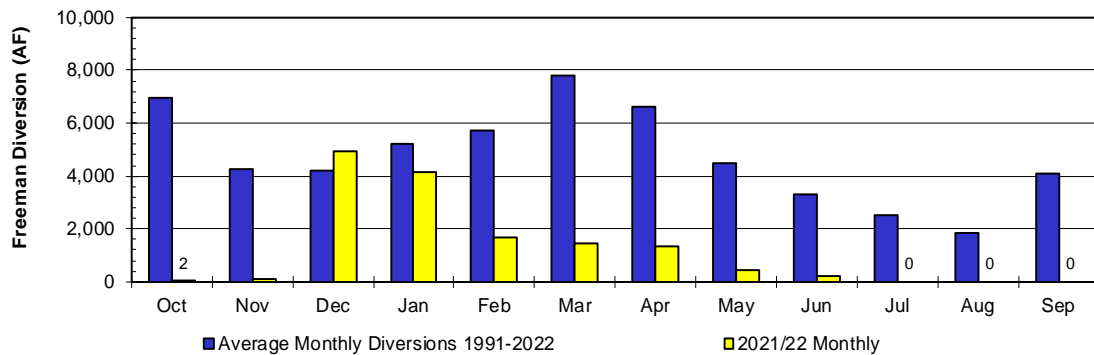
Month	Piru Spreading	Freeman Diversion	Saticoy Spreading (metered + unmetered)	El Rio Spreading	Noble Pit	LBMWC Water Use
Oct	0	2	2	0	0	0
Nov	0	78	78	0	0	0
Dec	0	5,014	3,102	1,860	0	0
Jan	0	9,182	3,355	5,122	0	15
Feb	0	10,884	3,407	5,929	0	52
Mar	0	12,329	3,777	6,673	0	81
Apr	0	13,666	3,919	7,294	0	96
May	0	14,094	3,781	7,517	0	130
Jun	0	14,303	3,789	7,538	0	164
Jul	0	14,303	3,789	7,538	0	164
Aug	0	14,303	3,789	7,538	0	164
Sep	0	14,303	3,789	7,538	0	164

Cumulative diversion at Freeman, and distribution to recharge facilities

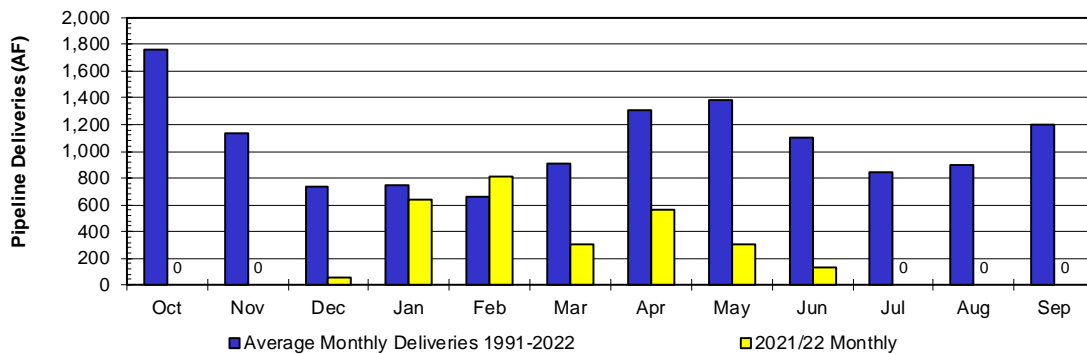


Cumulative diversions to Piru Spreading Grounds, 2021/22 = 0 AF

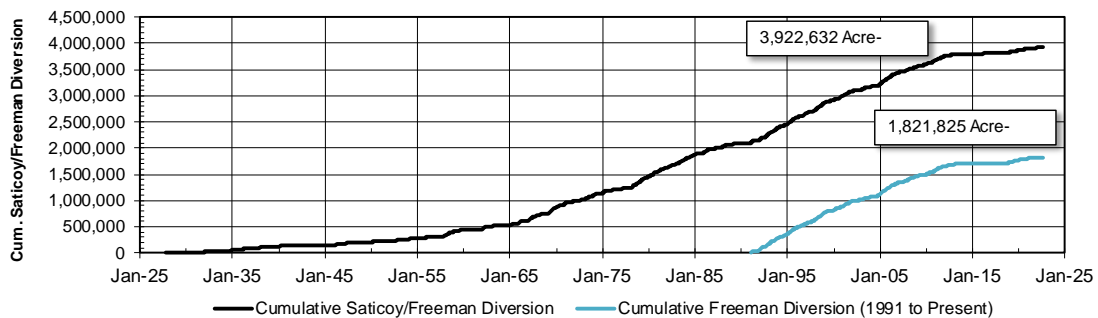
Monthly 2021/22 diversion at Freeman, compared to average monthly diversions (1991-2021)



Monthly 2021/22 pipeline deliveries (surface water deliveries), compared to average monthly pipeline deliveries (1991-2021)

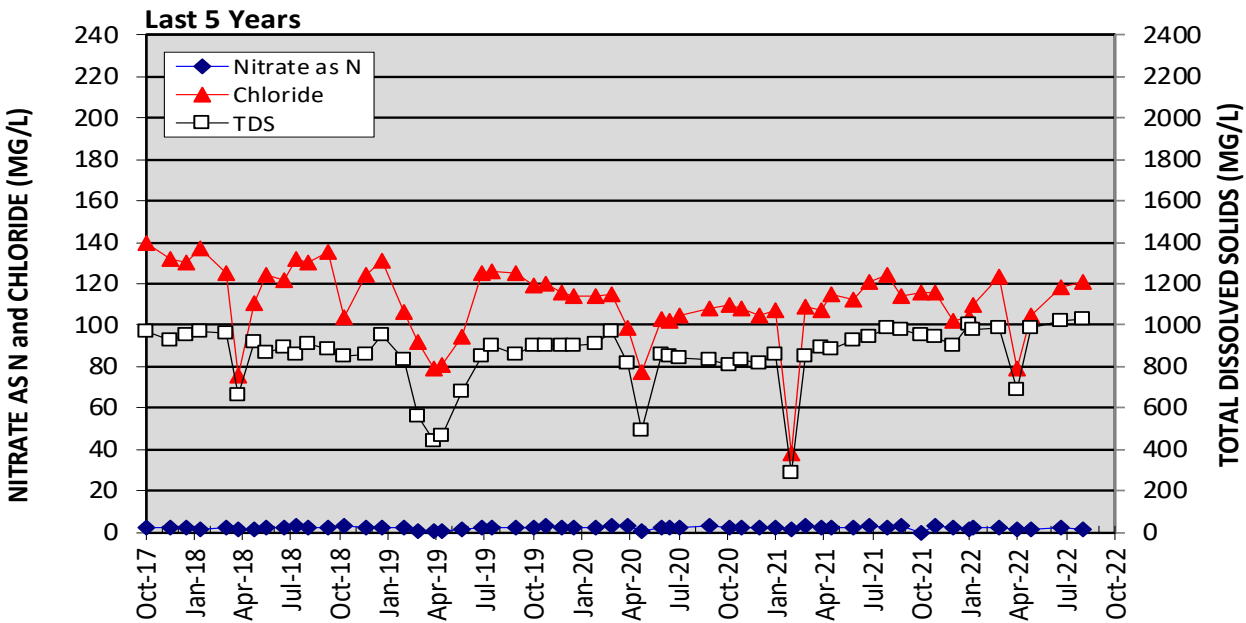


Cumulative diversion at Saticoy and Freeman Diversion, in acre-feet

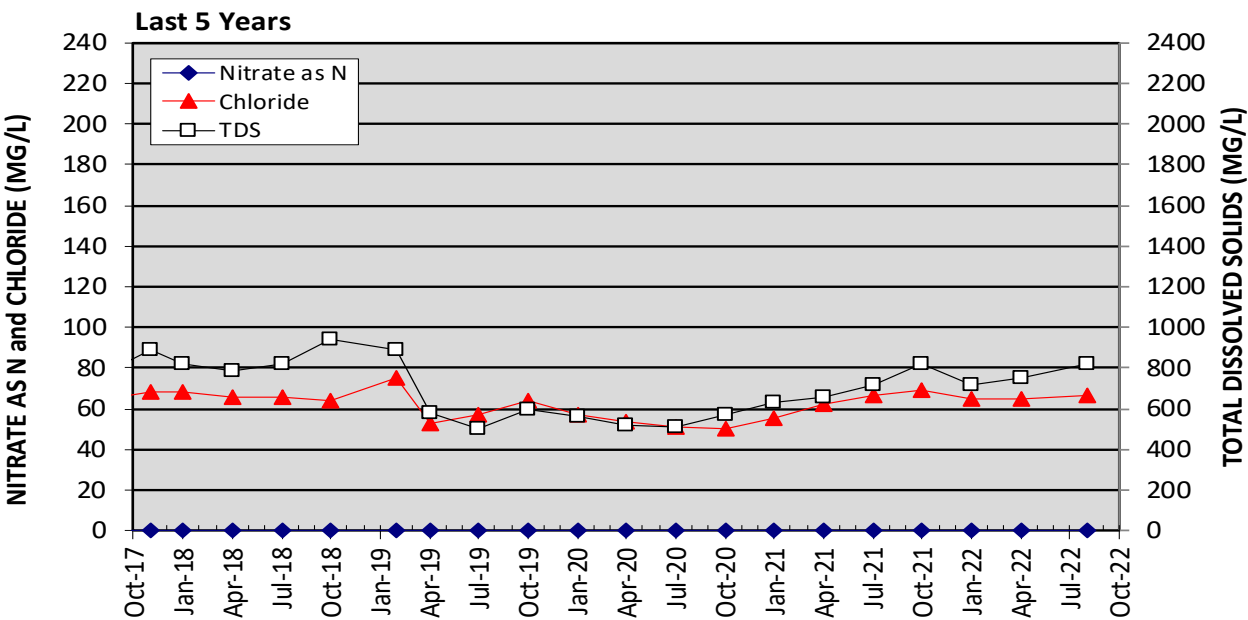


Water Quality

Santa Clara River water quality near Los Angeles/Ventura County line

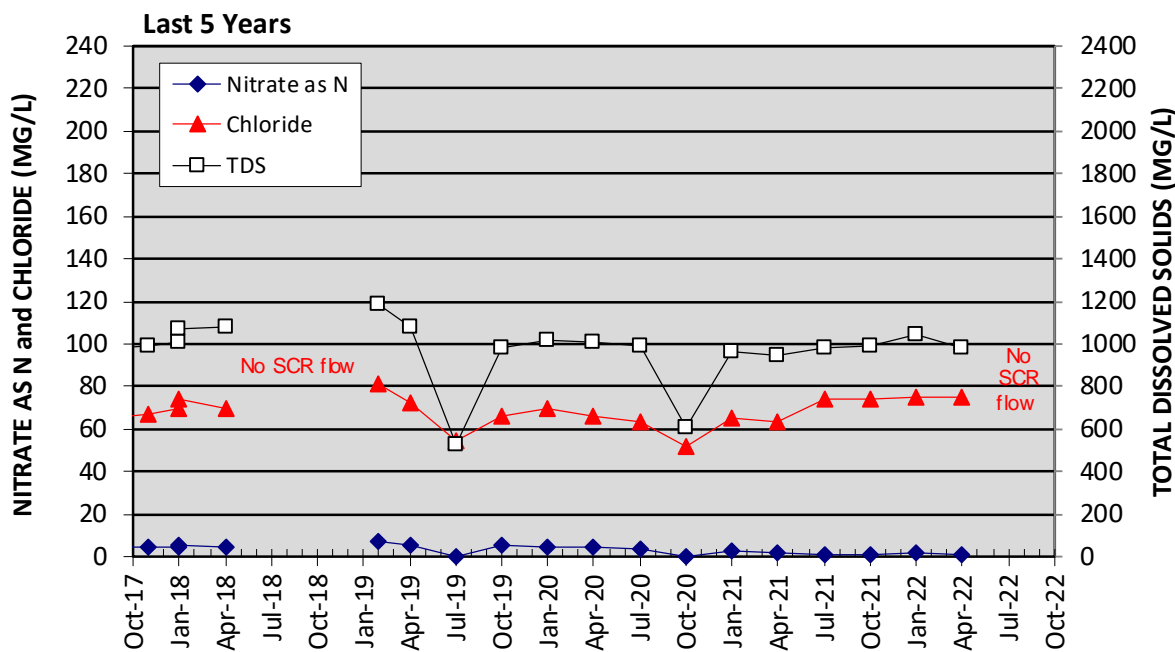


Piru Creek water quality below Santa Felicia Dam

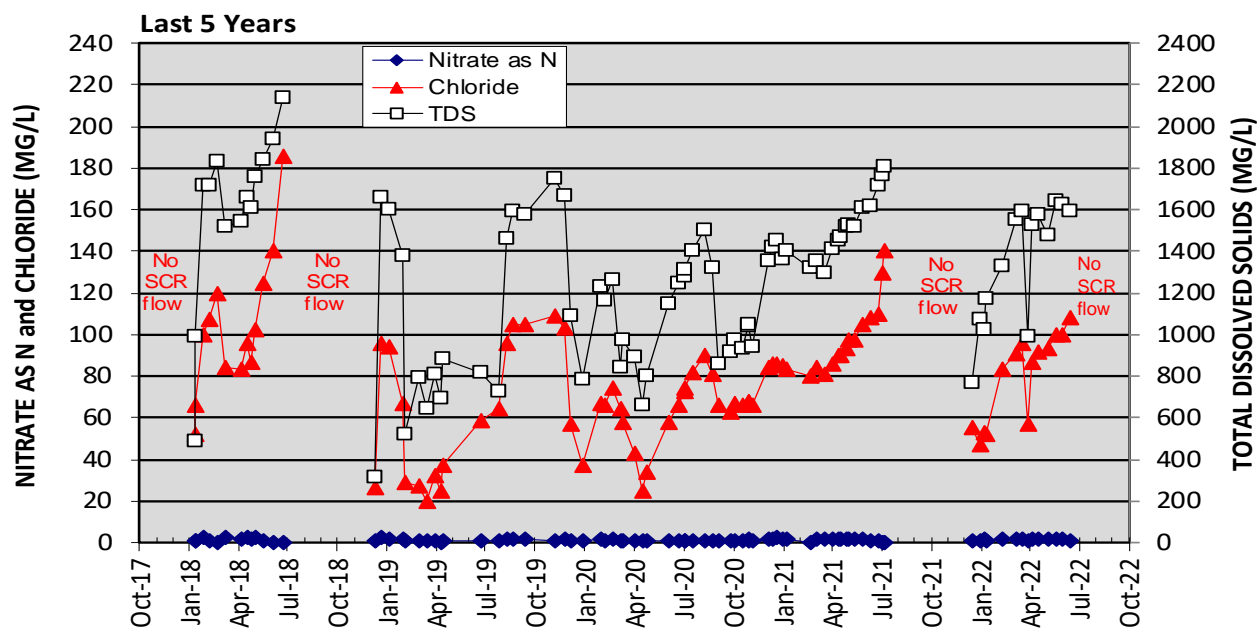


Water Quality

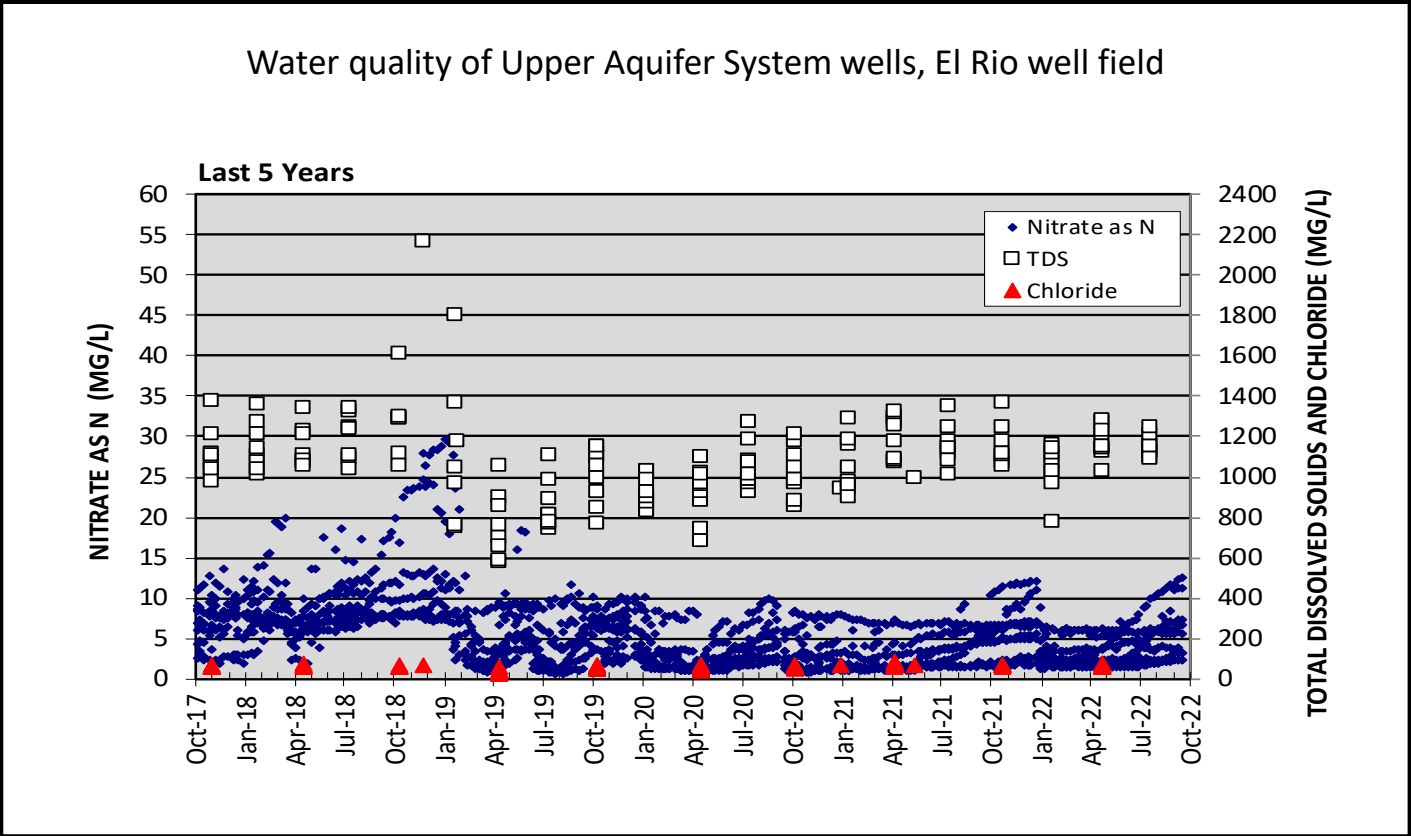
Santa Clara River water quality near Fillmore Fish Hatchery

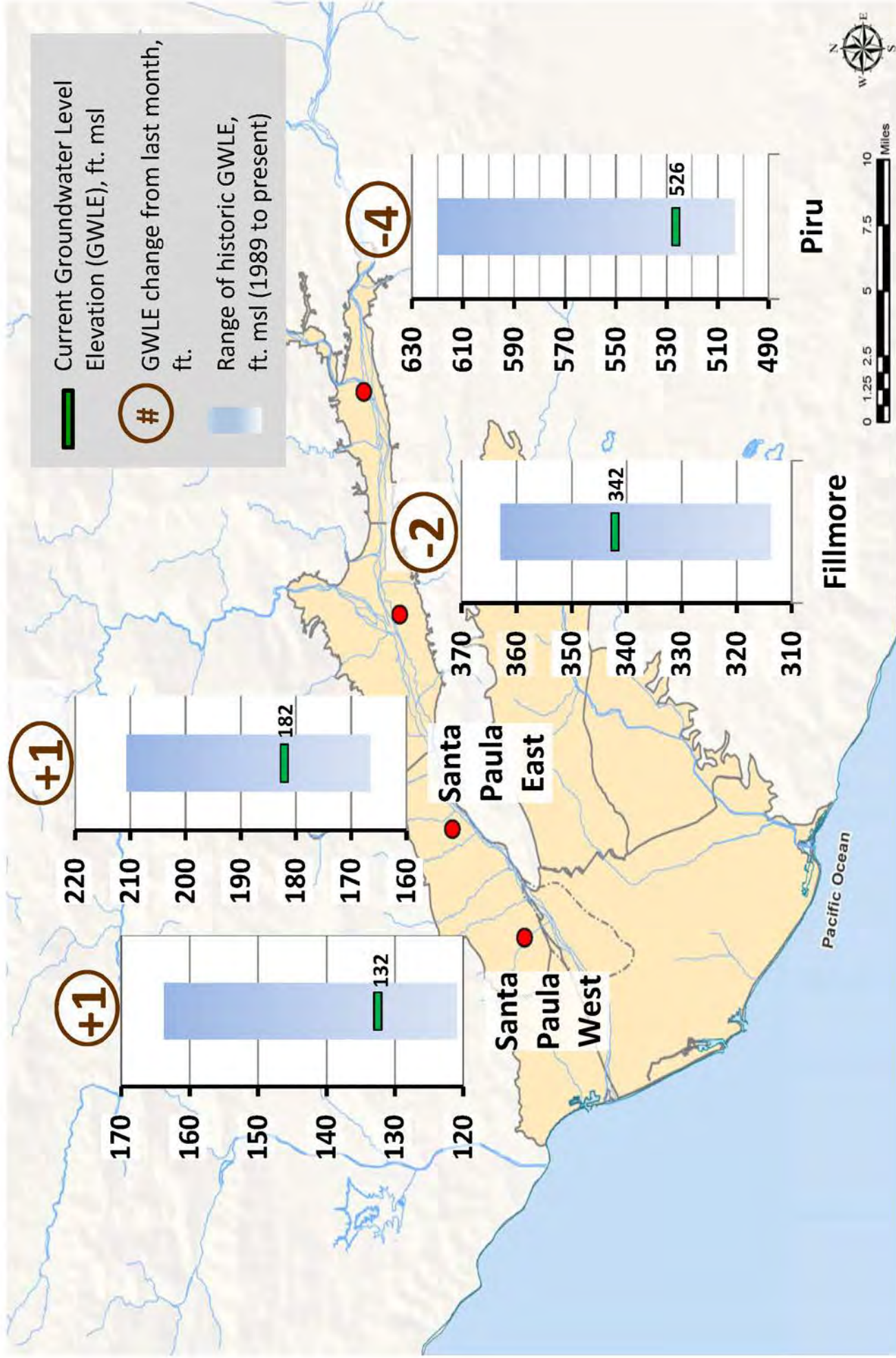


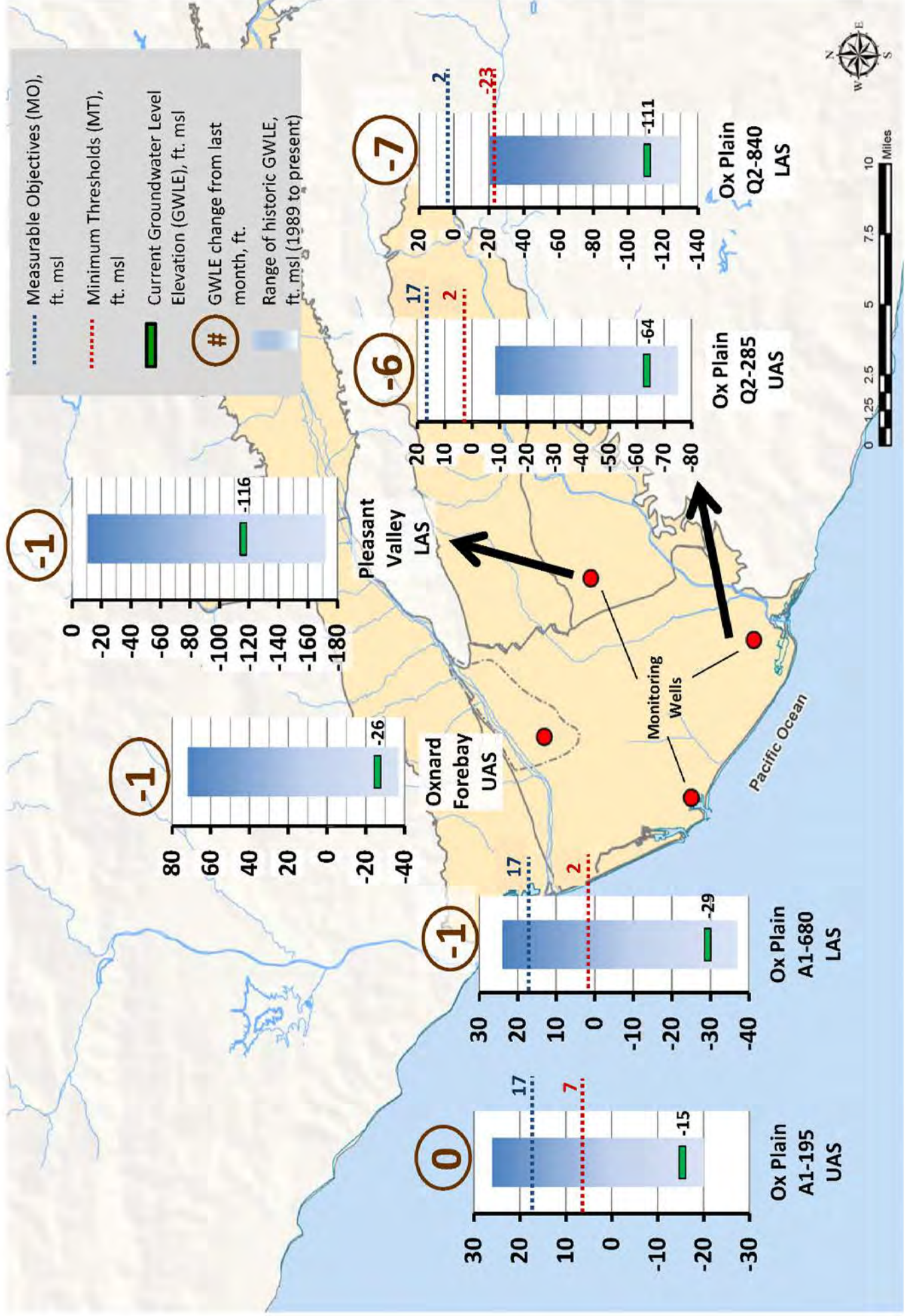
Santa Clara River water quality at Freeman Diversion



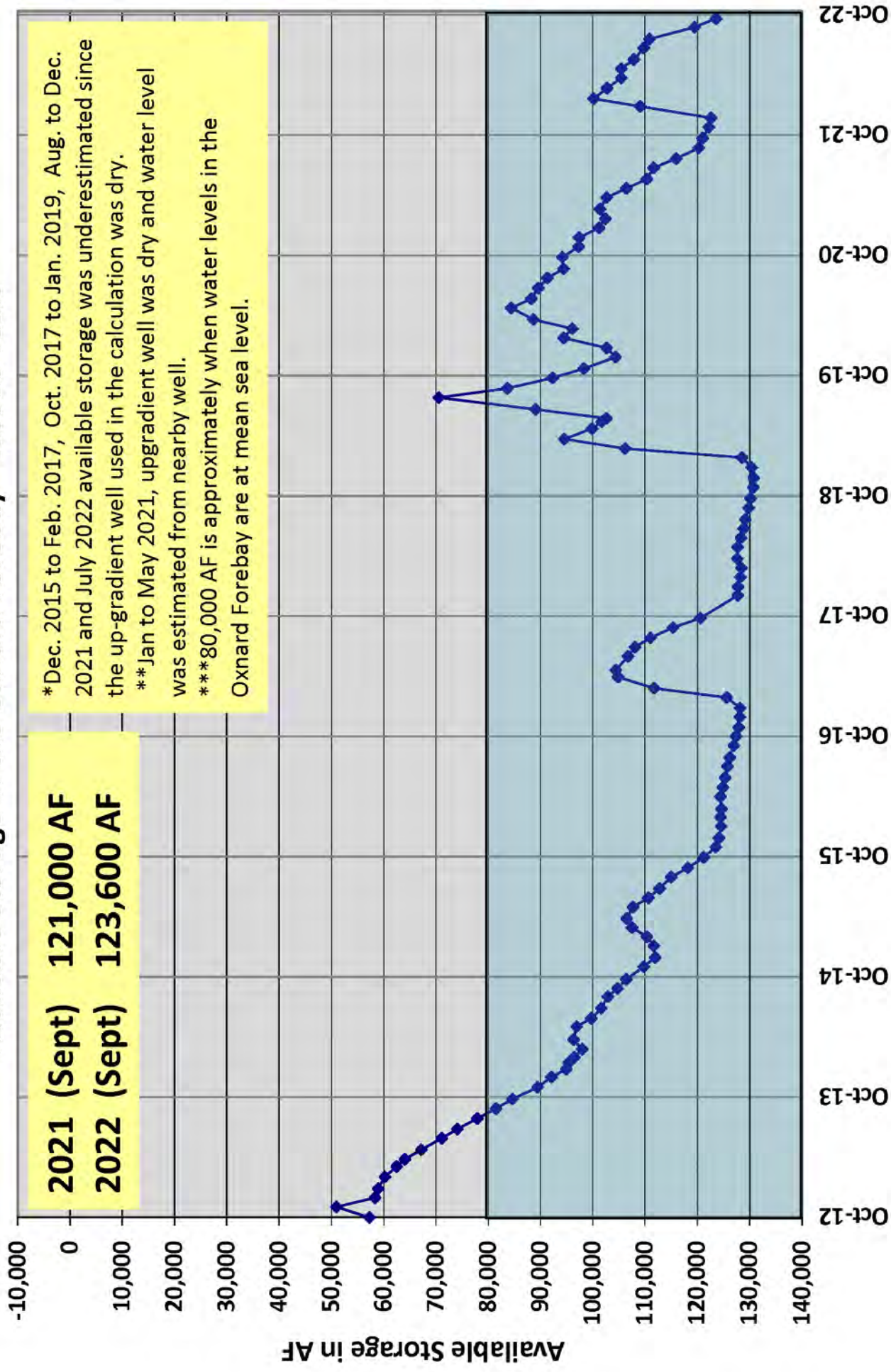
Water Quality

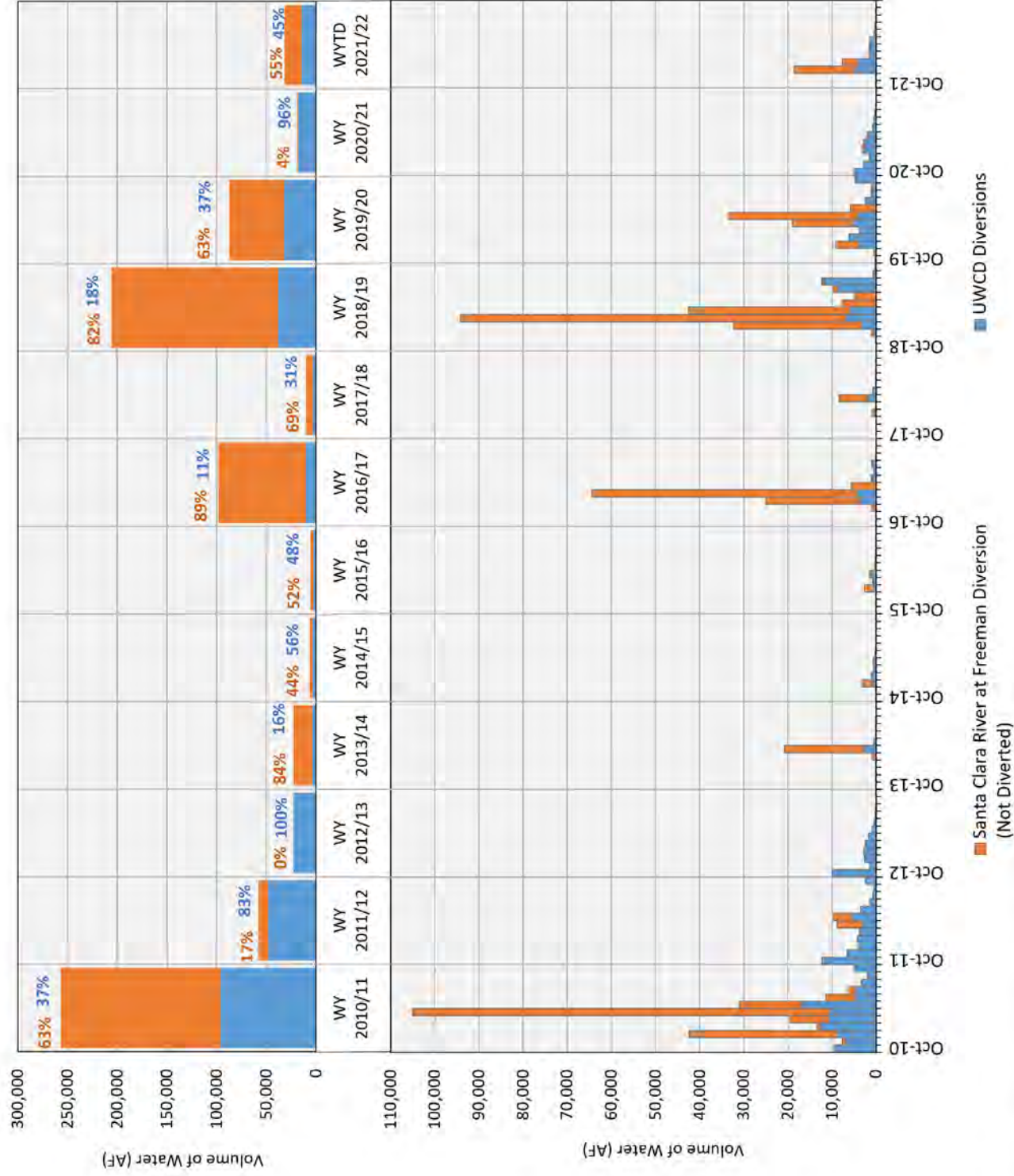






Available Storage in the Oxnard Forebay - Last 10 Years





Water Year (WY) = October 1 to September 30; WYTD = Water Year To Date



Staff Report

To: UWCD Board of Directors

Through: Mauricio E. Guardado Jr., General Manager
Anthony A. Emmert, Assistant General Manager

From: Brian H. Zahn, Chief Financial Officer
Daryl Smith, Controller

Date: September 26, 2022 (October 12, 2022 meeting)

Agenda Item: 3C. Monthly Investment Report (August 31, 2022)
Information Item

Staff Recommendation:

The Board will receive and review the most current investment report for August 31, 2022, that is enclosed.

Discussion:

Informational purposes.

Fiscal Impact:

As shown.

Attachment:


Combined Investment Report

United Water Conservation District
Monthly Investment Report
August 31, 2022

<u>Investment Recap</u>	<u>G/L Balance</u>	<u>Weighted Avg Days to Maturity</u>	<u>Diversification Percentage of Total</u>
Bank of the Sierra	4,252,335	1	8.89%
US Bank - 2020 COP Bond Balance	10,100,407	1	21.12%
Petty Cash	4,400	1	0.01%
County Treasury	1,712	1	0.00%
LAIF Investments	33,475,302	1	69.97%
Total Cash, Cash Equivalents and Securities	47,834,155		100.00%
 Investment Portfolio w/o Trustee Held Funds	 47,834,155		
Trustee Held Funds	-		
Total Funds	47,834,155		

Local Agency Investment Fund (LAIF)	Beginning Balance	Deposits (Disbursements)	Ending Balance
	30,475,302	3,000,000	33,475,302
	Interest	Interest	
	Earned YTD	Received YTD	Qtrly Yield
	-	57,381	0.75%

All District investments are shown above and conform to the District's Investment Policy. All investment transactions during this period are included in this report.
 Based on budgeted cash flows the District appears to have the ability to meet its expenditure requirements for the next six months.


Mauricio E. Guardado, Jr., General Manager
 Signed by Anthony Emmert on behalf of Mauricio Guardado

9/26/2022
Date Certified

Anthony Emmert, Assistant General Manager

Date Certified


Brian Zahn, Chief Financial Officer

9/26/2022
Date Certified

<i>United Water Conservation District</i>			
<i>Cash Position</i>			
August 31, 2022			
Fund	Total	Composition	Restrictions/Designations
General/Water Conservation Fund:			Revenue collected for district operations
General/Water Conservation	14,808,580	927,056	Includes General, Rec & Ranger, Water Conservation
		4,962,000	Reserved for legal expenditures
		6,184,000	Designated for replacement, capital improvements, and environmental projects
		2,735,523	Supplemental Water Purchase Fund
General CIP Funds	8,862,769	8,862,769	Appropriated for capital projects
2020 COP Bond Funds	7,227,601	7,227,601	Reserved for CIP Projects
Special Revenue Funds:			Revenue collected for a special purpose
State Water Project Funds	5,687,376	5,687,376	Procurement of water/rights from state water project
Enterprise Funds:			Restricted to fund usage
Freeman Fund	1,303,841	1,303,841	Operations, Debt Service and Capital Projects
		-	Designated for replacement and capital improvements
		-	Reserved for legal expenditures
Freeman CIP Fund	2,205,063	2,205,063	Appropriated for capital projects
OH Pipeline Fund	285,137	285,137	Delivery of water to OH customers
OH CIP Fund	4,007,380	4,007,380	Appropriated for capital projects
OH Pipeline Well Replacement Fund	528,102	528,102	Well replacement fund
PV Pipeline Fund	494,268	494,268	Delivery of water to PV customers
PV CIP Fund	235,741	235,741	Appropriated for capital projects
PT Pipeline Fund	954,024	954,024	Delivery of water to PTP customers
PT CIP Fund	1,234,273	1,234,273	Appropriated for capital projects
Total District Cash & Investments	47,834,155	47,834,155	



Staff Report

To: UWCD Board of Directors

Through: Mauricio E. Guardado Jr., General Manager
Anthony A. Emmert, Assistant General Manager

From: Brian H. Zahn, Chief Financial Officer
Daryl Smith, Controller

Date: September 26, 2022 (October 12, 2022 meeting)

Agenda Item: 3D. Fiscal Year 2021-2022 Year End Financial Reports (July 1, 2021 – June 30, 2022)
Information Item

Staff Recommendation:

The Board will receive and review the Fiscal Year 2021-2022 Financial Reports for the period of July 1, 2021, through June 30, 2022.

Discussion:

The District normally prepares quarterly financial reports which provide an analysis of District operations at the end of each quarter to highlight variances and for fiscal accountability.

This report represents the full twelve months of financial information for District operations for FY 2021-22 (or 100 percent of the total fiscal year). Included in this report are budget to actual comparisons to date for District revenues, expenditures and water deliveries, and discussion of any significant variances. This report is based on unaudited financial data and therefore is subject to revisions.

The following budget modifications are being recommended as of the fourth quarter review:

- Staff currently offers no recommendations for budget adjustments.

Attachments:

Attachment A – FY 2021-22 Fourth Quarter Report, Capital Improvement Projects
Attachment B – FY 2021-22 Fourth Quarter Financial Reports



Board of Directors
Bruce E. Dandy, President
Sheldon G. Berger, Vice President
Lynn E. Maulhardt, Secretary/Treasurer
Mohammed A. Hasan
Gordon Kimball
Michael W. Mobley
Daniel C. Naumann

General Manager
Mauricio E. Guardado, Jr.

Legal Counsel
David D. Boyer

October 3, 2022

Board of Directors
United Water Conservation District

Subject: Fiscal Year 2021-22 Fourth Quarter Financial Report

Dear Board Members:

Enclosed for your review is the District's FY 2021-22 Fourth Quarter (April 1, 2022, through June 30, 2022) Financial Report. This report represents twelve months of financial information for District operations and three months of CIP updates.

The report focuses primarily on the operating funds of the District and corresponding Capital Improvement Project (CIP) funds:

- General/Water Conservation Fund
- Recreation and Ranger Activities Sub-fund
- Freeman Fund
- Oxnard/Hueneme Pipeline (OHP) Fund
- Pleasant Valley Pipeline (PVP) Fund
- Pumping Trough Pipeline (PTP) Fund
- State Water Import Fund
- Overhead Fund

Staff provides the Board's Finance and Audit Committee with monthly cash position and pipeline delivery activities reports throughout the fiscal year. Quarterly financial reports are submitted to the Board to provide information on the financial status of the District and to assure the Directors and District customers that staff is operating within the parameters of the annual adopted budget, including any supplemental appropriations. At the end of each fiscal year, an outside certified public accounting firm performs an independent financial audit to test staff's financial reporting accuracy and internal controls. It is staff's responsibility to ensure that the Board has received adequate financial information throughout the year so that there are no surprises, and so that fiscally prudent decisions can be made when the Board is asked to consider approval of budgeted and unbudgeted expenditure requests.

This report compares the revenues and budget appropriations for the fiscal year-to-date with data to provide the Board and District customers a preliminary financial view (subject to audit adjustments at year-end). The following discussion will provide a summary of the District's projected revenues and approved spending plan compared to what actually occurred throughout the fiscal year. It also provides an update on approved and funded capital improvement projects.



OPERATING FUNDS

Narrative and graphical analyses are provided by fund (and the Recreation sub-fund) on the pages following the Capital Improvement Program Status.

CAPITAL IMPROVEMENT PROGRAM STATUS

A one-page summary of the District's current Five-Year Capital Improvement Program appears along with Benchmark Interest Rates as part of Attachment B. As of June 30, 2022, all capital improvement projects (CIP) expenditures are within the total amount appropriated by the Board.

The majority of the CIP's that have been funded are currently underway, either in the planning, design, or construction stages of the project.

- *Well Replacement Program (CIP Project # 8000)*
No new updates.
- *Freeman Diversion Expansion (CIP Project # 8001)*
Staff, USBR, University of Iowa, Stantec and NHC continued to participate in rotating weekly calls with NMFS and CDFW to provide updates on physical modeling, CFD modeling and design alternations. Staff also traveled to the USBR and the University of Iowa several times to witness the physical modeling of the fish passage alternative.
- *Santa Felicia Dam Outlet Works Rehabilitation (CIP Project # 8002)*
The 60% design analyses continued during this reporting period. The deliverable dates of the design technical memorandums were revised by GEI Consultants (GEI). Staff received six (6) draft TMs by the end of June 2022. Staff completed their review of these TMs and provided comments to GEI.

On June 6, minor comments were received from the California Water Resources Division of Safety of Dams (DSOD) on the 30% design of the Outlet Works Improvement Project. No modification is expected for the current outlet works design based on these comments.

Staff coordinated the next Board of Consultants (BOC) meeting date with FERC, DSOD, and BOC. The next BOC meeting (meeting No. 6) is scheduled for September 28-29, 2022. On June 7, staff prepared and submitted the Board of Consultants (BOC) meeting No. 6 invitations to FERC, DSOD, BOC, and GEI.

Staff prepared and submitted their observation notes from April 6 visit to San Vicente and Olivenhain dams to GEI for review and further consideration in the design of the SFD outlet works improvement project.

Staff finalized the Santa Felicia Dam Quagga Mussels Veliger Filtration Memorandum. The memorandum includes Engineering and Environmental Services Departments' staff evaluations of Amiad's filtering system and the pilot study that may be required to verify the quagga mussel veliger filtration system effectiveness.



Copy of the 30% release channel design technical memorandum and the design plans was submitted to the California Department of Fish and Wildlife along with a letter that provided status update of the release channel on April 20.

Staff attended a coordination meeting with GEI and Catalyst to review design modifications of the new outlet works discharge channel. The revised design includes a baffle piers system as an energy dissipation method to reduce the velocity during conservation releases at flows up to 500 cubic feet per second. On June 10, staff reviewed and discussed with Catalyst/Cardno and GEI the revised design of the new outlet channel. The design team determined that the modified design will not impact the design of the new natural release channel currently in the design process by Catalyst/Cardno. Staff requested that GEI proceed with the baffle piers design and prepare the associate TM.

On June 14, staff received draft Biological Assessment (BA) from Catalyst. Staff is planning to submit the draft Biological Assessment (BA) report to FERC by the end of July to minimize potential delays in completing the permitting process.

As of June 30, the 60% design of outlet works improvement project is 68% complete and \$557,744 of the approved budget remains.

Staff received a Request for Information (RFI) from Cal OES regarding the District's Hazard Mitigation Grant Program (HMGP) sub-application. Staff met with Cal OES to review the RFI and Cal OES requested modifications to the sub-application. Staff developed a response to Cal OES and submitted the revised sub-application on May 6. Staff received an acceptance notice from Cal OES on May 12 related to the receipt of the PrepareCA Match grant application for the Santa Felicia Dam Outlet Works Retrofit Project. Staff were informed that Cal OES had received and reviewed the sub-application and had no further questions.

Staff revised the WIFIA loan application to include a third component, the new release channel. The revised requested amount of the WIFIA loan is increased to \$63.69 million or 49% of the revised total estimated project cost of \$129.981 million. The WIFIA loan application along with the application fee of \$100,000 was submitted to EPA on May 2. Staff was informed on May 10 that EPA had published a proposed waiver to the Build America, Buy America Act (BABAA) requirements for the eligible projects that initiated project design plans prior to May 14, 2022. EPA requested comments on the proposed waiver by May 20. Staff provided a letter response to EPA on May 18 in favor of the waiver to the BABAA requirements for the WIFIA program.

On May 25, Staff received a request for additional information and a request for a "kick-off call" between the WIFIA staff and District staff to review the Santa Felicia Safety Improvement project. On June 22, Engineering and Finance staff met with the WIFIA program team. Chief Engineer and Chief Financial Officer presented the project purpose and benefits, project progress and timing, and District finance credits, respectively. Both presentations and a memo including the responses to questions and information requested by the WIFIA loan underwriter were transmitted to the team via email.



- *Santa Felicia Dam Probable Maximum Flood Containment (CIP Project # 8003)*

The 30% design analyses continued during this reporting period. Staff received three (3) draft Technical Memorandums (TM) from GEI. Staff completed their review of these TMs and provided comments to GEI as well as attended bi-weekly progress meetings and discussed the design progress with GEI.

On June 14, staff met with DWR to discuss the 2022 Rehabilitation of High Hazard Potential Dams (HHPD) grant requirements. Based on the limited available fund of \$11.6M for planning and design projects in California, the estimated grant award to each project would generally range between \$50,000 to \$200,000 and the grant Period of Performance (POP) may be from September 2022 to September 2025. Staff prepared and submitted a project description, including two spillway design related tasks (60% design structural and constructability analyses) to be considered by DSOD for the 2022 HHPD grant application. DSOD will submit the grant application to FEMA by July 15, 2022.

On June 22, staff prepared and submitted hard copies of the Geotechnical Data Report (GDR) and the Geotechnical Investigation Report (GIR) to DSOD to close-out the 2020 drilling program application.

As of June 30, the 30% design of spillway improvement project is 72% complete and \$161,734 of the approved budget remains.

The above updates reported for the Santa Felicia Dam Outlet Works Rehabilitation (CIP Project # 8002) regarding the WIFIA loan program are also applicable to this project.

- *Santa Felicia Dam Sediment Management (CIP Project # 8005)*

No activity.

- *Lower River Quagga Mussel Management Project (Invasive Species Control) (CIP Project # 8006)*

No activity.

- *Oxnard Hueneme Pipeline Iron and Manganese Treatment Facility (CIP Project # 8007)*

On April 7, Change Order No. 7 to the construction agreement with GSE Construction was executed. The total amount of the change order was \$524,492.64.

On April 25, Change Order No. 8 to the construction agreement with GSE Construction was executed. The total amount of the change order was \$44,422.15.

On April 25, Change Order No. 9 to the construction agreement with GSE Construction was executed. The total amount of the change order was \$30,954.00.

On April 25, Change Order No. 10 to the construction agreement with GSE Construction was executed. The total amount of the change order was \$67,123.09.

Staff submitted the 4th quarterly progress report to DWR for the IRWMP grant, on April 29.



On May 25, Change Order No. 11 to the construction agreement with GSE Construction was executed. The total amount of the change order was \$72,971.00

On June 30, 2022, a reimbursement request for \$1,986,891.47 was submitted to the DOD's Office of Local Defense Community Cooperation.

As of June 30, 2022, GSE Construction is at approximately forty-nine percent (49%) construction completion. GSE Construction has expended \$5,030,354.22 to date. The tentative date for construction completion and implementation is January 3, 2023. A total of five (5) inclement weather days have been counted.

- *Freeman Conveyance System Upgrade – Freeman to Ferro Recharge Basin (CIP Project # 8018)*
NHC completed 90% of the design of the Inverted Siphon Replacement.
- *Extraction Barrier and Brackish Water Treatment (CIP Project # 8019)*
On April 14, staff received a formal invitation to apply for the State Water Resources Control Board (SWRCB) Groundwater Grant Program (GWGP) Round 3 application. The District then entered into an agreement with Kennedy Jenks to assist in the preparation of this grant application and to support the administrative functions for several other grant activities. The total amount for this grant application task was \$22,787.

On April 18, 2022, District staff held a meeting with U.S. Navy staff to initiate processing of a license agreement to carry out Phase 1 planning, design, environmental and permitting work. The draft license agreement was completed on May 10, 2022.

On April 18, 2022, GEI Consultants completed a CEQA Initial Study. On June 8, 2022, the Board of Directors adopted a resolution finding the Phase 1A or "Exploration Phase" project to be categorically exempt.

In the third quarter of FY 2021-22, the Engineering and Water Resources teams had submitted a grant application through the Fox Canyon Groundwater Management Agency to DWR for construction of up to six monitoring wells in support of the project. On May 3 the District received notification of award in the amount of \$1,317,900.

Between April 20 and 21, 2022, Blaine Tech Services and Eurofins Laboratory completed baseline groundwater sampling at three existing monitoring wells.

On May 23, 2022, Trussell Technologies completed the final technical memorandum entitled "Extended Desktop Modeling Evaluation Coastal Brackish Groundwater Extraction and Treatment Project".

On June 8, the Board of Directors approved Resolution 2022-28 for authorizing and designating the District's General Manager to enter into a grant funding agreement for the Phase 1B "Demonstration Phase" Project.



On June 21, 2022, District staff held a meeting with SWRCB Division of Drinking Water (DDW) staff to review the GWGP Round 3 grant application. On June 30, District staff held a meeting with Los Angeles Regional Water Quality Control Board (LA RWQCB) staff to review the GWGP Round 3 grant application.

- *Rice Ave. Overpass PTP (CIP Project # 8021)*

CalTrans request for a Permanent Fee parcel comprising an area of 3,000 square feet, and a Temporary Construction Easement parcel comprising an area of 1,436 square feet both located at the Pumping Trough Pipeline (PTP) well site No. 4 would considerably restrict site access and minimize available space for well repair and maintenance activities by the District Staff. In a letter of intent dated July 6, 2021 addressed to the District, the County of Ventura stated that there is property available on the southeast side of the PTP well site No. 4, which would provide the additional space and access required for maintenance, repair and replacement tasks at the PTP well site No. 4, however, the property cannot be granted to the District until after the construction of the Rice Avenue Grade Separation project is completed pending the Ventura County Board of Supervisors approval. In a letter dated July 6, 2022, the District requested CalTrans to work with the County of Ventura to secure a guarantee to the District that the property would be granted to the District in exchange for District's granting the permanent easement to CalTrans. The District is awaiting a response from CalTrans in August.

Assemblywoman Jacqui Irwin has successfully secured a \$2 million state funding to help with the replacement costs of an approximately 810 feet of the 30-inch PTP pipeline along Rice Avenue north of Fifth Street in Oxnard. The new pipe, which is a segment of the 30-inch PTP transmission pipeline, will be buried under 14 feet or more cover soil material needed to support the new overpass. The City of Oxnard's engineering cost estimate for the pipe replacement is \$990,000.

- *PTP Metering Improvement Project (CIP Project # 8022)*

On April 19, staff met with DWR to discuss the possibility of extending the grant deadline by another two years. On June 7, 2022, a letter was issued by the District to DWR requesting a two (2) year time extension to October 19, 2024.

On April 21, 2022, O&M staff completed installation at PTP Turnout No. 126. On June 15, 2022, O&M staff completed installation at PTP Turnout No. 120.

- *Pothole Trailhead (CIP Project # 8023)*

On May 9, Staff executed a task order with ECG in the amount of \$10,600 for preparation of easements documents related to the public use of the Pothole Trailhead and portions of the Pothole Trail that lie on UWCD property.

- *State Water Interconnection (CIP Project # 8025)*

Stantec continues to develop the Preliminary Design Report (PDR) and hydraulic analysis for the pipeline and may finalize the 10% design plans to help start the right of way acquisition process.

- *Replace El-Rio Trailer (CIP Project # 8028)*

The Project permitting has been initiated with the assistance of a permit administrator/expeditor.



- *Alternative Supply Assurance Pipeline (CIP Project # 8030)*
On hold.
- *Grand Canal Hydraulic Constraint Removal (CIP Project # 8032)*
September 13, 2021 - Notice of Completion was filed with the County of Ventura. There will be no future update on this project.
- *Lake Piru Campground Electrical System Upgrade (CIP Project # 8034)*
This project has been placed on hold as it is one part of the Facility Improvement Plan.
- *Oxnard Hueneme System Backup Generator (CIP # 8036)*
On April 14, staff prepared and submitted the sixth quarterly report, reimbursement request, and grant management cost reimbursement request to Cal OES. The total reimbursement cost submitted to Cal OES by the end of the project is \$1,084,826. The grant management cost was \$26,581.

On April 15, staff received the grant compliance assessment report and corrective action plan from Cal OES. To fully comply with the Hazard Mitigation Grant Program requirements, Cal OES requested a Corrective Action Plan (CAP) for federally funded projects. Staff submitted the CAP to Cal OES by the due date on May 13, 2022. The CAP included the District's schedule to implement corrective actions to update the District procurement policy and standard contract in accordance with Title 2 C.F.R. 200, for the federally funded projects.

On April 20, staff attended grant compliance assessment exit meeting with Cal OES, and on April 21, Staff prepared and submitted grant close-out documents to Cal OES.

On May 17, staff received a CAP acceptance letter from Cal OES that marked the conclusion of the compliance assessment and compliance with the Hazard Mitigation Grant Program requirements by the District.

On June 27, staff prepared and submitted quarterly report No. 7 to Cal OES. Since the project was completed, Cal OES requires the District to continue submitting quarterly reports until the project is officially closed by FEMA.

- *Emergency Power Supply for UWCD Drinking Water Treatment and Supply Facilities Related to CIP Projects # 8033, 8037, 8039)*
The District was awarded \$198,612 in grant funding in 2020 as part of the FY 20 Community Power Resiliency (CPR). The grant funding supports procurement and installation of portable backup generators at three locations within the District Service Area. To date, a portable generator was procured and received for the Santa Paula Communication Tower, the installation is pending. A portable generator was procured and installed at the floc building. The portable generator for the Lake Piru Water Treatment Plant is expected to be delivered and installed by November 1, 2022.
- *Asset Management System/CMMS System (CIP Project # 8041)*
On April 15, Staff received the EOS Arrow Gold Unit in support of the project.



- *PTP Recycled Water Connection – Laguna Road Pipeline (CIP Project # 8043)*

The preliminary design phase continued during this reporting period. Staff attended the bi-weekly progress meetings and discussed the design progress with the engineering consultant Kennedy Jenks (KJ).

On April 25, staff met with the adjacent property owner (private property north of Laguna Road), Mr. Paul Debusschere and the geotechnical consultant (Yeh & Associates) to coordinate the geotechnical boring field activities. The property owner agreed to allow drilling of the proposed four (4) geotechnical borings on his property.

On April 28, and 29, four (4) borings were drilled with depths ranging from 10 to 50 feet. The deepest boring (50 feet) was converted to a temporary monitoring well to monitor the groundwater level and collect water quality samples to support the final design.

As part of the design coordination with the Pleasant Valley County Water District (PVCWD), Staff prepared and submitted to MKN (PVCWD's consultant) the standard plans for the PTP new irrigation efficiency meter installed at the PTP system turnouts. Staff attended a coordination meeting with PVCWD on June 7 to discuss the hydraulic model process and a recycled water agreement between the two districts.

Staff reviewed aerial and topographic survey data received from the Encompass Consultant Group (ECG) for Laguna Road. The survey work was completed in May 2022.

Staff coordinated the removal of the geotechnical boring drums from the private property with KJ and Yeh & Associates. The drums were removed from the site on May 20, and the property owner was notified of this activity by staff.

Staff prepared and submitted the pump performance datasheet for the new PT reservoir pump to KJ to be incorporated in the hydraulic modeling. Staff also reviewed and discussed the equipment preference list (valves, flow meters, fencing, etc.) proposed by KJ to be incorporated in the 30% design.

As of June 30, 2022, the preliminary design is 44% complete and \$93,544 of the approved budget remains.

- *Lake Piru E-Kiosk (CIP Project # 8045)*

This project has been foregone with the continued use of the MySites software system.

- *SCADA Hardware Update (CIP Project # 8046)*

This project is in process of installation of updated hardware. This project is approximately 55% complete at this time.

- *Lake Piru Recreation Area Pavement Maintenance Program (CIP Project # 8047)*

Construction was halted through late December and early January due to heavy rains. Construction resumed in late January and was completed by February 4, 2022.



- *Condor Improvement Project (CIP Project # 8048)*
On May 9, 2022, Staff executed an Agreement with Rincon Consultants (Rincon) in the amount of \$9,788 for the graphic development of interpretive signage for the Project.
- *Lake Piru Entry Kiosk Renovation (CIP Project # 8049)*
No financial activity this period.
- *Security Gate Upgrade (CIP Project # 8050)*
The primary server has been installed and is operational. As of August 12, 2022, the security systems integrator (A.T.A.C, Inc.) confirmed the receipt of all necessary parts. The next step is to coordinate the installation and programming for all applicable project sites.
- *Server Replacement (CIP Project # 8051)*
The project was completed during the third quarter of the fiscal year.
- *SCADA Continuous Threat Detection System (CIP Project # 8052)*
A purchase order for the project has recently been issued (PO # 01753). Project completion is estimated for April 1, 2023.
- *Main Supply Pipeline Sodium Hypochlorite Injection (CIP Project # 8053)*
Staff met with designers from Hazen and Sawyer, received a scope of work for the project and are awaiting a proposal for the design of a liquid sodium hypochlorite injection facility at the Moss Screen. Staff received and are currently reviewing a design proposal from Hazen and Sawyer.

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CASH POSITION AND INVESTMENTS OF THE DISTRICT

As of June 30, 2022, the District had a total of \$46.1M in cash and investments. As noted on the cash position report, some of the District's resources are readily available for use while other funds have restrictions that limit how they can be used. The District must adhere to any legal, bond or contractual restrictions placed on funds. However, some restrictions are based on Board designations and can be redirected for other uses if the Board so determines.

The District's cash, cash equivalents and securities held in the various accounts as compared to the prior year are as follows:

	<u>Jun 2022</u>	<u>Jun 2021</u>
Bank of the Sierra	2,174,016	2,046,318
US Bank - 2020 COP Bond Balance	11,521,029	19,006,812
Petty Cash	4,400	3,400
County Treasury	1,729	1,644
LAIF Investments	32,417,921	27,141,128
	<u>46,119,093</u>	<u>48,199,302</u>

The only current restriction is the \$11.5M for CIP projects in the 2020 COP Bonds. Any restrictions on the remaining \$ 34.6M are listed in this report.

If you have any questions regarding this report on the financial position, please let me know.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Brian Zahn', is positioned above the printed name.

Mr. Brian H. Zahn
Chief Financial Officer

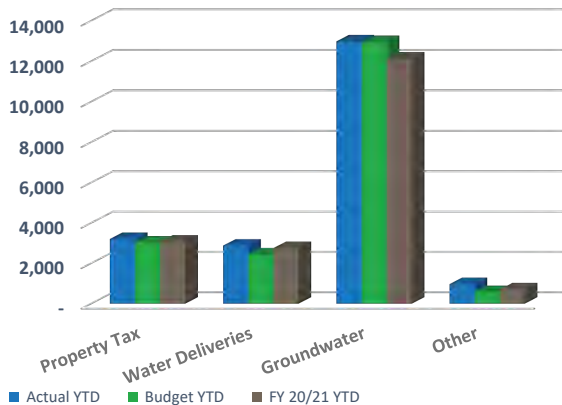
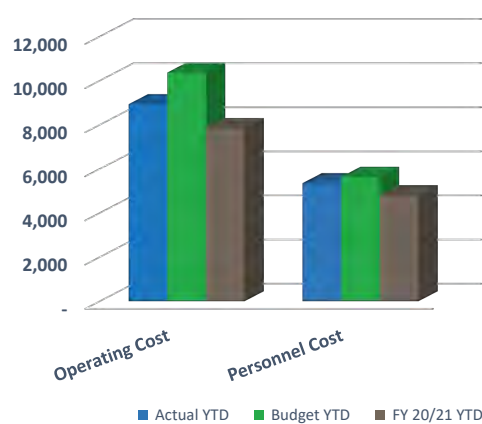
FY 2021-22 Fourth Quarter Financial Review

July 1, 2021 through June 30, 2022

100% of Fiscal Year Completed

General/Water Conservation Fund

in \$ thousands	CY Actuals	CY Revised Budget	Variance	% Variance	PY Actuals	Variance	% Variance
Revenues							
Water Delivery	2,877	2,436	441	18%	2,754	123	4%
Groundwater	12,986	12,951	35	0%	12,136	850	7%
Supplemental Water	0	0	0	0%	0	0	0%
Property Taxes	3,204	3,027	177	6%	3,075	129	4%
Earnings on Investments	(227)	151	(378)	-251%	44	(271)	-619%
Other	1,471	1,341	130	10%	1,286	185	14%
Transfers in	0	0	0	0%	1,064	(1,064)	0%
Total Revenues	20,310	19,906	403	2%	20,358	(48)	0%
Expenses							
Personnel Costs	5,352	5,641	(289)	-5%	4,809	543	11%
Operating Expenditures	8,935	10,368	(1,433)	-14%	7,852	1,083	14%
Capital Outlay	386	576	(189)	-33%	639	(252)	-40%
Transfers out	4,544	4,406	138	3%	3,382	1,162	34%
Total Expenses	19,218	20,991	(1,773)	-8%	16,682	2,536	15%
Net Surplus / (Shortfall)	1,091	(1,085)	2,177	-201%	3,676	(2,585)	-70%

Revenues
 (\$ thousands)

Expenses
 (\$ thousands)

Revenue Status vs. Budget

- Revenue received through fourth quarter is \$20.3M, \$403K (2%) above Plan primarily due to Pipeline deliveries \$441K higher than Budget, 2,931 AF more delivered than Budget for three pipelines combined. Contributing to the increase are higher Property Taxes \$177K received from County of Ventura, increased Lake Piru revenue \$205K from camping reservations and misc revenue received at the Lake and Groundwater deliveries \$35K more than Plan.
- Offsetting the favorability are Earnings on Investments which are \$378K under Plan due to a steep reduction in the rate of return combined with the LAIF mark-to-market adjustment of approximately -0.013. Also, Grant revenue of \$75K for the Brackish Water Treatment Plant lower than Plan. Grant revenues will not be earned until construction has been completed.

Revenue Status vs. Prior Year

- Q4 Revenue \$48K (.24%) lower than PY.
- Groundwater pumping \$850K higher compared to PY. Pipeline deliveries \$129K, Property Tax revenue \$129K, and Lake Piru Revenue \$321K more than prior year. PMC was contracted through Q2 of the PY and there were no revenues received through the first 6 months.
- Offsetting the increase are CIP Transfers In of \$1M, reduction in Earnings on Investments of \$271K, and Grants of \$136K compared to PY.

FY 2021-22 Fourth Quarter Financial Review

July 1, 2021 through June 30, 2022

100% of Fiscal Year Completed

General/Water Conservation Fund - Continued

Appropriation/Expenditure Status vs. Budget

- Total Expenditures were \$1.8M (8%) under Plan primarily due to Operating Expenditures \$1.4M under budget. Professional Fees \$1.2M from the under-utilized Admin and Finance consulting budget. Also, FERC – Fish Passage and quagga expenditures were not as aggressive as planned. Principal and interest payment was favorable \$350K due to the re-allocation of the debt proceeds, reducing the interest attributable to the General Water Conservation fund.
- Overhead costs were \$117K under Plan. Contributing to the variance is savings in Maintenance and Supplies of \$476K due to fewer "emergencies" the entire year. Savings slightly offset by overrun in Insurance Premiums of \$120K. Personnel Costs are under budget by \$289K due to vacant Water Technician, Engineer, Receptionist, Field Technician, and Controls Systems positions for the majority of the year. Capital Outlay is also under budget \$189K due to Water Resources Hydrology equipment of \$50K delayed replacement and two O&M trucks \$80K delay in purchasing.

Appropriation/Expenditure Status vs. Prior Year

- Expenditures are \$2.5M (15%) higher than PY, primarily due to CIP transfers of \$1M for the State Water Interconnection, Lake Piru Asphalt and Day Use Pavilion Projects . Operating expenditures were up \$1M due to additional Rangers hired to support Lake Piru operations, COLA increase and more water staff time spent on water conservation activities compared to PY. Contributing to the increase were Materials and Supplies \$673K, Overhead Costs \$293K, and Interest Payments \$856K to 2020 COP bond.
- Offsetting these increases were lower Professional Fees \$85K and financing costs \$654K due to 2001, 2005 and 2009 bonds being refinanced into the 2020 COP bond in November 2020.

Fund Balance

The ending undesignated working capital balance at the end of FY 21-22 is \$11M.

The District's reserve policy requires a \$4 - \$5 million minimum undesignated balance.

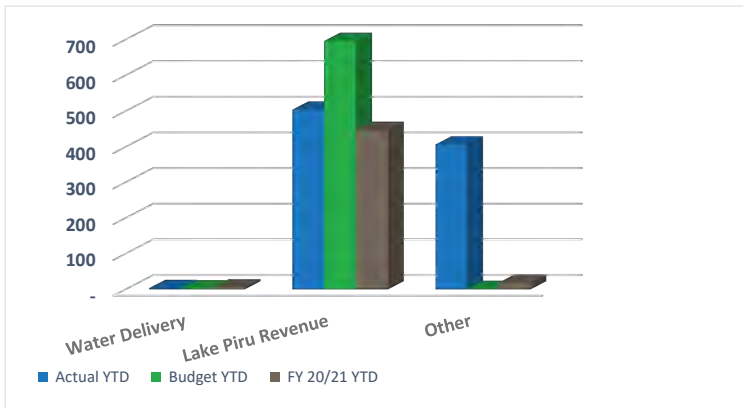
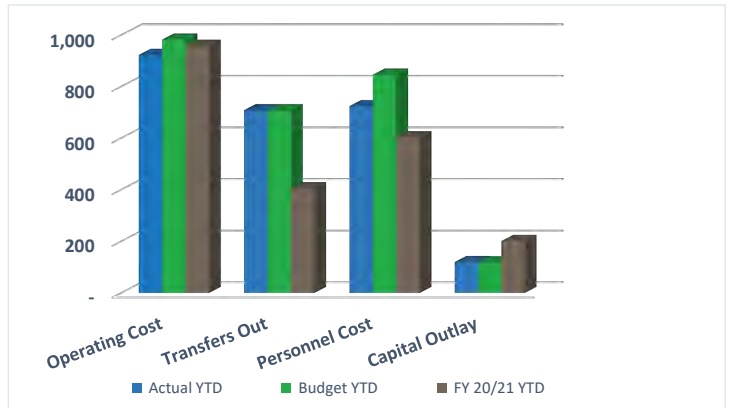
FY 2021-22 Fourth Quarter Financial Review

July 1, 2021 through June 30, 2022

100% of Fiscal Year Completed

Recreation Sub-Fund

in \$ thousands	CY Actuals	CY Revised Budget	Variance	% Variance	PY Actuals	Variance	% Variance
Revenues							
Water Delivery	4	3	1	21%	6	(2)	-35%
Earnings on Investments	0	0	0	0%	0	0	0%
Lake Piru Revenue	504	697	(193)		447	57	0%
Other	407	1	405	28941%	19	387	2024%
Total Revenues	914	701	213	30%	472	442	94%
Expenses							
Personnel Costs	724	846	(122)	-14%	603	121	20%
Operating Expenditures	923	983	(60)	-6%	959	(36)	-4%
Capital Outlay	120	119	1	1%	201	(81)	-40%
Transfers out	709	709	0	0%	405	303	75%
Total Expenses	2,476	2,656	(181)	-7%	2,169	307	14%
Net Surplus / (Shortfall)	(1,561)	(1,955)	394	-20%	(1,696)	135	-8%

 Revenues
(\$ thousands)

 Expenses
(\$ thousands)

Revenue Status vs. Budget

- Revenue received through 4th quarter is above Budget by \$213K (30%) due to higher Day Use, Camping, Boating fees and reservations.

Revenue Status vs. Prior Year

- Q4 Operational Revenue \$444K over PY due to fees and reservations not received in Q1 or Q2 in FY 20-21. PMC was contracted through Q2 of the PY and there were no revenues received from PMC.

Appropriation/Expenditure Status vs. Budget

- Total expenditures \$181K (7%) under budget primarily due to Personnel Costs savings of \$122K due to the Receptionist position being vacant for most of the year as well as other turnovers. Contributing to the variance is savings in Materials and Supplies expense of \$62K.

Appropriation/Expenditure Status vs. Prior Year

- Expenditures are \$307K (3%) higher than PY primarily due to CIP Transfers Out of \$303K over PY for CIP's including Lake Piru Asphalt, Entry Kiosk Renovation, and Condor Point Improvement Projects. Contributing to the variance is higher salaries \$121K due to the district hiring part time Rangers to assist with Lake Piru Operations when UWCD took over concessions from PMC. Capital Outlay is \$81K lower than prior year due to the purchase of additional Lake Piru equipment and vehicles in PY.
- The increase is slightly offset by a decrease in PMC concession fees of \$356K, although maintenance costs for landscaping services \$136K, small tools \$25K, utilities \$93K, and miscellaneous expenses \$11K were higher.

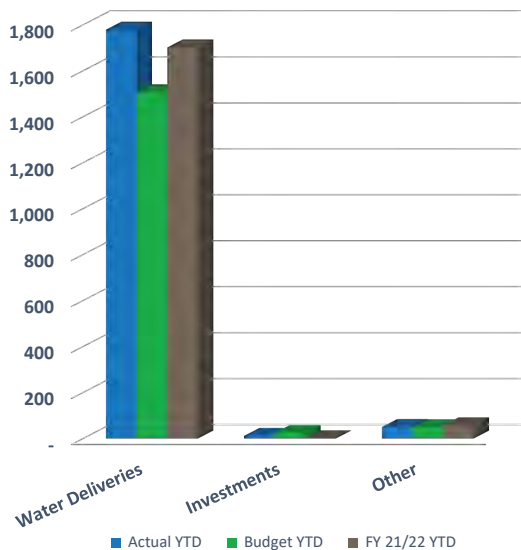
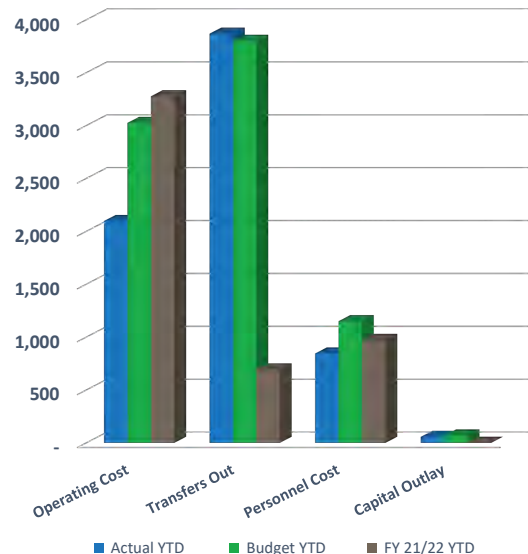
FY 2021-22 Fourth Quarter Financial Review

July 1, 2021 through June 30, 2022

100% of Fiscal Year Completed

Freeman Diversion Fund (Zone B)

in \$ thousands	CY Actuals	CY Revised Budget	Variance	% Variance	PY Actuals	Variance	% Variance
Revenues							
Groundwater	3,792	3,784	9	0%	3,603	189	5%
Water Delivery	1,779	1,507	273	18%	1,702	77	5%
Earnings on Investments	11	24	(13)	-54%	1	10	1366%
Other	98	49	49	101%	125	(27)	-21%
Transfers in	0	0	0	0%	24	(24)	0%
Total Revenues	5,681	5,363	318	6%	5,456	226	4%
Expenses							
Personnel Costs	844	1,150	(306)	-27%	973	(129)	-13%
Operating Expenditures	2,097	3,025	(928)	-31%	3,276	(1,179)	-36%
Capital Outlay	56	69	(13)	0%	0	56	
Transfers out	3,869	3,801	68	2%	694	3,175	458%
Total Expenses	6,866	8,045	(1,179)	-15%	4,943	1,923	39%
Net Surplus / (Shortfall)	(1,185)	(2,681)	1,497	-56%	512	(1,697)	-331%

 Revenues
(\$ thousands)

 Expenses
(\$ thousands)

Revenue Status vs. Budget

- Revenue received through Q4 \$5.7M, up \$318K (6%) due to higher Pipeline deliveries at \$273K above budget which was 4,316 AF over Plan. Grant revenues are also \$48K over budget as they were not expected to be received in the current fiscal year.
- Offsetting the increase are lower Earnings on Investments of \$13K due to lower interest rates.

Revenue Status vs. Prior Year

- Current year is higher by \$226K. The increase is primarily due to higher Groundwater deliveries at \$189K and Pipeline deliveries at \$77K.
- Slightly offsetting the increase are lower Grants revenue of \$20K and CIP Transfers In of \$24K for the Saticoy Shop.



FY 2021-22 Fourth Quarter Financial Review

July 1, 2021 through June 30, 2022

100% of Fiscal Year Completed

Freeman Diversion Fund (Zone B) - continued

Appropriation/Expenditure Status vs. Budget

- Total expenditures through Q4 are \$6.9M, which is approximately \$1.2M (15%) below Plan. Savings is primarily due to lower Operating Expenditures of \$928K mostly due to under-utilized Environmental Services Legal Fees of \$666K. Overhead costs are \$35K and Permits are \$93K under budget due to timing differences. Maintenance savings of \$142K due to minimal “emergencies” the entire year.
- Salaries and benefits \$306K under budget due to vacant Field Technician and Controls Technician positions. Savings is partially offset by increase in Insurance Premiums \$45K.
- Interest expense is up \$68K due to payments made during fiscal year on 2020 bonds.

Appropriation/Expenditure Status vs. Prior Year

- Total Expenditures are \$1.9M (39%) higher than PY. Increase is largely due higher CIP transfers out \$3.2M. Contributing to the variance are Overhead costs running 202K higher in current year due to higher overhead expenditures for Freeman. Capital Outlay is \$56K and Insurance premiums are \$47K greater in the current fiscal year.
- Slightly offsetting the increase are Wishtoyo legal fees \$1.5M lower than prior year. Salaries and Benefits \$129K lower in current year vs prior year due to vacant Environmental field positions for the most of the current year. There’s no Excavator Rental fees in current year due to the purchase of excavator in September 2021, resulting in savings of \$75K.
- Interest expense is up \$68K due to payments made during the fiscal year on 2020 bonds.

Fund Balance

- The ending undesignated working capital balance at the end of FY 21-22 is approximately \$644K.
- The District's reserve policy requires an undesignated balance of \$1.5M.

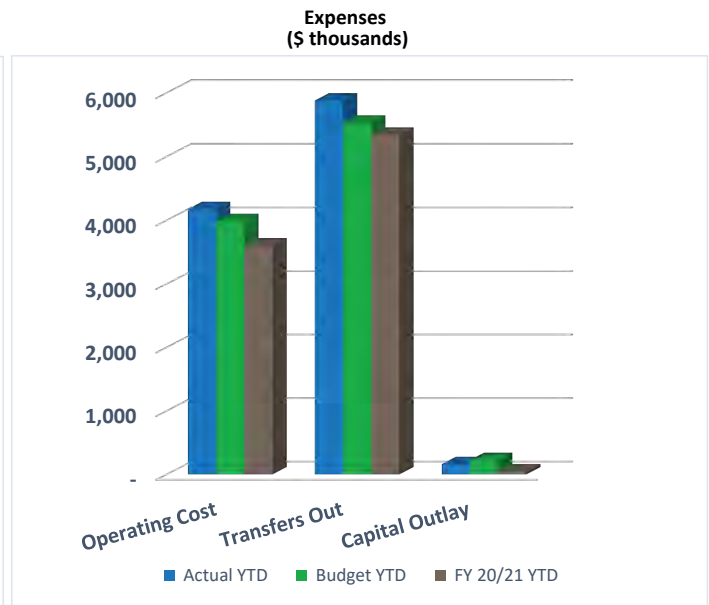
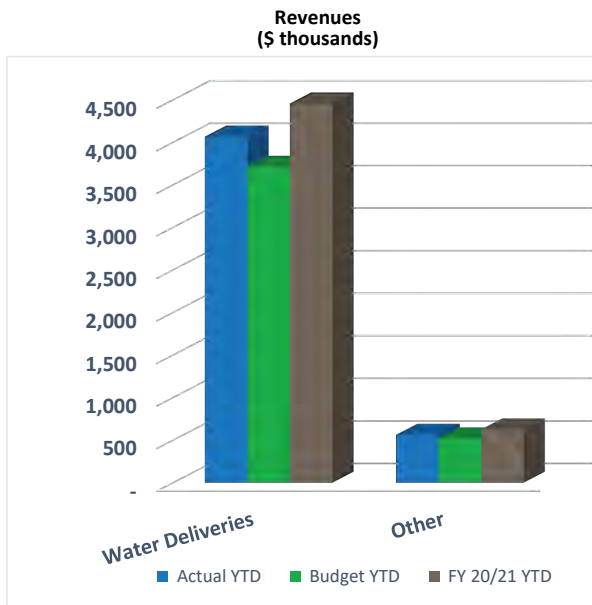
FY 2021-22 Fourth Quarter Financial Review

July 1, 2021 through June 30, 2022

100% of Fiscal Year Completed

Oxnard Hueneme Pipeline Fund

in \$ thousands	CY Actuals	CY Revised Budget	Variance	% Variance	PY Actuals	Variance	% Variance
Revenues							
Water Delivery	4,037	3,714	323	9%	4,459	(422)	-9%
Earnings on Investments	(28)	20	(48)	-242%	(1)	(28)	4088%
Grants	1,219	947	272	29%	76	1,143	
Other	590	500	90	18%	626	(36)	-6%
Total Revenues	5,818	5,180	638	12%	5,160	658	13%
Expenses							
Personnel Costs	927	751	176	23%	883	44	5%
Operating Expenditures	3,247	3,235	12	0%	2,721	526	19%
Capital Outlay	160	225	(64)	-29%	45	115	254%
Transfers out	5,880	5,531	349	6%	5,342	538	10%
Total Expenses	10,214	9,742	473	5%	8,991	1,224	14%
Net Surplus / (Shortfall)	(4,396)	(4,561)	165	-4%	(3,830)	(566)	15%



Revenue Status vs. Budget and vs. Prior Year

- Total Revenue \$638K (12%) over budget primarily due to water delivery revenue.
- Water Delivery Revenue \$323K (9%) higher than Budget; 1,987 AF (16.9%) more delivered than Plan. Deliveries are less than prior year by \$422K (564 AF). The 17% decrease in variable rates made the dollar revenue decrease much more than the actual delivery decrease.
- Fox Canyon revenues up \$79K (17%) over budget and \$135K (33%) over prior year due to higher pumping charges.
- Total Grant revenue \$272K (29%) over budget; \$575K received from CAL OES state grant for OH emergency generators and \$644K received for Iron and Manganese.
- Compared to prior year, grant revenue \$1.1M over prior year due to minimal grant revenue received in FY 2020-21.

FY 2021-22 Fourth Quarter Financial Review
July 1, 2021 through June 30, 2022

100% of Fiscal Year Completed

Oxnard Hueneme Pipeline Fund - continued

Appropriation/Expenditure Status vs. Budget and vs. Prior Year

- Expenses \$473K over budget primarily due to transfers out which are \$349K more than budgeted.
- Fox Canyon \$148K over budget due to increased pumping charges. Additionally, Fox Canyon expenses were \$215K over previous year for the same reason.
- Personnel costs were \$176K over budget and \$44K over FY 2020-21 due to extra work performed by staff on the OH pipeline.
- Electrical costs were also \$247K over budget due to a 10% increase in water deliveries and higher electricity rates. The higher rates also included \$85K higher costs over the previous year.
- Bond interest was up \$218K over previous year due to several payments on the 2020 COP bond while there was only one in prior year.
- Helping to offset the over-budget expenses were professional fees which were lower by \$73K and capital outlays by \$64K. Capital outlays were up \$115K over previous year due to the purchase of new excavator. Maintenance - S&I under budget by \$120K and Equipment under by \$81K. Much of this was due to funds budgeted for emergencies or extra duty were not needed this year.

Fund Balance

- The ending undesignated working capital balance is approximately -\$4M.
- The District's reserve policy requires an undesignated balance of \$1.1M for this fund, leaving a shortfall of \$5.2M for FY 2021-22.

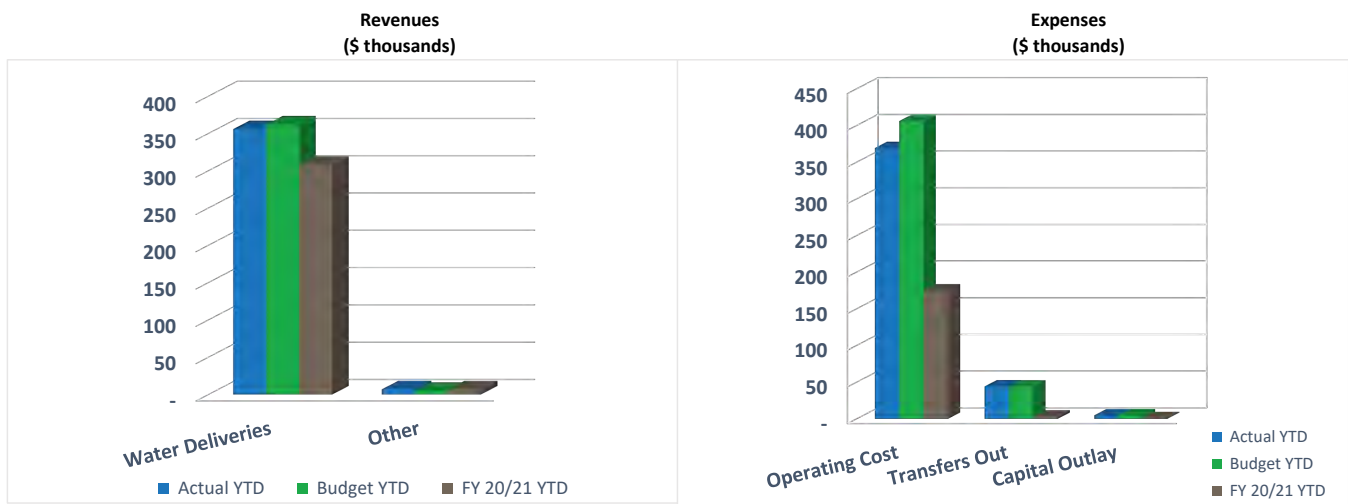
FY 2021-22 Fourth Quarter Financial Review

July 1, 2021 through June 30, 2022

100% of Fiscal Year Completed

Pleasant Valley Pipeline Fund

in \$ thousands	CY Actuals	CY Budget	Variance	% Variance	PY Actuals	Variance	% Variance
Revenues							
Water Delivery	356	362	(6)	-2%	308	48	15%
Earnings on Investments	(4)	3	(8)	-234%	0	(5)	-1343%
Other	7	5	2	42%	7	0	2%
Total Revenues	358	370	(12)	-3%	315	43	14%
Expenses							
Personnel Costs	75	67	8	12%	71	3	5%
Operating Expenditures	295	339	(45)	-13%	104	191	183%
Capital Outlay	5	5	(0)	0%	1	4	
Transfers out	44	44	0	0%	3	41	1313%
Total Expenses	418	455	(37)	-8%	179	239	134%
Net Surplus / (Shortfall)	(60)	(85)	25	-29%	136	(196)	-144%



Revenue Status vs. Budget & vs. Prior Year

- Revenue received through Q4 under budget by \$12K (-3%). Water Delivery revenue was \$6K (115AF) less than plan. Minimal surface water (785AF) was delivered through Q4, revenue collected is predominately from fixed costs. Earnings on Investments is also \$8K lower than Plan due to low return on investments.
- Compared to prior year, deliveries revenue increased by \$48K (15%) due to an increase in fixed costs.

Appropriation/Expenditure Status vs. Budget & vs. Prior Year

- Operating expenditures under Budget by \$37K this fiscal year primarily due to maintenance budget not being fully utilized (38K).
- Compared to prior year, Operating Expenditures are up \$234K primarily due to \$195K spent on PV reservoir maintenance work in Q1.
- Transfers out on target at \$44K and higher than PY by \$41K for several CIP Projects.

Fund Balance

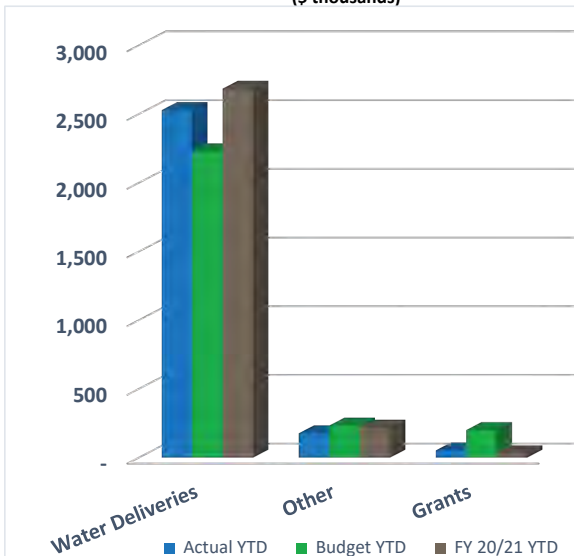
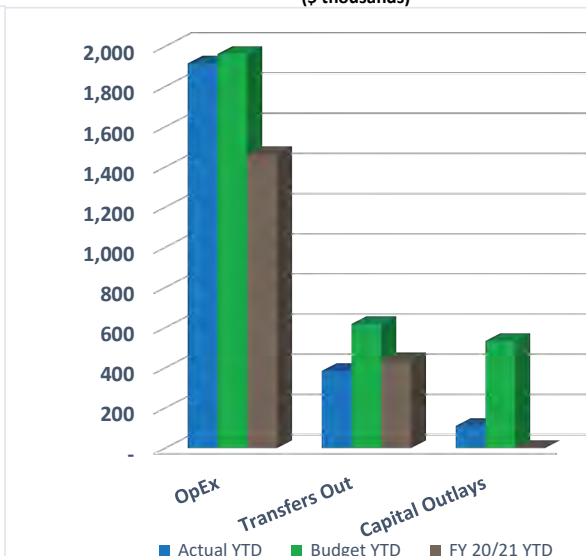
The ending undesignated working capital balance at the end of FY 21-22 is \$489K. The District's calculated reserve policy requires a \$342K minimum undesignated balance which is met.

FY 2021-22 Fourth Quarter Financial Review

July 1, 2021 through June 30, 2022

100% of Fiscal Year Completed
Pumping Trough Pipeline Fund

in \$ thousands	CY Actuals	CY Revised Budget	Variance	% Variance	PY Actuals	Variance	% Variance
Revenues							
Water Delivery	2,528	2,228	300	13%	2,684	(156)	-6%
Earnings on Investments	(13)	11	(23)	-221%	3	(16)	-469%
Grants	52	200	(148)	-74%	32	21	0%
Other	189	222	(33)	-15%	214	(25)	-12%
Total Revenues	2,757	2,661	96	4%	2,933	(176)	-6%
Expenses							
Personnel Costs	370	334	36	11%	434	(64)	-15%
Operating Expenditures	1,545	1,628	(83)	-5%	1,030	515	50%
Capital Outlay	110	534	(423)	-79%	0	110	
Transfers out	384	618	(234)	-38%	438	(54)	-12%
Total Expenses	2,410	3,114	(704)	-23%	1,903	507	27%
Net Surplus / (Shortfall)	347	(453)	800	-177%	1,031	(684)	-66%

 Revenues
(\$ thousands)

 Expenses
(\$ thousands)

Revenue

- Revenue received through Q4 is \$2.8M, up \$96K (4%). The increase is primarily due to higher pipeline deliveries \$300K, 1,059AF higher water delivered than Plan.
- Offsetting the increase is PTP Metering Q4 Grant \$148K reimbursement not received. Grant revenue will not be earned until construction has been completed. Contributing to the variance is Earnings on Investments below budget by \$23K due to lower interest rates.

Revenue Status vs. Prior Year

- Current fiscal year revenues down \$177K (6%) due to lower Pipeline deliveries of \$156K which is 529AF less than PY and CIP Transfers In \$145K lower due to Quagga Mussel Project in PY.



FY 2021-22 Fourth Quarter Financial Review

July 1, 2021 through June 30, 2022

100% of Fiscal Year Completed

Pumping Trough Pipeline Fund - continued

Appropriation/Expenditure Status vs. Budget

- Total expenditures through Q4 are \$2.4M, \$704K (23%) below Budget primarily due to lower Transfers Out \$234K to PTP Capital Improvement Projects. Contributing to the variance is lower operating expenditures \$83K. Maintenance is \$69K under budget due to emergency funds not being needed as well as less than projected maintenance on corroding PTP turnouts.
- Overhead costs are \$19K under budget. Capital outlay is \$423K lower than anticipated due to fewer than planned PTP isolation valves and VFD replacements.
- Slightly offsetting the savings is increase in Personnel Costs of \$36K, Insurance Premiums of \$22K, and Utilities are \$80K over budget.

Appropriation/Expenditure Status vs. Prior Year

- Compared to last fiscal year, expenditures are higher by \$507K (27%) primarily due to Operating expenditures at \$515K higher in current year due to maintenance at \$65K, Utilities at \$220K and insurance expense at \$24K. Overhead costs is \$81K higher than prior year due to increase in PTP expenditures. Contributing to the increase is higher Capital Outlay of \$110K compared to prior year due to the purchase of SLR excavator and PTP valve replacements.
- Offsetting the increase are lower transfers-out of \$54K for PTP Capital Improvement Projects and Personnel costs of \$64K.

Fund Balance

- The ending undesignated working capital balance is approximately \$1.8M.
- The District's reserve policy requires an undesignated balance of \$250K for this fund.



FY 2021-22 Fourth Quarter Financial Review

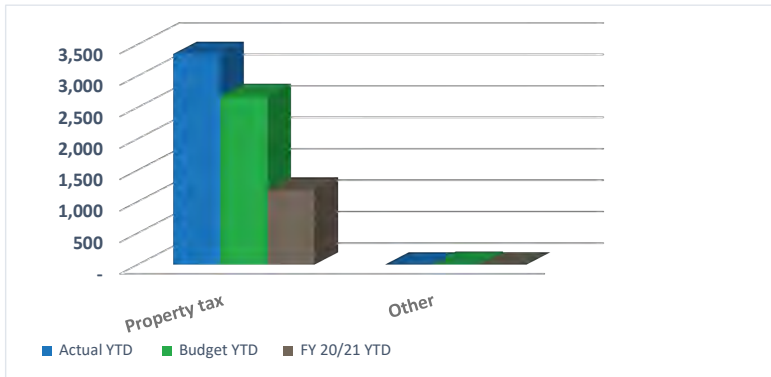
July 1, 2021 through June 30, 2022

100% of Fiscal Year Completed

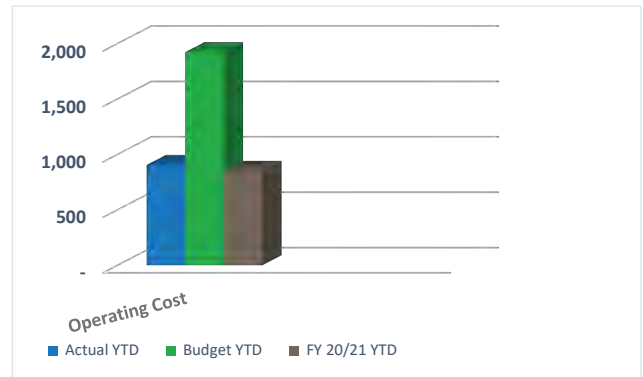
State Water Fund

in \$ thousands	CY Actuals	CY Revised Budget	Variance	% Variance	PY Actuals	Variance	% Variance
Revenues							
Earnings on Investments	(40)	12	(52)	-423%	(0)	(40)	17195%
Other	3,349	2,680	669	25%	1,191	2,157	181%
Total Revenues	3,309	2,692	616	23%	1,191	2,118	178%
Expenses							
Personnel Costs	0	0	0	0%	0	0	0%
Operating Expenditures	904	1,922	(1,018)	-53%	851	54	6%
Capital Outlay	0	0	0	0%	0	0	0%
Debt Service	0	0	0	0%	0	0	0%
Transfers out	0	0	0	0%	0	0	0%
Total Expenses	904	1,922	(1,018)	-53%	851	54	6%
Net Surplus / (Shortfall)	2,404	770	1,634	212%	341	2,064	606%

Revenues
(\$ thousands)



Expenses
(\$ thousands)



Revenue Status vs. Budget & vs. Prior Year

- Revenue received through Q4 is \$616K (23%) above budget. This is primarily due to property taxes, specifically the secured and residual taxes. Property taxes were \$2.2M greater than the prior year due primarily to lower secured taxes requested for FY 20-21 and higher passthrough and residual taxes received in FY 21-22.

Appropriation/Expenditure Status vs. Budget & vs. Prior Year

- Total expenditures are \$1M (53%) lower than budgeted. This is primarily due to budgeted water purchases of 3,150 AF and no water invoiced from DWR.
- Compared to last year, expenditures higher by \$54K (6%). This is primarily due to higher fixed costs in FY 21-22.

Fund Balance

- The ending working capital for FY 21-22 is \$5.8M. The District's reserve policy requires a \$3.7M reserve maximum. The ending reserve is \$2M greater than the reserve maximum.
- The entire fund balance is designated for the fixed and variable costs related to the District's State Water Project allocation of 5,000 AF per year, plus the allowable balance of Table A water that was not purchased in prior years (1,500 AF for FY 20-21).

FY 2021-22 Fourth Quarter Financial Review

July 1, 2021 through June 30, 2022

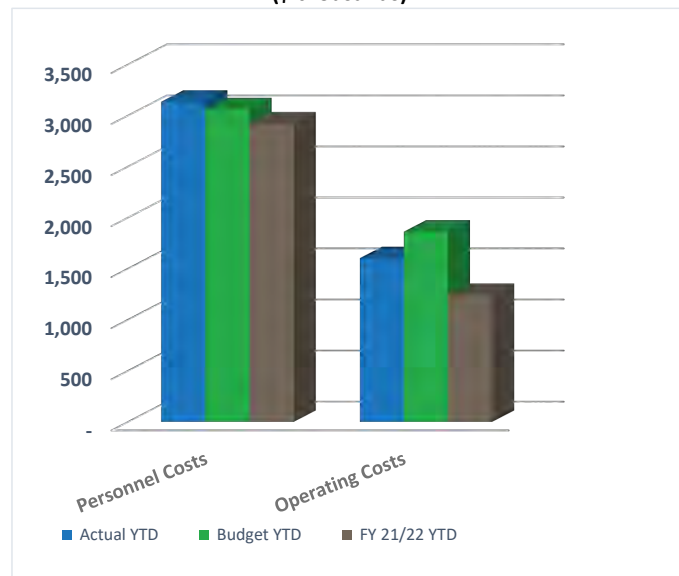
100% of Fiscal Year Completed

Overhead Fund

in \$ thousands	CY Actuals	CY Revised Budget	Variance	% Variance	PY Actuals	Variance	% Variance
Expenses							
Personnel Costs	3,135	3,061	73	2%	2,922	213	7%
Operating Expenditures	1,602	1,862	(260)	-14%	1,242	360	29%
Capital Outlay	0	40	(40)	0%	0	0	0%
Total Expenses	4,737	4,963	(226)	-5%	4,164	573	14%

Expenses

(\$ thousands)



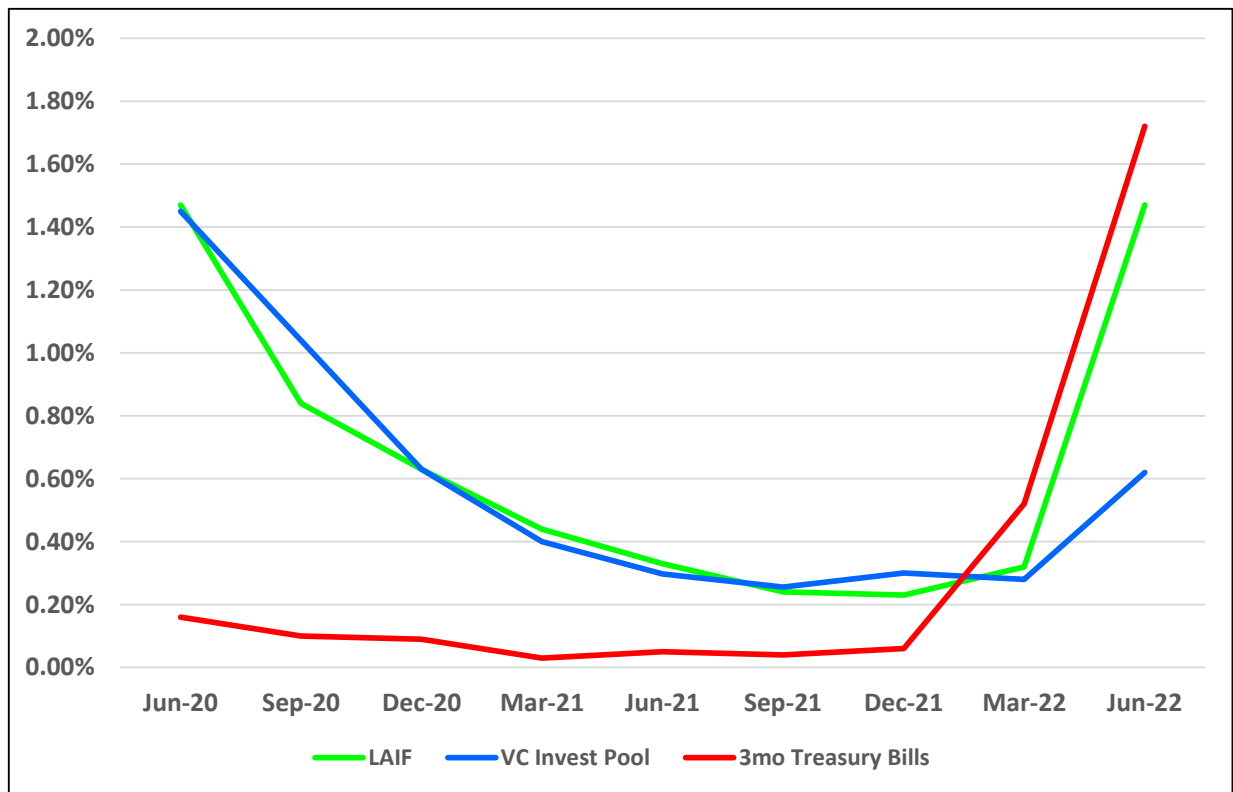
Appropriation/Expenditure Status vs. Budget & vs. Prior Year

- Expenditures under budget by \$227K (5%).
- The largest savings were in Professional Fees at \$119K due to Admin and Financial Advisory consulting not fully utilized. Salaries and Benefits are \$73K over budget due primarily to budget being transferred to cover temporary staffing but expenses met original budget. This was offset by \$72K for assorted office expenses.
- Compared to prior year, expenditures are higher by \$573K (14%). The variance is primarily from higher Professional Fees of \$219K, office expense of \$59K, safety supplies at \$26K, travel expenses at \$17K and utilities at \$24K. Contributing to the variance in personnel costs \$213K were a Board Approved 2% Cost of Living increase and annual merit increases.

United Water Conservation District															
CURRENTLY APPROPRIATED CAPITAL IMPROVEMENT PROJECT PLAN															
FY 2021-22 Available Appropriations as of June 30, 2022															
							Total	Appropriations			Expended and Encumbered			% of Total	
			1st	1st	Expected		Est Project	Total Approp	Suppl	Total				Est Project	Remaining
	Fund	Proj	Budget	Activity	End		Cost	Approved thru	Approp	Approp	Total as	Current	Total	costs spent	Appropriations
Project Description	#	#	Year	Date	Year	Class	(000s)	FY 20-21	FY 21-22	to Date	FY 20-21	FY 21-22	to date	to date	FY 21-22
Well Replacement Program Well #18	452	8000	2015-16	08/06/15	2022	I	1,618	1,590,134	27,480	1,617,614	1,190,827	123,183	1,314,010	81.21%	303,604
Freeman Diversion Rehab	421	8001	2009-10	03/23/11	2025+	II&IV	126,787	8,965,908	3,670,960	12,636,868	5,913,497	4,727,594	10,641,091	8.39%	1,995,777
SFD Outlet Works Rehab		8002	2007-08	04/20/11	2025+	I&II	57,359	5,040,547	1,503,548	6,544,095	4,268,163	1,617,149	5,885,312	10.26%	658,783
SFD PMF Containment		8003	2008-09	06/22/09	2025+	II	49,048	4,913,505	894,207	5,807,712	4,298,702	777,246	5,075,947	10.35%	731,765
SFD Sediment Management		8005	2013-14	05/28/14	2023	II	231	94,954	96,371	191,325	64,752	63,397	128,150	55.48%	63,176
Lower River Invasive Species Control	471	8006	2015-16	08/06/15	2022	IV	591	580,300	10,772	591,072	184,575	186	184,761	31.26%	406,311
OHP Iron and Manganese Treatment	451	8007	2015-16	08/06/15	2023	III	12,571	5,179,934	4,442,980	9,622,914	1,220,713	6,012,698	7,233,411	57.54%	2,389,503
Quagga Decontamination Station		8008	2016-17	06/23/17		II	292	221,974	-	221,974	56,323	140	56,463	19.34%	165,511
Ferro-Rose Recharge		8018	2006-07	03/23/07	2025+	III	38,771	1,909,329	256,354	2,165,683	1,230,181	64,639	1,294,820	3.34%	870,863
Brackish Water Treatment		8019	2015-16	07/08/15	2025+	III	196,672	399,756	584,511	984,267	176,744	558,860	735,604	0.37%	248,663
Rice Ave Overpass PTP	471	8021	2016-17	08/17/18	2022	II	86	83,320	2,984	86,304	55,502	29,692	85,194	99.06%	1,110
PTP Turnout Metering System	471	8022	2016-17	03/10/17	2022	I	1,612	1,459,840	152,549	1,612,389	1,022,222	95,289	1,117,510	69.32%	494,878
Pothole Trailhead		8023	2016-17	02/14/17	8022	I	503	502,839	-	502,839	402,552	16,868	419,419	83.38%	83,420
State Water Interconnection Project		8025	2016-17	06/15/17	2023	II	618	308,737	3,846	312,583	193,699	1,602	195,301	31.60%	117,282
El Rio Trailer		8028	2019-20			II	110	110,000	-	110,000	-	-	-	0.00%	110,000
Alternative Supply Alliance Pipeline		8030	2018-19	06/08/18	2022	II	362	361,578	-	361,578	38,156	-	38,156	10.54%	323,422
Grand Canal Modifications		8032	2018-19	06/30/19	2022	II	546	546,065	314	546,379	496,902	68,227	565,130	103.50%	(18,751)
Floc Building Emergency Generator	421	8033	2019-20	05/20/21	2022	II	78	78,416	-	78,416	17	38,696	38,713	49.63%	39,703
Lak Piru Campground Electrical Update		8034	2019-20		2022	I	73	73,424	-	73,424	-	-	-	0.00%	73,424
OH System Emergency Generator	451	8036	2020-21	12/18/20	2022	II	1,144	268,107	235,030	503,137	202,510	1,064,182	1,266,693	110.72%	(763,556)
Piru WTP Emergency Generator		8037	2020-21	05/20/21	2022	II	102	101,527	-	101,527	17	-	17	0.02%	101,510
Santa Paula Tower Emergency Generator		8039	2019-20	05/20/21	2022	II	66	65,527	49,900	115,427	17	126,016	126,033	190.96%	(10,606)
Asset Management / CMMS System		8041	2019-20	04/10/20	2024	-	289	112,780	121,235	234,015	11,273	33,806	45,079	15.60%	188,936
Recycled Water GW Replenishment/Reu	421	8042	2020-21	12/04/20	2024	III	2	519,380	-	519,380	1,681	-	1,681	84.06%	517,699
PTP Recycled Water Connection	471	8043	2021-22	11/19/21			2,431		132,826	132,826	-	74,677	74,677	3.07%	58,149
Lake Piru e-Kiosk		8045	2020-21	04/15/22	2022	II	106	105,500	-	105,500	-	18,492	18,492	17.45%	87,008
SCADA Hardware Update		8046	2020-21	11/20/20	2022	II	801	660,260	140,900	801,160	59,450	132,283	191,733	23.94%	609,427
Lak Piru Asphalt		8047	2021-22	09/24/21	2022	I	237		237,156	237,156	-	184,570	184,570	77.88%	52,586
Condor Point Improvement Project		8048	2021-22	06/30/21	2022	I	333		397,699	397,699	367	60,007	60,374	18.13%	337,325
Lake Piru Entry Kiosk Renovation		8049	2021-22	08/27/21	2022	I	139		138,946	138,946	-	138,049	138,049	99.32%	897
Security Gate Upgrade		8050	2021-22	10/08/21	2022	I	58		58,049	58,049	-	32,278	32,278	55.65%	25,771
Server Replacement		8051	2021-22	09/24/21	2022	I	372		372,000	372,000	-	367,375	367,375	98.76%	4,625
SCADA Continuous Threat Detection		8052	2021-22		2022		100		100,000	100,000	-	-	-	0.00%	100,000
Main Supply Pipeline Sodium Hypochlorite		8053	2021-22	05/20/22	2023		281		71,200	71,200	-	366	366	0.13%	70,834
TOTAL AMOUNT PER YEAR							494,389	34,253,641	13,701,816	47,955,458	21,088,841	16,427,566	37,516,407	7.59%	10,439,050
Class I = Infrastructure Repair or Replacement															
Class II = Structural/Hydraulic Improvement (no yield)															
Class III = Water Resource Improvement															
Class IV = ESA Improvement															

Current Benchmark Yields

LAIF	June 30, 2022	1.47%
VC Invest Pool	May 31, 2022	0.62%
3mo Treasury Bills	June 30, 2022	1.72%





Staff Report

To: UWCD Board of Directors

Through: Mauricio E. Guardado, Jr., General Manager

From: Kris Sofley, Clerk of the Board

Date: September 27, 2022 (October 12, 2022 meeting)

Agenda Item: 3.E **Resolution 2022-39** 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 October 12, 2022 through November 9, 2022, pursuant to Brown Act provisions
Motion

Staff Recommendation:

The Board will consider adopting Resolution 2022-39 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).

Background:

Starting in March 2020, amid rising concern surrounding the spread of COVID-19 throughout communities in the state, California Governor Gavin Newsom issued a series of Executive Orders aimed at containing the novel coronavirus. These Executive Orders (N-25-20, N-29-20, N-35-20) collectively modified certain requirements created by the Ralph M. Brown Act ("the Brown Act"), the state's local agency public meetings law.

On June 11, 2021, the Governor issued Executive Order N-08-21 which rescinds the aforementioned modifications made to the Brown Act, effective September 30, 2021. After that date, local agencies are required to observe all the usual Brown Act requirements status quo ante (as they existed prior to the issuance of the orders). Local agencies must once again ensure that the public is provided with access to a physical location from which they may observe a public meeting and offer public comment. Local agencies must also resume publication of the location of teleconferencing board members, post meeting notices and agendas in those locations, and make those locations available to the public in order to observe a meeting and provide public comment.

3.E Resolution 2022-39 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 October 12, 2022 through November 9, 2022, pursuant to Brown Act provisions
Motion

On September 16, the Governor signed AB 361 into law, effective immediately, which extends the flexibilities provided in the Governor’s prior executive order to local and state bodies to hold public meetings remotely beyond the executive order’s September 30, 2021 expiration date.

On September 20, the Governor signed an executive order (N-15-21) waiving the application of AB 361 until October 1, 2021, when the provisions of prior Executive Orders that established certain requirements for public agencies to meet remotely during the COVID-19 emergency will expire. The September 20 order makes clear that, until September 30, local agencies may conduct open and public remote meetings relying on the authority provided under prior Executive Orders (rather than AB 361). The revised Order also explicitly permits a local agency to meet pursuant to the procedures provided in AB 361 before October 1, so long as the meeting is conducted in accordance with the requirements of AB 361.

All local agencies are being asked to be aware that they may not conduct remote teleconference meetings pursuant to the authority in the Governor’s prior Executive Orders beyond September 30; after that date, all meetings subject to the Brown Act must comply with standard teleconference requirements (as they existed “pre-pandemic”) OR must comply with the newly enacted provisions of AB 361. The adoption of this Resolution provide the District with compliance as it relates to the newly enacted provisions of AB 361.

Fiscal Impact:

There is no fiscal impact related to the approval of this Resolution.

Attachment: Resolution 2022-39

RESOLUTION 2022-39

A RESOLUTION OF THE BOARD OF DIRECTORS OF UNITED WATER CONSERVATION DISTRICT REAFFIRMING THAT THE PROCLAMATION OF A STATE OF EMERGENCY BY THE GOVERNOR OF CALIFORNIA ISSUED ON MARCH 4, 2020 RELATING TO THE COVID-19 VIRUS REMAINS IN EFFECT AND LOCAL OFFICIALS CONTINUE TO RECOMMEND SOCIAL DISTANCING MEASURES TO MITIGATE THE SPREAD OF THE COVID-19 VIRUS AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF UNITED WATER CONSERVATION DISTRICT FOR THE PERIOD OF OCTOBER 12, 2022 THROUGH NOVEMBER 9, 2022 PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, United Water Conservation District (“District”) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of District’s legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code §54950 *et seq.*) (“Brown Act”), so that any member of the public may attend, participate, and watch the District’s legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing; and

WHEREAS, the Board of Directors previously adopted a Resolution, Number 2022-36 on September 14, 2022, finding that the requisite conditions exist for the legislative bodies of the District to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists, and the Board of Directors has done so; and

WHEREAS, the State of Emergency proclaimed by the Governor of California on March 4, 2020, due to the outbreak and spread of the COVID-19 virus remains in effect and active in order to be able to prepare, respond, and implement measures to mitigate the spread of the COVID-19 virus; and

WHEREAS, local officials within the County of Ventura continue to recommend social distancing measures to mitigate the spread of the COVID-19 virus; and

WHEREAS, as a consequence of the proclaimed state of emergency pursuant to the COVID-19 virus which continues to remain in effect, and local officials continuing to recommend social distancing measures to mitigate the spread of the COVID-19 virus, the Board of Directors does hereby find that the legislative bodies of the District shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of

section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the meetings of the District's legislative bodies continue to be open to the public, in accordance with the law.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Reaffirmation of Governor's Proclamation of a State of Emergency. The Board hereby finds that the Governor of the State of California's Proclamation of State of Emergency pursuant to the COVID-19 virus, effective as of its issuance date of March 4, 2020, continues to remain in effect.

Section 3. Reaffirmation of Local Officials Recommendation of Social Distancing Measures. The Board hereby finds that local officials within the County of Ventura continue to recommend social distancing measures to mitigate the spread of the COVID-19 virus.

Section 4. Remote Teleconference Meetings. The General Manager of the District and legislative bodies of the District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) November 9, 2022, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of United Water Conservation District, this 12th day of October, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Bruce E. Dandy, Board President

ATTEST: _____
Lynn E. Maulhardt, Board Secretary/Treasurer



Staff Report

To: UWCD Board of Directors

Through: Mauricio E. Guardado Jr., General Manager
Brian Collins, Chief Operations Officer

From: John Carman, Programs Supervisor

Date: September 29, 2022 (October 12, 2022 Meeting)

Agenda Item: 4.1 Monthly Operations and Maintenance Department Report
Information Item

Staff Recommendation:

The Board will receive and file this staff report from the Operations and Maintenance department regarding its activities for the month of September.

1. Water Releases, Diversions

- Lake Piru dropped 1.2 feet in September to 115,220 acre-feet (AF) of storage.
- 0 AF of water was diverted by the Freeman Diversion facility in September.
- 0 AF of water was diverted to the Saticoy recharge basins in September (metered).
- 0 AF of surface water was delivered to the El Rio recharge basins in September.
- 0 AF of surface water was delivered to the PTP system in September.
- 0 AF of surface water was delivered to C customers in September.
- 0 AF of surface water was delivered to Pleasant Valley County Water District in September.

2. Major Facilities Update

- **Santa Felicia Dam**
 - On October 1, 2022 the lake level was 77.7 feet below the spillway lip.
 - Habitat water releases from Santa Felicia Dam (SFD) were maintained at 7 cubic feet per second (cfs), for the month of September, as per the Water Release and Ramping Rate Implementation Plan for Lower Piru Creek.
 - On September 26, 2022 Owner Dam Safety Program (ODSP) audit site visit at Santa Felicia Dam was performed.
 - Contractor Rayco completed installation of SFD security system.
 - **Freeman Diversion, Saticoy, and El Rio Recharge Facilities**
 - Flows at the Freeman Diversion averaged 0 cfs for the month of September, with 0 cfs of surface water being diverted on October 1, 2022.
-

Agenda Item: 4.1 Monthly Operations and Maintenance Department Report
Information Item

- Static water levels (distance of water from the well pad to the water table):

	2022	2021	2020
Saticoy	137'	141'	115'
El Rio	141.4'	138.7'	112.5'
PTP	132' - 179'	125' - 173'	105' - 143'

- **Oxnard-Hueneme (OH) Delivery System**

- Staff assisted contractor Don Peterson Construction with the removal of the originally installed circa 1955 OH Booster Plant natural gas engine, which is being shipped to Waukesha Pierce Industries in New Mexico for a motor rebuild.
- Travis Ag replaced inlet piping for the Emergency Booster Plant pump #2 gas engine.
- Contractor Quinn Powers systems assisted with troubleshooting overheating issues with natural gas backup engines; technician replaced thermostats in gas engines #2 & #3.
- Staff coordinated with the Iron and Manganese project contractor, GSE, making repairs to damaged pre-chlorination sample return lines.

- **Pleasant Valley County Water District (PVCWD)**

- PVCWD received surface water from the Conejo Creek Project and also received some highly treated recycled water from the City of Oxnard's Advanced Water Purification Facility (AWPF).

- **Pumping Trough Pipeline (PTP)**

- During the month of September, the PTP system demand was met with PTP wells.
- Staff upgraded PTP Well 2 manifold meter to an Endress Hauser magnetic flow meter.
- Excessive heatwave caused electrical grid deficiencies, the new PTP Reservoir backup generator ran four hours sustaining the PTP system demand.
- On September 28, 2022 staff dewatered the PTP distribution system, and installed electronic Endress Hauser meter assembly at Turnout 146.

- **Instrumentation**

- Staff installed backup nitrate analyzer in El Rio Plant 5500 room.
- Staff pulled new fiber optic cables from the server room to the audio room at the Lombard headquarters facility.
- Upgraded cameras installed by staff at ranger station, entry kiosk, SFD water treatment plant, and dam crest.
- Staff installed a security camera in Lombard Office parking lot trash bin area.
- Instrumentation staff is currently 55% complete with the PLC upgrade CIP.
- Staff installed 1inch conduit from first floor electrical room to the 2nd floor server room.

- **Lake Piru Water System**

Agenda Item: 4.1 Monthly Operations and Maintenance Department Report
Information Item

- All chlorine residuals and turbidity readings for the drinking water system were within proper ranges for the month of September.
 - Manifold meter power supply replaced on September 26, 2022.
 - Monthly pH, turbidity and coliform samples were obtained for Lake Piru, as part of the Long Term 2 Enhanced Surface Water Treatment Rule compliance monitoring.
3. Operations and Maintenance Projects Update
- The Iron and Manganese grant funded project is progressing well at El Rio Booster Plant.
4. Other Operations and Maintenance Activities
- The Santa Felicia Dam Emergency Action Plan sirens located in Piru were exercised on September 2, 2022.
 - On September 22/23, 2022 Contractor R & B Automation performed annual service of Pleasant Valley, PTP Reservoir, Head Control, and El Rio Recharge Basin valve actuators.
 - On September 19, 2022 Konecranes performed annual inspection of the chlorine 2 ton and vehicle #22 cranes.
 - In coordination with the California Department of Fish and Wildlife (CDFW), staff performed the Freeman Diversion Sediment Management Project.
 - The monthly inspection of Santa Felicia Dam was performed.
 - Monthly bacteria samples were obtained for the PTP system.
 - Monthly meter readings were obtained for the OH, PTP, and PV Pipelines.
 - Completed and electronically transmitted the monthly OH Pipeline report to the State Water Resources Control Board Division of Drinking Water.
 - Static water levels were obtained for all El Rio, Saticoy, and PTP wells.
 - Weed abatement continued throughout the District.
 - Action priority update biweekly meetings for operations staff were continued.
5. Safety and Training
- During the months of September, approximately 3100 hours of O & M department work were performed with no reportable accidents.
 - One Safety Meeting was conducted on at the District's Saticoy facility, covering Fire Prevention & Hazardous Response. O&M Recharge Worker Kevin Champlin stepped up to deliver this training. Preparation efforts for this presentation opportunity was conducted between this staff and the Risk and Safety Manager. Occasionally, these presentation opportunities provide a platform for staff to gain experience in developing or refining presentation and public speaking skills. Two safety videos were shown to staff—*Chlorine Gas Explosion at Jordan's Aqaba Port Kills at Least 12, Injures Over 250* by Reuters/SCMP and *Fire Extinguisher Gone Wrong During Fuel Pump Fire* by Yogender Kadyan's Academy. The videos emphasized the importance of emergency response training and ensuring firefighting equipment is properly maintained. Following the safety presentation, staff participated in the annual fire extinguisher training.
 - El Rio Water Treatment operators staff along with cross trained staff from other sites completed the annual HAZWOPER refresher training. Tailgate safety meetings were
-

Agenda Item: 4.1 Monthly Operations and Maintenance Department Report
Information Item

conducted at all individual O&M field locations and the topics included refresher training on equipment used at the various O & M locations. The online Target Safety assignment for September was “Water Industry Fire and Flammable Liquids Safety.”

Attachment:
Operations Log for September



Staff Report

To: UWCD Board of Directors

Through: Mauricio E. Guardado, Jr., General Manager

From: Clayton W. Strahan, Chief Park Ranger

Date: September 26, 2022 (October 12, 2022 meeting)

Agenda Item: 4.2 Monthly Park and Recreation Department Report
Information item

Staff Recommendation:

The Board will receive and file this staff report from the Parks and Recreation Department regarding its activities for the month of September 2022.

Discussion:

During the month of September, staff concluded the peak summer season over Labor Day Weekend without incident. As visitation begins to slow, staff has pivoted to begin pending maintenance projects and capital improvements throughout the Recreation Area. The planned improvements include completing the FERC Article 412 Condor Point improvement project CIP, repainting the Condor Point store and Ranger Office, completion of the Dry Storage area security fencing CIP, reorganization of the dry storage/work area to improve efficiency, and re-establishment of the lower launch ramp as lake levels fall. Staff dealt with wildly variable weather conditions in September, from extreme heat early in the month, to a monsoon-type weather event that required Rangers to clear the lake and swim beach areas. Staff is continuing to work through the testing and evaluation process to hire a new Park Ranger Cadet and looks forward to the assistance a new staff member will bring to the team.

1. Staff Tasks and Activity Highlights

- **September 2-30:** MDJ construction was back on site working on the Condor Point Improvement project. This project, originally slated for completion in August, was halted after western bluebird nested in one of the trees at Condor Point. After the birds moved on, the project has resumed.
 - **September 7:** Staff installed new windows on the boathouse to provide a more comfortable and secure environment for Tommy's Marine employees.
 - **September 12, 13:** Pacific Vista Landscape completed contracted work clearing several large oak trees which had fallen in Group Camp One and Oak Lane.
-

- **September 16:** Rangers caught a stray dog which had been wandering the greater Piru Canyon area. The dog was transported to Santa Paula Animal Rescue and later transferred to Ventura County Animal Services.
- **September 19, 21:** Staff pressure washed and completed prep work on the Ranger Office and Condor Point store prior to repainting the structures.
- **September 21:** Staff issued a notice to proceed to Fenceworks, LLC to begin work on the Dry Storage Security Fencing CIP project. This work will include replacing 720 feet of fencing with a new eight-foot-tall fence with security/privacy slats and two strands of barb wire.
- **September 22-24:** Anghera Environmental completed contract services diving on lake infrastructure to remove quagga mussels and mitigate damage caused by the mussels.
- **September 23:** Staff removed and reset a manhole cover and frame which was previously set incorrectly, eliminating a safety hazard.
- **September 26:** Staff assisted legal counsel in drafting a contract amendment to the Tommy's Boats concessions agreement. The amendment is aimed at offering a five-year extension to Tommy's with an additional 5-year option.

2. Staff Training/Meetings/Events

- **September 6:** Staff hosted a visit from the California Regional Water Board to tour the Recreation Area and associated facilities to discuss the five-year permit renewal for maintenance activities in and around the reservoir.
- **September 16:** Staff hosted a one-day shoot for a production Chowchilla. The television shoot was aimed at filming water related activity on the marina docks and generated approximately \$1,100 in revenue.
- **September 11, 21, 26:** The Recreation Area hosted training with the Ventura County Fire Department to familiarize their personnel with rescue operations on the water and integration with air unit assets.
- **September 23:** Staff met with HBO executives to discuss a potential December film shoot for the hit television series The Sympathizer. The shoot is expected to generate \$10,000 to \$15,000 dollars in revenue and last approximately one week, if approved.

Revenue and Visitation Recap

2022 Day Use Revenue Recap and Comparison	
2022 Day Use Revenue (Jan. 1 – August 31)	\$267,091.80
2021 Day Use Revenue (Jan. 1 – August 31)	\$270,027.48
Total Revenue Increase/Decrease from Prior Year	(\$2,935.68)
Annual Increase/Decrease in %	-1.1%
2022 Camping Revenue Recap and Comparison	
2022 Camping Revenue (Jan. 1 – August 31)	\$441,402.00
2021 Camping Revenue (Jan. 1 – August 31)	\$428,718.28
Total Revenue Increase/Decrease from Prior Year	\$12,683.72
Annual Increase in %	2.9%

4.2 Monthly Park and Recreation Department Report

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Current and Previous Year Comparison (2021 vs. 2022)	
2022 Combined Revenue (Jan. 1 – August 31)	\$708,493.80
2021 Combined Revenue (Jan. 1 – August 31)	\$698,745.76
Annual Increase in %	1.3%

It should be noted that 2019 was one of the highest revenue years in the history of the park. 2022 is on pace to exceed the 2019 day-use and camping figures.

2022 Total Visitation Figures				
Month	# Nights/Sites	# People	# Vehicles	# Vessels
January	153	1,450	822	155
February	203	1372	685	155
March	314	4,585	1,405	292
April	527	16,175	2,314	437
May	614	11,130	2,816	574
June	634	10,417	2,677	508
July	887	16,949	3,714	574
August	491	8,501	2,121	456
Total	3,823	70,579	16,554	3,151

3. Incidents/Arrests/Medicals

Rangers responded to nine incidents of note during the month of June.

- **September 4:** Guest hit by dart. First aid was rendered, and no further action was taken.
 - **September 4:** A micro cloud burst hit Lake Piru, bringing thunder, lightning and wind gusts of 65 mph. This resulted in a high surface swell on the lake and damaging winds along the shoreline. Rangers had to evacuate the swim beach and lake. Ultimately, no one was injured. However, approximately 30 easy up shade structures occupied by guests on the swim beach were destroyed, several signs were damaged, and several boaters sustained cosmetic damages to their boats from the storm event.
 - **September 4:** 40-year-old female entered the Ranger station experiencing heat exhaustion symptoms. Upon evaluation of the victim, staff contacted EMS. The victim was treated for severe dehydration and transported to a local hospital for further care.
 - **September 5:** Indecent exposure. The Ventura County Sheriff Department responded and managed this situation. No charges were filed.
 - **September 6:** A missing person's report was reported. After a brief search, the intoxicated party was located and returned to his campsite.
 - **September 25:** Rangers responded to a vessel in distress and located a personal watercraft completely submerged. The riders were safely transported, and the watercraft was towed back to the launch ramp, where it was dewatered and trailered.
-

4. Citations/Enforcement Summary

Throughout September, six citations were issued for violations of Ordinance 15.

It should be noted that numerous other enforcement contacts were made for violations of District Ordinances. However, as it is the district's goal to use education as a means for compliance in most cases, Park Rangers used these incidents as an opportunity to educate the guests via a verbal warning. Citations are typically issued as a last resort when the violation is egregious or voluntary compliance cannot be obtained.

5. Grants

Nothing new to report at this time.



Staff Report

To: UWCD Board of Directors

Through: Mauricio E. Guardado, Jr., General Manager

From: Maryam Bral, Chief Engineer
Dan Detmer, Water Resources Manager

Date: September 26, 2022 (October 12, 2022 meeting)

Agenda Item: 4.3. Monthly Water Resources Department Report and update on activities of local Groundwater Sustainability Agencies (GSAs)
Information Item

Staff Recommendation:

The Board will receive a summary report on various Water Resources Department activities for the month of September 2022, including a summary of the monthly activities of the three local Groundwater Sustainability Agencies (Fox Canyon Groundwater Management Agency, Fillmore and Piru Basins GSA, and Mound Basin GSA), for which District board members serve as member directors, and the Santa Paula basin (adjudicated) Technical Advisory Committee, for which District staff serve as members. Staff may also report on state-wide issues related to the implementation of the Sustainable Groundwater Management Act (SGMA) of 2014.

Discussion:

Staff Activities

In addition to the Department's routine, ongoing groundwater monitoring and reporting programs and its support of Groundwater Sustainability Agencies (summarized below), notable efforts and activities conducted by staff during the past month included the following:

- Groundwater Modeling:
 - Staff continue to develop a break-out Perched Aquifer Model (PAM) for groundwater flow in the unconfined Semi-perched aquifer in the EBB Water Project study area. The break-out model will allow higher resolution (both horizontally and vertically) forecasting of groundwater flow paths and the inland extent of the natural seawater density wedge at the base of the aquifer near the coastline.
 - Staff are working toward applying MODFLOW's "Subsidence package" to the District's existing groundwater flow model of the OPV basins to forecast potential
-

Agenda Item: 4.3 Groundwater Sustainability Agencies (GSAs) Update and Sustainable Groundwater Management Act (SGMA) Information Item

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occurrence and magnitude of land subsidence under potential future pumping scenarios and basin conditions.

- Staff continue to model the potential effectiveness of various pumping-optimization projects and strategies in the Oxnard and Pleasant Valley (OPV) basins to mitigate seawater intrusion and help in achieving sustainable yield.
- Staff are assisting the Environmental Services and Engineering Departments in evaluating fish passage design modifications under consideration for United's Habitat Conservation Plan (HCP), including assisting with planning of physical modeling efforts at the Bureau of Reclamation's facility in Denver and at the University of Iowa.
- Staff are assisting the Engineering Department in evaluating the feasibility and water resources impacts of releasing water from Lake Piru during the winter season and lowering reservoir levels as Interim Risk Reduction Measure prior to the beginning of the construction of the outlet works.
- Staff continue to assist with planning and coordination for the purchase and release of Table A water and supplemental State Water Project (SWP) water acquired from other SWP contractors.
- Staff have been approached by Larry Walker Associates (LWA), consultants for a group of Pleasant Valley basin water users, to potentially provide information and model output to support update of the basin's Salt and Nutrient Management Plan (SNMP).
- Staff continue to collaborate with the Engineering Department to develop, design, and implement a portfolio of new or improved water-supply projects within the District's service area. The collaborative effort is currently focused on refining the conceptual design of water-supply projects and new conveyance systems so that they produce the best value in terms of sustainable yield for the groundwater basins in United's service area.
 - Staff continue to support selection of site locations and design specifications for extraction and monitoring wells to be included as Phase 1 of the EBB Water project.
 - Staff continued to provide information to the FCGMA in support of finalizing agreements for the California DWR's SGM Grant, which will be administered by the FCGMA. United's Ferro-Rose Artificial Recharge and PTP Recycled Water Connection on Laguna Road, and United's Monitoring Wells Construction project supporting the Phase 1 of the EBB Water project were approved as components of that grant (a total of \$6.48 million in grant funding is planned to be awarded for these three projects). The sub-agreement between the FCGMA and United was finalized during the week of September 19.
 - Staff submitted a proposal for a Prop 1, Round 3, grant to develop Phase 1B of the EBB Water project on July 15. United proposed construction of extraction wells and control systems, and discharge pipes and related design, permitting, sampling and reporting to build the initial phase of the EBB Water project before additional investments are made in water treatment and distribution. The Phase 1B project cost is estimated at \$18.6 million and the requested funding is \$8.4 million or 46% of the estimated project cost.

Agenda Item: 4.3 Groundwater Sustainability Agencies (GSAs) Update and Sustainable Groundwater Management Act (SGMA) Information Item

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- Staff completed an internal-review draft open-file report (OFR) describing the methods and results for a modeling effort to optimize sustainability and environmental benefits of water-supply and conveyance infrastructure projects currently being designed and/or implemented by United and other project proponents. The combination of projects to be evaluated was initially proposed by the FCGMA's OPV Stakeholders *ad hoc* Projects Committee, and was updated with information or suggestions provided by the FCGMA, the OPV Stakeholders group, and project proponents (including United's Engineering Department) as the evaluation proceeded. Senior staff are currently reviewing this draft OFR.
- Staff completed an internal-review draft OFR summarizing the development and effects of past and current efforts to define and achieve safe or sustainable yield in the OPV basins, to understand how those efforts might be integrated with future projects and regulations intended to improve groundwater conditions in the basins. Senior staff are currently reviewing this draft OFR.

Outreach and Educational Activities

- Staff continue to participate in meetings or phone calls with the FCGMA, State and local government representatives, and other stakeholders to provide information regarding sustainability issues and water-supply projects, as requested.
- Senior Hydrologist Dr. Bram Sercu attended a 5-day virtual training on hydrological modeling using HEC-HMS and HEC-RAS.
- Supervising Hydrogeologist John Lindquist gave a presentation on precipitation patterns in the Central Coast region of California based on historical data and paleoclimate proxy data (tree rings) at the Groundwater Resources Association of California's (GRAC) Central Coast branch meeting on September 6.
- Four staff attended the GRAC's Western Groundwater Conference held in Sacramento September 19-21.

Fox Canyon Groundwater Management Agency (FCGMA)

Staff continue to monitor and, where appropriate, participate in the FCGMA's groundwater sustainability planning and implementation efforts in the Oxnard, Pleasant Valley, and Las Posas Valley basins. United staff continue to meet periodically with FCGMA staff and other stakeholders to develop analyses of benefits and impacts of water-supply projects and different variations of those projects in support of developing a sustainable, resilient water-supply portfolio for the service areas of both agencies.

A sub-agreement between United and the FCGMA regarding terms and conditions for the Sustainable Groundwater Management (SGM) Grant (a CA Department of Water Resources [DWR] grant for critically-over drafted basins and administered by the FCGMA) has been finalized. This sub-agreement includes funding of approximately \$6.48 million for the following United projects: Ferro-Rose Artificial Recharge conveyance construction, PTP Recycled Water

Agenda Item: 4.3 Groundwater Sustainability Agencies (GSAs) Update and Sustainable Groundwater Management Act (SGMA) Information Item

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Connection - Laguna Road pipeline construction, and Extraction Barrier and Brackish (EBB) Water project monitoring-well installation and sampling.

United staff also attended and, where appropriate, contributed to, FCGMA Board and Committee meetings, as follows:

Board of Directors meetings – The FCGMA Board held a special meeting on September 9. Notable topics for the September 9 meeting included:

The Board authorized the Executive Officer to sign SGM grant agreements with DWR for the Oxnard subbasin and Pleasant Valley basin, and to sign sub-agreements with the City of Camarillo, Pleasant Valley County Water District, and United Water Conservation District.

- Staff provided another presentation regarding the challenges of combined operation of extraction facilities under “CombCodes,” and then the public was invited to provide input in a “workshop” environment. Issues related to allocation carryover, allocation transfers in different management areas, and the impact of large CombCodes in the water market were the primary topics of discussion by stakeholders and the Board.
- A proposed resolution to increase the fee on groundwater extraction was pulled from the agenda at the beginning of the meeting and will instead be addressed at the next meeting, on September 28.

The next regular FCGMA Board meeting is scheduled for September 28, at 1:30pm. The meeting will be held after the submission of this staff report, and therefore a summary will be included in next month’s staff report. Notable agenda items include:

- A review of the FCGMA mission statement and potential revision or update.
- The Board will consider adopting Resolution No. 2022-05, which would increase the FCGMA’s groundwater sustainability fees from \$14.00 to \$29.00 per acre-foot (AF) beginning October 1, 2022, bringing total FCGMA extraction fees to \$55.00 per AF.

Operations Committee meetings – An Operations Committee special meeting is scheduled for Thursday, October 6, 2022 at 1:30 pm.

Executive Committee meetings – None were held last month.

Fiscal Committee meetings – None were held last month.

OPV Variance Review Committee meeting – None were held last month.

Ad Hoc OPV Projects Committee meetings – None were held last month.

Agenda Item: 4.3 Groundwater Sustainability Agencies (GSAs) Update and Sustainable Groundwater Management Act (SGMA) Information Item

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Fillmore and Piru Basins Groundwater Sustainability Agency (FPBGSA)

Staff continue to participate in FPBGSA activities supporting SGMA compliance and GSP preparation for the Fillmore and Piru basins, as follows:

Board of Directors meetings – The next special FPBGSA Board meeting is scheduled for September 29, at 5:00pm. The meeting will be held after the submission of this staff report, and therefore a summary will be included in next month's staff report. Notable agenda items include:

- The Board will receive a presentation from Santa Clarita Valley Sanitation District regarding its Chloride Compliance Project at the Saugus and Valencia Water Reclamation Plants.
- A presentation from Daniel B. Stephens and Associates reviewing the Projects and Management Actions included in the Fillmore and Piru Basins Groundwater Sustainability Plans.
- The Member Directors will consider confirming Carole Fornoff as the Piru Basin Pumpers Stakeholder Director, as nominated by the Piru Basin Pumpers Association.

GSP implementation – Staff helped coordinate land access agreements with area landowners in opportune locations for new monitoring wells funded by a DWR sustainable groundwater planning grant. In May, staff put out a request for proposal for well drilling services with the proposal submittal deadline on June 16. A site visit was held on June 8 with three potential contractors in attendance. Two proposals were received for the well drilling services. Board awarded the Groundwater Monitoring Wells Project construction to BC2 Environmental, LLC, for a total of \$441,485 and authorized the execution of the construction agreement. A pre-construction site visit was conducted on August 17 and construction activities began on September 26.

Data Resources - A web-based data management and mapping system that includes well construction information and available water level and water quality records for wells within the Piru and Fillmore basins remains available on the agency website, as are numerous technical references relating to the basins and development of the GSPs. Staff recently shared spring water level records with agency consultant DBS&A for formatting and upload to the agency website and to DWR.

Mound Basin Groundwater Sustainability Agency (MBGSA)

Staff continue to participate in MBGSA activities supporting SGMA compliance and GSP implementation for the Mound basin, as follows:

Board of Directors meetings – The MBGSA did not hold a regular Board meeting in September. The next regular MBGSA Board meeting is scheduled for October 20, at 1:00 pm.

GSP implementation – Staff provide the MBGSA's Executive Director and consultants various groundwater level and quality data periodically, as requested. Staff are also installing and monitoring pressure transducers to monitor groundwater levels at selected wells in support of data collection efforts being conducted in support of the Mound Basin GSP.

Agenda Item: 4.3 Groundwater Sustainability Agencies (GSAs) Update and Sustainable Groundwater Management Act (SGMA) Information Item

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Santa Paula Basin Technical Advisory Committee (TAC)

Staff continue to participate in the Santa Paula basin TAC in support of the Santa Paula Basin Judgment and in conformance with SGMA reporting requirements for adjudicated basins, as follows:

- Staff are preparing a draft version of the Santa Paula Basin Annual Report for 2021.



Staff Report

To: UWCD Board of Directors

Through: Mauricio E. Guardado Jr., General Manager
Anthony A. Emmert, Assistant General Manager

From: Josh Perez, Chief Human Resources Officer
Brian Zahn, Chief Financial Officer
Zachary Plummer, Technology Systems Manager
Tony Huynh, Risk and Safety Manager
Kris Sofley, Executive Assistant/Clerk of the Board

Date: September 26, 2022 (October 12, 2022 meeting)

Agenda Item: 4.4 Monthly Administrative Services Department Report
Information Item

Staff Recommendation:

The Board will receive this staff report and attached presentation from the Administrative Services Department regarding its activities for the month September 2022.

Discussion:

Finance

- Finalized groundwater extraction fee billing for the period of January 1 to June 30, 2022, during the first week of September.
- Completed groundwater extraction fee invoicing for Fillmore and Piru Basins GSA and Mound Basin GSA.
- Completed all year-end entries to close the books for fiscal year 2021-22 in preparation for audit fieldwork.
- Completed FY 21-22 Fourth Quarter Financial Reports and Analysis of Total Year Spend.
- Auditors began their year-end field work on September 12th and staff has spent significant time providing auditors with requested backup documentation.
- Completed FY 2021-22 Purchase Order and CIP Budget Rollovers. Closed outstanding Purchase Orders that needed to be closed out per Department's instructions.

Administrative

- Provided administrative assistance for drafting, finalizing, and distributing/posting materials for the UWCD's Finance and Audit, Engineering and Operations, and Executive Committee meetings as well as the regular UWCD Board meeting.
 - Provided administrative assistance for drafting, finalizing, and distributing/posting materials for the Fillmore and Piru Basins Groundwater Sustainability Agency's Regular Board meeting September.
-

- Provided administrative assistance and technical support for the October 4 VCSDA membership meeting in the UWCD Boardroom.
- Continued to coordinate with AWA VC on its Board meeting and Executive Committee meeting at UWCD's Boardroom.
- Coordinated Water Sustainability Summit III planning meeting with Department Heads, drafted and distributed letters of invitation to potential speakers and panelists, following up with same. Save the Date email distribution to potential attendees has secured over 30 attendees in the first week of outreach. Secured volunteer intern to assist with social media and email promotion of WSS III participants and registration.
- Preparation for district-wide document shredding event now tentatively scheduled for November.

Human Resources

- Coordinating open enrollment for Health Care, Flexible Spending Account, and AFLAC Insurance to be effective January 1, 2023.
- Sent out open enrollment emails to all staff members and calculated new rates.
- Prepared for All-staff Health Care Overview presentation scheduled for September 20.
- Prepared for All-staff 457 Plan presentation by Lincoln Financial for September 22.
- Continued transition of 457 Plan and finalized payroll process for transition period.
- Finalized Governmentjobs.com UWCD new recruitment tool and centralized system for all future job applicants.
- Processed end of fiscal year annual evaluations.
- Onboarded and began training new Administrative Assistant III Vanessa Vasquez.
- Onboarded Part Time Engineering Kaili Taniguchi.

Safety and Risk Management












- Coordinated annual fire extinguisher servicing and training.
 - Prepared O&M staff with safety meeting presentation.
 - Participated in Potential Failure Mode Analysis (PFMA) with Engineering staff.
 - Participated in Dam Safety Owner Program audit interview.
 - Supported Engineering staff with updating FERC Security Branch recommendations.
 - Supported Engineering staff with EAP tabletop exercise planning.
 - Conducted hearing tests for remaining Engineering and Ranger staff as part of Hearing Conservation Program.
 - Delivered Headquarters Security and Emergency Response training to Administrative staff.
 - Collaborated with O&M Control Systems and District Information Technology staff on implementing new security system migration.
 - Coordinated meeting with Ventura County Sheriff's Office on security system integration for Lake Piru and Santa Felicia Dam as part of the Federated Integration Plan.
 - Supported Lake Piru Recreation Area staff with Cadet candidates' physical fitness test evaluations.
-

- Partnered with legal counsel on refinement of Unmanned Aircraft Systems (UAS) draft policy.

Technology Systems

- Established fiber optics wiring build-out in headquarters server room.
- Relocated the visual presentation equipment in the boardroom to the LAN room for noise reduction as well as future boardroom improvements slated for the fall season pending supply chain remedies.
- Created Genetec camera, and area and user schematics, and provided access to the system to various subgroups. This will inevitably serve to enhance our security throughout all sites at the District.
- Met with Ventura County Sheriff's Office/Fillmore Police Department to discuss access to Genetec cameras post server migration and equipment change
- Continued contribution to IT portion of the annual Audit process
- Continued efforts with our Cybersecurity Vulnerability Assessments
- Facilitated role transition for three Finance employees and one offboarding due to staff retirement.
- Provided data storage solution for the Water Resources team.
- Provided storage solution for O&M program supervisor.
- Obtained, configured, and deployed additional mobile devices to employees.
- Supported District Board members with district-issued devices and configuration.
- Established one Ring camera at headquarters to provide better view of the area and entry ways.
 - Monthly ticket overview summarized on below:

Monthly ticket type overview - 2022

Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
 Alerts and Advisories	0	1	5	2	0	0	0	0	0	/	/	/	8
 Conference Room Support	0	0	0	0	0	0	0	0	1	/	/	/	1
 E-Mail Phishing and Spam	0	0	0	0	2	0	1	0	0	/	/	/	3
 Employee Information Update	0	0	0	0	0	6	3	0	1	/	/	/	10
 IT Projects and Change Management	0	0	0	1	7	3	0	2	0	/	/	/	13
 IT Purchase Request	1	2	0	3	6	1	1	1	0	/	/	/	15
 IT Services and Support	10	4	12	41	39	37	21	32	20	/	/	/	216
 Network Port patching	0	0	1	0	0	0	0	0	0	/	/	/	1
 New employee	0	2	2	2	0	0	0	0	0	/	/	/	6
 Offboarding Disable Account	0	0	0	0	1	0	0	0	0	/	/	/	1
 SCADA Proj. and Change Management	0	0	0	0	1	0	0	0	0	/	/	/	1
Total	11	9	20	49	56	47	26	35	22	/	/	/	275



Staff Report

To: UWCD Board of Directors

Through: Mauricio E. Guardado Jr., General Manager

From: Maryam A. Bral, Chief Engineer
Craig A. Morgan, Engineering Manager
Robert J. Richardson, Senior Engineer
Michel Kadah, Engineer
Adrian Quiroz, Associate Engineer
Erik Zvirbulis, GIS Analyst

Date: September 26, 2022 (October 12, 2022 meeting)

Agenda Item: 4.5 Monthly Engineering Department Report
Information item

Staff Recommendation:

The Board will receive and file this summary report from the Engineering Department regarding its activities for the month of September 2022.

Discussion:

1. Santa Felicia Dam Safety Improvement Projects
 - Spillway Improvement Project
 - The 30% design analyses was completed during the month of September. Staff reviewed and provided final comments on all Technical Memoranda (TMs) included in this design phase, the Board of Consultants (BOC) comments tracking form, and the BOC list of questions.
 - On September 14, Staff finalized and submitted the BOC pre-meeting packet to the FERC, DSOD, and BOC members.
 - Staff in coordination with GEI Consultants (GEI) finalized the BOC meeting agenda and the PowerPoint presentation.
 - Staff finalized the executed contracts and contract amendments between the District and the BOC members' companies and submitted the documents to the BOC members prior to the BOC meeting No. 6.
 - Staff coordinated the logistics of the BOC meeting No. 6 with the Admin staff and IT Department.
 - The BOC meeting No. 6 is to be held at the District's headquarters on September 28-29.
-

4.5 Monthly Engineering Department Report Information Item

- Staff finalized and submitted the fully executed contract for developing the 60% design of the spillway improvements to GEI. The Notice to Proceed (NTP) was issued on September 21.
- Outlet Works Improvement Project
 - The above updates reported for the Spillway Improvement Project are also applicable to the Outlet Works Improvement Project.
- FERC License Amendment Application, NEPA Documentation and Section 7 Consultation
 - Staff are awaiting NMFS comments on the draft BA. NMFS has indicated that their comments will be provided to the District in October.
 - Staff in coordination with the Environmental Service Department staff is planning to submit the draft BA to the California Department Fish and Wildlife (CDFW) in October.
 - The Exhibit E (Environmental Assessment (EA)) was originally submitted to FERC in May 2020. The EA will be revised to incorporate recent project design decisions and resubmitted to FERC to support NEPA document development.
- Loan and Grant Applications
 - 2021 FEMA HMGP
 - No update to report. Staff is awaiting the CalOES announcement of the selected sub-applications. Once the list is announced, CalOES will submit the selected sub-applications to FEMA for review.

PrepareCA Match – FEMA HMGP

- The above-mentioned process is also applicable to the PrepareCA Match grant program.

WIFIA Loan

- On September 7, Engineering and Finance staff met with the EPA (WIFIA loan administrator) to discuss the WIFIA loan application. The EPA indicated that the project may not yet be qualified for WIFIA loan since the NEPA determination of the project is still in progress. However, the WIFIA loan administrator may consider granting a smaller loan to the District for the project design phase if the project planning and design fees exceed \$20 million. In collaboration with the Finance Department, staff prepared a spreadsheet, including the SFD Safety Improvement Project costs incurred to date in addition to the future spending related to the planning, design, and permitting efforts and submitted to EPA on September 15. The total estimated cost was estimated to \$20.9M.

4.5 Monthly Engineering Department Report Information Item

2022 High Hazard Potential Dams (HHPD) Grant

- No update to report. Staff is waiting for the DWR to announce the selected projects.

- Santa Felicia Dam Safety

- The FERC Engineering guidelines require that an Independent Consultant (IC) conduct a Part 12D Safety Inspection of SFD on a 5-year basis. The District retained Gannett Fleming (GF) to serve as the IC for the 2022 SFD Part 12D Safety Inspection. On August 23, 2022, the IC conducted a site safety inspection of SFD. The IC will summarize their findings, observations, and recommendations in an IC Safety Inspection Report. The District is required to submit this report to FERC by November 1, 2022. However, due to the numerous dam safety activities currently being undertaken, on September 2, 2022, the District submitted a request for extension of time to FERC that if approved would extend the deadline for this report to December 31, 2022.
- On September 20, 2022, Engineering Staff conducted a meeting with DWR Staff to discuss the possibility of a joint EAP workshop. The purpose of the workshop is to discuss interagency EAP procedures and to initiate discussions related to reservoir management during the construction of the SFD SIP and Pyramid Dam releases during the construction phase. This workshop has been tentatively scheduled for November 15, 2022.
- The District is required to conduct an EAP Tabletop and an EAP Functional Exercise on a 5-year basis. The last tabletop exercise was conducted in 2018 while the last functional exercise was conducted in 2019. These exercises were due in 2023 and 2024 respectively, however, as an Interim Risk Reduction Measure (IRRM), the District has committed to conducting these exercises one year earlier to enhance emergency preparedness. The District has retained GF to support the planning and facilitating of these exercises per an agreement with GF that was executed on August 9, 2022. A kick-off meeting was held on August 9, 2022, between staff and GF. A series of planning meetings will be held leading up to the exercises. The tabletop exercise has been scheduled for October 20, 2022, while the functional exercise is tentatively planned for February 2023.

2. Santa Felicia Dam Sediment Management Project

- On September 22, 2022, GEI submitted a draft technical memorandum titled *Santa Felicia Dam Sediment Removal Study* to the District. The technical memorandum includes analyses to estimate potential sediment removal amount, characterization of the existing sediment in the reservoir, development of an approach for excavation of sediment and hauling it to disposal locations, and development of an opinion of probable construction costs. The District will review this technical memorandum and provide comments to GEI.

4.5 Monthly Engineering Department Report Information Item

3. Pothole Trailhead Parking Area

- No update to report.

4. Condor Point Improvement Project-

- On September 1, 2022, at the conclusion of bird nesting season, MDJ resumed construction. Concrete pads for the six new Ramada Shaded Picnic Sites were poured on September 16, 2022. See Figure 1.

5. Freeman Diversion Expansion

- Staff, USBR, the University of Iowa, Stantec and NHC participate in rotating weekly calls with NMFS and CDFW to provide updates on physical modeling, CFD modeling and design alternations.
- September 19-21, Staff along with representatives from Stantec and NMFS, visited the University of Iowa to witness the 1:12 and 1:24 scale physical models of the Vertical Slot.

6. Iron and Manganese Treatment Facility

- Meetings:
 - Weekly coordination meetings between staff and the District's construction manager (HDR, Inc.)
 - Weekly construction progress meetings hosted by HDR and attended by GSE Construction, Taft Electric, Kennedy Jenks Consultants (KJ) and staff.
 - GSE Construction has submitted approximately 285 out of a total of 325 submittal packages anticipated for the project. HDR and design engineer (KJ) have provided responses on approximately 272 submittal packages including a requirement to comply with the Buy American Act (BAA).
 - GSE Construction has submitted approximately 107 Requests for Information (RFIs) to date. HDR, KJ and the District have been providing responses.
 - Twenty (20) Change Orders (COs) have been fully executed to date amounting to a net total of \$1,118,384.12. This represents 11.9% of the original contract amount (\$9,342,900.00). Four (4) of these COs amounting to \$662,910.19 or 7.1% of the original contract amount are directly related to compliance with the BAA which is a federal grant requirement (the project was not originally bid with this requirement in place). Therefore, only \$455,473.93 or 4.9% of COs have resulted in additions or modifications to the original scope of work.
 - Staff reviewed and provided comments on the draft Operations, Maintenance and Monitoring Plan (OMMP) which is required by the State Water Resources Control Board (SWRCB) Division of Drinking Water (DDW) prior to start-up and operation of the facility. The tentative OMMP submittal date to DDW is October 13, 2022.
 - Planned for the Upper Aquifer System (UAS) well manifold pipeline shutdown on October 19th to make the Filtered Water (FW) and RAW bypass connections.
-

4.5 Monthly Engineering Department Report Information Item

- GSE Construction continued construction of the following (See Figures 2, 3 and 4):
 - 20" Backwash Supply Pipeline (BWS)
 - 4" Solids Line (SL)
 - 24" Raw Water Pipeline (RAW)
 - 20" Surface Wash Water Pipeline (SWW)
 - 8" Filter Drain Piping (FD)
 - Filter face piping
 - Plumbing, fire suppression system, electrical and heating ventilation and air conditioning in the Laboratory/Electrical/Aeration building.
 - Building roofing and interior framing
 - The tentative date for construction completion and implementation is January 26, 2023. A total of five (5) inclement weather days have been counted.
7. OH System Backup Generator at the El Rio Booster Plant
- No update to report. The project was completed, and Staff are currently waiting on FEMA programmatic grant closeout.
8. PTP Metering Improvement Project
- Total number of Meters installed: 39 of 61 or 63.9% complete.
 - An additional five (5) Meter installations are planned by the end of 2022.
 - Easement acquisition completion: 23 of 41 obtained or 56.1% complete
 - On August 25, UWCD received a signed easement for site #134
 - On September 15, staff met with Hamner, Jewell and Associates (HJA) to discuss the progress of the easement acquisition which HJA is performing for the District.
9. PTP Recycled Water Connection – Laguna Road Pipeline Project
- Staff completed their review of the initial draft Preliminary Design Report (PDR) and draft Geotechnical Report. Comments were submitted to Kennedy Jenks for review and to be incorporated in the final PDR.
 - Staff received a draft section of UWCD preliminary connection write up from MKN (PVCWD's consultant). The draft section did not include details on how PVCWD is planning to control the operation of PVCWD Wells adjacent to the Laguna Road pipeline connection. Staff will prepare and send comments to MKN/PVCWD and discuss the next step that will be needed to continue coordination efforts with PVCWD.
 - On September 22, Staff attended Prop 1 SGMA Grant kick-off meeting.
10. Rice Avenue Grade Separation Project and Impact on PTP
- No update is available on a request for revising the Right of Way (ROW) contract to include the County of Ventura as the legally binding third party to the ROW contract. CalTrans' final response to staff request is pending.
-

4.5 Monthly Engineering Department Report Information Item

- The Legal Counsel, in collaboration with Staff, prepared and submitted a revised copy of the Utility Agreement (UA) to the City of Oxnard for consideration on September 8, 2022. On September 20, the Assistant City Attorney confirmed the receipt of the revised UA and informed the Counsel that a copy of the executed UA was submitted to CalTrans Legal for review on September 20. The City expects to hear back from CalTrans by the week of September 26. However, the City informed the Counsel that Caltrans would likely reject the disputed liability UA. If that occurs, the City must proceed with filing a declaratory relief action in Ventura Superior Court against the District.

11. State Water Project (SWP) Interconnection Pipeline Project

- No updates to report.

12. Extraction Barrier and Brackish Water Treatment Project-

- Meetings:
 - September 27 – Bi-weekly progress meeting held with the U.S. Navy
- Grants:
 - Phase 1 Extraction Barrier Project - Prop 1 Round 3 Ground Water Grant Program (GWGP) – State Water Resources Control Board (SWRCB) – preliminary award announcements anticipated in Fall 2022.
 - Monitoring Wells - Sustainable Groundwater Management (SGM) Grant Program
 - September 9 – the Fox Canyon Groundwater Management Agency authorized Executive Officer to enter into an agreement with the Department of Water Resources
 - September 22 – Kick-off meeting held with Kennedy/Jenks Consultants who is performing grant administration on behalf of the FCGMA
- CEQA/NEPA:
 - September 15 – Five (5) proposals were received in response to the Request for Qualifications/Proposals (RFQ/P) for CEQA and Regulatory Permitting services for Phase 1B (implementation phase) which are under review by Staff. The proposing firms included:
 - Catalyst Environmental Solutions - Santa Monica, CA
 - Environmental Science Associates – Los Angeles, CA
 - GEI Consultants – Rancho Cordova, CA
 - Rincon Consultants – Ventura, CA
 - Stantec – Santa Barbara, CA
- Design:
 - September 22 – One (1) complete proposal was received in response to the RFQ/P for Design Services for Phase 1B (implementation phase) which is under review by Staff. The proposing firm is Kennedy/Jenks Consultants.
 - Staff prepared site layout maps for proposed monitoring wells at NBVC Point Mugu.

4.5 Monthly Engineering Department Report Information Item

13. Asset Management/ CMMS System

- Staff continues to work on tables and graphs for the end of year reporting from Santa Felicia Dam monthly reporting Survey123 app data exports.

14. Main Supply Line Sodium Hypochlorite Injection Facility

- No updates to report.

15. Other Topics, Meetings and Training

- September 20 – Robert Richardson toured Port Hueneme Water Agency's (PHWA) Brackish Water Reclamation Demonstration Facility (BWRDF) alongside Navy staff. See Figures 5 and 6.
- September 22 - Michel Kadah attended FEMA webinar for BRIC FY 2022 Notice of Funding Opportunity Technical and Qualitative Criteria.



Figure 1 – Ramada Shaded Site Concrete Pour at Condor Point

4.5 Monthly Engineering Department Report Information Item



Figure 2 – RAW pipeline under construction as part of the Iron and Manganese Treatment Project (connects the new treatment plant to Well Nos. 12, 13 and 14)



Figure 3 – Filter face piping under construction as part of the Iron and Manganese Treatment Project

4.5 Monthly Engineering Department Report Information Item



Figure 4 – Nearly completed construction of the building roof as part of the Iron and Manganese Treatment Project



Figure 5 – Tour with Navy staff of the PHWA BWRDF. Two treatment skids shown including Nanofiltration (left) and Reverse Osmosis (right).



Figure 6 – Theo Provencio (Lead Operator) demonstrates Silt Density Index (SDI) sampling during a tour of the PHWA BWRDF.



Staff Report

To: UWCD Board of Directors

Through: Mauricio E. Guardado Jr., General Manager
Anthony A. Emmert, Assistant General Manager

cc: Dr. Maryam Bral, Chief Engineer

From: Linda Purpus, Environmental Services Manager

Date: September 26, 2022 (October 12, 2022 meeting)

Agenda Item: 4.6 Monthly Environmental Services Department Report
Information Item

Staff Recommendation:

The Board will receive and file this staff report from the Environmental Services Department regarding its activities for the month of September 2022.

Discussion:

1. Santa Felicia Project Operations and Federal Energy Regulatory Commission (FERC) License Support

- Water Release Plan and Water Release and Ramping Rate Implementation Plan

Under the Water Release Plan and FERC license for the Santa Felicia Project, United Water Conservation District (United) is required to make certain water releases from the Santa Felicia Dam for steelhead habitat and migration, when specific triggers are met. Triggers for habitat water releases are based on cumulative rainfall within the water year. United evaluates whether the trigger is met on the first day of each month, between January and June. Each month that the trigger is not met, the minimum required habitat water release is seven (7) cubic feet per second (cfs). The trigger for enhanced habitat water releases was not met on June 1, therefore, the minimum required habitat water release will remain at 7 cfs for the rest of the calendar year.

- Historic Properties Management Plan

On September 13, 2022, FERC issued an order approving United's Historical Properties Management Plan (HPMP) for the Santa Felicia Project. The HPMP was filed with FERC on March 1, 2022, for approval. The HPMP outlines measures intended to protect cultural and historical resources when performing ongoing operations and maintenance activities at the Lake Piru Recreation Area and Santa Felicia Dam facility and support federal consultations under Section 106 of the National Historic Preservation Act for future projects under the FERC license. The document was developed pursuant to Article 414 of United's license and U.S. Forest Service's 4(e) Condition 19. United conducted consultation for the HPMP with U.S. Forest Service (Los Padres National Forest and Angeles National Forest), California State Historic

4.6 Monthly Environmental Services Department Report Information Item

Preservation Office, Fernandeano Tataviam Band of Mission Indians, Santa Ynez Band of Chumash Indians, and the local Chumash Indian community. Per HPMP reporting requirements, United submitted the first annual report to FERC on September 30, 2022. Moving forward, Environmental Services staff will work with staff at Lake Piru Recreation Area and the Santa Felicia Dam facility to initiate HPMP implementation.

- Noxious Weed and Vegetation Management Plan

From September 19 through 23, 2022, United's contractor, Channel Islands Restoration (CIR), implemented noxious weed management activities in the vicinity of the Santa Felicia facility and Lake Piru Recreation Area in accordance with the Noxious Weed and Vegetation Management Plan. Specifically, CIR conducted focused herbicide treatment and manual removal of tamarisk, a target weed species identified within the Noxious Weed and Vegetation Management Plan, as well as an evaluation of the success of the previous years' control activities. Control activities were focused on areas identified as "priority treatment areas" including below Santa Felicia Dam (within the spillway channel as well as along the release reach of lower Piru Creek) and in Reasoner Canyon (with focus on areas above the high-water mark of Lake Piru). A summary of this year's control activities and the efficacy of previous years' activities will be prepared and provided to FERC, California Department of Fish and Wildlife (CDFW), and Los Padres National Forest in the March 2023 annual report.

- United Water Conservation District v. FERC, Court Case in Abeyance

On September 29, 2010, the U.S. Court of Appeals granted United a motion to hold the court case "United Water Conservation District v. FERC" in abeyance and directed United to file status reports every 60-days. United filed the court case to challenge the biological opinion issued by National Marine Fisheries Service (NMFS) on FERC's issuance of a license for the Santa Felicia Project. On September 13, 2022, the seventy-second status update was filed with the U.S. Court of Appeals for District of Columbia Circuit.

2. Clean Water Act Permits for General Maintenance Activities at the Lake Piru Recreation Area and Santa Felicia Project

On September 6, 2022, Environmental Services staff met with two California Regional Water Quality Control Board (RWQCB) staff at the Lake Piru Recreation Area for a site visit. RWQCB requested a site visit after receiving United's submittal of our 401 Water Quality Certification application on July 27, 2022. Environmental Services staff showed RWQCB the proposed Condor Point swim beach location, Lake Piru Marina, Reasoner Canyon boat launch ramp, and the Juan Fernandez Day Use area. In follow-up to an earlier request for information, and direction provided by RWQCB staff during the site visit, staff submitted final 401 Water Quality Certification application documentation to RWQCB on September 22, 2022.

4.6 Monthly Environmental Services Department Report

Information Item

3. Freeman Diversion Sediment Management

On September 8, 2022, United issued pre-project notifications to CDFW, U.S. Army Corps of Engineers (USACE), and RWQCB of United's intent to perform sediment management activities at the Freeman Diversion under their respective permits and authorizations. Environmental Services staff hosted a pre-construction meeting and inspection with an inspector from the Ventura County Watershed Protection District (VCWPD) on September 9, 2022. Staff also conducted a pre-construction survey in accordance with the project's permits on September 9, 2022. On September 15, 2022, the USACE issued a notice to proceed and the VCWPD issued a permit modification to their previously issued Watercourse Encroachment permit to specify that some material would be hauled off the project site. Project work commenced on September 19, 2022. Environmental Services staff supported the project work by providing a pre-construction meeting, providing a biological monitor on site during all project activities, and coordinating with agency representatives regarding implementation of permit terms and conditions, as appropriate. As of September 26, 2022, project activities are proceeding as planned and anticipated to be completed prior to October 1, 2022.

4. California Endangered Species Act (CESA) Candidacy of Southern California Steelhead

Following the California Fish and Game Commission's (Commission) determination that listing of southern California steelhead under CESA "may be warranted," the Commission issued public notice that the species is now a candidate under CESA and is afforded the same protection as a threatened or endangered species under the statute. CDFW has subsequently initiated a 12- to 18-month status review of the species to inform the future full listing decision. On July 15, 2022, CDFW issued a press release inviting public comment and information relevant to the status review. United prepared comments and pertinent information contributing to the best available science and consistent with and expanding upon the comments submitted leading up to the Commission's "may be warranted" decision. United's comments and information were submitted to CDFW on September 20, 2022, in both electronic and hardcopy form.

5. Extraction Barrier and Brackish Water Treatment Project

On September 15, 2022, the Request for Qualifications and Proposals (RFQ/P) for California Environmental Quality Act (CEQA) and environmental permitting consultant services to support the Extraction Barrier and Brackish (EBB) Water Treatment Project, Demonstration Phase (Phase 1B) closed. United received five (5) proposals. Proposals will be evaluated and a recommendation for consultant selection will be provided to the General Manager and Board of Directors in advance of the November 9, 2022, Board of Directors meeting.

6. Quagga Mussel Management

On September 15, 2022, Environmental Services staff met with CDFW to discuss proposed revisions to United's Quagga Mussel Monitoring and Control Plan (QMMCP). Staff will integrate CDFW's feedback and formally submit the proposed revisions in the next several weeks. Additionally, United discussed the challenges of permitting molluscicide application in Lake Piru and requested CDFW's support in consulting with NMFS. CDFW suggested that United re-initiate the technical advisory committee to provide a mechanism for agencies engagement.

4.6 **Monthly Environmental Services Department Report** **Information Item**

Staff continues to conduct routine monitoring under the QMMCP including monthly water quality sampling, monthly veliger (microscopic planktonic larvae) sampling, monthly artificial substrate sampling in Lake Piru (plate sampling), and natural substrate sampling in lower Piru Creek (surface surveys).

7. Miscellaneous

- On September 12, 2022, recruitment for the Environmental Services Manager position closed.
- On September 13, 2022, Environmental Services staff attended the fire extinguisher safety training.

Staff Report

To: UWCD Board of Directors

Through: Mauricio E. Guardado Jr., General Manager

From: Maryam A. Bral, Chief Engineer
Craig Morgan, Engineering Manager

Date: September 20, 2022 (October 12, 2022, Meeting)

Agenda Item: **5.1 Contract with Northwest Hydraulic Consultants for the Freeman Diversion Hardened Ramp Additional Modeling and Design Updates Motion**

Staff Recommendation:

The Board will consider approval of the motion authorizing the General Manager to execute a professional consulting services agreement with Northwest Hydraulic Consultants (NHC) in the amount of \$645,515 to provide additional modeling and design updates of the Hardened Ramp as a Freeman Diversion Fish Passage Facility alternative.

Discussion:

Based on the findings of the physical model, NHC will perform additional hydraulic analysis, modeling, and design refinements. NHC has re-engaged GEI Consultants, Inc. at this phase of the design to update their analysis from the 30% design level to incorporate the new design features. The information developed during this scope of work will be presented in an updated Development Design Report (DDR) and Hydraulic Plan Set. Support has also been included for the selection of alternatives including development of quantities, construction phasing and updated cost estimate.

Staff recommends the Board authorize the General Manager to execute a contract with NHC to provide analysis and support for the physical modeling of the Hardened Ramp as an alternative Fish Passage Facility at the Freeman Diversion.

Fiscal Impact:

The physical modeling support, hydraulic design, and analysis of the Freeman Diversion Fish Passage Facility is included in the Fiscal Year 2022-23 Budget (421-400-81020 Project 8001), and sufficient funds are available to provide for the \$645,515.

Attachments:

Attachment A – NHC’s Additional Modeling and Design Updates Proposal
Attachment B – Professional Consulting Services Agreement

NHC Ref. No. 5007701

19 September 2022

United Water Conservation District

1701 Lombard Street
Oxnard, CA 93030

Attention: **Craig Morgan, P.E.**
Engineering Manager

Via email: craigm@unitedwater.org

Subject: **Freeman Hardened Ramp Additional Modeling and Design Updates**

Northwest Hydraulic Consultants (NHC) has developed preliminary design drawings and reporting for the Hardened Ramp Fish Passage Alternative (Hardened Ramp) at Vern Freeman Diversion Dam (VFD) for United Water Conservation District (United Water). NHC previously provided 30% designs for the Hardened Ramp MOD-6 configurations in the Design Development Report (2020) and for the MOD-9 configuration within the Basis of Design Report (2021). Most recently NHC has provided physical modeling support to the Bureau of Reclamation Hydraulics Laboratory (USBR) for testing of the baseline design conditions and supporting the design development. This phase of work will be completed on October 31st, 2022.

United Water has requested that NHC advance the Hardened Ramp Design based on the findings of the physical model, prior to the beginning of the final design contract anticipated for May 2023. The work will be completed from October 2022 until May 2023, in line with the agreed upon project schedule. Work to be completed by NHC during this phase will include additional hydraulic analysis, modeling and design refinements. NHC has re-engaged GEI at this phase of the design to update their analysis from the 30% design level to incorporate the new design features and to perform analysis that will support the upcoming 60% design (foundation design, gate design, ramp structural elements, etc.). The information developed during this scope of work will be presented in an updated Development Design Report (DDR) and Hydraulic Plan Set. Support has also been included for the selection of alternatives including development of quantities, construction phasing and updated cost estimate.

The services to be provided can be described to some degree at present but will be adapted depending on needs identified by United moving forward. The work will be directed by

United and coordinated in regular weekly meetings. A description of work tasks and budgets to support the expected level of effort are provided below.

TASKS

NHC has identified four primary and one optional task for completion of the work described below.

Task 1: Design Development and Criteria

Under this task the team will continue design development of project features to support the 30% design level package.

The NHC team expects to provide additional analysis in areas such as the following:

- Fish Screen and Fish Bypass System Design Development
- Desander Design
- Low Flow Passage Design
- River Training and Debris Boom Design
- Operational Modeling
- Ramp Structural Element Design
- Foundation Design
- Site Specific Seismic Design Criteria
- Gate Design.

The detail of work and schedule for items will be discussed with United throughout the process. The following items may be replaced or supplemented by other topics as directed by United.

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The design drawings will be updated to reflect changes adopted in physical modeling and design development. The draft 100% hydraulic design and report will be developed and provided by February 22nd, 2023. The drawings will be updated to serve as a basis for the cost estimate and starting point for subsequent phases. The previous hydraulic basis of design document will be updated to include the design development through physical modeling, computational modeling and desktop exercises.

GEI will perform the civil design, structural analysis and design for all the elements of the components of the Hardened Ramp Alternative and will lay out and prepare all the updated drawings for the 30% preliminary design of the project. It is assumed that GEI will update 18 sheets. GEI will use the geotechnical parameters developed during the 2021 Geotechnical Investigation Program including the assessment of site seismicity and seismic site classification parameters in geotechnical design of the different component elements listed

above. Conceptual design of any needed temporary cofferdam and underpinning (or ground improvement), for the adjacent existing structure will also be provided. Overall stability of the dam and the new ramp will be assessed.

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Structural design will consider the stability of the structure under various flow regimes and under seismic loading conditions. The potential for uplift of the ramp slab will be considered to determine if tiedown anchorage of the slab will be required. GEI structural and geotechnical engineers will work together to develop the soil loads on the walls and allowable bearing of the ramp. Anchor loads will be provided to the geotechnical engineering staff to provide sufficient anchor design to develop costs.

30% reinforced concrete design, stability analysis and gate anchorage will be conducted in accordance with the U.S. Army Corps of Engineers (USACE), Bureau of Reclamation (USBR) engineering manuals plus other industry accepted standards for example American Concrete Institute (ACI). Seismic design of the structures will be evaluated using the USGS online hazard tool and in accordance with the American Society of Civil Engineers (ASCE) 7 – Minimum Design Loads for Buildings and Other Structures.

GEI will also include structural evaluation of the existing facilities relative to the new facilities to assure compatibility of the new and existing. Specifically, we will focus on the ramp interaction with the existing inlet works and the diversion structure.

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Under this task the team will provide information to support the selection of a preferred alternative such as development of quantities and description of construction phasing to support the cost estimate. Opinions of probable construction costs (Level 3) will be developed based on the updated 30% level designs. Cost development will include contractor overhead and profit and will be prepared assuming prevailing wage rates. Environmental, right of way, utility, construction management, and public outreach related estimated costs not included.

This task may also include support work for other items related to the Habitat Conservation Plan as directed by United.

Task 4: Meetings and Coordination

This task include time for project management, meetings, invoicing and coordination with the United Team.

This task includes regular online meetings and coordination through the end of February 2023. NHC attends weekly standing meetings on the Hardened Ramp with the United Team where we discuss the advancement of design concepts, we expect these to continue through the duration of the contract. NHC also provides support for bi-weekly meetings with the agencies to update the advancement of the hardened ramp design. Time is included for regular attendance of these meetings for three individuals and anticipated as-needed attendance for other members of the NHC project team. Between the end of February and May meetings will be held as required while plans and report are under review by the agencies.

Task 5 (Optional): Physical Modeling Support

This task includes in person support for potential additional physical modeling activities being completed by others. The location and details are unknown at this time. It is assumed that NHC would make up to 4 trips to physical model laboratories, sending two people per trip. The trips would average 2 to 3 days in the lab.

SCHEDULE

The work described above will cover work through the end of May 2023. The schedule for individual tasks and activities within tasks will be coordinated with United as the work proceeds.

BUDGET

The costs for the tasks outlined above were estimated based on the expected level of effort for design and analysis of potential solutions that are presently anticipated. Depending on initial development and review of potential solutions with the United team and the fisheries agencies, cost allocations may need to be shifted between tasks. The hourly rates will be based on our 2022 Table. A cost breakdown by task is given below.

#	Task	Budget
1	Design Development and Criteria	\$194,790
2	Design Documentation	\$241,520
3	Alternative Selection Support	\$64,030
4	Meetings and Coordination	\$70,375
5	(Optional) Physical Modeling Support	\$74,800
	Amount Requested	\$645,515

A detailed cost breakdown can be provided upon request.

CLOSURE

We hope the approach outlined above and the estimated schedule meets United's needs for contracting purposes. Please call or email with any questions or comments.

Sincerely,

Northwest Hydraulic Consultants Inc.



Barry Chilbeck, P.Eng.
Principal



Brady McDaniel, P.E.
Principal

AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

THIS AGREEMENT (“Agreement”) is made and entered into on _____, 2022, by and between the **United Water Conservation District**, Ventura County, California, (hereinafter “**UNITED**”), and Northwest Hydraulic Consultants, (hereinafter “**CONSULTANT**”).

RECITALS:

WHEREAS, UNITED desires to obtain professional services in connection with additional modeling and design updates for the Hardened Ramp Fish Passage Alternative (“Project”); and

WHEREAS, UNITED has selected CONSULTANT to provide such services; and

WHEREAS, CONSULTANT represents that it has the skills, experience, license, and expertise to perform these professional services for UNITED; and

WHEREAS, UNITED is desirous of engaging the services of CONSULTANT to perform these services;

NOW, THEREFORE, based on the terms and covenants set forth herein, UNITED and CONSULTANT mutually agree as follows:

1. EMPLOYMENT

A. UNITED hereby employs CONSULTANT to perform and complete the professional engineering services as set forth in Exhibit “A” (“Scope of Work/Schedule of Charges”). CONSULTANT shall perform such professional services as set forth in Exhibit “A” and shall furnish or procure the use of incidental services, equipment, and facilities reasonably necessary for the completion of services.

B. Any extra work over and above that included in the Scope of Work included in Exhibit “A” shall be in compliance with Section 3D.

C. CONSULTANT represents that its services shall be performed, within the limits prescribed by UNITED, in a manner consistent with the level of care and skill ordinarily exercised by other engineering professionals under similar circumstances at the time and in the vicinity its services are performed.

D. **Brady McDaniel** shall: (a) personally perform or supervise the performance of services on a day-to-day basis on behalf of CONSULTANT; and (b) maintain direct communication with UNITED’s **Craig Morgan** or designee in the performance of CONSULTANT’s services.

E. CONSULTANT in the performance of services hereunder shall fully comply with any and all local, state and federal laws, regulations, ordinances, and policies applicable to its work, including any licensing laws applicable to CONSULTANT's profession and anti-discrimination laws pertaining to employment practices.

F. In the event of any conflict between the terms and conditions set forth in Exhibit A (Scope of Work/Schedule of Charges) versus those terms and conditions set forth in this Agreement, the terms and conditions set forth in this Agreement shall govern and the conflicting terms and conditions in Exhibit A shall not apply.

2. TERM OF AGREEMENT

Unless otherwise earlier terminated as specified in Section 8, this Agreement shall commence on the date set forth above and shall expire on **May 31, 2023**.

3. COMPENSATION

Payment by UNITED for the consulting services shall be considered as full compensation for all personnel, materials, supplies, and equipment used in carrying out the work.

A. Compensation and payments to the CONSULTANT shall be as described below:

1. UNITED shall compensate CONSULTANT on a time and expenses basis not to exceed **six hundred forty-five thousand five hundred fifteen dollars (\$645,515)** for performing all services authorized and required by this Agreement and specified in Exhibit "A." UNITED shall compensate CONSULTANT only for actual costs incurred on a time and expenses basis, but in no event shall the total compensation be greater than the not to exceed amount above. However, the total amount paid on a time and expenses basis may be lower than the not to exceed amount above based on actual costs incurred. Payment shall be made in accordance with CONSULTANT's Schedule of Charges submitted to UNITED, included in Exhibit "A" attached and incorporated by reference herein.

2. CONSULTANT shall provide UNITED with monthly itemized invoices. Invoices shall include the categories and identities of CONSULTANT's employees performing services, a description of the services, the number of hours spent performing services, the hourly rate for each employee, CONSULTANT's actual costs and expenses, and the total amount of compensation requested by CONSULTANT for that month. Upon UNITED's request, CONSULTANT shall include with its monthly invoices a detailed verification, including accounting records, of the work actually performed and costs and expenses incurred, along with any other documents or information reasonably requested by UNITED.

B. UNITED shall pay CONSULTANT within thirty (30) days after receipt of CONSULTANT's invoices, with the exception of any disputed amounts which shall be withheld until resolution of the dispute. If UNITED has reasonable grounds to believe that CONSULTANT will be unable to materially perform the services under this Agreement, or there exists or may exist a claim against CONSULTANT arising out of CONSULTANT's negligence or intentional acts, errors, omissions, or material breach of any provision of this Agreement, then UNITED may withhold payment of any reasonable amount due to CONSULTANT which is directly related to such negligence, intentional act, error, omission or material breach. No payment made under this Agreement shall be conclusive evidence of CONSULTANT's performance of the Agreement, either wholly or in part, and no payment shall be construed to be an acceptance by UNITED of CONSULTANT's work.

C. CONSULTANT shall notify UNITED in writing of the need for additional services required due to the circumstances beyond the CONSULTANT's control ("Additional Services"). The CONSULTANT shall obtain written authorization from UNITED before rendering any Additional Services. Compensation for all approved Additional Services shall be negotiated and approved in writing by UNITED before such Additional Services are performed by CONSULTANT. No compensation shall be paid to the CONSULTANT for any Additional Services that are not previously approved by UNITED in writing.

D. Reimbursable expenses, if applicable, are in addition to compensation for services outlined in the Scope of Work and Additional Services, and shall be paid to the CONSULTANT in accordance with the guidelines specified on Exhibit "B". Reimbursable expenses are paid at the actual costs, without mark-ups, incurred by the CONSULTANT and the CONSULTANT's employees in conduct of Agreement activities.

4. SCHEDULE OF WORK

CONSULTANT shall complete and deliver services and deliverables to UNITED in a diligent and professional manner, in accordance with the Project schedule set forth in Exhibit "A" attached and incorporated by reference herein. Time is of the essence in CONSULTANT's performance of services hereunder.

CONSULTANT's Project Manager shall keep UNITED's **Craig Morgan**, or designee informed as to the progress of work by informal reports. Neither party shall hold the other responsible for damages or delay in performance caused by acts of God, strikes, lockouts, accidents, or other events beyond the reasonable control of the other or the other's employees and agents.

5. ASSIGNMENT OF CONTRACT

This Agreement is a professional services contract. CONSULTANT shall not assign this Agreement or any portion of the work without the prior written approval of

UNITED. Any such assignment without UNITED's prior written approval shall be void. UNITED may withhold such approval for any reason in its sole discretion.

6. INDEMNIFICATION

To the fullest extent permitted by law, CONSULTANT agrees to indemnify and hold UNITED entirely harmless from all liability arising out of:

1. Workers' Compensation and Employer's Liability. Any and all claims under Workers' Compensation acts and other employee benefit acts with respect to CONSULTANT's employees or CONSULTANT's subconsultant's employees arising out of CONSULTANT's work under this Agreement; and

2. General Liability. To the extent arising out of, pertaining to, or relating to the negligence, recklessness, or willful misconduct of the CONSULTANT, the CONSULTANT shall indemnify, defend and hold UNITED harmless from any liability for damages for (1) death or bodily injury to person; (2) injury to, loss or theft of property; (3) any failure or alleged failure to comply with any provision of law; or (4) any other loss, damage or expense arising under either (1), (2), or (3) above, sustained by the CONSULTANT or UNITED, or any person, firm or corporation employed by the CONSULTANT or UNITED upon or in connection with the Project, except for liability resulting from the sole or active negligence, or willful misconduct of UNITED, its officers, employees, agents, or independent consultants who are directly employed by UNITED. The CONSULTANT, at its own expense, cost, and risk, shall defend any and all claims, actions, suits, or other proceedings (other than professional negligence covered by Section A3 below) that may be brought or instituted against UNITED, its officers, agents, or employees, to the extent such claims, actions, suits, or other proceedings arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the CONSULTANT, and shall pay or satisfy any judgment that may be rendered against UNITED, its officers, agents, or employees, in any action, suit or other proceedings as a result thereof. Any costs to defend under this Section A2 shall not exceed the CONSULTANT's proportionate percentage of fault; and

3. Professional Liability. To the extent arising out of, pertaining to, or relating to the negligence, recklessness, or willful misconduct of the CONSULTANT, the CONSULTANT shall indemnify and hold UNITED harmless from any loss, injury to, death of persons, or damage to property caused by any act, neglect, default, or omission of the CONSULTANT, or any person, firm, or corporation employed by the CONSULTANT, either directly or by independent contract, including all damages due to loss or theft, sustained by any person, firm, or corporation, including UNITED, arising out of, or in any way connected with, the Project, including injury or damage either on or off UNITED property; but not for any loss, injury, death, or damages caused by sole or active negligence, or willful misconduct of UNITED. With regard to the CONSULTANT's obligation to indemnify

for acts of professional negligence, such obligation does not include the obligation to provide defense counsel or to pay for the defense of actions or proceedings brought against UNITED, but rather to reimburse UNITED for attorneys' fees and costs incurred by UNITED in defending such actions or proceedings brought against UNITED, and such fees and costs shall not exceed the CONSULTANT's proportionate percentage of fault.

7. INSURANCE

A. CONSULTANT shall procure and maintain for the duration of this Agreement, and for injuries which occur and claims which are made after the services herein are provided, insurance policies in accordance with the requirements set forth in Exhibit "C" attached and incorporated by reference herein. CONSULTANT shall also provide UNITED with a certificate of insurance attesting to its professional liability (errors and omissions) coverage and all required additional insured endorsements.

B. Submission of insurance certificates or endorsements or other proof of insurance shall not relieve CONSULTANT from liability under the indemnification provisions of Section 6. CONSULTANT's obligations in accordance with Section 6 shall apply whether or not such insurance policies shall have been determined to apply to any of such claims, damage, lawsuits, losses or liabilities covered by Section 6.

C. By its signature hereto, CONSULTANT certifies that it is aware of the provisions of California Labor Code Section 3700 which requires every employer to be insured against liability for workers compensation' or to undertake self-insurance as specified. CONSULTANT shall comply with these provisions before commencing work under this Agreement.

8. TERMINATION OF AGREEMENT

A. Termination for Cause

1. UNITED may terminate CONSULTANT's services for cause, whereupon this Agreement shall terminate immediately. Termination may occur regardless of whether CONSULTANT's services are completed. Any termination or special instructions from UNITED shall be made in writing.

2. Termination for cause may occur upon any of the following events: (a) CONSULTANT's material breach of this Agreement; (b) abandonment or lack of diligence in performance of the work by CONSULTANT; (c) cessation, suspension, revocation or expiration of any license needed by CONSULTANT to provide services hereunder; (d) failure of CONSULTANT to substantially comply with any local, state or federal laws, regulations, ordinances or policies applicable to its work hereunder; (e) filing by or against CONSULTANT of bankruptcy or any petition under any law

for relief of debtors; or (f) conviction of CONSULTANT or its principal representative or personnel for any crime other than minor traffic offenses.

3. Subject to the provisions of Section 3.B herein, CONSULTANT shall be paid for all approved services performed and approved expenses incurred to the date of termination for cause supported by documentary evidence, including payroll records and expense reports, up to the date of the termination. In the event of termination for cause, all damages and costs associated with the termination, including increased consultant and replacement consultant costs, shall be deducted from any payments due to CONSULTANT.

4. In the event a termination for cause is determined to have been made wrongfully or without cause, then the termination shall be treated as a termination for convenience in accordance with Section 8.B below, and CONSULTANT shall have no greater rights than it would have had if a termination for convenience had been effected in the first instance. No other loss, cost, damage, expense or liability may be claimed, requested or recovered by CONSULTANT.

B. Termination Without Cause/For Convenience. This Agreement may be terminated without cause by UNITED or for UNITED's convenience upon fourteen (14) days' written notice to the CONSULTANT. In the event of a termination without cause, UNITED shall pay the CONSULTANT for all approved services performed and all approved expenses incurred under this Agreement supported by documentary evidence, including payroll records and expense reports, up until the date of the notice of termination. In addition, CONSULTANT will be reimbursed for reasonable termination costs through the payment of 3% beyond the sum due the CONSULTANT under this section through 50% completion of the CONSULTANT's portion of the Project and, if 50% completion is reached, payment of 3% of the unpaid balance of the contract to CONSULTANT as termination cost. This 3% is agreed to compensate the CONSULTANT for the unpaid profit CONSULTANT would have made under the Project on the date of termination and is consideration for entry into this termination for convenience clause.

C. In the event of termination with or without cause, CONSULTANT shall promptly provide to UNITED all Project Documents as defined in Section 9 below within five (5) calendar days from the effective date of termination. Failure to provide all Project Documents as required shall be deemed a material breach of this Agreement.

D. In the event of a dispute as to the performance of the work or an interpretation of this Agreement, or payment or nonpayment for work performed or not performed, the parties shall attempt to resolve the dispute. Pending resolution of the dispute CONSULTANT agrees to continue the work diligently to completion. If the dispute is not resolved, CONSULTANT agrees it will neither rescind the Agreement nor stop the progress of work, but CONSULTANT's sole remedy will be

to submit such controversy to determination by a court having competent jurisdiction of the dispute as required by this Agreement after the Project has been completed and not before.

9. PROFESSIONAL SERVICES

A. The CONSULTANT is employed to render a professional service(s) only and any payments made to it are compensation solely for such services as it may render and recommendations it may make in the performance of services.

B. All plans, specifications, construction documents, data, records, files, communications, information, reports and/or other documents that are prepared, generated, reproduced, maintained and/or managed by the CONSULTANT or CONSULTANT's subconsultants arising from or in any way related to the services provided under this Agreement (regardless of medium, format, etc.) shall be and remain the property of UNITED ("Project Documents"). UNITED may provide the CONSULTANT with a written request for the return of the Project Documents at any time. Upon CONSULTANT's receipt of UNITED's written request, CONSULTANT shall return the requested Project Documents to UNITED within five (5) calendar days. CONSULTANT may make copies of the work generated. Failure to comply with any such written request above shall be deemed a material breach of this Agreement. Nothing in this paragraph shall be deemed a waiver of any copyright in the Project Documents prepared by the CONSULTANT. Any unauthorized reuse or modification of such Project Documents other than for purposes intended by CONSULTANT or for the Project shall be at UNITED's risk and liability.

C. CONSULTANT agrees that all dealings of the parties under this Agreement shall be confidential and no Project Documents or information developed, prepared or assembled by CONSULTANT under this Agreement, or any information made available to CONSULTANT by UNITED, shall be revealed, disseminated or made available by CONSULTANT to any person or entity other than UNITED without the prior written consent of UNITED, unless otherwise required by subpoena or applicable law or regulatory authority.

10. INDEPENDENT CONTRACTOR RELATIONSHIP

It is expressly understood between the parties that no employee/employer relationship is intended, the relationship of CONSULTANT to UNITED being that of an independent contractor. UNITED shall not be required to make any payroll deductions or provide Worker's Compensation Insurance coverage or health benefits to CONSULTANT. CONSULTANT is solely responsible for selecting the means, methods and procedures for performing its services hereunder as assigned by the UNITED and for coordinating all portions of the work so the results will be satisfactory to UNITED. CONSULTANT will supply all tools and instruments required to perform its services under this Agreement.

11. ASSISTANCE BY UNITED

It is understood and agreed that the UNITED shall, to the extent reasonable and practicable, assist and cooperate with CONSULTANT in the performance of CONSULTANT's services hereunder. Such assistance does not include, in any manner, the exercise of professional judgment for which CONSULTANT is being retained herein. Such assistance and cooperation to be provided by UNITED as applicable includes, but shall not be limited to, providing right of access to work sites; providing material available from the UNITED's files such as maps, as-built drawings, records and operation and maintenance information; and rendering assistance in determining the location of existing facilities and improvements which may be affected by the Project. CONSULTANT shall otherwise be responsible for giving all notices and complying with all applicable laws, ordinances, rules, regulations and lawful orders of any public authority relating to the work.

12. ADDITIONAL PROVISIONS

A. Examination of Records

CONSULTANT agrees that UNITED shall have access to and the right to examine at any reasonable time and on reasonable notice CONSULTANT's documents, papers and records, including accounting records, relating to its performance under this Agreement.

B. Notice

All notices or other official correspondence relating to contractual matters between the parties shall be made by depositing the same as first-class, postage paid mail addressed as follows:

To CONSULTANT:	Brady McDaniel Principal Northwest Hydraulic Consultants 2600 Capitol Ave Ste 140 Sacramento, CA 95816
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To UNITED:	Craig Morgan Engineering Manager United Water Conservation District 1701 North Lombard Street, Suite 200 Oxnard, CA 93030
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or such other address as either party may designate hereinafter in writing delivered to the other party. All notices shall be agreed to have been received three (3) days after mailing.

C. No Waiver

No failure or delay by UNITED in asserting any of UNITED's rights and remedies as to any default of CONSULTANT shall operate as a waiver of the default, of any subsequent or other default by CONSULTANT, or of any of UNITED's rights or remedies. No such delay shall deprive UNITED of its right to institute and maintain any actions or proceedings which may be necessary to protect, assert or enforce any rights or remedies arising out of this Agreement or the performance of this Agreement.

D. Integration

This Agreement constitutes the entire agreement between the parties pertaining to the subject matter hereto, and supersedes all prior agreements, oral or written, and all prior or contemporaneous discussions or negotiations between the parties.

E. Modification

No alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by the parties.

F. Rules of Interpretation

The terms of this Agreement have been negotiated by the parties and the language used in this Agreement shall be deemed to be the language chosen by the parties to express their mutual intent. This Agreement shall be construed without regard to any presumption or rule requiring construction against the party causing such instrument to be drafted, or in favor of the party receiving a particular benefit under this Agreement. No rule of strict construction shall be applied against any party to this Agreement.

G. Partial Invalidity

If any term, covenant, condition, or provision of this Agreement is found by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions hereof shall remain in full force and effect, and shall in no way be affected, impaired, or invalidated thereby.

H. Incorporation of Recitals and Exhibits

The foregoing recitals and exhibits are incorporated herein as though fully set forth.

I. California Law; Dispute Resolution; Venue

This Agreement shall be interpreted and construed pursuant to the laws of the State of California, regardless of whether this Agreement is executed by any party in another state or otherwise. If a dispute arises between the parties related to this Agreement or the breach thereof, the parties shall first attempt in good faith to settle the matter through discussion, and if unsuccessful may in their discretion mutually agree to mediate the dispute prior to filing a judicial action. The costs of a third party mediator, if utilized, shall be borne equally by the parties. If either party elects to file an action in court, such action shall be filed and heard in a court of competent jurisdiction in the County of Ventura.

J. Counterparts


This Agreement may be executed in multiple counterparts, a complete set of which shall be deemed to be an original and all of which together shall comprise but a single document. Signatures may be given via facsimile transmission and shall be deemed given as of the date of facsimile transmittal of the executed Agreement by one party to the other.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

UNITED WATER CONSERVATION DISTRICT

By _____
Mauricio E. Guardado Jr., General Manager

Northwest Hydraulic Consultants Inc.

By  _____
Brady McDaniel, Principal Engineer

**EXHIBIT “A” TO AGREEMENT FOR
PROFESSIONAL CONSULTING SERVICES**

CONSULTANT shall provide professional engineering consultation services under this Agreement in accordance with work described in the attached **Scope of Work** and **Schedule of Charges**.

NHC Ref. No. 5007701

19 September 2022

United Water Conservation District

1701 Lombard Street
Oxnard, CA 93030

Attention: **Craig Morgan, P.E.**
Engineering Manager

Via email: craigm@unitedwater.org

Subject: **Freeman Hardened Ramp Additional Modeling and Design Updates**

Northwest Hydraulic Consultants (NHC) has developed preliminary design drawings and reporting for the Hardened Ramp Fish Passage Alternative (Hardened Ramp) at Vern Freeman Diversion Dam (VFD) for United Water Conservation District (United Water). NHC previously provided 30% designs for the Hardened Ramp MOD-6 configurations in the Design Development Report (2020) and for the MOD-9 configuration within the Basis of Design Report (2021). Most recently NHC has provided physical modeling support to the Bureau of Reclamation Hydraulics Laboratory (USBR) for testing of the baseline design conditions and supporting the design development. This phase of work will be completed on October 31st, 2022.

United Water has requested that NHC advance the Hardened Ramp Design based on the findings of the physical model, prior to the beginning of the final design contract anticipated for May 2023. The work will be completed from October 2022 until May 2023, in line with the agreed upon project schedule. Work to be completed by NHC during this phase will include additional hydraulic analysis, modeling and design refinements. NHC has re-engaged GEI at this phase of the design to update their analysis from the 30% design level to incorporate the new design features and to perform analysis that will support the upcoming 60% design (foundation design, gate design, ramp structural elements, etc.). The information developed during this scope of work will be presented in an updated Development Design Report (DDR) and Hydraulic Plan Set. Support has also been included for the selection of alternatives including development of quantities, construction phasing and updated cost estimate.

The services to be provided can be described to some degree at present but will be adapted depending on needs identified by United moving forward. The work will be directed by

United and coordinated in regular weekly meetings. A description of work tasks and budgets to support the expected level of effort are provided below.

TASKS

NHC has identified four primary and one optional task for completion of the work described below.

Task 1: Design Development and Criteria

Under this task the team will continue design development of project features to support the 30% design level package.

The NHC team expects to provide additional analysis in areas such as the following:

- Fish Screen and Fish Bypass System Design Development
- Desander Design
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This task includes in person support for potential additional physical modeling activities being completed by others. The location and details are unknown at this time. It is assumed that NHC would make up to 4 trips to physical model laboratories, sending two people per trip. The trips would average 2 to 3 days in the lab.

SCHEDULE

The work described above will cover work through the end of May 2022. The schedule for individual tasks and activities within tasks will be coordinated with United as the work proceeds.

BUDGET

The costs for the tasks outlined above were estimated based on the expected level of effort for design and analysis of potential solutions that are presently anticipated. Depending on initial development and review of potential solutions with the United team and the fisheries agencies, cost allocations may need to be shifted between tasks. The hourly rates will be based on our 2022 Table. A cost breakdown by task is given below.

#	Task	Budget
1	Design Development and Criteria	\$194,790
2	Design Documentation	\$241,520
3	Alternative Selection Support	\$64,030
4	Meetings and Coordination	\$70,375
5	(Optional) Physical Modeling Support	\$74,800
	Amount Requested	\$645,515

A detailed cost breakdown can be provided upon request.

CLOSURE

We hope the approach outlined above and the estimated schedule meets United's needs for contracting purposes. Please call or email with any questions or comments.

Sincerely,

Northwest Hydraulic Consultants Inc.



Barry Chilbeck, P.Eng.
Principal



Brady McDaniel, P.E.
Principal

SCHEDULE OF STANDARD CHARGES (Effective January 2022)

Labor Category	Fee Rate (\$US/hour)
Principal	275
Principal T3 / Sr. Project Engineer 1	255
Sr. Project Engineer/Scientist 2	225
Sr. Engineer/Scientist 1	195
Sr. Engineer/Scientist 2	185
Engineer/Scientist 1	160
Engineer/Scientist 2	140
Jr. Engineer/Scientist	130
GIS Analyst 1	145
GIS Analyst 2	115
Sr. CAD Designer	155
CAD Designer	125
Sr. Engineering Technician	155
Engineering Technician 1	125
Engineering Technician 2	105
Jr. Engineering Technician	95
Sr. Engineering Lab Technician	145
Engineering Lab Technician	125
Sr. Contract Administrator	180
Sr. Technical Editor	150
Technical Editor	120
Office Administrator	95

Labor costs subject to annual escalation adjustment in October to reflect cost of living and merit salary increases. Refer to separate schedules for field and laboratory equipment charges.

Handling Charges / Fees

Markup on Subconsultants.....	10%
Markup on Reimbursables	10%
Markup on Travel/Subsistence	10%

Plotting \$/sheet

Plots, bond, 11 x 17	\$2.00
Plots, bond, D size	\$4.00
Plots, oversize (running foot)	\$2.00

Photocopies \$/sheet

B&W 8½ x 11	\$0.10
B&W 11 x 17	\$0.15
Color 8½ x 11	\$1.00
Color 11 x 17	\$2.00

FEE SCHEDULE

<u>Personnel Category</u>	<u>Hourly Billing Rate</u> \$ per hour
Staff Professional – Grade 1	\$ 136
Staff Professional – Grade 2	\$ 150
Project Professional – Grade 3	\$ 164
Project Professional – Grade 4	\$ 184
Senior Professional – Grade 5	\$ 217
Senior Professional – Grade 6	\$ 247
Senior Professional – Grade 7	\$ 294
Senior Consultant – Grade 8	\$ 329
Senior Consultant – Grade 9	\$ 401
Senior Principal – Grade 10	\$ 401

Senior Drafter and Designer	\$ 164
Drafter / Designer and Senior Technician	\$ 150
Field Professional	\$ 123
Technician, Word Processor, Administrative Staff	\$ 122
Office Aide	\$ 95

These rates are billed for both regular and overtime hours in all categories.

Rates will increase up to 5% annually, at GEI's option, for all contracts that extend beyond twelve (12) months after the date of the contract. Rates for Deposition and Testimony are increased 1.5 times.

OTHER PROJECT COSTS

Subconsultants, Subcontractors and Other Project Expenses - All costs for subconsultants, subcontractors and other project expenses will be billed at cost plus a 15% service charge. Examples of such expenses ordinarily charged to projects are subcontractors; subconsultants: chemical laboratory charges; rented or leased field and laboratory equipment; outside printing and reproduction; communications and mailing charges; reproduction expenses; shipping costs for samples and equipment; disposal of samples; rental vehicles; fares for travel on public carriers; special fees for insurance certificates, permits, licenses, etc.; fees for restoration of paving or land due to field exploration, etc.; state and local sales and use taxes and state taxes on GEI fees. The 15% service charge will not apply to GEI-owned equipment and vehicles or in-house reproduction expenses.

Field and Laboratory Equipment Billing Rates – GEI-owned field and laboratory equipment such as pumps, sampling equipment, monitoring instrumentation, field density equipment, portable gas chromatographs, etc. will be billed at a daily, weekly, or monthly rate, as needed for the project. Expendable supplies are billed at a unit rate.

Transportation and Subsistence - Automobile expenses for GEI or employee owned cars will be charged at the rate per mile set by the Internal Revenue Service for tax purposes plus tolls and parking charges or at a day rate negotiated for each project. When required for a project, four-wheel drive vehicles owned by GEI or the employees will be billed at a daily rate appropriate for those vehicles. Per diem living costs for personnel on assignment away from their home office will be negotiated for each project.

PAYMENT TERMS

Invoices will be submitted monthly or upon completion of a specified scope of service, as described in the accompanying contract (proposal, project, or agreement document that is signed and dated by GEI and CLIENT).

Payment is due upon receipt of the invoice. Interest will accrue at the rate of 1% of the invoice amount per month, for amounts that remain unpaid more than 30 days after the invoice date. All payments will be made by either check or electronic transfer to the address specified by GEI and will include reference to GEI's invoice number.

EXHIBIT “B” TO AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

CONSULTANT shall adhere to the following **Guidelines for Expense Reimbursement**:

Incidental expenditures incurred by CONSULTANT in the course of performing work under this Agreement and submitted for reimbursement by UNITED shall comply with the following guidelines.

Receipts are required for all reimbursable expenses (with an exception for meals and lodging) and shall be furnished with the invoice. Reimbursable expenditures shall not be subject to mark-up. Only actual costs of expenditures within the limits presented below are eligible for reimbursement.

1. Reimbursable Expenditures

A. Travel Expenses

Expenses for airfare or other travel accommodations shall not exceed costs that would reasonably be expected for comparable economy or coach class accommodations.

Personal vehicles may be used when appropriate and mileage will be reimbursed at the standard Internal Revenue Service (IRS) business mileage rate (i.e., 56 cents per mile for calendar year 2021, but for a total cost no greater than the cost that would reasonably be expected for round trip economy or coach class airfare. With the exception of extenuating circumstances (e.g. transport of specialized equipment), mileage for any trip over 500 miles shall be reimbursed at a total cost no greater than would reasonably be expected for round trip economy or coach class airfare. Extenuating circumstances shall be pre-approved by UNITED.

Rental vehicle costs are reimbursable when justified by the nature of the trip. With the exception of extenuating circumstances (e.g. transport of more than 4 people or excessive cargo) the total expense for the rental vehicle shall not exceed a cost that would reasonably be expected for a standard class vehicle. Insurance for rental vehicles is not reimbursable and must be in accordance with all insurance requirements set forth in this Agreement.

B. Lodging

The cost of lodging incurred on approved CONSULTANT business trips is reimbursable. UNITED will reimburse lodging at the standard U.S. General Services

Administration (GSA) rate for Ventura County. GSA rates are annually updated in October.

C. Meals

The cost of meals incurred on approved CONSULTANT Projects is reimbursable.

If UNITED is reimbursing the CONSULTANT for lodging, UNITED will reimburse for meals at the appropriate standard GSA rate for Ventura County (i.e., \$49.50 (or 75% of a daily rate) per day for first and last calendar day of PROJECT work, and \$66.00 per day for additional PROJECT work days for calendar year 2021.

If UNITED is not reimbursing the CONSULTANT for lodging, UNITED will not reimburse the CONSULTANT for meals.

D. Equipment

All reimbursable equipment must be purchased or rented at a reasonable cost, in accordance with industry standards.

E. Expendable Items

Items that are expendable (depleted) will not be returned to UNITED, as the items will be “used up” in the course of CONSULTANT’s work.

F. Non-Expendable Items

Items that are non-expendable (not depleted) will be returned to UNITED upon completion of CONSULTANT’s work.

EXHIBIT “C” TO AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

CONSULTANT shall procure and maintain for the duration of the Agreement, and for injuries that occur and claims which are made after the services herein are performed, insurance against claims or injuries to persons or damages to property, which may arise from or in connection with the performance of the work hereunder by CONSULTANT, its agents, representatives, or employees.

Minimum Scope of Insurance

Coverage shall be at least as broad as:

1. Insurance Services Office Commercial General Liability coverage (occurrence Form CG 00 01 or its equivalent).
2. Insurance Services Office Form Number CA 00 01 covering Automobile Liability, Code 1 or its equivalent (any auto).
3. Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance.
4. Errors & Omissions Liability insurance appropriate to the CONSULTANT's profession. Architects' and engineers' coverage is to be endorsed to include contractual liability.
5. Valuable Document Insurance on all plans, specifications and other documents as may be required to protect UNITED in the amount of its full equity in such plans, specifications and other documents.

Minimum Limits of Insurance

CONSULTANT shall maintain limits no less than:

- | | |
|--|--|
| 1. General Liability:
Including operations, products and completed operations, as applicable. | \$1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit. |
| 2. Automobile Liability: | \$1,000,000 per accident for bodily injury and property damage. |

3. Employer's Liability: **\$1,000,000** per accident for bodily injury or disease.
4. Errors & Omissions Liability: **\$1,000,000** per claim.
5. Valuable Document Insurance **Full Equity of all Documents**

Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by UNITED. At the option of UNITED, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects UNITED, its directors, officers, officials, employees and agents; or CONSULTANT shall provide a financial guarantee satisfactory to UNITED guaranteeing payment of losses and related investigations, claim administration and defense expenses.

Other Insurance Provisions

The commercial general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

6. For all policies required by this Agreement, UNITED and its directors, officers, officials, employees and volunteers are to be covered as additional named insureds as respects: liability arising out of work or operations performed by or on behalf of the CONSULTANT; or automobiles owned, leased, hired or borrowed by the CONSULTANT.
7. For any claims related to this Project, the CONSULTANT's insurance coverage shall be primary insurance as respects UNITED and its directors, officers, officials, employees and agents. Any insurance or self-insurance maintained by UNITED, its directors, officers, officials, employees or agents shall be excess of the CONSULTANT's insurance and shall not contribute with it.
8. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled by either party, except after thirty (30) days prior written notice has been provided to UNITED (with the exception of ten (10) days for nonpayment of premium).

If General Liability, Contractors Pollution Liability and/or Asbestos Pollution Liability and/or Errors & Omissions coverages are written on a claims-made form:

9. The retroactive date must be shown, and must be before the date of the contract or the beginning of contract work.
10. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the contract of work.

11. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a retroactive date prior to the contract effective date, the CONSULTANT must purchase an extended period coverage for a minimum of five (5) years after completion of contract work.
12. A copy of the claims reporting requirements must be submitted to UNITED for review.
13. If the services involve lead-based paint or asbestos identification/ remediation, the Contractors Pollution Liability shall not contain lead-based paint or asbestos exclusions. If the services involve mold identification/ remediation, the Contractors Pollution Liability shall not contain a mold exclusion and the definition of "Pollution" shall include microbial matter including mold.

Acceptability of Insurers

Insurance is to be placed with insurers qualified to do business in the State of California with a current A.M. Best's rating of no less than A: VII, unless otherwise acceptable to UNITED. Exception may be made for the State Compensation Insurance Fund when not specifically rated.

Verification of Coverage

CONSULTANT shall furnish UNITED with original certificates and amendatory/ additional insured endorsements effecting coverage required by this clause. The endorsements should be on forms provided by UNITED or on other than UNITED's forms provided those endorsements conform to UNITED requirements. All certificates and endorsements are to be received and approved by UNITED before work commences. However, failure to do so shall not operate as a waiver of these insurance requirements. UNITED reserves the right to require complete, certified copies of all required insurance policies, including endorsements effecting the coverage required by these specifications at any time.

Waiver of Subrogation

CONSULTANT hereby agrees to waive subrogation, which any insurer of contractor may acquire from vendor by virtue of the payment of any loss. CONSULTANT agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation.

The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the entity for all work performed by the CONSULTANT, its employees, agents and subcontractors.

Staff Report

To: UWCD Board of Directors

Through: Mauricio E. Guardado Jr., General Manager

From: Linda Purpus, Environmental Services Manager
Evan Lashly, Environmental Scientist

Date: September 20, 2022 (October 12, 2022 meeting)

Agenda Item: 5.2 Pre-implementation Studies in Support of Federal Energy Regulatory Commission Fish Passage Assessment – Amendment to Professional Consulting Services Agreement with Cramer Fish Sciences - \$425,633
Motion

Staff Recommendation:

The Board will consider approval of the motion to authorize the General Manager to execute an amendment to the professional consulting services (PCS) agreement with Cramer Fish Sciences in the amount of \$425,633 to continue and complete the monitoring phase of study activities outlined in the “Santa Felicia Dam Fish Passage Program Pre-Implementation Study Plan.”

Background:

In April 2017, the District submitted a Fish Passage Feasibility Assessment Report for the Santa Felicia Project to the Federal Energy Regulatory Commission (FERC), National Marine Fisheries Service (NMFS) and California Department of Fish and Wildlife (CDFW). The District’s FERC license and the associated biological opinion issued by NMFS require United to evaluate fish passage feasibility and submit a report containing the results. The submitted report conveys United’s intent regarding a preferred long-term solution on fish passage at the Santa Felicia Project. As noted in the report, implementation of trap and haul facilities (the preferred passage alternative identified by the panel of fish passage experts that conducted the study) is contingent on resolution of certain outstanding issues, including uncertainties regarding the engineering and biological feasibility, and development of biological criteria that would trigger implementation of the preferred passage alternative.

On December 17, 2017, the District executed a contract with Cramer Fish Sciences to develop pre-implementation studies to address remaining uncertainties. On March 20, 2018, Cramer Fish Sciences provided United with the “Santa Felicia Dam Fish Passage Program Pre-Implementation Study Plan” (study plan). The study plan outlines measures to fill in the following knowledge gaps associated with *Oncorhynchus mykiss* in middle Piru Creek: 1) population dynamics (number, size, and timing of fish movement); 2) the number and size class of *Oncorhynchus mykiss* that can be removed without jeopardizing the viability of the existing population; and 3) identify the most effective sampling methods, locations, and seasons. The study plan is structured as a three-year

Agenda Item: 5.2 Pre-implementation Studies in Support of Federal Energy Regulatory Commission Fish Passage Assessment – Amendment to Professional Services Agreement with Cramer Fish Sciences - \$425,633
Motion

(i.e., phase) project. Ultimately, this work is expected to result in high-caliber scientifically defensible research, that will lead to peer reviewed publication, and form the foundation from which United can evaluate the efficacy of interim passage operations, as well as provide information for establishing biological criteria for triggering development of permanent fish passage facilities.

United and Cramer Fish Sciences began implementing this work in April 2018. The first phase project activities were completed during FY 2018-19. The second phase project activities were initiated in fall 2019, subsequently interrupted in March 2020 due to COVID-19, and ultimately completed in Spring 2022. The PCS agreement has been amended for each phase of the project, and funding for the studies has been allocated on an annual basis.

Discussion:

The initial phase of the study plan was aimed at gathering basic population dynamics information to inform the second phase of the study. The second phase of study was designed to be more extensive and include installation and monitoring of traps and electrofishing. The third phase of the study was designed to continue elements implemented during phase two and provide for two full years of information regarding trap operations (i.e., engineering feasibility) and fish movement (i.e., biological feasibility). Staff proposes to continue this third phase of study elements thereby completing the field study components of the study plan, with the understanding that there may be a need for additional development of final reports and deliverables during 2023-24. The proposed amendment would increase the contract by \$425,633 and result in a total revised not-to-exceed amount of \$1,701,123.

A copy of the Amendment to the PCS agreement detailing Cramer Fish Science's complete proposal, including the scope of work and deliverables, proposed fee, and the project schedule, is included in Attachment A.

Fiscal Impact:

Funding for the services to be conducted under the proposed amendment is available in the FY 2022-23 Budget (050-600-52220; 4340-300). If additional work is needed to complete the final project reports and deliverables for the pre-implementation studies, funding for these items would be included in FY 2023-24 Budget.

Attachment:

Attachment A – Seventh Amendment to the Professional Consulting Service Agreement with
Cramer Fish Sciences
Attachment A1- Cramer Fish Sciences Scope of Work

**SEVENTH AMENDMENT TO
AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES**

This Amendment to the Agreement for Professional Consulting Services is entered into as of _____, 2022, by and between **United Water Conservation District (UNITED)**, a public entity, and **Cramer Fish Sciences (CONSULTANT)** with reference to the following terms and conditions:

WITNESSETH

WHEREAS, on December 17, 2017, UNITED and CONSULTANT entered into a Professional Consulting Services AGREEMENT for the purpose of developing a study plan and providing specific support in United's effort to pursue fish passage at the Santa Felicia Project, and subsequently entered into amendments to the AGREEMENT to implement the study plan including a FIRST AMENDMENT on May 11, 2018, a SECOND AMENDMENT on May 21, 2019, a THIRD AMENDMENT on June 19, 2019, a FOURTH AMENDMENT on July 11, 2019; a FIFTH AMENDMENT on July 13, 2021; a SIXTH AMENDMENT on December 16, 2021; and;

WHEREAS, UNITED and CONSULTANT have discussed and agreed to amend certain terms and conditions of the AGREEMENT, the FIRST, SECOND, THIRD, FOURTH, FIFTH, and SIXTH AMENDMENTS involving scope of work, and compensation as specified in this SEVENTH AMENDMENT.

NOW, THEREFORE, based on the covenants and considerations set forth, UNITED and CONSULTANT mutually agree as follows:

1. The not-to-exceed total charge described in the AGREEMENT, the FIRST, SECOND, THIRD, FOURTH, FIFTH, and SIXTH AMENDMENTS is hereby increased by \$425,633. This amendment results in a total revised not-to-exceed amount of: \$1,701,123 as total payment inclusive of all services.
2. The Scope of Work included as Exhibit A of the AGREEMENT, Attachment A of the FIRST AMENDMENT, Attachment A of the SECOND AMENDMENT, ITEM 2 of the THIRD AMENDMENT, Attachment A of the FOURTH AMENDMENT, and Attachment A of this SIXTH AMENDMENT is hereby amended to include the Scope of Work included in Attachment A of this SEVENTH AMENDMENT.
3. The term of the AGREEMENT, the FIRST, SECOND, THIRD, FOURTH, FIFTH, and SIXTH AMENDMENTS is hereby extended to expire on December 31, 2023.
4. Each and all other provisions of said AGREEMENT and the FIRST, SECOND, THIRD, FOURTH, FIFTH, and SIXTH AMENDMENTS remain in full force and effect and apply to all services and payments made under this SEVENTH AMENDMENT.

UNITED WATER CONSERVATION DISTRICT

By _____
Mauricio E. Guardado, Jr., General Manager

CRAMER FISH SCIENCES

By _____
(Joseph E. Metz, President)



SANTA FELICIA DAM *O. MYKISS* PASSAGE PROGRAM

Pre-Implementation Study – Phase 3 Scope of Work, Part 1 1 Oct 2022 – 30 June 2023

In support of United Water Conservation District (United), Cramer Fish Sciences (CFS) developed the Santa Felicia Dam Fish Passage Program Pre-Implementation Study Plan (Study Plan) to provide United a detailed road map for executing a suite of priority studies over the next several years (2018-2023). The Study Plan builds on the Santa Felicia Dam Fish Passage Alternatives Feasibility Report (Panel Report) and defines pre-implementation studies that are intended to facilitate the Implementation and Adaptive Management Process (IAMP) and inform future fish passage decisions. The overarching study plan goal is to fill crucial knowledge gaps limiting the understanding of southern California steelhead (*Oncorhynchus mykiss*) in Piru Creek and inform implementation of the preferred passage alternative, including assessment and long-term maintenance of the *O. mykiss* population above Lake Piru. Ultimately these pre-implementation studies will provide information to resolve some of the specific uncertainties identified in the Panel Report and develop biological trigger criteria for a phased implementation of the preferred alternative. The Study Plan outlines three years of activities. However, due to project delays caused by COVID-related shutdowns, hereafter we will refer to the originally outlined “years” as “phases” to maintain clarity as the total project duration may extend beyond three years, but the overall scope of activities has not changed.

Phase 3 (2022-2023) will follow the tasks lined out in Year 3 of the study plan, building on knowledge from previous phases. Due to fieldwork scheduled into the spring of 2023, some Phase 3 work and deliverables cannot be completed before the end of United’s fiscal year (30 June 2023). Therefore, the Phase 3 Scope of Work and budget has been divided into two parts: Phase 3, Part 1 (1 October 2022 – 30 June 2023), consisting primarily of field work, and Phase 3, Part 2 (1 July 2023 – 30 November 2023), consisting primarily of meetings with United and agencies, data management, analysis, and reporting.

Task 1: Population Survey

\$187,176

This task supports Phase 3 of the population survey (previously called mark-and-recapture study), with surveys in the fall (November) and spring (March-May). Fall 2022 sampling plans will be flexible to account for fire danger and dry sections of the creek due to drought; sampling later in the fall season is expected to provide a greater opportunity for success. The March sampling is a modification from the original Plan timeframe (April-May) to allow crews to access sites when both air and water temperatures are cooler and there is less amphibian activity.

The Phase 3 goal is to PIT tag 1,000 *O. mykiss* within the size range that is likely to migrate and sample sites selected using the Generalized Random Tessellation Stratified (GRTS) sample design. We are permitted to tag 700 *O. mykiss* in the fall and 300 in the spring. Tagging events will span approximately two weeks in mainstem middle Piru Creek and its tributaries (Agua Blanca and Fish creeks). Even though these tributaries are remote and more difficult to access, they contain critical over-summer habitat, and documented emigrants, based on data from previous years PIT tag detections. During the fall 2022 survey, CFS will sample new GRTS sites via multiple-pass depletion electrofishing, and supplemental tagging outside of GRTS sites via single pass depletion. The spring 2023 surveys will differ due to overlapping with the breeding season for sensitive species, such as arroyo toads (*Anaxyrus californicus*) and California red-legged frogs (*Rana draytonii*). To limit impacts on sensitive species, only a limited number of new GRTS sites will be sampled via multiple-pass depletion electrofishing, with no supplemental electrofishing. Spring 2023 sampling will be informed by the results of fall sampling, stream conditions, and permitting limitations. Spring 2023 electrofishing is dependent on renewal of temporary permits issued in 2022. Hook-and-line surveys will supplement spring 2023 electrofishing surveys to deploy tags and will only be implemented if necessary and possible (e.g., assumes temporary SCP will be reissued and that 2022-23 is not an extreme wet or dry water year). Before spring sampling, CFS and United will arrange for staff to be trained in sensitive species identification (e.g., arroyo toad, willow flycatcher) and mitigation measures by a qualified biologist.

Only captured *O. mykiss* >65 mm fork length will be tagged; however, we will prioritize PIT-tagging *O. mykiss* that are within a size range that are most likely to emigrate in spring based on previous data (100-200 mm fork length). PIT-tagging fish will enable tracking of individual movements associated with environmental events and developmental stages and provide the basis for population size estimates. Our ability to evaluate the number of possible emigrants, emigrant timing, and trap efficiency is dependent on tagging and recapturing adequate numbers of *O. mykiss* as they move past the PIT tag antennas. Caudal fin tissue for genetic analysis, and scale samples for age and growth analysis, will be collected from all captured *O. mykiss* >65 mm fork length. Scale samples collected from Phase 2, Continued and Phase 3 will be analyzed for age. Genetic samples may be analyzed at a later date on a separate scope of work.

Deliverables

- Tabular summaries of fish captured, fish tagged, and individual *O. mykiss* information (e.g., length, weight, condition), general capture location (lat, long) and field notes.
- The fall data will be compiled in a memo under the Phase 3 Scope of Work, Part 1.

Commented [JW1]: Increase of \$2,581 from Phase 2c. Additional Sr tech hours for fieldwork and more scale preparation for multiple phases. Reduction in travel costs based on previous invoice

- Fall and spring data will be compiled into the yearly summary report under the Phase 3 Scope of Work, Part 2.

Task 2: Emigrant Trap Install, Training, and Removal

\$49,330

Alternative D7 (Piru Creek Collector) is a proposed fish trapping facility located in middle Piru Creek upstream of Lake Piru. The D7 installation and associated facilities are intended to function and effectively trap downstream-migrating *O. mykiss* at flows <400 cfs and continue operating with reduced efficiency at higher flows (e.g., as high as 1,000 cfs). CFS will evaluate two low-tech downstream emigrant traps to inform implementation of D7.

Rotary screw trap (RST) and fyke trap installation will occur in November. At the end of Phase 2, the RST was left on site and is already installed. If no damage or vandalism has occurred to the RST, setup effort should be minimal for Phase 3. Fyke liveboxes will be modified so they can attach with a bridge to increase holding capacity for one trap. The modification will allow CFS to test triggers to increase trap capacity and prevent the trap from being overwhelmed with emigrants and mitigate potential negative effects of over-crowding. Trap operation and maintenance training will be provided, as needed, during installation and throughout the year. During high flow events, additional CFS staff may be deployed from Central Valley offices to provide expertise to local staff to ensure traps are operated safely and effectively. In addition to trap operation, CFS and United will arrange for staff to be trained in sensitive species identification measures (e.g., arroyo toad, willow flycatcher) and mitigation by a qualified biologist. Trap removal will occur after the *O. mykiss* migratory season (June) or as water levels and quality allows. Trap operation in the spring and removal in the summer will likely overlap with the arroyo toad breeding season (March-July). Therefore, trap removal and operation activities during the breeding season will be coordinated with federal agencies to prevent disturbance or injury to arroyo toads.

Deliverables:

- Personnel training, trap installation and removal.

Task 3: Emigrant Trap Monitoring and Efficiency Studies

\$158,935

Within this task we will continue to evaluate two relatively low-tech downstream migrant traps, a fyke trap and an RST, which will be deployed concurrently on middle Piru Creek. In Phase 3, traps will be operated during the full migratory season (approximately December-June), which will provide a wider variety of environmental conditions (if flows allow) and more days to test trap performance. Previous phases lacked sustained flows above 125 cfs or debris loads were too high to allow consistent RST operation.

Although traps may be installed and tested in November, their operation will occur from December 2022 through June 2023 (flow and water quality dependent). Traps will be deployed and operated according to characteristics related to flow and debris capacity. Fykes will be operated at flows from 10 to ~250 cfs and RST at flows from ~125 to 1000 cfs. It is possible both methods can work at flows outside these ranges, and we will determine this through experience, while ensuring safe

Commented [JW2]: 1000 decrease from Phase 2. Decrease for RST already installed. Increase for fyke box mods and more Sr tech hours. Increase for anchor install for fyke similar to PIT antennas.

Commented [JW3]: Increase of 10,650 from Phase 2c. Additional Sr tech hours, and small increase for trapping consumables to make repairs.



operation. We will conduct trials to determine whether installation of louver panels to increase velocity of water entering the cone and creating more room for the cone to spin will allow the RST to operate under lower flow conditions. Flow thresholds for RST operation will be defined by the Phase 3 operational trials.

Based on previous PIT array detections and *O. mykiss* migration patterns in the Santa Clara River, monitoring effort will be increased during high flow events and later in the migratory season (March-May). Additional trap checks and supplemental staff will support trapping operations during these critical times when storms may disable/damage traps or when *O. mykiss* may have a higher tendency to emigrate. Within this task, we assume that captured *O. mykiss* will be released within middle Piru Creek and not transported to lower Piru Creek.

Results from this task will enable identification of optimal trap location, design, and operation, and will support the Group in assessing feasibility of implementing D7. This study will provide a foundation from which expectations of trap performance can be grounded and a better understanding of the tradeoffs between competing alternatives relative to their efficiency in safely capturing out-migrating *O. mykiss*. We expect these studies will generate information on the middle Piru Creek *O. mykiss* population, life history strategies, migratory behavior, and potential magnitude of migration into the reservoir.

Trap efficiency studies

The preferred method to estimate trap efficiency is mark-recapture trials using *O. mykiss*, which requires capture of an adequate number of emigrating individuals to obtain a statistically sound efficiency estimate (CAMP 2008). Trap efficiency tests should be conducted frequently during a sampling period, particularly when changes in fish size or environmental conditions (e.g., stream or river discharge, turbidity, etc.) have the potential to significantly affect trap efficiency and movement patterns.

O. mykiss in healthy condition captured in the fyke trap will be used to estimate trap efficiency to increase chances that marked fish are recaptured while volitionally migrating downstream. Upon first capture, *O. mykiss* will be marked with a PIT tag and then released upstream of the traps and lower PIT antenna. PIT arrays will also be used to evaluate capture efficiency of the emigrant traps by estimating the proportion of tagged *O. mykiss* passing the trap location. Previous trapping data suggest insufficient numbers of *O. mykiss* will be available in middle Piru Creek to rely on this method alone. Therefore, we may use a combination of 1) estimates of water volume sampled by the trap(s) (CAMP 2008), 2) recapture of nearly-neutrally buoyant particles (Hedrick et al. 2008), and 3) mark-recapture of surrogate species (Roper and Scarnecchia 1996) to estimate trap efficacy.

Deliverables

- These data will be compiled into the yearly report summary under the Phase 3 Scope of Work, Part 2.

References

U.S. Fish and Wildlife Service. 2008. Draft rotary screw trap protocol for estimating production of juvenile Chinook salmon. Document prepared by the U.S. Fish and Wildlife Service, Comprehensive Assessment and Monitoring Program. Sacramento, California.



Hedrick, T. N., Bestgen, K. R., and Christopherson, K. D. 2008. Entrainment of semi-buoyant beads as a surrogate for larval razorback sucker, *Xyrauchen texanus*, into flood-plain wetlands of the middle Green River, Utah. Proceedings of the Colorado River Basin Science and Resource Management Symposium 185-194.

Roper, B., and Scarnecchia, D. L. 1996. A comparison of trap efficiencies for wild and hatchery age-0 Chinook salmon. North American Journal of Fisheries Management 16(1):214-217.

Task 4: Middle Piru PIT Tag Array Operation and Maintenance

\$24,047

Two PIT tag arrays will be operated in middle Piru Creek to provide empirical measures of *O. mykiss* emigration timing. These data support analysis of the linkages between environmental conditions (e.g., flow and length of day) and emigration. The arrays also allow for the evaluation of capture efficiency for competing trapping methodologies and support adequate design, planning, and operation of trapping equipment. Deployment and operation of arrays in Year 1 and 2 provided an improved understanding of the unique challenges of designing, installing, and operating fisheries monitoring equipment in a stream with a highly variable hydrograph and active channel bed. We learned that the antenna arrays were not able to remain stationary during the bed-mobilizing flows (7-10-year recurrence flow) that occurred in Year 1 and that re-installation of detached antennas may be needed when this occurs. Currently, a portion of the upper antenna array is buried by sediment and will need to be uncovered and re-attached to the substrate.

Detection rates of PIT tagged individuals in previous years provided information on emigration timing and environmental variables linked to emigration. Additional tagged *O. mykiss* in Phase 3 and operation of the PIT tag arrays will provide larger sample sizes to inform downstream trapping efficiency and implementation.

This task includes three sub-tasks:

- 1) Data download – PIT antennas are in operation throughout the year. Outside the critical time for sensitive species in the area (November-February), sites will be visited at least twice per month, with additional visits before and after high flow events, as feasible. During the critical time for sensitive species (March-July), arrays will be visited once per month. Additionally, within this subtask is PIT antenna array training for technicians.
- 2) Antenna range testing and antenna tuning will occur at least once per month during the data downloads.
- 3) PIT antenna efficiency tests will occur twice during the season.
- 4) Antenna re-installation and repair may be necessary if bed-mobilizing flows occur.

Deliverables

- These data will be compiled into the yearly report summary under the Phase 3 Scope of Work, Part 2.

Commented [JW4]: Increase of 3,440 from phase 2c. Additional Sr tech hours and additional hours to finish digging up US antenna

Task 5: Data Management, Analysis, and Reporting

\$30,607

Data collected from Tasks 1, 3, and 4 will be entered into databases that combine data collected across all years. After entry, data will go through two complete QA/QC checks for errors. Data collected for Task 1 (fall population survey) will be summarized in a memo. A draft memo of biological trigger criteria for a phased implementation of low tech collection and the preferred alternative will be developed. Biological trigger criteria will be based on information gained from the pre-implementation study and the ability of different trapping facilities to safely and effectively pass *O. mykiss*.

Deliverables

- Memo summarizing the fall population survey study from Task 1.
- Draft of biological triggers memo.

Commented [JW5]: Increase of 17,084 from Phase 2c. Additional hours for Bio trigger draft, report edits, starting analysis for final report

Task 6: Project Management

\$21,665

Coordinating project activities requires frequent communication among multiple study participants including United, CFS, and resource agencies, among others to ensure that all parties are aware of project plans and progress. Towards this aim, CFS team members will: 1) coordinate project activities, 2) provide regular updates to United staff, 3) participate in meetings with resource agencies, as requested and, 4) prepare monthly invoices and cover letters that detail activity and time spent on this project.

Commented [JW6]: Increase of 6,793 from phase 2c. Additional hours from project management based on invoices. Additional hours for meetings with United and agencies. Additional hours for permit reporting in final year

Deliverables

Below, we list the deliverables associated with this Scope of Work, Part 1, and the completion date.

Task	Deliverable	Completion Date
Task 3: Emigrant trap install, training and removal	Trap installation	By 1 December 2022
Task 1: Population Survey	Fall population survey technical memo	31 January 2023
Task 5: Data Management, analysis, and reporting	Draft of biological triggers criteria memo	24 February 2023
Task 3: Emigrant trap install, training and removal	Trap removal	By 30 June 2022

Budget

CFS will work with United to meet all project objectives on schedule and on budget. We estimate the total cost of Phase 3, Part 1 to be **\$471,760**. A remaining unused scope containing \$46,127 will be applied to the cost of Phase 3 part 1 bringing the total budget to complete Phase 3 part 1 to **\$425,633**. Phase 3 SOW part 2 will be executed in July 2023.

Cost Summary Table	
Phase 3 Part 1	\$471,760
Rolled over scope to be applied	(\$46,127)
Additional budget to complete Phase 3 Part 1	\$425,633

Budget Assumptions

The following assumptions were used to develop the budget:

- 1) Work and associated deliverables completed after 30 June 2023 has been moved to a separate Phase 3 Part 2 budget and SOW.
- 2) United-CFS meetings will be conducted remotely via video conference or telephone once every two months between October 2022 and June 2023 and will not exceed 1 hour.
- 3) CFS will present study results at one SFD Fish Passage Science and Technology Panel meeting.
- 4) CFS will provide personnel for field sampling and equipment installations.
- 5) CFS assumes a water year type that is neither extremely wet nor extremely dry. An extreme water year type may affect our ability to operate traps effectively and impact data collection efforts.
- 6) CDC guidelines on social distancing and other measures to prevent the spread of COVID-19 may change, which could require additional travel and mileage expenses.
- 7) CFS will draft all permitting reports and applications for United's review and approval. CFS will also support United in communicating/coordinating with resource agencies regarding the studies and required permits. United will be responsible for submitting permit applications/permit required reports and communicating with resource agencies.
- 8) Deliverables completion dates are for drafts to United for review. CFS anticipates two rounds of drafts with United and one round of drafts with resource agencies. CFS will complete draft edits and responses within four weeks of receiving them.
- 9) CFS will provide additional experienced staff to supplement local staff in response to up to three major flow events or during periods of high emigration rates.
- 10) CFS will travel to the project site for field sampling.



- 11) Standard 2022 U.S. General Service Administration (GSA) rates for mileage, lodging, and meals were applied to travel costs associated with field sampling.
- 12) A personal gear rental fee of \$150 per week per person has been added for crew using their own camping equipment during the population surveys.
- 13) CFS assumes that captured *O. mykiss* will be released within middle Piru Creek and not transported to lower Piru Creek for experimental release. If *O. mykiss* are to be experimentally released into lower Piru Creek, additional funding may be required to expand current experimental release protocol drafts and for the releases themselves.
- 14) PIT antennas will require repairs in response to up to one major flow event in the study year. Additional flow events that disrupt or dislodge equipment (e.g., outside of typical maintenance) may result in further incurred costs.

If the assumptions listed above are not met, this may result in changes to the project schedule, scope, and deliverables detailed in this proposal. Additional collaboration, site-visits, meetings, or tasks beyond the scope of this proposal will be budgeted on a per-task basis, as needed.



SFD Fish Passage Program: Phase 3 (1 October 2022 - 30 June 2023) Study Scope for Juvenile Downstream Passage Pre-Implementation Studies										
Objectives and Tasks	Projected Hours						Labor Subtotal			Totals
	\$235.00 Principal Scientist	\$183.00 Sr. Scientist	\$138.00 Sr. Biologist	\$103.00 Biologist I	\$80.00 Senior Bio Technician	\$64.00 Bio Technician		Travel	Misc.	
Task 1: Population Survey										
Task 1.1 Fall electrofishing (Nov. 2022)	2		140		600	440	\$95,950	\$12,000	\$2,400	\$110,350
Task 1.2 Spring electrofishing (March 2023)	2		130		220	320	\$56,490	\$8,000	\$1,800	\$66,290
Task 1.3 Scale sample preparation			2	20	20	100	\$10,336		\$200	\$10,536
Task 1 Subtotal	4		272	20	840	860	\$162,776	\$20,000	\$4,400	\$187,176
Task 2: Emigrant Trap Installation, Training, and Removal										
Task 2.1 Pre-install site visit and prep (Nov. 2022)	2		10		20	20	\$4,730			\$4,730
Task 2.2 Livebox modifications to expand capacity (Nov. 2022)					25		\$2,000		\$300	\$2,300
Task 2.3 Trap (RST and fyke) installation (Dec. 2022)			20		40	40	\$8,520	\$4,000	\$1,200	\$13,720
Task 2.4 Field crew training (Dec. 2022)	24		30		12	12	\$11,508	\$2,000		\$13,508
Task 2.5 Trap removal and storage (June 2023)			4		80	80	\$12,072	\$3,000		\$15,072
Task 2 Subtotal	26		64	0	177	152	\$38,830	\$9,000	\$1,500	\$49,330
Task 3: Emigrants Trap Monitoring and Efficiency Studies										
Task 3.1 Daily fyke/rotary screw trap checks (Dec. 2022 - June 2023)					750	900	\$117,600	\$3,200	\$500	\$121,300
Task 3.2 High flow/debris trap adjustments	8		60	25	80	120	\$26,815	\$3,000		\$29,815
Task 3.3 Conduct efficiency and flow tests	4		20		25	30	\$7,620		\$200	\$7,820
Task 3 Subtotal	12		80	25	855	1,050	\$152,035	\$6,200	\$700	\$158,935
Task 4: PIT Tag Array Operation and Maintenance										
Task 4.1 Data Download and training			20		20	20	\$5,640	\$800		\$6,440
Task 4.2 Antenna tag capture efficiency and antenna tuning			12		20	20	\$4,536	\$800		\$5,336
Task 4.3 Antenna re-installation and repair			12	25	35	35	\$9,271	\$3,000		\$12,271
Task 4 Subtotal			44			75	\$19,447	\$4,600		\$24,047
Task 5: Data Management, Analysis, and Reporting										
Task 5.1 Data management and QC			15	10	40	40	\$8,860			\$8,860
Task 5.2 Data summary and analysis			20	20			\$4,820			\$4,820
Task 5.3 Fall tech memo and biological triggers draft	15	10	40	20			\$12,935			\$12,935
Task 5.4 Respond to report edits from United and agencies	4	2	12	10			\$3,992			\$3,992
Task 5 Subtotal	19	12	87	60	40	40	\$30,607			\$30,607
Task 6: Project Management										
Task 6.1 Coordinate field activities	2		60	10			\$9,780			\$9,780
Task 6.2 Communications with United and agencies	15	8	20				\$7,749			\$7,749
Task 6.3 Monthly invoice review			12				\$1,656			\$1,656
Task 6.4 Permit reporting and support			12	8			\$2,480			\$2,480
Task 6 Subtotal	17	8	104	18			\$21,665			\$21,665
Total Project Hours	78	20	651	123	1,912	2,177				
Total Project Costs	\$18,330	\$3,660	\$89,838	\$12,669	\$152,960	\$139,328	\$425,360	\$39,800	\$6,600	\$471,760
Rolled Over Scope to be Applied										\$46,127
Additional Budget to Complete Phase 3 Part I										\$425,633



Staff Report

To: UWCD Board of Directors

Through: Mauricio E. Guardado Jr., General Manager

From: Brian Collins, Chief Operations Officer

Date: September 22, 2022 (October 12, 2022, meeting)

Agenda Item: **5.3 Verizon Request for Easement for Cell Tower Fiber Optic Conduit**
Motion

Staff Recommendation:

The Board will consider authorizing the General Manager or his designee to execute both a Memorandum of Easement and Grant of Easement, and to record the Grant of Easement, to allow Verizon to install a fiber optic conduit in proximity to the Saticoy facility main gate.

Background:

Verizon initiated discussions with District staff toward securing an easement to allow the installation of a conduit and fiber optic line, to provide service to the Saticoy cellular tower, located on the neighboring Jim Lloyd Butler ranch.

Discussion:

Staff met with Verizon's easement procurement specialist to discuss the possibility of granting an easement to Verizon. Staff has reviewed the proposed easement and language associated with the easement agreement and have determined that installation of the proposed conduit and fiber optics do not detrimentally impact the District's current or planned future operations.

Fiscal Impact:

Upon approval and subsequent execution of the easement agreement, the District will be compensated for the granting of easement in a onetime payment of \$20,000, from Verizon.

Agenda Item: 5.3 Verizon Request for Easement for Cell Tower Fiber Optic Conduit Motion



Attachments:

Attachment A: Fiber_Lirio_100%LE_REV0_03162022

Attachment B: Lirio MOE Execution

**Agenda Item: 5.3 Verizon Request for Easement for Cell Tower Fiber Optic Conduit
Motion**

Attachment C: Grant of Easement

GRANT OF EASEMENT

THIS GRANT OF EASEMENT ("**Easement**") is entered into as of _____, by and between United Water Conservation District, a public district (hereinafter "**Grantor**") and Los Angeles SMSA Limited Partnership, a California limited partnership dba Verizon Wireless (hereinafter "**Grantee**").

WHEREAS, Grantor is the owner of that certain real property located off of Los Angeles Avenue in Oxnard, California and legally described in **Exhibit "A"** attached hereto (the "**Property**").

WHEREAS, Grantee is the owner of a leasehold estate in certain real property located at 3135 West Los Angeles Avenue, Oxnard, California, APN 109-0-010-120 (the "Leased Premises"), pursuant to that certain Option and Land Lease Agreement dated October 31, 2012 (the "Lease"); Grantee's premises is within or adjacent to the Property. Pursuant to the Lease, Grantee operates a communications facility on a portion of the Leased Premises.

WHEREAS, Grantor has agreed to convey to Grantee an easement over, under and across the Property (the "**Easement Area**") for the installation of utility connections as provided herein as described in **Exhibit "B,"** attached hereto and made a part hereof.

NOW, THEREFORE, for and in consideration of the covenants contained herein, the parties agree as follows:

1. Grant of Easement. Grantor hereby grants to Grantee, its successors and assigns, a non-exclusive easement over, under and across the Easement Area for the purposes of ingress and egress and for constructing, maintaining, operating, repairing and replacing utility lines, cables and conduits at the Property.

a. Each party shall utilize its estate in a manner that will minimize interference with the other party's use of its estate.

b. Upon completion of the installation of utility connections, Grantee shall restore the Easement Area to substantially its pre-existing condition.

c. Grantee shall conduct its activities on the Easement Area in a safe, good and workmanlike manner to avoid causing any damage to, or unreasonable interference with, any activities conducted by, or at the permission or direction of, the Grantor on or near the Easement Area or any adjacent property owned by Grantor.

d. Grantee shall not cause any liens of any kind to be placed against the Easement Area.

2. No Permanent Structures. Grantor hereby covenants for and on behalf of itself, its heirs, successors or assigns that neither it, nor any of them, shall construct or permit to be constructed, any building or any other permanent structure within the Easement Area, or make any permanent excavation, or permit any permanent excavation to be made within the

Easement Area.

3. **Consideration.** In consideration for the rights granted hereunder, Grantee shall pay Grantor a one-time, lump sum payment of Twenty Thousand Dollars (\$20,000), which shall be due within sixty (60) days after this Easement is fully executed.

4. **Term.** The Easement, rights, and privileges herein granted shall be for a term coinciding with the term of the Lease, including any renewals and replacements thereof, and shall, without any further action on the part of Grantor or Grantee, terminate immediately upon the termination of said Lease or Grantee's leasehold interest in the Leased Premises. Upon termination of this Easement for any reason, at Grantor's request Grantee shall execute with acknowledgement and deliver a notice of termination in form suitable for recording in the official records of the County.

5. **Termination for Default.** Upon Grantee's default hereunder, Grantor may deliver to Grantee a written notice of default, stating with specificity the nature of Grantee's default. If Grantee has not cured the default within a reasonable time (but not less than 60 days for a non-monetary default) after receipt of the notice of default, Grantor may terminate this Easement effective immediately upon receipt by Grantee of Grantor's written notice of termination.

6. **Indemnification.** Grantee agrees to indemnify, defend and hold Grantor harmless from and against any and all actual or potential claims, liens, actions, demands, proceedings, lawsuits, liabilities, damages, losses, fines, penalties, judgments, costs or expenses (including reasonable attorneys' fees and court costs) of every kind and character, including without limitation, any damage to or loss of property or injury to or death of any person, to the extent caused by or arises from or results from Grantee's use of the Easement Area and/or the exercise or enjoyment of any rights herein granted to it under this Easement, except to the extent attributable to the negligent or intentional act or omission of Grantor or its agents.

7. **Limitations on Easement.** It is understood and agreed that this Easement does not constitute a conveyance of a fee interest in the Easement Area, or of the minerals therein and thereunder, but grants only the limited easement as provided in Section 1 above. The Easement granted herein is on an "AS-IS" basis and Grantor makes no representation or warranty of any kind, express or implied, regarding the condition of the Property or Easement Area. Other than what is specified herein, Grantee shall make no changes, alterations, or improvements to the Easement Area without prior written approval from the Grantor.

8. **Insurance.** Grantee will carry, at its own cost and expense, the following insurance: (i) commercial general liability insurance with limits of \$2,000,000 for bodily injury (including death) and property damage each occurrence. Grantee will include Grantor as an additional insured under its commercial general liability policy as its interest appears under this Easement. Notwithstanding anything in this Easement, with respect to all loss, damage, or destruction to a party's property (including rental value and business interruption) occurring during the term of this Easement, Grantor and Grantee hereby release and waive

all claims (except for willful misconduct) against the other party and its employees, agents, officers, and directors. With respect to property damage, each party hereby waives all rights of subrogation against the other party, but only to the extent that collectible commercial insurance is available for said damage. Neither party shall be liable to the other, or any of their respective agents, representatives, or employees for any lost revenue, lost profits, diminution in value of business, loss of technology, rights or services, loss of data, or interruption or loss of use of service, incidental, punitive, indirect, special, trebled, enhanced or consequential damages, even if advised of the possibility of such damages, whether such damages are claimed for breach of contract, tort (including negligence), strict liability or otherwise, unless applicable law forbids a waiver of such damages.

9. **Assignment.** Grantee shall not assign, transfer, or convey any rights and/or obligations under this Easement except through prior written consent of Grantor; provided however, that Grantor's consent shall not be required if any assignment of this Easement occurs in connection with an assignment of the Lease.

10. **Attorneys' Fees.** In the event any action or suit is brought by a party against the other party by reason of the breach of any of the covenants or agreements set forth in this Easement or any other dispute between the parties concerning this Easement, each party shall be responsible for its own attorney's fees and costs.

11. **Dominant and Servient Tenements.** This Easement is granted for the benefit of the Leased Premises and is appurtenant to the Leased Premises. The Leased Premises are the dominant tenement and the Property is the servient tenement.

12. **Entire Agreement.** This Easement constitutes the entire agreement between Grantor and Grantee relating to the above easement. Any prior agreements, promises, negotiations or representations not expressly set forth in this Easement are of no force and effect.

13. **Binding Effect.** This Easement shall be binding on and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of Grantor and Grantee.

14. **Amendments.** Any modification or other termination of this Easement shall become effective only upon the execution by Grantor and Grantee of a written instrument.

15. **Interpretation; Governing Law.** This Easement shall be construed as if prepared by both parties hereto. This Easement shall be governed by and construed under the laws of the State of California, with venue in Ventura County.

16. **Authority.** Each individual executing this Grant of Easement on behalf of each respective party acknowledges and warrants that it: (i) has full authority to execute this Grant of Easement on behalf of such party, (ii) this Grant of Easement has been duly authorized and approved by such party, and (iii) this Grant of Easement constitutes a valid and binding obligation of such party.

17. **Captions; Incorporation By Reference.** The captions used herein are for convenience only and are not a part of this Easement and do not in any way limit or amplify

the terms and provisions hereof. Each of the Exhibits attached to this Easement is hereby incorporated into this document as if set forth in full herein.

18. Severability. If any paragraph, section, sentence, clause or phrase contained in the Easement shall become illegal, null or void, against public policy, or to otherwise unenforceable, for any reason, or shall be held by any court of competent jurisdiction to be illegal, null or void, against public policy, or otherwise unenforceable, the remaining paragraphs, sections, sentences, clauses or phrases contained in the Easement shall not be affected thereby and shall remain in force and effect to the full extent permissible by law.

19. Waiver. The waiver of any breach of any provision hereunder by either party shall not be deemed to be a waiver of any preceding or subsequent breach hereunder. No failure or delay of either party in the exercise of any right given hereunder shall constitute a waiver thereof nor shall any partial exercise of any right preclude further exercise thereof.

20. Counterparts. This Easement may be executed in two or more counterparts, each of which shall be deemed to be an original, but when taken together shall constitute one and the same instrument.

21. Recording. Grantor agrees to execute a Memorandum of this Easement, and any amended Memorandum of Easement reflecting any material modifications to this Easement, which Grantee may record in the office of the County Clerk of Ventura County, California.

22. Notices. All notices hereunder must be in writing and shall be deemed validly given if sent by certified mail, return receipt requested or by commercial courier, provided the courier's regular business is delivery service and provided further that it guarantees delivery to the addressee by the end of the next business day following the courier's receipt from the sender, addressed as follows (or any other address that the Party to be notified may have designated to the sender by like notice):

GRANTOR: United Water Conservation District
1701 North Lombard Street, Suite 200
Oxnard California 93030

GRANTEE: Los Angeles SMSA Limited Partnership,
d/b/a Verizon Wireless
180 Washington Valley Road
Bedminster, New Jersey 07921
Attention: Network Real Estate
Re: Lirio

Notice shall be effective upon actual receipt or refusal as shown on the receipt obtained pursuant to the foregoing.

IN WITNESS WHEREOF, this Grant of Easement has been executed and delivered as of the day and year first above written.

GRANTOR:

United Water Conservation District, a public district

By: _____

Name: _____


Title: _____

Date: _____

GRANTEE:

Los Angeles SMSA Limited Partnership, a
California limited partnership dba Verizon Wireless

By: AirTouch Cellular Inc., its General Partner

By:  _____

Name: Jill Flynn

Title: Sr Manager Real Estate

Date: 8/03/2022

EXHIBIT "A"

The Property

See attached

EXHIBIT A**LEGAL DESCRIPTION**

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

THOSE PORTIONS OF LOTS 10, 11, 12 AND 13, RANCHO SANTA CLARA DEL NORTE, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY IN BOOK 3, PAGE 26 OF MAPS, LYING WITH ASSESSORS PARCEL NO. 109-0-010-035, BEING A PORTION OF THE PROPERTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF LOS ANGELES AVENUE (FORMERLY DEL NORTE AVENUE) WITH THE CENTER LINE OF VINEYARD AVENUE, AS SAID AVENUES ARE SHOWN ON SAID MAP;

THENCE ALONG THE CENTER LINE OF SAID LOS ANGELES AVENUE, SOUTH 50° 20' 00" EAST 860 FEET TO A NAIL SET AT THE INTERSECTION WITH THE SOUTHWESTERLY PROLONGATION OF THE SOUTHEASTERLY LINE OF THE LAND CONVEYED TO UNITED CONCRETE PIPE CORPORATION BY DEED RECORDED JULY 16, 1945, AS DOCUMENT NO. 8614, IN BOOK 721, PAGE 451 OF OFFICIAL RECORDS;

THENCE ALONG SAID PROLONGATION AND SAID SOUTHEASTERLY LINE, NORTH 39° 39' 08" EAST 280.07 FEET, AT 30.07 FEET A 4 INCH X 4 INCH POST SET IN CONCRETE IN THE NORTHEASTERLY LINE OF SAID LOS ANGELES AVENUE, AT 280.07 FEET A 1-1/4 INCH IRON PIPE, MARKED "R.E. 606", SET AT THE INTERSECTION WITH A LINE WHICH IS PARALLEL WITH AND LINE, FROM THE NORTHEASTERLY LINE OF SAID LOS ANGELES AVENUE AND BEING THE TRUE POINT OF BEGINNING;

1ST: THENCE ALONG SAID PARALLEL LINE, SOUTH 50° 20' 00" EAST 2743.39 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

2ND: THENCE, NORTH 34° 55' 04" EAST 2140.63 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

3RD: THENCE, NORTH 50° 19' 53" WEST 708.22 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

4TH: THENCE, NORTH 38° 40' 21" EAST 162.51 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

5TH: THENCE, NORTH 44° 52' 33" WEST 896.14 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

6TH: THENCE, NORTH 30° 50' 52" EAST 200.07 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

7TH: THENCE, NORTH 44° 47' 09" WEST 735.81 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

8TH: THENCE, NORTH 47° 40' 18" EAST 581.32 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

9TH: THENCE, NORTH 62° 32' 35" EAST 186.73 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

10TH: THENCE, NORTH 36° 00' 40" EAST 613.77 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

11TH: THENCE, NORTH 53° 28' 03" EAST 201.02 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

**EXHIBIT A
(Continued)**

12TH: THENCE, NORTH 44° 09' 28" EAST 331.92 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

13TH: THENCE, NORTH 7° 48' 28" WEST 125.43 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606, SET ON THE GRANT LINE BETWEEN LOT 10 OF THE RANCHO SANTA CLARA DEL NORTE AND LOT 83 OF THE RANCHO SANTA PAULA Y SATICOY, WHICH BEARS SOUTH 70° 37' 52" WEST 84.15 FEET FROM PUNTA DE LA LOMA, SO CALLED, THE COMMON CORNER TO THE RANCHO SANTA PAULA Y SATICOY, RANCHO SANTA CLARA DEL NORTE, AND TOWNSHIP 2 NORTH, RANGE 21 WEST, SAN BERNARDINO MERIDIAN, AND MARKED BY A 1/2-INCH IRON ROD;

14TH: THENCE, SOUTH 70° 37' 52" WEST 2104.18 FEET ALONG THE SAID GRANT LINE; AT 123.18 FEET A 1-1/4 INCH IRON PIPE MARKED R.E. 606; AT 1834.59 FEET A 1-1/2 INCH IRON PIPE AT THE INTERSECTION OF THE LOT LINE BETWEEN LOTS 83 AND 84 OF THE RANCHO SANTA PAULA Y SATICOY WITH THE SAID GRANT LINE; AT 2104.18 FEET A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

15TH: THENCE, SOUTH 11° 01' 23" WEST 397.80 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

16TH: THENCE, NORTH 74° 20' 13" EAST 176.29 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

17TH: THENCE, NORTH 62° 05' 13" EAST 894.46 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

18TH: THENCE, SOUTH 55° 51' 07" EAST 244.97 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

19TH: THENCE, SOUTH 34° 08' 53" WEST 30 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

20TH: THENCE, NORTH 55° 51' 07" WEST 226.92 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

21ST: THENCE, SOUTH 62° 05' 13" WEST 879.63 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

22ND: THENCE, SOUTH 74° 20' 13" WEST 170.95 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

23RD: THENCE, SOUTH 31° 35' 49" EAST 545.71 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

24TH: THENCE, SOUTH 38° 14' 33" WEST 489.10 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

25TH: THENCE, SOUTH 31° 39' 42" EAST 154.20 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

26TH: THENCE, SOUTH 28° 08' 51" WEST 202.27 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

27TH: THENCE, SOUTH 43° 22' 57" WEST 346.46 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

28TH: THENCE, SOUTH 59° 13' 09" WEST 378.64 FEET TO A 1-1/4 INCH IRON PIPE MARKED "R.E. 606"; SET AT THE INTERSECTION WITH THE NORTHEASTERLY PROLONGATION OF THE SOUTHEASTERLY LINE OF SAID LAND OF UNITED CONCRETE PIPE CORPORATION;

29TH: THENCE ALONG SAID PROLONGATION AND SAID SOUTHEASTERLY LINE, SOUTH 39° 39' 08" WEST 843.20 FEET; AT 60.08 FEET A 3/4 INCH IRON PIPE; AT 843.20 FEET THE TRUE POINT OF BEGINNING.

EXCEPT THEREFROM ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES LYING IN AND UNDER SAID LAND, INCLUDING THE RIGHT TO DRILL FOR, DEVELOP, AND PRODUCE SAID SUBSTANCES BY MEANS OF SLANT HOLES FROM LANDS RETAINED BY GRANTOR, BUT WITHOUT THE RIGHT EVER TO

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EXHIBIT A
(Continued)

USE THE SURFACE OF SAID REAL PROPERTY OR THE SUBSURFACE THEREOF TO A DEPTH OF 500 FEET FOR THE PURPOSE OF DRILLING, EXPLORING FOR OR PRODUCING OIL, GAS OR OTHER HYDROCARBON SUBSTANCES FOR ANY OTHER PURPOSE, AS RESERVED BY JOHN LLOYD-BUTLER, A MARRIED MAN, IN DEED RECORDED SEPTEMBER 7, 1955, AS DOCUMENT NO. 35134 IN BOOK 1326, PAGE 57 OF OFFICIAL RECORDS.

NOTE: THIS COMPANY HAS PROVIDED SAID DESCRIPTION AS AN ACCOMMODATION FOR THE PURPOSE OF FACILITATING THIS REPORT. SAID DESCRIPTION MAY NOT AN INSURABLE PARCEL PURSUANT TO THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA AND SHOULD NOT BE RELIED UPON TO CONVEY OR ENCUMBER SAID LAND, UNTIL APPROVED BY THE APPROPRIATE GOVERNING AGENCY.

PARCEL 2:

A NON-EXCLUSIVE EASEMENT FOR ROAD PURPOSES OVER, IN AND ALONG THAT PORTION OF LOT 10, RANCHO SANTA CLARA DEL NORTE, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY IN BOOK 3, PAGE 26 OF MAPS, DESCRIBED AS FOLLOWS:

A STRIP OF LAND 30 FEET IN WIDTH LYING BETWEEN THE FOLLOWING COURSES AS RECITED IN THE HEREINBEFORE DESCRIBED PARCEL 1:

THE 18TH AND 20TH COURSES, RECITED AS "SOUTH 55° 51' 07" EAST 244.97 FEET AND NORTH 55° 51' 07" EAST 226.92 FEET", RESPECTIVELY, BETWEEN THE 17TH AND 21ST COURSES RECITED AS "NORTH 62° 05' 13" EAST 894.46 FEET AND SOUTH 62° 05' 13" WEST 879.63 FEET", RESPECTIVELY, AND BETWEEN THE 16TH AND 22ND COURSES RECITED AS "NORTH 74° 20' 13" EAST 176.29 FEET AND SOUTH 74° 20' 13" WEST 170.95 FEET" RESPECTIVELY, AND EXTENDING FROM THE 19TH COURSE TO A LINE BETWEEN THE SOUTHWESTERLY TERMINUS OF THE 22ND AND THE 16TH COURSES OF SAID PARCEL 1.

PARCEL 3:

A NON-EXCLUSIVE EASEMENT FOR ROAD PURPOSES OVER, IN AND ALONG THAT PORTION OF LOT 10, RANCHO SANTA CLARA DEL NORTE, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY IN BOOK 3, PAGE 26 OF MAPS, DESCRIBED AS FOLLOWS:

A STRIP OF LAND 30 FEET IN WIDTH AND EXTENDING IN A GENERAL SOUTHWESTERLY DIRECTION FROM THE SOUTHWESTERLY TERMINUS OF THE HEREINBEFORE DESCRIBED PARCEL 2 TO THE 6TH COURSE OF THE LAND DESCRIBED AS PARCEL 2 IN THE DEED TO UNITED WATER CONSERVATION DISTRICT, RECORDED SEPTEMBER 7, 1955 IN BOOK 1326, PAGE 57 OFFICIAL RECORDS.

PARCEL 4:

A NON-EXCLUSIVE EASEMENT FOR ROAD PURPOSES OVER, IN AND ALONG THAT PORTION OF LOT 11, RANCHO SANTA CLARA DEL NORTE, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY IN BOOK 3, PAGE 26 OF MAPS, DESCRIBED AS FOLLOWS:

A STRIP OF LAND 50 FEET IN WIDTH LYING PARALLEL WITH AND ADJOINING THE SOUTHWESTERLY PROLONGATION OF THE 29TH COURSE, RECITED AS "SOUTH 39° 39' 08" WEST 843.20 FEET" IN THE 81G28 CLTA Guarantee Form No. 28 (06-05-14)

Page 7

Condition of Title Guarantee

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**EXHIBIT A
(Continued)**

HEREINBEFORE DESCRIBED PARCEL 1 AND EXTENDING FROM THE NORTHEASTERLY LINE OF LOS ANGELES AVENUE (FORMERLY DEL NORTE AVENUE) TO THE 1ST COURSE OF SAID PARCEL 1.

PARCEL 5:

A NON-EXCLUSIVE EASEMENT FOR AN UNDERGROUND CONDUIT AND ROAD (FOR PURPOSE OF SERVICING SAID CONDUIT) OVER, IN AND ALONG THOSE PORTIONS OF LOTS 12 AND 13, RANCHO SANTA CLARA DEL NORTE, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY IN BOOK 3, PAGE 26 OF MAPS, DESCRIBED AS FOLLOWS:

A STRIP OF LAND 50 FEET IN WIDTH LYING PARALLEL WITH AND ADJOINING THE SOUTHWESTERLY PROLONGATION OF THE 2ND COURSE, RECITED AS "NORTH 34° 55' 04" EAST 2140.63 FEET" IN THE HEREINBEFORE DESCRIBED PARCEL 1 AND EXTENDING FROM THE NORTHEASTERLY LINE OF LOS ANGELES AVENUE (FORMERLY DEL NORTE AVENUE) TO THE 1ST COURSE OF SAID PARCEL 1.

ALSO AN ADJOINING TRIANGULAR-SHAPED STRIP OF LAND AT THE INTERSECTION OF THE SOUTHWESTERLY PROLONGATION OF SAID 2ND COURSE OF SAID PARCEL 1 WITH SAID NORTHEASTERLY LINE OF SAID LOS ANGELES AVENUE, HAVING SIDES OF TRIANGLE FORMED BY THE FOLLOWING:

1ST: NORTHEASTERLY FROM SAID INTERSECTION 40 FEET ALONG SAID PROLONGATION,

2ND: SOUTHEASTERLY FROM SAID INTERSECTION 20 FEET ALONG SAID NORTHEASTERLY LINE OF SAID LOS ANGELES AVENUE AND,

3RD: A LINE BETWEEN THE NORTHEASTERLY TERMINUS OF THE 40 FEET SIDE AND THE SOUTHEASTERLY TERMINUS OF THE 20 FEET SIDE.

PARCEL 6:

A NON-EXCLUSIVE EASEMENT FOR AN UNDERGROUND PIPELINE AND ROAD OVER, IN AND ALONG THAT PORTION OF LOT 11, RANCHO SANTA CLARA DEL NORTE, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY IN BOOK 3, PAGE 26 OF MAPS, DESCRIBED AS FOLLOWS:

A STRIP OF LAND 30 FEET IN WIDTH LYING PARALLEL WITH AND ADJOINING THE SOUTHEASTERLY PROLONGATION OF THE 2ND COURSE RECITED AS "SOUTH 50° 19' 36" EAST 357.01 FEET" IN THE LAND DESCRIBED AS PARCEL 2 IN THE DEED TO UNITED WATER CONSERVATION DISTRICT, RECORDED SEPTEMBER 7, 1955 IN BOOK 1326, PAGE 57 OFFICIAL RECORDS AND EXTENDING FROM THE 3RD COURSE OF SAID PARCEL 2 TO THE 29TH COURSE OF THE HEREINBEFORE DESCRIBED PARCEL 1.

PARCEL 7:

THOSE PORTIONS OF LOTS 11, 12 AND 13, RANCHO SANTA CLARA DEL NORTE, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY IN BOOK 3, PAGE 26 OF MAPS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF LOS ANGELES AVENUE (FORMERLY DEL NORTE AVENUE) WITH THE CENTER LINE OF VINEYARD AVENUE, AS SAID AVENUES ARE SHOWN ON SAID MAP;

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Condition of Title Guarantee

Page 8

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**EXHIBIT A
(Continued)**

THENCE ALONG THE CENTER LINE OF SAID LOS ANGELES AVENUE.

THE SOUTH 50° 20' 00" EAST 560.00 FEET TO A NAIL SET IN THE INTERSECTION WITH THE SOUTHWESTERLY PROLONGATION OF THE SOUTHEASTERLY LINE OF THE LAND DESCRIBED IN THE DEED TO UNITED CONCRETE PIPE CORPORATION, BY DEED RECORDED JULY 16, 1946 AS DOCUMENT NO. 8614 IN BOOK 721, PAGE 451 OF OFFICIAL RECORDS;

THENCE ALONG SAID PROLONGATION AND SAID SOUTHEASTERLY LINE, NORTH 39° 39' 08" EAST 30.07 FEET TO A 4 INCH X 4 INCH POST SET IN CONCRETE IN THE NORTHEASTERLY LINE OF SAID LOS ANGELES AVENUE AND BEING THE TRUE POINT OF BEGINNING;

1ST: THENCE CONTINUING ALONG SAID SOUTHEASTERLY LINE, NORTH 39° 39' 08" EAST 250.00 FEET TO A 1-1/4 INCH IRON PIPE, MARKED "R.E. 606";

2ND: THENCE PARALLEL WITH THE NORTHEASTERLY LINE OF SAID LOS ANGELES AVENUE, SOUTH 50° 20' 00" EAST 2743.39 FEET TO A 1-1/4 INCH IRON PIPE, MARKED "R.E. 606";

3RD: THENCE, SOUTH 34° 55' 04" WEST 250.86 FEET TO A 4 INCH X 4 INCH POST SET IN SAID NORTHEASTERLY LINE OF SAID LOS ANGELES AVENUE;

4TH: THENCE ALONG SAID NORTHEASTERLY LINE, NORTH 50° 20' 00" WEST 2764.10 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT THEREFROM ALL MINERALS, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, TOGETHER WITH THE RIGHT TO DIRECTIONALLY DRILL AND PASS THROUGH SAID PROPERTY AND TO EXPLORE FOR AND PRODUCE THE SAME FROM OTHER LANDS IN THE VICINITY, WITHOUT, HOWEVER, THE RIGHT TO ENTER UPON OR DRILL THROUGH THE SURFACE OR UPPER FIVE HUNDRED FEET (500') OF THE SUBSURFACE OF SAID PROPERTY, AS PROVIDED IN DEED RECORDED MAY 22, 1987 AS INSTRUMENT NO. 87-79086, OFFICIAL RECORDS.

APN: 109-0-010-035 and 109-0-010-070

EXHIBIT "B"

Easement Area

See attached

ADDITIONAL TO AN EXISTING WIRELESS COMMUNICATIONS GUARANTEED SUBSCRIPTION TO CONSIST OF THE FOLLOWING:

1. INSTALLATION OF ONE (1) NEW 2X8 TRAFFIC BORED HOLE WITHIN THE ROOM.
2. INSTALLATION OF NINE (9) NEW 2X2 TRAFFIC BORED HOLE WITHIN PRIVATE PROPERTY A STUD OUT TO MEET-UP POINT
3. INSTALLATION OF NEW TWO BY TWO CONDUIT TO BE FINISHED FROM FIBER CLOPP WHERE IT APPROX. LOCATING A NEW H.T. TO EXISTING WIRELESS EQUIP. SHELF IN APPROX. LOCATION
4. G.C. TO ROUTE HOW MULTIPLE WITHIN NEW CONDUIT TO VERSION WIRELESS EQUIP. SHELF FROM NEW 2X8 TRAFFIC BORED H.H. AT PROPERTY LINE.
5. G.C. TO ROUTE APPROX. 30' OF 1" RADIUSDUCT FROM LUNION BOX TO ENTRY POINT, HOOK TO VERSION WIRELESS TOLL MCK.

CONSTRUCTION DATA:	COUNTY OF VENTURA
INTERIOR:	
TYPE OF CONSTRUCTION:	"U"
OCCUPANCY:	U

LEGAL DESCRIPTION	
ASSESSOR'S IDENTIFICATION	
APN 179-040-120	
<p>THAT PART OF LOT 11 OF RANCHO SANTA CLARA DEL NORTE, IN THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, AS SHOWN AND RECORDED IN BOOK 3, PAGE 28, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID VERMILION COUNTY, DESCRIBED AS FOLLOWS:</p> <p>BEGINNING AT A BOLT SET IN THE PAVEMENT AT THE INTERSECTION OF THE CENTERLINE OF THE HIGHWAY, 160 FEET NORTH OF THE CENTERLINE OF THE SAID AVENUE, MODIFIED FROM 40 FEET TO 50 FEET, AS SAID AVENUE AND AVENUE 1571, SOUTH 50°22' EAST 666 FEET AT THE CENTERLINE OF THE SAID AVENUE, 1571, SOUTH 50°22' EAST 666 FEET AT 1.66 FEET A POINT FROM WHICH THE CORNER BETWEEN LOTS 10 AND 14 OF SAID RANCHO, BEARS 35°42' EAST 63 FEET TO A POINT; THENCE, 280° NORTH 57°22' WEST 692.81 FEET OF RECORD, 1.66 FEET, 4141° SOUTH 54°31'15" WEST 651.78 FEET TO THE EXCEPT THEREFROM ALL THAT PORTION OF SAID LAND, LOTS 10 AND 14, DESCRIBED IN THAT CERTAIN FINAL ORDER OF CONDEMNATION DATED JANUARY 16, 1959 AS IN DOCUMENT NO. 39-02343 OF OFFICIAL RECORDS.</p> <p>EXCEPT THEREFROM AN UNDIVIDED ONE-HALF INTEREST IN, AND TO ALL THE OIL AND HYDROCARBON SUBSTANCES AND MINERALS IN, AND UNDER AND TO WHOLE OR PART THEREOF, THE RIGHT TO ENTER UPON THE SURFACE, MEASURED VERTICALLY FROM THE SURFACE THEREOF, FOR THE PURPOSE OF EXPLORING FOR, DEVELOPING OR EXTRACTING SAID SUBSTANCES.</p>	
SEE SHEET LS-1 FOR FULL LEGAL DESCRIPTION	
SHEET INDEX	
SHEET NUMBER	DESCRIPTION
1-1	TITLE SHEET
LS-1	TOPOGRAPHIC SURVEY
LS-2	TOPOGRAPHIC SURVEY
LS-3	TOPOGRAPHIC SURVEY
LS-4	TOPOGRAPHIC SURVEY
LS-5	SITE PLAN
LS-11	SITE PLAN DETAILS
LS-2	ENLARGED SITE PLAN
NOTES	
<p style="text-align: center;">SPECIAL INSPECTIONS</p> <p style="text-align: center;">SPECIAL INSPECTIONS REQUIRED FOR THE WORK DONE</p>	

[illegible]

COMMONWEALTH LAND THE INSURANCE COMPANY, CONVENTION
OF THE CUPPETER, ORDER NO. 92016310-920-CM-CMS,
DATED AS OF JANUARY 12, 2022.

[illegible]

COMMONWEALTH LAND TITLE INSURANCE COMPANY, CONDITION
OF TITLE GUARANTEE ORDER NO. 92016011-920-CRM-CMG,
DATED AS OF JANUARY 12, 2022.

[illegible]

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

[illegible]

BASES OF BEHAVIOR:
 ESTABLISHED BY C.P.S. ORDINATIONS AND PROCEEDED TO
 CALIFORNIA CODE 5, STATE PLANS AND CARPORT SYSTEM
 OF 1983.

ASSESSOR'S IDENTIFICATION:
 VENTURA COUNTY A.P.N. 169-0-010-210, 035 & 070

AREA:
 19.80 ACRES PER VENTURA COUNTY ASSESSOR

BENCH MARK REFERENCE:

	Appro
T	

verizon^v

15505 Sand Canyon Ave.
Building "D", First Floor
Irvine, CA 92618 (049) 286-7000

MATCH LINE - SEE BELOW RIGHT

MATCH LINE - SEE ABOVE LEFT

SEE SHEET LS-1 FOR TITLE INFO
SEE SHEET LS-2 FOR BOUNDARY INFO
SEE SHEET LS-3 FOR ADDITIONAL SITE DETAILS

[illegible]

5-4

BERT HAZEN
AND ASSOCIATES, INC.
LAND SURVEYING & MAPPING
3188 AIRWAY AVENUE, SUITE K1
COSTA MESA, CALIFORNIA 92626
714 557-1587 OFFICE
714 557-1568 FAX
JN. 803.513



LIRIO
3135 LOS ANGELES AVE.
OXNARD, CA 93036

TOPOGRAPHIC SURVEY

verizon[✓]

15505 Sand Canyon Ave.
Building "D", First Floor
Irving, CA. 92618

(049) 286-7000

Dept. Approved Date	
A&C	
RE	
RF	
INT	
EE	
OPS	
EE/OUT	

- [illegible]

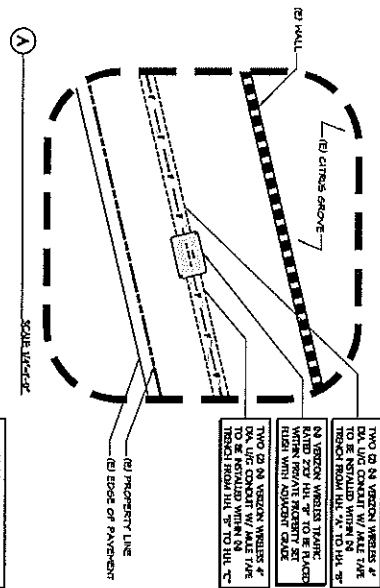
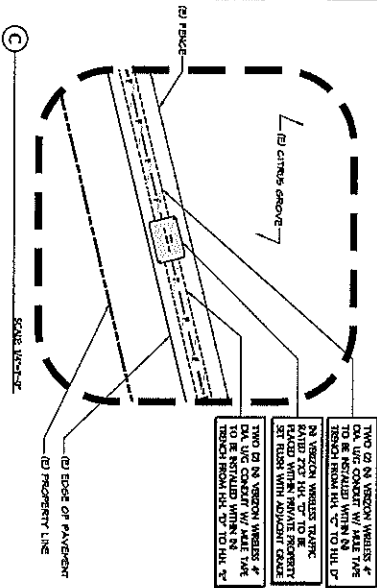


Diagram illustrating the location of the rear wheel assembly and the rear edge of the pavement. The diagram shows a side view of a vehicle's rear end, with the rear wheel assembly and the rear edge of the pavement indicated by dashed lines. The labels are as follows:

- REAR WHEEL ASSEMBLY
- REAR EDGE OF PAVEMENT
- REAR WHEEL ASSEMBLY



Dept. Approved Date		
A&C		
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RF		
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EE		
OPS		
EE/OUT		

A&C		
RE		
RF		
INT		
EE		
OPS		
EE/OUT		

Upon Recording, Return to:

McGuireWoods LLP
1800 Century Park East, 8th Floor
Los Angeles, CA 90067
Attn: Reena R. Yuba

[Space above this line for Recorder's Use]

MEMORANDUM OF GRANT OF EASEMENT

THIS MEMORANDUM OF GRANT OF EASEMENT evidences that a Grant of Easement ("Easement") was entered into as of _____, by and between United Water Conservation District, a public district ("Grantor"), and Los Angeles SMSA Limited Partnership, a California limited partnership dba Verizon Wireless ("Grantee") concerning that certain real property of Grantor located off of Los Angeles Avenue in Oxnard, California, and which is described in Exhibit "A" attached hereto ("Grantor's Property"), for ingress and egress and utilities. The utilities and access routes are more particularly described in Exhibit B attached to the Easement.

IN WITNESS WHEREOF, hereunto, Grantor and Grantee have caused this Memorandum of Grant of Easement to be duly executed on the date first written hereinabove.

GRANTOR:

United Water Conservation District, a public district

By: _____

Name: _____

Title: _____

GRANTEE:

Los Angeles SMSA Limited Partnership, a California limited liability company dba Verizon Wireless

By: AirTouch Cellular Inc., its General Partner

By: _____

Name: _____

Title: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF _____)

COUNTY OF _____)

On _____, 2022, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public

(Seal)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF California)
COUNTY OF Orange)

On August 9, 2022, before me, Janice K Sorensen, Notary Public, personally appeared Jill Flynn, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Notary Public

(Seal)



EXHIBIT "A"

Legal Description of Grantor's Property

See attached

EXHIBIT A
LEGAL DESCRIPTION

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

THOSE PORTIONS OF LOTS 10, 11, 12 AND 13, RANCHO SANTA CLARA DEL NORTE, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY IN BOOK 3, PAGE 26 OF MAPS, LYING WITH ASSESSORS PARCEL NO. 109-0-010-035, BEING A PORTION OF THE PROPERTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF LOS ANGELES AVENUE (FORMERLY DEL NORTE AVENUE) WITH THE CENTER LINE OF VINEYARD AVENUE, AS SAID AVENUES ARE SHOWN ON SAID MAP;

THENCE ALONG THE CENTER LINE OF SAID LOS ANGELES AVENUE, SOUTH 50° 20' 00" EAST 860 FEET TO A NAIL SET AT THE INTERSECTION WITH THE SOUTHWESTERLY PROLONGATION OF THE SOUTHEASTERLY LINE OF THE LAND CONVEYED TO UNITED CONCRETE PIPE CORPORATION BY DEED RECORDED JULY 16, 1945, AS DOCUMENT NO. 8614, IN BOOK 721, PAGE 451 OF OFFICIAL RECORDS;

THENCE ALONG SAID PROLONGATION AND SAID SOUTHEASTERLY LINE, NORTH 39° 39' 08" EAST 280.07 FEET, AT 30.07 FEET A 4 INCH X 4 INCH POST SET IN CONCRETE IN THE NORTHEASTERLY LINE OF SAID LOS ANGELES AVENUE, AT 280.07 FEET A 1-1/4 INCH IRON PIPE, MARKED "R.E. 606", SET AT THE INTERSECTION WITH A LINE WHICH IS PARALLEL WITH AND LINE, FROM THE NORTHEASTERLY LINE OF SAID LOS ANGELES AVENUE AND BEING THE TRUE POINT OF BEGINNING;

1ST: THENCE ALONG SAID PARALLEL LINE, SOUTH 50° 20' 00" EAST 2743.39 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

2ND: THENCE, NORTH 34° 55' 04" EAST 2140.63 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

3RD: THENCE, NORTH 50° 19' 53" WEST 708.22 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

4TH: THENCE, NORTH 38° 40' 21" EAST 162.51 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

5TH: THENCE, NORTH 44° 52' 33" WEST 896.14 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

6TH: THENCE, NORTH 30° 50' 52" EAST 200.07 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

7TH: THENCE, NORTH 44° 47' 09" WEST 735.81 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

8TH: THENCE, NORTH 47° 40' 18" EAST 581.32 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

9TH: THENCE, NORTH 62° 32' 35" EAST 186.73 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

10TH: THENCE, NORTH 36° 00' 40" EAST 613.77 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

11TH: THENCE, NORTH 53° 28' 03" EAST 201.02 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

**EXHIBIT A
(Continued)**

12TH: THENCE, NORTH 44° 09' 28" EAST 331.92 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

13TH: THENCE, NORTH 7° 48' 28" WEST 125.43 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606, SET ON THE GRANT LINE BETWEEN LOT 10 OF THE RANCHO SANTA CLARA DEL NORTE AND LOT 83 OF THE RANCHO SANTA PAULA Y SATICOY, WHICH BEARS SOUTH 70° 37' 52" WEST 84.15 FEET FROM PUNTA DE LA LOMA, SO CALLED, THE COMMON CORNER TO THE RANCHO SANTA PAULA Y SATICOY, RANCHO SANTA CLARA DEL NORTE, AND TOWNSHIP 2 NORTH, RANGE 21 WEST, SAN BERNARDINO MERIDIAN, AND MARKED BY A 1/2-INCH IRON ROD;

14TH: THENCE, SOUTH 70° 37' 52" WEST 2104.18 FEET ALONG THE SAID GRANT LINE; AT 123.18 FEET A 1-1/4 INCH IRON PIPE MARKED R.E. 606; AT 1834.59 FEET A 1-1/2 INCH IRON PIPE AT THE INTERSECTION OF THE LOT LINE BETWEEN LOTS 83 AND 84 OF THE RANCHO SANTA PAULA Y SATICOY WITH THE SAID GRANT LINE; AT 2104.18 FEET A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

15TH: THENCE, SOUTH 11° 01' 23" WEST 397.80 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

16TH: THENCE, NORTH 74° 20' 13" EAST 176.29 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

17TH: THENCE, NORTH 62° 05' 13" EAST 894.46 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

18TH: THENCE, SOUTH 55° 51' 07" EAST 244.97 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

19TH: THENCE, SOUTH 34° 08' 53" WEST 30 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

20TH: THENCE, NORTH 55° 51' 07" WEST 226.92 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

21ST: THENCE, SOUTH 62° 05' 13" WEST 879.63 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

22ND: THENCE, SOUTH 74° 20' 13" WEST 170.95 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

23RD: THENCE, SOUTH 31° 35' 49" EAST 545.71 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

24TH: THENCE, SOUTH 38° 14' 33" WEST 489.10 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

25TH: THENCE, SOUTH 31° 39' 42" EAST 154.20 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

26TH: THENCE, SOUTH 28° 08' 51" WEST 202.27 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

27TH: THENCE, SOUTH 43° 22' 57" WEST 346.46 FEET TO A 1-1/4 INCH IRON PIPE MARKED R.E. 606;

28TH: THENCE, SOUTH 59° 13' 09" WEST 378.64 FEET TO A 1-1/4 INCH IRON PIPE MARKED "R.E. 606"; SET AT THE INTERSECTION WITH THE NORTHEASTERLY PROLONGATION OF THE SOUTHEASTERLY LINE OF SAID LAND OF UNITED CONCRETE PIPE CORPORATION;

29TH: THENCE ALONG SAID PROLONGATION AND SAID SOUTHEASTERLY LINE, SOUTH 39° 39' 08" WEST 843.20 FEET; AT 60.08 FEET A 3/4 INCH IRON PIPE; AT 843.20 FEET THE TRUE POINT OF BEGINNING.

EXCEPT THEREFROM ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES LYING IN AND UNDER SAID LAND, INCLUDING THE RIGHT TO DRILL FOR, DEVELOP, AND PRODUCE SAID SUBSTANCES BY MEANS OF SLANT HOLES FROM LANDS RETAINED BY GRANTOR, BUT WITHOUT THE RIGHT EVER TO

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**EXHIBIT A
(Continued)**

USE THE SURFACE OF SAID REAL PROPERTY OR THE SUBSURFACE THEREOF TO A DEPTH OF 500 FEET FOR THE PURPOSE OF DRILLING, EXPLORING FOR OR PRODUCING OIL, GAS OR OTHER HYDROCARBON SUBSTANCES FOR ANY OTHER PURPOSE, AS RESERVED BY JOHN LLOYD-BUTLER, A MARRIED MAN, IN DEED RECORDED SEPTEMBER 7, 1955, AS DOCUMENT NO. 35134 IN BOOK 1326, PAGE 57 OF OFFICIAL RECORDS.

NOTE: THIS COMPANY HAS PROVIDED SAID DESCRIPTION AS AN ACCOMMODATION FOR THE PURPOSE OF FACILITATING THIS REPORT. SAID DESCRIPTION MAY NOT AN INSURABLE PARCEL PURSUANT TO THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA AND SHOULD NOT BE RELIED UPON TO CONVEY OR ENCUMBER SAID LAND, UNTIL APPROVED BY THE APPROPRIATE GOVERNING AGENCY.

PARCEL 2:

A NON-EXCLUSIVE EASEMENT FOR ROAD PURPOSES OVER, IN AND ALONG THAT PORTION OF LOT 10, RANCHO SANTA CLARA DEL NORTE, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY IN BOOK 3, PAGE 26 OF MAPS, DESCRIBED AS FOLLOWS:

A STRIP OF LAND 30 FEET IN WIDTH LYING BETWEEN THE FOLLOWING COURSES AS RECITED IN THE HEREINBEFORE DESCRIBED PARCEL 1:

THE 18TH AND 20TH COURSES, RECITED AS "SOUTH 55° 51' 07" EAST 244.97 FEET AND NORTH 55° 51' 07" EAST 226.92 FEET", RESPECTIVELY, BETWEEN THE 17TH AND 21ST COURSES RECITED AS "NORTH 62° 05' 13" EAST 894.46 FEET AND SOUTH 62° 05' 13" WEST 879.63 FEET", RESPECTIVELY, AND BETWEEN THE 16TH AND 22ND COURSES RECITED AS "NORTH 74° 20' 13" EAST 176.29 FEET AND SOUTH 74° 20' 13" WEST 170.95 FEET" RESPECTIVELY, AND EXTENDING FROM THE 19TH COURSE TO A LINE BETWEEN THE SOUTHWESTERLY TERMINUS OF THE 22ND AND THE 16TH COURSES OF SAID PARCEL 1.

PARCEL 3:

A NON-EXCLUSIVE EASEMENT FOR ROAD PURPOSES OVER, IN AND ALONG THAT PORTION OF LOT 10, RANCHO SANTA CLARA DEL NORTE, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY IN BOOK 3, PAGE 26 OF MAPS, DESCRIBED AS FOLLOWS:

A STRIP OF LAND 30 FEET IN WIDTH AND EXTENDING IN A GENERAL SOUTHWESTERLY DIRECTION FROM THE SOUTHWESTERLY TERMINUS OF THE HEREINBEFORE DESCRIBED PARCEL 2 TO THE 6TH COURSE OF THE LAND DESCRIBED AS PARCEL 2 IN THE DEED TO UNITED WATER CONSERVATION DISTRICT, RECORDED SEPTEMBER 7, 1955 IN BOOK 1326, PAGE 57 OF OFFICIAL RECORDS.

PARCEL 4:

A NON-EXCLUSIVE EASEMENT FOR ROAD PURPOSES OVER, IN AND ALONG THAT PORTION OF LOT 11, RANCHO SANTA CLARA DEL NORTE, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY IN BOOK 3, PAGE 26 OF MAPS, DESCRIBED AS FOLLOWS:

A STRIP OF LAND 50 FEET IN WIDTH LYING PARALLEL WITH AND ADJOINING THE SOUTHWESTERLY PROLONGATION OF THE 29TH COURSE, RECITED AS "SOUTH 39° 39' 08" WEST 843.20 FEET" IN THE 81G28 CLTA Guarantee Form No. 28 (06-05-14)

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**EXHIBIT A
(Continued)**

HEREINBEFORE DESCRIBED PARCEL 1 AND EXTENDING FROM THE NORTHEASTERLY LINE OF LOS ANGELES AVENUE (FORMERLY DEL NORTE AVENUE) TO THE 1ST COURSE OF SAID PARCEL 1.

PARCEL 5:

A NON-EXCLUSIVE EASEMENT FOR AN UNDERGROUND CONDUIT AND ROAD (FOR PURPOSE OF SERVICING SAID CONDUIT) OVER, IN AND ALONG THOSE PORTIONS OF LOTS 12 AND 13, RANCHO SANTA CLARA DEL NORTE, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY IN BOOK 3, PAGE 26 OF MAPS, DESCRIBED AS FOLLOWS:

A STRIP OF LAND 50 FEET IN WIDTH LYING PARALLEL WITH AND ADJOINING THE SOUTHWESTERLY PROLONGATION OF THE 2ND COURSE, RECITED AS "NORTH 34° 55' 04" EAST 2140.63 FEET" IN THE HEREINBEFORE DESCRIBED PARCEL 1 AND EXTENDING FROM THE NORTHEASTERLY LINE OF LOS ANGELES AVENUE (FORMERLY DEL NORTE AVENUE) TO THE 1ST COURSE OF SAID PARCEL 1.

ALSO AN ADJOINING TRIANGULAR-SHAPED STRIP OF LAND AT THE INTERSECTION OF THE SOUTHWESTERLY PROLONGATION OF SAID 2ND COURSE OF SAID PARCEL 1 WITH SAID NORTHEASTERLY LINE OF SAID LOS ANGELES AVENUE, HAVING SIDES OF TRIANGLE FORMED BY THE FOLLOWING:

1ST: NORTHEASTERLY FROM SAID INTERSECTION 40 FEET ALONG SAID PROLONGATION,

2ND: SOUTHEASTERLY FROM SAID INTERSECTION 20 FEET ALONG SAID NORTHEASTERLY LINE OF SAID LOS ANGELES AVENUE AND,

3RD: A LINE BETWEEN THE NORTHEASTERLY TERMINUS OF THE 40 FEET SIDE AND THE SOUTHEASTERLY TERMINUS OF THE 20 FEET SIDE.

PARCEL 6:

A NON-EXCLUSIVE EASEMENT FOR AN UNDERGROUND PIPELINE AND ROAD OVER, IN AND ALONG THAT PORTION OF LOT 11, RANCHO SANTA CLARA DEL NORTE, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY IN BOOK 3, PAGE 26 OF MAPS, DESCRIBED AS FOLLOWS:

A STRIP OF LAND 30 FEET IN WIDTH LYING PARALLEL WITH AND ADJOINING THE SOUTHEASTERLY PROLONGATION OF THE 2ND COURSE RECITED AS "SOUTH 50° 19' 36" EAST 357.01 FEET" IN THE LAND DESCRIBED AS PARCEL 2 IN THE DEED TO UNITED WATER CONSERVATION DISTRICT, RECORDED SEPTEMBER 7, 1955 IN BOOK 1326, PAGE 57 OFFICIAL RECORDS AND EXTENDING FROM THE 3RD COURSE OF SAID PARCEL 2 TO THE 29TH COURSE OF THE HEREINBEFORE DESCRIBED PARCEL 1.

PARCEL 7:

THOSE PORTIONS OF LOTS 11, 12 AND 13, RANCHO SANTA CLARA DEL NORTE, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY IN BOOK 3, PAGE 26 OF MAPS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF LOS ANGELES AVENUE (FORMERLY DEL NORTE AVENUE) WITH THE CENTER LINE OF VINEYARD AVENUE, AS SAID AVENUES ARE SHOWN ON SAID MAP;

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**EXHIBIT A
(Continued)**

THENCE ALONG THE CENTER LINE OF SAID LOS ANGELES AVENUE.

THE SOUTH 50° 20' 00" EAST 560.00 FEET TO A NAIL SET IN THE INTERSECTION WITH THE SOUTHWESTERLY PROLONGATION OF THE SOUTHEASTERLY LINE OF THE LAND DESCRIBED IN THE DEED TO UNITED CONCRETE PIPE CORPORATION, BY DEED RECORDED JULY 16, 1946 AS DOCUMENT NO. 8614 IN BOOK 721, PAGE 451 OF OFFICIAL RECORDS;

THENCE ALONG SAID PROLONGATION AND SAID SOUTHEASTERLY LINE, NORTH 39° 39' 08" EAST 30.07 FEET TO A 4 INCH X 4 INCH POST SET IN CONCRETE IN THE NORTHEASTERLY LINE OF SAID LOS ANGELES AVENUE AND BEING THE TRUE POINT OF BEGINNING;

1ST: THENCE CONTINUING ALONG SAID SOUTHEASTERLY LINE, NORTH 39° 39' 08" EAST 250.00 FEET TO A 1-1/4 INCH IRON PIPE, MARKED "R.E. 606";

2ND: THENCE PARALLEL WITH THE NORTHEASTERLY LINE OF SAID LOS ANGELES AVENUE, SOUTH 50° 20' 00" EAST 2743.39 FEET TO A 1-1/4 INCH IRON PIPE, MARKED "R.E. 606";

3RD: THENCE, SOUTH 34° 55' 04" WEST 250.86 FEET TO A 4 INCH X 4 INCH POST SET IN SAID NORTHEASTERLY LINE OF SAID LOS ANGELES AVENUE;

4TH: THENCE ALONG SAID NORTHEASTERLY LINE, NORTH 50° 20' 00" WEST 2764.10 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT THEREFROM ALL MINERALS, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, TOGETHER WITH THE RIGHT TO DIRECTIONALLY DRILL AND PASS THROUGH SAID PROPERTY AND TO EXPLORE FOR AND PRODUCE THE SAME FROM OTHER LANDS IN THE VICINITY, WITHOUT, HOWEVER, THE RIGHT TO ENTER UPON OR DRILL THROUGH THE SURFACE OR UPPER FIVE HUNDRED FEET (500') OF THE SUBSURFACE OF SAID PROPERTY, AS PROVIDED IN DEED RECORDED MAY 22, 1987 AS INSTRUMENT NO. 87-79086, OFFICIAL RECORDS.

APN: 109-0-010-035 and 109-0-010-070

On the Record with Governor Gavin Newsom: Saving Water & Building a More Resilient Future

Published: Sep 28, 2022

On the Record with Governor Gavin Newsom: Saving Water & Building a More Resilient Future

By Governor Gavin Newsom

California's climate has changed. We are experiencing more extreme weather – hotter temperatures, longer and more severe droughts, worsening wildfires and dangerous flash flooding. We're seeing this not just in California, but across the entire American West.

These changes mean we must continue adapting to a hotter, drier future. Without action, state officials believe extreme weather could diminish California's water supply by up to 10 percent by 2040.

The state has implemented unprecedented measures to cut water use, build storage capacity and increase supply. And it's also up to all of us to keep doing our part to curb our water use.

California is investing billions of dollars into concrete actions that will secure the future of our state's water supply. These key actions are part of a comprehensive water resilience plan, "[California's Water Supply Strategy, Adapting to a Hotter, Drier Future](#)," which my administration released in August to highlight how we can stretch existing supplies and develop new sources to replace the water we will lose in this new era of warming temperatures.

The plan outlines our aggressive, science-led approach to addressing California's water future by reimagining the way we source, store and deliver water statewide for future generations. To match the pace of climate change, we know we must move smarter and faster – and we're doing that.

Californians have repeatedly answered the call to use less water in past droughts. As the state prepares for the possibility of a fourth dry year and potential weather extremes, it's more important than ever that all of us adopt water conservation as a way of life.

For many homeowners, most water use and waste happens in our yards – in some areas, [up to 75 percent](#) of residential water use comes from sprinklers and other outdoor irrigation.

The good news is there are simple actions we can take right now to help save water in a big way. Simply watering your lawn less and fixing leaks inside and outside the house can save thousands of gallons of water each year.

If you're ready to make bigger changes outside, updating yards with native landscaping that includes [water-wise plants](#) and [hardscaping elements](#), like pavers, granite or bark, can create year-round outdoor living spaces that eliminate the need to weed, mow and water regularly.

The state is working closely with local water agencies and other partners to ensure that Californians have access to the resources you need to help. Check with your local water agency for rebates to help cover some of these costs and to find out about community resources that can help you replace grass with water-smart landscaping that you, your family and your pets can all enjoy.

Californians know how to meet the moment, and together, we can create necessary change for a water-smart future. The recently enacted state budget includes \$3.6 billion over four years for immediate drought support and long-term water resilience. Including allocations in the 2021 state budget, a total of \$8.7 billion has been dedicated to support drought resilience and response. This includes \$175 million for lawn replacement and other water conservation strategies.

By making saving water a way of life, we can adapt and thrive. And if we each do our part, we can make our water last for generations to come. Together we can save water, and save California.

###

Newsom signs legislation to save Californians money and water

by Ashley Harting

Wednesday, September 28th 2022

SHASTA COUNTY, Calif. — Governor Gavin Newsom signed a new law on Wednesday to make it cheaper for Californians to replace their traditional grass lawns with more sustainable, drought-resistant plants.

The focus behind this new law is to help Californians save water, and a big way they can do that is by opting for these more sustainable plants and landscaping. Newsom is making these changes more accessible by signing this new legislation to exempt local rebates for turf replacement from state income tax, ensuring Californians will take advantage of this water-saving and money-saving opportunity by transforming their grass lawns into water-wise yards.



California Governor Gavin Newsom inside Oroville's Edward Hyatt Powerplant Tuesday addressing the state's response to worsening drought conditions. (KRCR)

Our hots are getting hotter, and our dries are getting drier. Our state is on track to lose 10% of its water supply by 2040 which is why we must all do our part to conserve water", said Governor Newsom. "With a drier landscape becoming the norm, we're stepping up to help Californians replace their lawns with drought-tolerant landscaping that will help us combat the drought we're in and build resilience for the future. Conservation is just one part of our strategy – that's why

we're finding ways to stretch the water supply we have, create new sources of water, and increase storage. It will take all of us working together to weather this drought and save our water.



An aerial drone view at Bidwell Canyon boat ramps showing Lake Oroville on August 4, 2022 in Butte County, California. On this date, the storage was 1,439,844 reservoir acre-feet (AF), which is 41% of the total capacity. (Kelly M. Grow / California Department of Water Resources.)

As California confronts drought, extreme heat and worsening climate change, it is critical that we deepen our investment in water conservation strategies,” said Assembly Member Jesse Gabriel (D -Encino), author of AB 2142, the legislation that exempts turf replacement rebates from state income tax. “This new law will strengthen consumer rebates and help ensure that Californians who switch to drought-tolerant landscaping are able to save water and save money. I applaud Governor Newsom for his leadership on climate resiliency and thank him for signing this bill today.

Back in June, California saw a statewide prohibition on watering non-functional turf; in August, the California Water Supply Strategy went into effect as well, which set goals with multiple agencies to covert 500 million square feet into ornamental turf by 2030.

Newsom pushes for water-conservation as we enter what he anticipates to be a fourth dry year in California.

Multiple other measures were signed Wednesday alongside this one, all focused on combatting this severe drought and encouraging water efficiency.

The following water-conserving measures signed Wednesday include:

- AB 2142 by assembly member Jesse Gabriel (D-Encino) – Income taxes: exclusion: turf replacement water conservation program.

- AB 2895 by assembly member Dr. Joaquin Arambula (D-Fresno) – Water: permits and licenses: temporary changes: water or water rights transfers.
- SB 489 by Senator John Laird (D-Santa Cruz) – Flood management projects: state funding: Pajaro River Flood Risk Management Project.
- SB 230 by Senator Anthony Portantino (D-La Cañada Flintridge) – State Water Resources Control Board: Constituents of Emerging Concern in Drinking Water Program.
- SB 891 by Senator Robert Hertzberg (D-Van Nuys) – Business licenses: storm-water discharge compliance.
- SB 1157 by Senator Robert Hertzberg (D-Van Nuys) – Urban water use objectives.
- SB 1188 by Senator John Laird (D-Santa Cruz) – Safe Drinking Water State Revolving Fund: financial assistance.
- SB 1254 by Senator Robert Hertzberg (D-Van Nuys) – Drinking water: administrator: managerial and other services.
- SB 1372 by Senator Henry Stern (D-Los Angeles) – Sustainable Groundwater Management Act: groundwater sustainability plans: groundwater rights.

Previously signed

- AB 2108 by assembly member Robert Rivas (D-Salinas) – Water policy: environmental justice: disadvantaged and tribal communities.
- AB 2877 by assembly member Eduardo Garcia (D-Coachella) – Safe and Affordable Drinking Water Fund: tribes.
- SB 1205 by Senator Ben Allen (D-Santa Monica) – Water rights: appropriation.

For full text on these bills, you can read more on the [California Legislative Information page](#).



MAKENA HUEY/Acorn Newspapers

FLUID SITUATION—Mauricio Guardado of United Water Conservation District, left, David Klotzle of the City of Camarillo, Ian Prichard of Camrosa Water District and Dan Drugan of Calleguas Municipal Water District participate in a water conservation forum Sept. 13 at Camarillo City Hall.

City offers clarity on water conservation

By Makena Huey
makena@theacorn.com

Though the city has worked to get the word out about the latest policies on outdoor water use, some residents still have questions about what is and is not allowed.

To provide clarity on recent restrictions and discuss the direct impact of the drought, the City of Camarillo hosted a public forum on water conservation Sept 13.

"I want to acknowledge the efforts that have already been taken by many customers to reduce

the amount of water used in California, and we need to continue to do that," David Klotzle, director of public works, told attendees. "A huge part of success in doing that is this kind of forum, communication and collaboration."

Klotzle was joined by three panelists from Calleguas Municipal Water District, Camrosa Water District and United Water Conservation District. They responded to residents' questions about topics like the city's desalter and future regulations.

Current restrictions

Currently, residents may only water their lawns

— Please See **Page 2**

Water rules

From Page 1 —

one day per week for up to 10 minutes between 6 p.m. and 8 a.m. Homes with even addresses are allowed to water on Tuesdays and odd addresses on Thursdays.

The goal is to reduce water use 20% to 30% compared to 2020.

Nonfunctional grass at commercial, industrial and institutional sites as well as common areas at condos, apartments and retirement communities cannot be watered.

Trees

Several attendees expressed

concern for the trees on their properties.

Panelists clarified that the current outdoor watering restrictions do not apply to the hand watering of trees, shrubs and ground cover.

"I don't think the Metropolitan Water District would want to see any trees die," said Dan Drugan, manager of resources and public affairs for Calleguas.

Enforcement

The city has doubled, if not tripled its efforts with its environmental consultant, Green Media Creations, over the past several months, Klotzle said. The organization monitors residents during weekdays as well as nights and weekends.

The city can issue fines to those who repeatedly violate regulations, but Klotzle said the city's focus is on education.

"It is working," he said. "We are seeing reductions in water use."

Future restrictions

The current drought is the worst in Calleguas history, and Drugan said there is a possibility that additional water conservation

mandates—such as moving to zero days of outdoor watering—could be necessary as soon as next spring.

Although it is not yet clear what zero days of outdoor watering would look like, Drugan said, water should only be used for "critical human health and safety needs."

Like the current restrictions, future mandates would likely not apply to hand watering trees, shrubs and ground cover. The focus, he said, is on lawns.

"It's not that we have an anti-turf agenda as water agencies," Drugan said. "It's just that this is what we have to focus on. Climate change is making that a priority."

Rebates

Rebates are available for residents who choose to replace their lawns with drought-tolerant landscaping. Additional information and applications can be found at bewaterwise.com.

Residents can also submit rebate claims for rain barrels to reuse rainwater. Each barrel can earn \$35, with a maximum of two barrels.

Calleguas plans to hold a rain barrel sale in November at its Thousand Oaks headquarters.

Camrosa is considering additional non-potable-water filling stations for residents to fill up containers at no cost.

Desalter

The North Pleasant Valley Groundwater Desalter, a \$66-million project two decades in the making, is in the final testing phase, Klotzle said. Once it receives the permits needed to operate, it will significantly reduce the city's dependence on imported water.

The city anticipates the plant will go online soon.

Camrosa's desalter, the Round Mountain Water Treatment Plant near Lewis and Potrero Roads, went online in 2014, and Assistant General Manager Ian Prichard said it helped reduce dependence on the state.

Engagement

Mauricio Guardado, general manager at United Water Conservation District, encouraged residents to remain engaged with legislators and hold them accountable for improving infrastructure and funding.

"Until we resolve some of those issues in Sacramento, we're not going to be able to sustain droughts in future years," he said.

To learn more about water conservation, go to cityofcamarillo.org/waterconservation.

Los Angeles Times

California should expect a ‘fourth dry year’ as drought persists



Officials said some of the state’s biggest reservoirs, including Lake Oroville, above, are a bit more full than they were at the same time last year, but still remain well below average.

(Francine Orr / Los Angeles Times)

By [Hayley Smith](#), Staff Writer

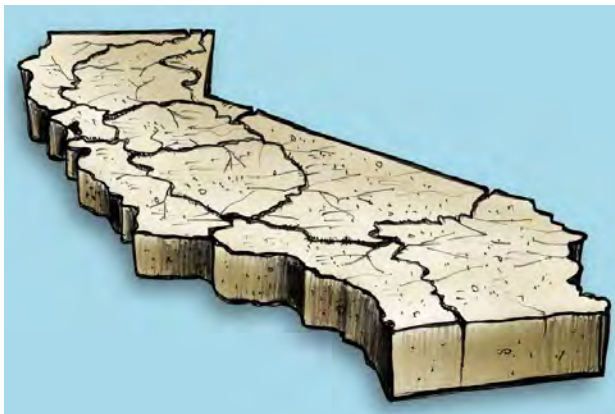
Sept. 22, 2022 5 AM PT

California’s reservoirs will enter fall in a slightly better position than last year, but the Golden State should prepare for more dryness, extreme weather events and water quality hazards in 2023, officials say.

The latest climate forecasting update from the Department of Water Resources came Wednesday, just days before the end of the water year, which runs from Oct. 1 to Sept. 30 in California. Officials said some of the state’s biggest reservoirs, including Lake Oroville and Lake Shasta, are slightly more full than they were at the same time last year, but still remain well below average.

Water managers are now preparing for a “fourth dry year,” as well as more unpredictable weather and wildfires associated with climate change, DWR Assistant Deputy Director John Yarbrough said during a meeting of the California Water Commission.

“We have more storage in the reservoirs, but we’re still well below average, well below where we’d like to be,” Yarbrough said. What’s more, “we have to prepare and expect that we’re going to see things that we haven’t seen before.”



Part of the challenge facing the state’s water managers is that climate change is making it more difficult to predict and prepare for water outcomes, Yarbrough said. During the 2022 water year, officials observed significant swings between extreme wet and extreme dry conditions, including a notably [rainy October through December](#) followed by the [driest January through March](#) on record.

Yarbrough said such variability underscores the need for conservative planning and aggressive multiagency action.

“When we look at patterns like this, it really challenges a lot of our practices for how we plan the system, for how we’re going to operate for the next year,” he said.

The 2022 water year also saw warmer-than-normal temperatures and drier-than-normal conditions, he said, but both metrics were slightly improved from the year prior. Lake Shasta, the state’s largest reservoir, is projected to end the water year with 1.48 million acre-feet in storage — up from 1.07 million acre-feet last year.

Still, Yarbrough emphasized that California remains in serious drought. Even with improved storage, Shasta sits at about 34% of its capacity, according to [The Times’ drought tracker](#). It’s “better than last year but not good enough,” he said.

Though California has experienced periods of drought in the past, Wednesday’s report came against a backdrop of [significant water cuts](#) and [worsening aridity](#) in what researchers have described as the [driest 22-year period in at least 1,200 years](#).

What’s more, the state’s other primary water supply — the Colorado River — is also running perilously low, with federal officials warning that another 150-foot drop in Lake Mead could lead to “dead pool” conditions, or the point at which water falls below the lowest intake valve on the Hoover Dam.

The looming crisis has put the pressure on California and other nearby states to figure out how to significantly reduce their reliance on the river, and officials have said [painful cuts are likely in the coming months](#).

But climate change isn't only affecting water availability in California — it is also affecting the quality of water, especially in watersheds near wildfires, according to Andrew Schwarz, climate action coordinator with the State Water Project.

More than half of the Feather River Watershed — the largest in the Sierra Nevada — burned in wildfires between 2019 and 2021, Schwarz said. About a quarter of it burned at high intensity levels associated with significant tree mortality.

Such fire activity can have [myriad effects on the watershed](#), including altered soil and vegetation. Schwarz said black carbon deposits from ash and burned trees can change the reflectivity of snow to make it melt faster, while high heat can make soil waxy, more water repellent and more prone to runoff. What's more, erosion and debris flow can send sediment into rivers and other sources of water.

"It's an incredible change in the landscape of a watershed, as you can imagine," he told the California Water Commission.

That confluence of hazards means the state's water managers are increasingly accounting for wildfires in their climate resilience efforts, Schwarz said, including improving water safety plans for local residents and implementing new sensor data to help experts monitor changing hydrology.

"We'll probably have more fire in the watershed, and so we'll be able to continue to adapt to this and get better information as we go along," he said.

Commissioner Alexandre Makler said the reports underscored the need for continued maintenance and asset management on the State Water Project.

"It needs to be in tip-top shape — that's absolutely critical," he said, adding that "it's clear that there is a significant capital component in addressing the risk, and combining that with the planning process."

California has been investing in such work, with the [2022-2023 state budget](#) carving out \$1.2 billion in new funds to lessen wildfire risk through better forest management and \$2.8 billion to support drought resilience and response, among other items.

But the mounting challenges mean there is much work yet to be done. Other water priorities for the coming year include maintaining the quality of the Sacramento-San Joaquin Delta, which is the source of municipal drinking water for many communities, while continuing to meet minimum health and safety needs and protecting species and the environment, Yarbrough told the commission. It's also critical to conserve as much reservoir water as possible, he said, "so we have water again in case we're faced with a fifth dry year."

AP

California governor signs sweeping climate legislation



Photo by: Rich Pedroncelli/AP

Gov. Gavin Newsom, center, poses with lawmakers after signing a package of legislation that accelerates the climate goals of the nation's most populous state at Mare Island in Vallejo, Calif.,

Friday, Sept. 16, 2022. (AP Photo/Rich Pedroncelli)

Gov. Gavin Newsom signed a sweeping package of bills Friday to expand California's reliance on clean energy and reduce carbon emissions, moves he said further establish the state as a global climate leader.

The new laws include proposals aimed at reducing exposure to gas and oil pollution in communities of color, expanding clean energy jobs, and accelerating the state's timeline for getting most of its electricity from renewable energy sources. Newsom signed them following [a record-breaking heat wave that forced](#) California to rely more heavily on natural gas for its electricity production.

“We could talk about the way the world should be and protest it,” Newsom said while standing underneath an array of solar panels. “Or we can actually make demonstrable progress.”

State Sen. Lena Gonzalez, a Democrat, was an author of one bill aimed at protecting vulnerable communities from pollution coming from oil and gas production sites. It bans the drilling of any new oil and gas wells within 3,200 feet of homes, schools, and other neighborhood sites and requires wells in those zones to enact stricter safety measures. Neighborhood oil drilling is prominent around Los Angeles and oil-rich parts of the Central Valley.

“The reason why we do this, first and foremost, is because some of us are parents,” said Gonzalez, who represents the southern part of Los Angeles County.

Another bill Newsom signed requires California to reach carbon neutrality by 2045, meaning it will remove as much carbon from the atmosphere as it emits.

The state's accelerated carbon reduction targets are a “big win for California,” Kassie Siegel, of the Center for Biological Diversity Action Fund, said in a statement.

The oil industry has broadly criticized [Newsom's climate package](#), saying it will harm an industry that still provides many jobs throughout the state. California is the seventh-largest oil-producing state.

Some environmental groups were critical as well, though for different reasons. Food and Water Watch California, a nonprofit aimed at addressing climate and water issues, opposed a bill in the package that creates a permitting system for carbon capture projects. Such efforts rely on technology to remove carbon from the atmosphere to store it underground.

Critics of the technology say it's dangerous, unproven and a means for oil companies to keep emitting.

“Carbon capture is a smokescreen for fossil fuel industry players to protect their bottom lines at the expense of our climate and communities,” Food and Water Watch California Director Chirag G. Bhakta said in a statement.

Newsom, a Democrat, also took the opportunity to swipe at Republican political leaders in Texas. He compared California’s energy production to that of Texas, another major producer, where a winter storm in February 2021 [left millions without power](#).

“And they’re talking to us about keeping our lights on?” Newsom said of Texas.

California's drought regulators lose big case. What it means for state's power to police water

By Dale Kasler and Ryan Sabalow

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California Department of Water Resources California's drought regulators have lost a major lawsuit that could undermine their legal authority to stop farms and cities from pulling water from rivers and streams.

With California in its third punishing year of a historic drought, an appeals court ruled Monday that the State Water Resources Control Board lacks the power to interfere with so-called "senior" water rights holders and curtail their diversions of water from rivers. The case stems from orders imposed by the state board in 2015, during the previous drought, when it halted farms and cities throughout the Central Valley from taking water from the Sacramento and San Joaquin rivers.

A group of farm-irrigation districts centered in and around the Delta itself — the freshwater estuary that feeds vast farmlands and serves as the hub of California's complex water-delivery network — brought the lawsuit challenging the state board's actions.

What the ruling means for this drought

Less clear is whether the ruling, by the 6th Appellate District Court, affects the state board's ability to govern water supplies during the current drought.

"It's certainly a defeat for the state board," said Brian Gray, a water-rights expert at the Public Policy Institute of California. But Gray said the court's ruling did suggest that the board could exercise its authority over senior rights holders by using emergency powers granted by the governor.

Earlier this year the board ordered roughly 4,500 farms, cities and other entities to stop taking water out of the Sacramento and San Joaquin rivers, the 1,100-square-mile watershed that provides about two-thirds of California's population with drinking water.

The board's orders this year have included senior rights holders such as the city of San Francisco and the Modesto and Turlock irrigation districts, all of which pull water from the Tuolumne River.

The board, in a statement responding to the court's decision, said the ruling doesn't affect the agency's "ongoing drought response actions, including curtailments of senior water rights." The board said it used its emergency authority to issue its curtailment orders earlier this year, and the court's decision doesn't eliminate that authority. Nonetheless, the board was clearly irked by the ruling and the potential threat to its authority.

“Water scarcity is one of the most important challenges facing Californians. Ensuring that water districts and others divert and use water consistent with the state’s water right priority system is critical to protecting public health and the delivery system for farms, communities and the environment,” the state board said.

The ruling “shields the most senior water rights holders ... from certain enforcement actions.” Senior rights holders are in the minority but include some of the largest water users in California, including the city of San Francisco.

Why some Californians have senior water rights California’s water rights system is notoriously complicated but essentially boils down to how early a farm, city or other landowner claimed a water right. The earlier someone claimed a right, the higher they are in the pecking order.

Because the state board will first halt diversions from “junior” rights holders, having senior rights buffers a user from some of the agency’s curtailment orders. The key date is 1914, when the California Water Commission Act took effect and the precursor to the state water board was established. Anyone holding rights that were claimed before 1914 is considered a senior rights holder.

The water board’s decision during the last drought to go after those with senior water rights was an important step to ensure there was enough water in the state’s rivers to protect near-extinct species of fish and to ensure the rivers don’t run dry, said Doug Obegi, an attorney with the Natural Resources Defense Council. He said that while the ruling does leave the water board with authority to use its emergency powers, it’s clear that California lawmakers need to step up to give the state’s water cops the tools they need to make sure everyone is playing by the same rules.

“It is a call for the Legislature to strengthen and clarify the board’s authority,” he said. “So that we ensure that no one is above the law.”

Jennifer Harder, a water-rights expert at the University of the Pacific’s McGeorge School of Law, said, “The outcome is disappointing. The opinion unnecessarily interprets the Board’s authorities narrowly, which hampers statewide progress toward a sensible system that would benefit all water users In our drought-prone state it is self-defeating not to equip the Water Board with better tools than it has.”

The court ruling doesn’t cover the state board’s authority over two of the most significant water users in the state: the federal government’s Central Valley Project and the State Water Project, the system of dams and canals that bring water to much of the Central Valley, the Bay Area and urban Southern California. Both projects were built well after the key 1914 date.

The ruling represents a victory for nine irrigation districts centered around the Delta — home to vineyards, tomatoes and other crops grown in one of California’s most productive agricultural areas. A conglomeration of dozens of islands and tracts formed by the intersection of the Sacramento and San Joaquin rivers, the Delta is also a burgeoning population center. Besides serving farmers, Byron Bethany Irrigation District, which led the legal crusade against the state’s

curtailment orders, also provides water to Mountain House, a community of 21,000 developed in the past 20 years by CalPERS, the big state pension fund.

“This ruling helps safeguard senior water rights in California,” said the irrigation district’s general manager, Kelley Geyer, in a statement. “Senior water rights are the foundations of urban and rural communities throughout the state. They are also the backbone of reliable agricultural water deliveries that support cultivating our food supply — in California, the nation and the world.”

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Read more at: <https://www.sacbee.com/news/california/water-and-drought/article265728076.html#storylink=cpy>