



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

General Manager  
Mauricio E. Guardado, Jr.

Legal Counsel  
David D. Boyer

**AGENDA**  
**REGULAR BOARD MEETING**

**Wednesday, May 17, 2023, 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 Determination of General Manager's Performance-based Merit Pay**

**Motion**

The Board will consider determining the General Manager's performance merit pay of up to seven and one half percent (7.5%) of his FY 2022-2023 salary, as deemed appropriate by the Board.

**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 April 12, 2023.

**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.

**4. PRESENTATIONS AND MONTHLY STAFF REPORTS (By Department)**

**Administrative Services Department – Brian Zahn and Josh Perez**

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

**Information Item**

Presentation and summary report 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**

**4.2 Monthly Engineering Department Report**

**Information Item**

Presentation and summary report 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 – Marissa Caringella**

**4.3 Monthly Environmental Services Department Report**

**Information Item**

Presentation and summary report 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.

**Operations and Maintenance Department – Brian Collins**

**4.4 Monthly Operation and Maintenance Department Report**

**Information Item**

Presentation and summary report 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**

**4.5 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**

**4.6 Monthly Water Resources Department Report  
Information Item**

Presentation and 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) and the activities of the three local Groundwater Sustainability Agencies (GSAs) – 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

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

**Engineering Department – Dr. Maryam Bral**

**5.1 Authorize Approval of a Contract with GEI Consultants, Inc. to  
Develop the Final Design Phase of the Santa Felicia Dam Outlet Works  
Improvement Project, Prepare Final Bid Documents and Support Bid Phase  
Motion**

The Board will review and consider authorizing the General Manager to execute an agreement with GEI Consultants, Inc. (GEI) in the amount of \$867,980.00 to develop the final design phase of the Santa Felicia Dam Outlet Works Improvement Project, prepare final bid documents and support the bid phase.

**Administrative Services Department – Brian Zahn and Josh Perez**

**5.2 Authorizing Payment to Casitas Municipal Water District for Table A  
Allocation  
Motion**

The Board will consider approval of a motion authorizing United Water Conservation District (United) to pay Casitas Municipal Water District's (Casitas) State Water invoice on July 1, 2023.



**5.3 PUBLIC HEARING**

**Continuation of Annual Groundwater Hearing to Accept Public Comment on Groundwater Conditions within the District**

In accordance with the District's principal act in the California Water Code, the Board annually conducts a public hearing to consider the conditions of groundwater resources within the District. An "Annual Investigation and Report of Groundwater Conditions" was submitted to the Secretary/Treasurer of the Board on April 4, 2023 and has been available for public review and comment. This hearing was opened on April 12, 2023 and continued to the regular May 17, 2023 and will be continued again to the regular June 14, 2023 Board meeting. At this meeting, staff will give a report about current groundwater conditions, and members of the public will be permitted to give testimony. At its June 14, 2023 meeting, the Board may choose to close the hearing and consider the establishment of zones and the levying of groundwater extraction charges in those zones.

Public comment will be accepted at this time.

This hearing will again be continued to Wednesday, June 14, 2023. No Board decisions will be made until the final hearing on June 14, 2023.

**6. BOARD OF DIRECTORS READING FILE**

**7. FUTURE AGENDA ITEMS**

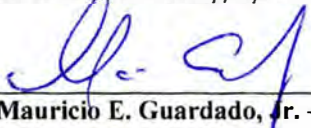
**8. ADJOURNMENT**

The Board will adjourn to the **Regular Board Meeting scheduled for Wednesday, June 14, 2023** 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.*

*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: \_\_\_\_\_

  
Mauricio E. Guardado, Jr. – General Manager

Posted: (date) May 11, 2023

(time) 9:00a.m.

(attest) *Kris Sofley*

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

Posted: (date) May 11, 2023

(time) 9:15a.m.

(attest) *Kris Sofley*

At: [www.unitedwater.org](http://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. United Water Conservation District v United States, U.S. Court of Federal Claims, Case No. 22-542L; Complaint for Just Compensation under the 5<sup>th</sup> Amendment.
- E. United Water Conservation District v. California Fish and Game Commission, Los Angeles County Superior Court Case No. 2STCP02661; Petition for Writ of Mandate (CESA)
- F. State of California-Department of Transportation v. United Water Conservation District and Southern California Edison, Superior Court of the State of California, County of Ventura, Case No. 56-2023-00575593-CU-EI-VTA; Complaint in Eminent Domain (parcels 81216-1 and 81216-2)

**2. PERSONNEL MATTERS**

**2.1 Public Employee Performance Evaluation (Government Code 54957)**

**Title: General Manager**



**Staff Report**

**To:** UWCD Board of Directors

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

**From:** Kris Sofley, Clerk of the Board

**Date:** May 3, 2023 (May 17, 2023 Meeting)

**Agenda Item:** 2.5 Board Members' Activities Reports  
**Information Item**

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**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:

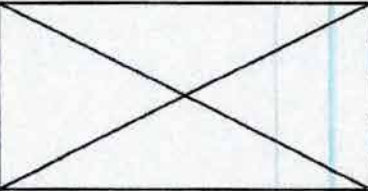
1. UWCD Committee participation – Committee Chair to report on Committee's objectives and actions to Board.
2. Meetings, workshops, conferences and functions attended during the previous month on behalf of the District.
3. Possible conflicts that Directors might have with respect to issues on the Agenda.

Attachments: A – Directors' Monthly Activities Reports (per diem)  
B - 2023 Calendar of District's Standing Committee and Outside Agency meetings  
C - 2023 AWA VC Calendar of Meetings and Events

**Board of Directors**  
**Activities and Expenses for Month** April **Year** 2023

Due on last day of month

Director: Berger

<b>1. UWCD Board Meetings</b> Regular, special or emergency meetings.			<b>Date</b>	<b>Mileage</b>	
			4/12	20	✓
<b>2. UWCD Committee/Advisory Body Meetings</b> Environmental, Executive, Finance/Audit, Groundwater, Operations, Planning, Recreation and RiverPark JPA Committees.		<b>Committee Name &amp; Location</b>	<b>Date</b>	<b>Mileage</b>	
		Finance	4/3	20	✓
		Recreation	4/5	20	✓
		Executive	4/24	20	✓
<b>3. Meeting with GM or District Legal Counsel (LC)</b>	<b>W/ GM or LC</b>	<b>Meeting Description &amp; Location</b>	<b>Date</b>	<b>Mileage</b>	
<b>4. Conferences/Trainings.</b> Includes conferences or educational activities organized by ACWA, AWAVC & CSDA.		<b>Event Name &amp; Location</b>	<b>Date</b>	<b>Mileage</b>	
<b>5. Appointed representative to meetings of other entities' Boards.</b> 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.		<b>Entity Name &amp; Location</b>	<b>Date</b>	<b>Mileage</b>	
		AWA Board	4/6	20	✓
		AWA Symposium	4/20	20	✓
<b>6. Meetings of other government entities at request of BoD, BP or GM.</b> Such as PVCWD, FCGMA or Oxnard City Council.		<b>Entity Name &amp; Location</b>	<b>Date</b>	<b>Mileage</b>	
		Assemblyperson Irwin Tour	4/7	20	✓
		CIBCSD Tour	4/13	20	✓
<b>7. Meetings with board members or executive management of other agencies.</b> Includes FCGMA, LAFCO, RiverPark JPA, AWAVC BoD, Oxnard Chamber of Commerce Water Committee, ACWA, CSDA, GSA.		<b>Entity Name &amp; Location</b>	<b>Date</b>	<b>Mileage</b>	
<b>8. Public meetings hosted by District regarding District matters</b> Such as Section 10 HCP, Vern Freeman Fish Panel.		<b>Meeting Description &amp; Location</b>	<b>Date</b>	<b>Mileage</b>	

**Board of Directors**  
**Per Diem and Expenses for Month \_\_\_\_\_ Year \_\_\_\_\_**

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

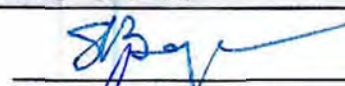
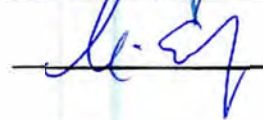
Other Expenses	Total
Days of out of town travel	
Lodging*	\$
Meals*	\$
Transportation*	\$
Misc.*	\$

\* attach all receipts

This section to be completed by Finance Department only			
Phone Allowance			\$50.00
Total # of meetings**	8	x \$248	\$ 1984.00
**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	160	x \$0.625/mile	\$ 104.80
Total other expenses			\$
<b>TOTAL MILEAGE AND OTHER EXPENSES</b>			<b>\$ 2,138.80</b>

Director Signature

General Manager Signature

 Date: 5-1-23  
 Date: 5/1/23

**Definitions**

BoD: Board of Directors

BP: Board President

GM: General Manager

Board of Directors  
Activities and Expenses for Month April Year 2023

Due on last day of month

Director: Bruce Dandy

<b>1. UWCD Board Meetings</b> Regular, special or emergency meetings.			<b>Date</b>	<b>Mileage</b>
			4/12	8
<b>2. UWCD Committee/Advisory Body Meetings</b> Environmental, Executive, Finance/Audit, Groundwater, Operations, Planning, Recreation and RiverPark JPA Committees.		<b>Committee Name &amp; Location</b>	<b>Date</b>	<b>Mileage</b>
		Exec	4/24	8
<b>3. Meeting with GM or District Legal Counsel (LC)</b>	<b>W/ GM or LC</b>	<b>Meeting Description &amp; Location</b>	<b>Date</b>	<b>Mileage</b>
	GM	Board Prep	4/11	8
<b>4. Conferences/Trainings.</b> Includes conferences or educational activities organized by ACWA, AWAVC & CSDA.		<b>Event Name &amp; Location</b>	<b>Date</b>	<b>Mileage</b>
<b>5. Appointed representative to meetings of other entities' Boards.</b> 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.		<b>Entity Name &amp; Location</b>	<b>Date</b>	<b>Mileage</b>
		PWD/UWCD	4/6	190
		Region 5 mtg	4/28	86
<b>6. Meetings of other government entities at request of BoD, BP or GM.</b> Such as PVCWD, FCGMA or Oxnard City Council.		<b>Entity Name &amp; Location</b>	<b>Date</b>	<b>Mileage</b>
<b>7. Meetings with board members or executive management of other agencies.</b> Includes FCGMA, LAFCO, RiverPark JPA, AWAVC BoD, Oxnard Chamber of Commerce Water Committee, ACWA, CSDA, GSA.		<b>Entity Name &amp; Location</b>	<b>Date</b>	<b>Mileage</b>
		VCAWA	4/20	6
		COLAB	4/22	6
<b>8. Public meetings hosted by District regarding District matters</b> Such as Section 10 HCP, Vern Freeman Fish Panel.		<b>Meeting Description &amp; Location</b>	<b>Date</b>	<b>Mileage</b>
		UWCD Tour SPCM	4/25	8



**Board of Directors**  
**Per Diem and Expenses for Month** April **Year** 2023

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**	8	x \$248	\$ 1,984.00
**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	320	x \$0.665/mile	\$ 209.60
Total other expenses			\$
<b>TOTAL MILEAGE AND OTHER EXPENSES</b>			<b>\$ 2,243.60</b>

Director Signature

*Bruce Dandy*

Date: 5/3/23

General Manager Signature

*[Signature]*

5/4/23  
Date:

**Definitions**

BoD: Board of Directors

BP: Board President

GM: General Manager

**Board of Directors**  
**Activities and Expenses for Month** April **Year** 2023

Due on last day of month

Director: Catherine P. Keeling

<b>1. UWCD Board Meetings</b> Regular, special or emergency meetings.		<b>Date</b>	<b>Mileage</b>	
		04/12/2023	24	✓

<b>2. UWCD Committee/Advisory Body Meetings</b> Environmental, Executive, Finance/Audit, Groundwater, Operations, Planning, Recreation and RiverPark JPA Committees.	<b>Committee Name &amp; Location</b>	<b>Date</b>	<b>Mileage</b>	
	Finance/Audit Committee	04/03/2023	24	✓
	Engineering/Operations	04/06/2023	24	✓

<b>3. Meeting with GM or District Legal Counsel (LC)</b>	<b>W/ GM or LC</b>	<b>Meeting Description &amp; Location</b>	<b>Date</b>	<b>Mileage</b>

<b>4. Conferences/Trainings.</b> Includes conferences or educational activities organized by ACWA, AWAVC & CSDA.	<b>Event Name &amp; Location</b>	<b>Date</b>	<b>Mileage</b>	

<b>5. Appointed representative to meetings of other entities' Boards.</b> 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.	<b>Entity Name &amp; Location</b>	<b>Date</b>	<b>Mileage</b>	

<b>6. Meetings of other government entities at request of BoD, BP or GM.</b> Such as PVCWD, FCGMA or Oxnard City Council.	<b>Entity Name &amp; Location</b>	<b>Date</b>	<b>Mileage</b>	

<b>7. Meetings with board members or executive management of other agencies.</b> Includes FCGMA, LAFCO, RiverPark JPA, AWAVC BoD, Oxnard Chamber of Commerce Water Committee, ACWA, CSDA, GSA.	<b>Entity Name &amp; Location</b>	<b>Date</b>	<b>Mileage</b>	

<b>8. Public meetings hosted by District regarding District matters</b> Such as Section 10 HCP, Vern Freeman Fish Panel.	<b>Meeting Description &amp; Location</b>	<b>Date</b>	<b>Mileage</b>	



**Board of Directors**  
**Per Diem and Expenses for Month \_\_\_\_\_ Year \_\_\_\_\_**

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**	3	x \$248	\$ 744
**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	72	x \$0.655/mile	\$ 47.16
Total other expenses			\$
<b>TOTAL MILEAGE AND OTHER EXPENSES</b>			\$ 841.16

Director Signature

*Adrian P. Kelling*

Date: 05/01/23

General Manager Signature

*[Signature]*

Date: 5/1/23

**Definitions**

BoD: Board of Directors

BP: Board President

GM: General Manager

**Board of Directors**  
**Activities and Expenses for Month** April **Year** 2023

Due on last day of month

Director: Lynn Maulhardt

<b>1. UWCD Board Meetings</b> Regular, special or emergency meetings.		<b>Date</b> April 12	<b>Mileage</b> 3.2
<b>2. UWCD Committee/Advisory Body Meetings</b> Environmental, Executive, Finance/Audit, Groundwater, Operations, Planning, Recreation and RiverPark JPA Committees.	<b>Committee Name &amp; Location</b> Finance and Audit Engineering and Operations Executive	<b>Date</b> April 3 April 6 April 24	<b>Mileage</b> 3.2 3.2 3.2
<b>3. Meeting with GM or District Legal Counsel (LC)</b>	<b>W/ GM or LC</b> Meeting Description & Location	<b>Date</b>	<b>Mileage</b>
<b>4. Conferences/Trainings.</b> Includes conferences or educational activities organized by ACWA, AWAVC & CSDA.	<b>Event Name &amp; Location</b> AWA VC Symposium	<b>Date</b> April 20	<b>Mileage</b> 7.2
<b>5. Appointed representative to meetings of other entities' Boards.</b> 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.	<b>Entity Name &amp; Location</b> FC GMA Special Board Meeting FC GMA Board Meeting FCGMA Ops Committee	<b>Date</b> April 14 April 28 April 19	<b>Mileage</b> 28 28 28
<b>6. Meetings of other government entities at request of BoD, BP or GM.</b> Such as PVCWD, FCGMA or Oxnard City Council.	<b>Entity Name &amp; Location</b>	<b>Date</b>	<b>Mileage</b>
<b>7. Meetings with board members or executive management of other agencies.</b> Includes FCGMA, LAFCO, RiverPark JPA, AWAVC BoD, Oxnard Chamber of Commerce Water Committee, ACWA, CSDA, GSA.	<b>Entity Name &amp; Location</b>	<b>Date</b>	<b>Mileage</b>
<b>8. Public meetings hosted by District regarding District matters</b> Such as Section 10 HCP, Vern Freeman Fish Panel.	<b>Meeting Description &amp; Location</b>	<b>Date</b>	<b>Mileage</b>

**Board of Directors**  
**Per Diem and Expenses for Month** April **Year** 2023

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 Total			\$50.00
# of meetings**	8	x \$248	\$ 1,984.00
**not to exceed 10 meetings and \$2,480. per month or 1 meeting per day			
Total days of travel Total		x \$100.00/day	
# of miles	104	x \$0.655/mile	\$ 68.12
Total other expenses			\$
<b>TOTAL MILEAGE AND OTHER EXPENSES</b>			<b>\$ 2,102.12</b>

Director Signature

 Date: 5/9/23

General Manager Signature

Date: \_\_\_\_\_

**Definitions**

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GM: General Manager

**Board of Directors**  
**Activities and Expenses for Month \_\_\_\_\_ Year \_\_\_\_\_**

Due on last day of month

Director: \_\_\_\_\_

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

NA

NA

NA

NA

NA

**Board of Directors**  
**Per Diem and Expenses for Month \_\_\_\_\_ Year \_\_\_\_\_**

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**		x \$248	\$
**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		x \$0.655/mile	\$
Total other expenses			\$
<b>TOTAL MILEAGE AND OTHER EXPENSES</b>			\$

Director Signature



Date: May 9, 2023

General Manager Signature

\_\_\_\_\_ Date: \_\_\_\_\_

**Definitions**

BoD: Board of Directors

BP: Board President

GM: General Manager



# United Water

## CONSERVATION DISTRICT

### 2023 UWCD Standing Committee and Outside Agencies Meeting Dates

#### **JANUARY 02-** Finance and Audit (canceled)

03- Water Resources (canceled)

04- Recreation (canceled)

05- Engineering and Operations (9am-10:03am)

11- Board Meeting (12noon-2:55pm)

18- CoLAB VC WHEEL (1pm)

19 - Fillmore and Piru Basin GSA (5pm)

23- Mound Basin GSA (3pm)

24 – Special Board Meeting (11:30an-11:35am)

26- Fox Canyon GMA (1:30pm)

30- Finance and Audit – Feb (canceled)

31 – Water Resources – Feb (9am-)

#### **FEBRUARY:** 01- Recreation (1pm-)

02- Engineering and Operations (9am-10:09am)

08- Board Meeting (12noon-4:02pm)

09- Special Board Meeting-Board Norms Workshop (12noon-4pm)

15- CoLAB VC WHEEL (1pm)

16-Fillmore and Piru Basin GSA (5pm)

23- Fox Canyon GMA (1:30pm)

27- Finance and Audit - March (9am-10am)

Mound Basin GSA (canceled)

28- Water Resources - March (canceled)

#### **MARCH:** 01- Recreation (canceled)

02- Engineering and Operations (9am-10:41am)

08- Board Meeting (12noon-2:50p.m.)

16- Fillmore and Piru Basin GSA (5pm)

21- CoLAB VC WHEEL (1pm)

22- Fox Canyon GMA (1:30pm)

27- Mound Basin GSA (3pm)

#### **APRIL:** 03- Finance and Audit (9am-10:29am)

04- Water Resources (9am-10:15am)

05- Recreation (9am-10:16am)

06- Engineering and Operations (9am-10:04am)

12- Board Meeting (12noon – 2:35pm)

19- CoLAB VC WHEEL (1pm)

20-Fillmore and Piru Basin GSA (5pm)

24- Executive Committee (1:30pm-3:30pm)

Mound Basin GSA (3pm)

26- Fox Canyon GMA (1:30pm)

#### **MAY:** 01- Finance and Audit (9am-9:28am)

02 - Water Resources (9am-10:27am)

03- Recreation (canceled)

Executive Committee (8:30am-9:30am)

04- Engineering and Operations (9am-)

17- Board Meeting (12noon-)

CoLAB VC WHEEL (1pm)

18- Fillmore and Piru Basin GSA (5pm)

22- Mound Basin GSA (3pm)

24- Special Board Meeting – Budget Workshop (12noon-)

24- Fox Canyon GMA (1:30pm)

#### **JUNE:** 01- Engineering and Operations ()

05- Finance and Audit ()

06– Water Resources ()

07- Recreation ()

14- Board Meeting (12noon)

15-Fillmore and Piru Basin GSA (5pm)

21- CoLAB VC WHEEL (1pm)

26- Mound Basin GSA (3pm)

28- Fox Canyon GMA (1:30pm)

#### **JULY:** 03- Finance and Audit ()

05- Water Resources ()

05- Recreation ()

06 - Engineering and Operations ()

12- Board Meeting ()

19- CoLAB VC WHEEL (1pm)

20-Fillmore and Piru Basin GSA (5pm)

24- Mound Basin GSA (3pm)

26- Fox Canyon GMA (1:30pm)

31- Finance and Audit August ()

#### **AUGUST –** 01- Water Resources ()

02- Recreation ()

03 - Engineering and Operations ()

09- Board Meeting ()

16- CoLAB VC WHEEL (1pm)

17-Fillmore and Piru Basin GSA (5pm)

23- Fox Canyon GMA (1:30pm)

28- Mound Basin GSA (3pm)

#### **SEPTEMBER:** 05- Water Resources ()

05- Finance and Audit ()

06- Recreation ()

07- Engineering and Operations ()

13- Board Meeting ()

20- CoLAB VC WHEEL (1pm)

21-Fillmore and Piru Basin GSA (5pm)

25- Mound Basin GSA (3pm)

27- Fox Canyon GMA (1:30pm)

#### **OCTOBER:** 02- Finance and Audit ()

03- Water Resources ()

04- Recreation ()

05- Engineering and Operations ()

11- Board Meeting ()

18- CoLAB VC WHEEL (1pm)

19-Fillmore and Piru Basin GSA (5pm)

23- Mound Basin GSA (3pm)

25- Fox Canyon GMA (1:30pm)

30- Finance and Audit November ()

31 - Water Resources- November ()

#### **NOVEMBER:** 01- Recreation ()

02- Engineering and Operations ()

08- Board Meeting ()

15- CoLAB VC WHEEL (1pm)

16- Fillmore and Piru Basin GSA (5pm)

27-17- Mound Basin GSA (3pm)

#### **DECEMBER:** 04- Finance and Audit ()

05 – Water Resources ()

06- Recreation ()

07- Engineering and Operations ()

08- Fox Canyon GMA (1:30pm)

13- Board Meeting ()

20- CoLAB VC WHEEL (1pm)

21-Fillmore and Piru Basin GSA (5pm)



## 2023 CALENDAR OF EVENTS

DATES ARE SUBJECT TO CHANGE

Meeting/Event notices with all details will be sent via email prior to each occurrence. Contact AWA for more information

<b>JANUARY</b>	5	Board Meeting	3:00 pm, Thursday	(Hybrid)
	17	Water Issues Committee	8:00 am, Tuesday	(Hybrid/Members Only)
	19	<b>WaterWise Program</b>	<b>8:00 am, Thursday</b>	(Hybrid)
	25	<b>Channel Counties/Water Systems</b>	<b>8:00 am, Wednesday</b>	(Virtual)
<b>FEBRUARY</b>	2	Executive Committee Meeting	3:00 pm, Thursday	(Hybrid)
	16	<b>WaterWise Program</b>	<b>8:00 am, Thursday</b>	(Hybrid)
	21	Water Issues Committee	8:00 am, Tuesday	(Hybrid/Members Only)
	22	<b>Channel Counties/Water Systems</b>	<b>8:00 am, Wednesday</b>	(Virtual)
<b>MARCH</b>	2	Board Meeting (Annual Meeting-Elections)	3:00 pm, Thursday	(Hybrid)
	16	<b>WaterWise Program (Installation/Directors)</b>	<b>8:00 am, Thursday</b>	(Hybrid)
	21	Water Issues Committee	8:00 am, Tuesday	(Hybrid/Members Only)
	22	<b>Channel Counties/Water Systems</b>	<b>8:00 am, Wednesday</b>	(Virtual)
<b>APRIL</b>	6	Executive Committee Meeting	3:00 pm, Thursday	(Hybrid)
	20	<b>Annual Water Symposium &amp; Exposition (Hybrid)</b>	<b>8:00am–2:00pm, Thurs.</b>	Courtyard Marriott Oxnard
	20	<b>Operators Tech Workshop &amp; Exposition</b>	<b>8:00 am-3:30pm, Thurs.</b>	Courtyard Marriott Oxnard
<b>MAY</b>	4	Board Meeting	3:00 pm, Thursday	(Hybrid)
	16	Water Issues Committee	8:00 am, Tuesday	(Hybrid/Members Only)
	18	<b>WaterWise Program</b>	<b>8:00 am, Thursday</b>	(Hybrid)
	24	<b>Channel Counties/Water Systems</b>	<b>8:00 am, Wednesday</b>	(Virtual)
	—	Math Workshop: Water Distribution Exam Review	8:30am–Noon	(Virtual?)
<b>JUNE</b>	1	Executive Committee Meeting	3:00 pm, Thursday	(Hybrid)
	15	WaterWise Program	8:00 am, Thursday	(Hybrid)
	20	Water Issues Committee	8:00 am, Tuesday	(Hybrid/Members Only)
	28	<b>Channel Counties/Water Systems</b>	<b>8:00 am, Wednesday</b>	(Virtual)
<b>JULY</b>	6	Board Meeting	3:00 pm, Thursday	(Hybrid)
	18	Water Issues Committee	8:00 am, Tuesday	(Hybrid/Members Only)
	20	<b>WaterWise Program</b>	<b>8:00 am, Thursday</b>	<b>(Hybrid)</b>
	26	<b>Channel Counties/Water Systems</b>	<b>8:00 am, Wednesday</b>	(Virtual)
<b>AUGUST</b>		<b>DARK</b>		
<b>SEPTEMBER</b>	7	Board Meeting	3:00 pm, Thursday	(Hybrid)
	*14	<b>Reception for Members/Elected Officials</b>	<b>4:00 pm, Thursday</b>	(In-Person Members/Guests)
	19	Water Issues Committee	8:00 am, Tuesday	(Hybrid/Members Only)
	27	<b>Channel Counties/Water Systems Luncheon</b>	<b>8:00 am, Wednesday</b>	(Virtual)
	—	VCFD/AWA Confined Space Training	8:00 am - Noon	(VCFD / In-Person)
	—	Math Workshop: Water Treatment Exam Review	8:30am–Noon	(Virtual?)
<b>OCTOBER</b>	5	Executive Committee Meeting	3:00 pm, Thursday	(Hybrid)
	17	Water Issues Committee	8:00 am, Tuesday	(Hybrid/Members Only)
	19	<b>WaterWise Program</b>	<b>8:00 am, Thursday</b>	(Hybrid)
	25	<b>Channel Counties/Water Systems Luncheon</b>	<b>8:00 am, Wednesday</b>	(Virtual)
<b>NOVEMBER</b>	2	Board Meeting	3:00 pm, Thursday	(Hybrid)
	16	<b>WaterWise Breakfast Program</b>	<b>8:00 am, Thursday</b>	(Hybrid)
	21	Water Issues Committee	7:00 am, Tuesday	(Hybrid/Members Only)
	29	<b>Channel Counties/Water Systems Lunch</b>	<b>8:00 am, Wednesday</b>	(Virtual)
<b>DECEMBER</b>	7	Executive Committee Meeting	3:00 pm,	(Hybrid)
	7	<b>Holiday Mixer/Corporate Night</b>	<b>5:00 pm, Tuesday</b>	(Members/Guests In-Person)

\* Indicates change from typical event date



### **Staff Report**

**To:** UWCD Board of Directors

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

**Date:** May 3, 2023 (May 17, 2023 meeting)

**Agenda Item:** 2.6 General Manager's Report  
**Information Item**

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#### **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:** Josh Perez, Human Resources Manager

**Date:** May 1, 2023 (May 17, 2023 Meeting)

**Agenda Item:** 2.7 **Determining the General Manager's Performance-based Merit Pay Motion**

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#### **Staff Recommendation:**

The Board will consider determining the General Manager's performance merit pay of up to seven and one half percent (7.5%) of his FY 2022-2023 salary, as deemed appropriate by the Board.

#### **Discussion:**

The Executive Committee met on April 24, 2023 and again on May 3, 2023 to discuss the General Manager's performance evaluation. The Board will discuss the evaluation in closed session at its May 17, 2023 Regular meeting. In consideration of the General Manager's performance over the past twelve months, and as allowed in his employment contract with the District, the Board may consider whether a merit pay, of up to seven- and one-half percent (7.5%) of his current salary, is warranted. This determination must be made by action of the Board in open session.

#### **Fiscal Impact:**

The Board may approve a performance merit pay of up to seven- and one-half percent (7.5%) of his annual salary through June 30. If approved, this merit pay amount would be issued in a one-time payment prior to the conclusion of FY 2022-23. Funds for this increase if approved are available in the current FY 2022-23 annual budget.



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

General Manager  
Mauricio E. Guardado, Jr.

Legal Counsel  
David D. Boyer

**MINUTES**  
**REGULAR BOARD MEETING**  
**Wednesday, April 12, 2023, 12:00 noon**  
**UWCD Headquarters' Boardroom**  
**1701 N. Lombard Street, Oxnard CA 93030**

**Directors in Attendance**

Bruce E. Dandy, president  
Sheldon G. Berger, vice president  
Lynn Maulhardt, secretary/treasurer  
Mohammed A. Hasan, director  
Catherine P. Keeling, director  
Gordon Kimball, director  
Daniel C. Naumann, director

**Staff in Attendance**

Anthony Emmert, assistant general manager  
David Boyer, legal counsel  
Maryam Bral, chief engineer  
Marissa Caringella, environmental services manager  
John Carman, operations, and maintenance program supervisor  
Dan Detmer, water resources manager  
Hannah Garcia-Wickstrum, environmental scientist  
Tony Huynh, risk and safety manager  
Tessa Lenz, environmental scientist-regulatory affairs  
Randall McNivale, principal environmental scientist  
Josh Perez, chief human resources officer  
Linda Purpus, environmental services manager  
Bram Sercu, senior hydrologist  
Kris Sofley, clerk of the Board  
Clayton Strahan, chief park ranger  
Brian Zahn, chief financial officer

**Public in Attendance**

Mark E. Capron, P.E., Ocean Foresters  
Burt Handy  
Steve Hongola, Rincon Consultants  
Rachael Laenen, Kimball Ranches  
Joe Marcinko, City of Oxnard  
Jennifer Tribo, City of Ventura/Ventura Water

**1. FIRST OPEN SESSION 12 noon**

President Dandy called the meeting to order at 12 noon. President Dandy asked the District's Legal Counsel to summarize the items being discussed by the Board during Executive (Closed) Session.

District's Legal Counsel David Boyer stated that, pursuant to government code Section 54956.9(d)(2), one case of anticipated litigation and, pursuant to government code Section 54956.9 (d)(1), existing litigation including City of San Buenaventura v. UWCD, Wishtoyo Foundation, et al, v. UWCD, OPV Coalition v Fox Canyon Groundwater Management Agency, UWCD v United States, UWCD v California Fish and Game Commission and State of California – Department of Transportation v UWCD would be discussed by the Board during Executive (Closed) session.

**1.1 Public Comment**  
**Information Item**

President Dandy asked if there were any public comments or questions.

Mark E. Capron of OceanForesters asked to address the Board. He stated: "United Water Conservation District could organize the people and water districts of Ventura and Santa Barbara counties to install a thousand small versions of the Freeman Diversion. Most diversions can be in the mountains and coupled with amunas (<https://www.climatelinks.org/photo-gallery/amuna-peru>). Diversions with amunas will better recharge groundwater during wet or dry years."

Mr. Capron continued, stating "United Water Conservation District can help others and themselves find funding for this and other climate change adaptations. Settle your legal disputes. Task your excellent engineering staff to find win-win solutions. Replace your lawyer with one who focuses on your groundwater recharge mission. Personally, I feel a large legal budget is the worst kind of big government. I don't appreciate funding lawyers on both sides of the issue. But mostly, I hate paying lawyers instead of building solutions to our water crisis."

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

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

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

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

President Dandy called the Second Open Session of the Board meeting to order at 1:05p.m. and asked Director Berger to lead everyone in reciting the Pledge of Allegiance.

**2.1 Pledge of Allegiance**

Director Berger asked everyone to repeat after him and recited the Pledge of Allegiance.

**2.2 Public Comment  
Information Item**

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

**2.3 Approval of Agenda  
Motion**

President Dandy asked if there were any changes to the agenda. Assistant General Manager Anthony Emmert reported that there were no changes to the agenda. President Dandy then asked for a motion.

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

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

President Dandy asked Mr. Boyer to report out of Executive Session. Mr. Boyer reported that the Board took no action during Executive session that is reportable under the Brown Act.

**2.5 Board Members' Activities Report  
Information Item**

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

**2.6 General Manager's Report  
Information Item**

President Dandy asked Mr. Emmert for the General Manager's report. Mr. Emmert stated that to keep the meeting moving along he had no additional statements to make under the General Manager's report.

**2.7 2023 Richard V. Laubacher Water Conservation Award  
Motion**

The Board considered possible recipients for the 2023 Laubacher Award, which will be presented at the AWA VC Symposium Awards Luncheon on Thursday, April 20, 2023.

Motion to select Candidate A as the 2023 recipient of the Richard V. Laubacher Water Conservation Award, Director Hasan; second, Director Maulhardt. Voice vote: seven ayes (Berger, Hasan, Keeling, Kimball, Maulhardt, Naumann, Dandy); none opposed. Motion carries unanimously 7/0.

**2.8 Recognition of Retiring Environmental Services Department Manager Linda Purpus  
Ceremonial Item**

In recognition of the retirement of Environmental Services Department Manager Linda Purpus, after nearly 20 years of service to the District, President Dandy remarked that Ms.

Purpus has played a critical role in improving the District's water resources goals and helping it to comply with regulatory oversight and environmental laws surrounding it operations.

He stated that Ms. Purpus began her illustrious career working in the Operations and Maintenance Department as an Environmental Coordinator, assisting the department with permitting and regulatory compliance. In 2004, she was transferred to the Groundwater Department, where she worked for several years on the District's grant-funded study of runoff water quality, while still handling environmental compliance issues for the District.

In February 2004, Ms. Purpus was promoted to environmental scientist, and in 2007, when Ms. Purpus was assigned to the Water Resources Department, she worked on a wide range of water resource issues, including recycled water, increased importation of State Water Project water, and sanitary surveys of the watershed, while still managing the environmental compliance issues for the District. In 2011, Ms. Purpus was reassigned to the new Environmental Services Department, where she focused primarily on environmental compliance issues.

In 2013, Ms. Purpus was promoted to senior environmental scientist, and in 2020, she was promoted to her current position as environmental services manager at a critical juncture in the District's development of its Habitat Conservation Plan and other various projects that had regulatory deadlines associated with their completion.

Ms. Purpus has served as United's primary point person on compliance with the FERC license for the Santa Felicia Dam Safety Improvement projects and other District permitting efforts. Her awareness of the critical importance of reliable water resources to the District's customers, in addition to her extensive knowledge of water resources and environmental compliance laws and regulations has made her a much-valued member of Team United.

On behalf of everyone here in the District as well as the Board of Directors, thank you Linda, for all your hard work over the last 20 years. You will be missed here in the District, but we all gather here today to wish you a wonderful retirement.

As a token of appreciation, President Dandy present a gift to Ms. Purpus for all of her efforts as she embarks on her retirement from the United Water Conservation District.

Ms. Purpus thanked the Board, President Dandy, and the District's executive management for the opportunity to serve the District over the past 20 years. She said it was a privilege to work for United Water Conservation District and felt more like a member of a family with the other staff members who are all equally committed to and passionate about the District's mission, which helped to create the strong bonds among the team. She also thanked her team in the Environmental Services department and the administrative team for its support, and closed by saying that there are so many very talented people in the District, but she trusts that she is leaving them in very capable hands.

Director Maulhardt stated that there are four Board members who have been at United since Ms. Purpus joined the team and that all know that Ms. Purpus represents a level of expertise and commitment that really raised the bar. He also thanked her for being a team player who is both sincere and passionate, is willing to listen to the Board members speak their peace and still tell them when they were wrong. He also said Ms. Purpus epitomized the support, consistency, and commitment to the District's mission, even when the pathway varies, and thanked her for allowing the Board to join her on the remarkable path she has been following for the past 20 years.

Director Naumann added that 2003 doesn't seem like it was that long ago and added his appreciation and gratitude for all of Ms. Purpus' many contributions to advancing the goals and mission of the District.

### **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)

#### **3.A Approval of Minutes**

##### **Motion**

Approval of the Minutes for the Regular Board Meeting of March 8, 2023, and the Emergency Board Meeting of March 16, 2023.

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

##### **Information Item**

Receive and file Monthly Hydrologic Conditions Report for the District.

#### **3.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.

President Dandy asked the Board if there were any items that required separate discussion. None were cited. He then asked for a motion.

Motion to approve the Consent Calendar items, Director Naumann; second, Director Hasan. Roll Call vote: seven ayes (Berger, Hasan, Keeling, Kimball, Maulhardt, Naumann, Dandy); none opposed. Motion carries unanimously 7/0/

**4. PRESENTATIONS AND MONTHLY STAFF REPORTS (By Department)**

**Operations and Maintenance Department – John Carman**

**4.1 Monthly Operation and Maintenance Department Report**

**Information Item**

UWCD Operations and Maintenance Program Supervisor John Carman addressed the Board, explaining that Chief Operations Officer Brian Collins was in Colorado at the U.S. Bureau of Reclamation with the GM, legal team and District experts at the direction of the Court and that he would be happy to answer any questions the Board may have regarding the summary report on monthly activities of the Operations and Maintenance Department. As none of the Directors voiced any questions or comments, Mr. Carman began a slide presentation to the Board (see attached slides), that addressed the rising levels at Lake Piru, sediment management at the Freeman Diversion, decreasing nitrate levels on the OH system as more water is diverted to groundwater recharge, and ongoing clean up issues at Santa Felicia Dam/Lake Piru and the Freeman Diversion. Mr. Carman ended by saying that the goal of the Operations and Maintenance department is to continue to divert water at the Freeman Diversion for the next 70 days.

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

**Park and Recreation Department – Clayton Strahan**

**4.2 Monthly Park and Recreation Department Report**

**Information Item**

Chief Park Ranger Clayton Strahan addressed the Board, asking if there were any questions or comments regarding his summary report on monthly activities of the Park and Recreation Department. None were offered, so he started his presentation to the Board, which encompassed highlights from facilities maintenance projects, training and meeting attended by Park Ranger staff, updated reports on the District's ongoing disaster response efforts, including the total amount of rain received at Lake Piru, the total amount of storm related damages to date (\$2,800,000) and the storm impacts on visitation and revenue (this year is slightly below last year at this time, but we have a full lake and Chief Strahan is predicting a steep increase in visitation between now and Memorial weekend.

Director Berger asked about the status of the Tommy's Boats contract. Chief Strahan reported that the five-year extension agreement was concluded, and that Tommy's will also be renting smaller fishing type vessels which will broaden the span of rental rates and be more inclusive.

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

**Water Resources Department – Dan Detmer**

**4.3 Monthly Water Resources Department Report**

**Information Item**

Senior Hydrologist Bram Sercu addressed the Board, explaining that the presentation he was about to give was created by Principal Hydrologist Murray McEachron, but as Mr. McEachron was in Colorado, he would be making the presentation for Mr. McEachron.

His presentation (see attached slides) began with headlines from weather forecasts in November 2022, predicting a “fourth dry year.” He compared the average annual rainfall for the area (17.2 inches) with incredible totals of 40 inches, 58 inches and even 70 inches at various locations throughout Ventura County. He also looked at projected inflows into Lake Piru, upper basins groundwater conditions and forecasted flows at the Freeman Diversion. Dr. Sercu shared various photos of the Santa Clara River watershed, comparing and contrasting the vegetation, erosion and other impacts on the watersheds related to various storm events. There was also discussion about the levee near the Ferro Basin and how storm events had washed out the levee’s access road in that area and how the relationship of the toe of the levee and the water levels in the river could create challenges going forward. Dr. Sercu also reported on the total sediment levels (12 million CYD) and diversions (32,000 AF) and commented that the bedload at the Freeman Diversion was equivalent to 80 tons per hour at 2,000 cfs. He predicted that even when the river flows drop below 750cfs, and with the release from Castaic, there could be 75 days of potential 375cfs diversions (total of 52,000 AF).

Director Maulhardt asked about the design of the levee near Ferro Basin. Mr. Emmert said the levee was designed in the late 1940s and constructed in 1960. Dr. Sercu added that the design was flawed as the toe of the levee was lower than the river and there was no accounting for erosion.

There was some discussion of the tours of the Freeman Diversion and the importance of people and especially decision makers being aware of United’s efforts to maximize the opportunities available to store more water. Director Kimball agreed and said the District could be doing more if it weren’t for the numerous restrictions placed on United. Director Naumann added that Five Point was not putting in crossings, which was a big help to the District.

Dr. Sercu then began another presentation on the optimization of groundwater recharge that the District’s Saticoy facilities (see attached slides), including the anticipation of mounding in the beginning of May and diversions being limited by recharge capacity. He said the Rose basin as connected to the Nobel 1 basin in 2016 and has a preliminary percolation rate of 4 to 5 feet per day and will be instrumental in maintaining diversion rates through June 10. He added that the Ferro recharge pilot project will increase recharge capacity when mounding and has the potential yield of between 2,700 AF and 4,600 AF. Dr. Sercu then showed graphs depicting the impact of disking, scrapping, and drying out basins on percolation rates. He concluded that maintenance and rotation increases yield for long periods of recharge, that basin rotation is not needed in the first three to four months, and that cumulative recharge is not sensitive to exact timing of initiating drying/disking. He



also concluded that it would take up to three more wet years (after 2023) to end the groundwater drought in the forebay.

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

**Administrative Services Department – Brian Zahn and Josh Perez**

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

Chief Financial Officer Brian Zahn addressed the Board, stating that he did not have a presentation to share but was happy to answer any questions or address comments that the Board may have regarding the department's summary report on the monthly activities. None were offered.

**Engineering Department – Dr. Maryam Bral**

**4.5 Monthly Engineering Department Report  
Information Item**

Chief Engineer Maryam Bral addressed the Board and shared a presentation (see attached slides) that encompassed the monthly activities of the Engineering Department. She reported on preparations for the Outlet Works Construction phase, including a request for proposals and tour of the dam with interested companies. She reported the start of the Santa Felicia Dam spill on March 16 and staff continues to update various agencies including FERC, CalOES, Army Corp of Engineers and the Ventura County Office of Emergency Services on the status of the spill. Dr. Bral also reported meeting with the Fernandeno Tataviam Band of Mission Indians, who provided support for the language and lifestyle depictions for various signs throughout the Lake Piru area sharing the natural and cultural resources of the area. There will also be a tour of the Iron and Manganese Treatment facility with the Department of Defense's OLDCC on April 19. She also pointed out that the General Manager made a presentation on the District's EBB Water project to the Ventura County chapter of LAFCo, that engineering staff toured the Charles E. Meyer Desalination Plant in Santa Barbara and that the Iron and Manganese Treatment facility was included in the District's Open House Facilities Tour on March 29.

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

**Environmental Services Department – Marissa Caringella**

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

The District's new Environmental Services Manager Marissa Caringella addressed the Board and began a presentation (see attached slides) on the monthly activities of the Environmental Services Department. She included updates on the support of sediment management operations at the Freeman Diversion, activities initiated in response to the March 16 spill at the Santa Felicia Dam, lower system quagga monitoring, Clean Water

Act permits for maintenance activities at Lake Piru and permits for emergency work at Reasoner Creek. Ms. Caringella also reported that while staff was able to secure the general maintenance 404 permit, the complementary 401 permit was delayed twice until, on March 20, the Army Corp waived the requirement for the 401 permit.

Director Maulhardt asked about the mortality rate of veliger's going over the spillway, and Ms. Caringella and Ms. Purpus engaged in a discussion that while the mortality rate was reported as 100 percent in a study, the District has not conducted any actual monitoring of Piru Creek below the spillway to confirm that.

President Dandy asked if there were any other comments or questions for Ms. Caringella. None were offered, but several Board members complimented her on the presentation.

## **5 MOTION ITEMS (By Department)**

### **Administrative Services Department – Brian Zahn**

#### **5.3 Approving the Appointment of Lance, Soll & Lunghard, LLP**

##### **Motion**

Mr. Zahn address the Board, asking them to consider approving the appointment of Lance, Soll & Lunghard, LLP (LSL) as the District's new auditing service provider and authorize the General Manager to execute a three-year auditing services contract with LSL in an amount not-to-exceed \$139,896.

Director Maulhardt stated that the Finance Committee fully reviewed the staff report and supporting documentation and was recommending approval of this motion item to the full Board.

Motion to approve the appointment of Lance, Soll & Lunghard LLP as the District's new auditing services provider and authorize the General Manager to execute a three-year auditing services contract with the company for an amount not to exceed \$139,896, Director Maulhardt; second, Director Hasan. Roll call vote: seven ayes (Berger, Hasan, Keeling, Kimball, Maulhardt, Naumann, Dandy); none opposed. Motion carries unanimously 7/0.

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

#### **5.2 OH Well Replacement Program – El Rio Water Well No. 20 Construction Contract in the Amount of \$849,283**

##### **Motion**

Dr. Bral addressed the Board, and Director Maulhardt interjected stating that he was going to help her out by reporting that the Engineering and Operations Committee had fully reviewed the staff report and supporting documents and was recommending approval of the OH Well Replacement program and authorization of the General Manager to award a construction contract to the lowest responsible bidder, Bakersfield Well & Pump Company, in the amount of \$849,283 for the construction of the Oxnard Hueneme (OH) Well Replacement Program – El Rio Water Well No. 20 Construction project.

Motion to approve the OH Well Replacement program and authorize the General Manager to award a construction contract to the lowest responsible bidder, Bakersfield Well & Pump Company, in the amount of \$849,283 for the construction of the Oxnard Hueneme (OH) Well Replacement Program – El Rio Water Well No. 20 Construction project, Director Hasan; second, Director Naumann. Roll call vote: seven ayes (Berger, Hasan, Keeling, Kimball, Maulhardt, Naumann, Dandy); none opposed. Motion carries unanimously 7/0.

**Water Resources Department – Dan Detmer**

**5.3 PUBLIC HEARING**

**Opening of Annual Groundwater Hearing to Accept Comment on Groundwater Conditions within the District**

President Dandy addressed the other Board members and public, stating:

“The Board will now open the Groundwater Department public hearing. This is a hearing on the groundwater conditions for the 2022-2023 water year, and today is April 12, 2023. With that being said, in accordance with Water Code Section 75573, this is the time and place to begin our annual hearing concerning the groundwater conditions and the surface water supplies of the District, which will culminate in the Board determining whether or not zones should be established in the District and what, if any, groundwater extraction charges should be established in such zones.

Any operator of a water producing facility within the District, or any person interested in the conditions of groundwater or surface water supplies of the District may appear in person, or by representative, and submit evidence at this hearing concerning the groundwater conditions and the surface water supplies of the District. Appearances may also be made supporting or protesting the District's 2022-2023 "Annual Investigation and Report of Groundwater Conditions within United Water Conservation District," also known as the "Engineering Investigation and Report."

The record should show that on April 4, 2023, the Annual Investigation and Report of Groundwater Conditions within United Water Conservation District was received by the Secretary of the Board. The record of this hearing should also show that the Secretary has published a notice of receipt of the Engineering Investigation and Report and of a public hearing thereon to be held beginning today, April 12, 2023. This notice has been published pursuant to law in a newspaper of general circulation, printed and published within the District at least ten days prior to the date of this hearing.

This hearing will be opened today. Anyone wanting to testify or present evidence may do so. The hearing, however, will be continued, first to the Board's meeting in May which will be held on Wednesday, May 17, 2023, and then will be continued again until the Board's meeting scheduled for Wednesday, June 14, 2023. The reason this hearing will be continued until June is to give our staff and Board Committees an opportunity to prepare and review the District's budget for the coming year so that the budget can be considered and adopted by the Board before it determines whether or not to establish a zone or zones and in what amounts groundwater extraction charges should be levied in the zone or zones for the coming year.

Is there anyone who wants to testify or present evidence? If so, they should do so now.”

[No comments were offered by the public.]

President Dandy then stated: “Okay, receiving no testimony or evidence, this hearing shall now be continued until the meeting of this Board on Wednesday, May 17, 2023, at approximately 1:00 p.m.”

This hearing will be continued first until Wednesday, May 17, 2023, and again to Wednesday, June 14, 2023. No Board decisions will be **made until the final hearing on June 14, 2023.**

**6 BOARD OF DIRECTORS READING FILE**

**7 FUTURE AGENDA ITEMS**

President Dandy asked if there were any agenda items for consideration at future meetings. None were offered.

**8 ADJOURNMENT 2:35pm**

President Dandy adjourned the meeting at 2:35p.m. to the **Regular Board Meeting scheduled for Wednesday, May 17, 2023**, 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 April 12, 2023.

ATTEST: \_\_\_\_\_  
Lynn E. Maulhardt, Board Secretary

ATTEST: \_\_\_\_\_  
Kris Sofley, Clerk of the Board

## ATTENDANCE LIST

**MEETING DATE:** Wednesday, April 12, 2023 12noon

**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

Joe Markiak

Oxnard

Steve Hongola

Rincon

Jennifer Trisko

Ventura

Brian Dandy

Rachael Lamon

Public comment during United Water Conservation District board meeting 12  
April 2023

Dear United Water Conservation District,

1. The United Water Conservation District could organize the people and water districts of Ventura and Santa Barbara Counties to install a thousand small versions of the Freeman Diversion. Most diversions can be in the mountains and coupled with amunas; <https://www.climatelinks.org/photo-gallery/amuna-peru>. Diversions with amunas will better recharge groundwater during wet or dry years.
2. The United Water Conservation District can help others and themselves find funding for this and other climate change adaptations. Settle your legal disputes! Task your excellent engineering staff to find win-win solutions. Replace your lawyer with one who focuses on your groundwater recharge mission.

Personally, I feel a large legal budget is the worst kind of big government. I don't appreciate funding lawyers on both sides of the issue. But mostly I hate paying lawyers instead of building solutions to our water crisis.



Mark E. Capron, PE  
2139 Lassen Street  
Oxnard, California 93033  
805-760-1967, [markcapron@oceanforesters.org](mailto:markcapron@oceanforesters.org)



OceanForesters





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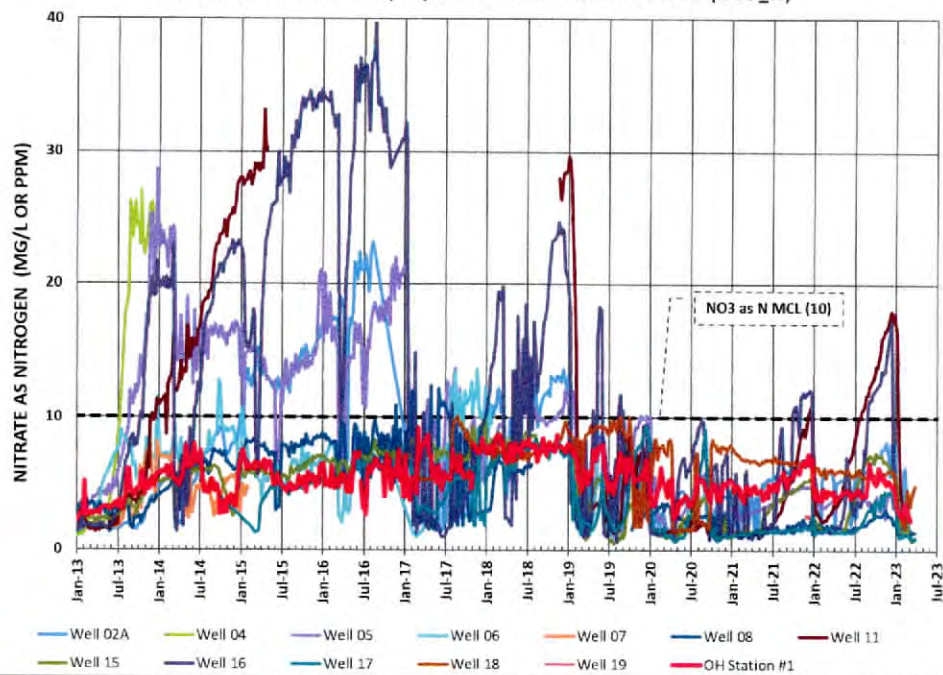
## Freeman Diversion Sediment Management



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OH UAS WELLS 2013 - 03/28/2023 NITRATE AS NITROGEN (NO<sub>3</sub>\_N)



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## Santa Felicia Dam

### Lake Spill / Storm Cleanup



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## Freeman Diversion

Fish Wiper Gearbox – Recharge Basin Discing – Sediment Management



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# Questions?



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## Operational Update: February and March 2023

### Facilities Maintenance Highlights

- Staff performed ongoing weed abatement measures to include spraying for noxious weeds (Feb. 2-13).
- Provided oversight for asphalt repair mitigation (Feb. 6-10).
- Staff completed repairs to the marina and marina anchors (3 outings in Feb. and 3 outings in Mar.).
- Completed the recruitment and hiring of a new Park Ranger Cadet and 4 seasonal Park Ranger Assistants (Feb. 15-24).
- Engaged and launched a social media marketing campaign (Feb. 15 - to Apr. 1).
- Staff spent time conducting the annual fire ring and barbeque rehabilitation project (March 1 to April 15).
- Based and Improved all full hookup sites

United Water Conservation District



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## Operational Update: February- March 25

### Training, Events, and Meetings

<b>Feb. 9</b>	• FEMA public assistance grant briefing
<b>Feb. 14</b>	• FEMA public assistance grant submittal
<b>Feb. 21</b>	• Debris cleanup began on lake within the recreation area (Emergency contracts)
<b>Feb. 23</b>	• SFD functional exercise for EAP
<b>Mar. 1</b>	• Executed 5-year extension for Tommy's Boats
<b>Mar. 6-10</b>	• PC-832 Arrest and Control Training
<b>Mar. 13-15</b>	• Internal EOC Activation and Participation
<b>Mar. 28-31</b>	• Fred Hall Boat and RV show (Long Beach)

United Water Conservation District



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## Operational Update: Ongoing Disaster Response Effort

How Did We Get Here?

Substantial Rainfall for December to March

- December Total = 5.11"
- January Total = 21.15"
- February = 6.89"
- March = 10.14"
- TOTAL = 43.29"

What does it mean? What are the impacts?

2018

2023

United Water Conservation District

1

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## Operational Update: Storm/Disaster Recovery

Impacts as of March 2023

Storms yielded 69,980 AF of Increase Storage

This equated to a 80.54' vertical increase

Storms generated approximately \$2,800,000 and rising in damages/cleanup

Damages and cleanup include:


Removal 2,481 Cubic Yards of Debris on Lake	69 roll off bins of debris or 546 tons of debris	Removal of 3,851 cubic yards mud/silt deposits	70 loads of sediment	Estimated 47,549 tons of sediment in park
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United Water Conservation District



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## THE RESULTS OF ALL THE RAIN!!

United Water Conservation District

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## PARK VISITATION AND REVENUE RECAP

Annual Month to Month Comparison

United Water Conservation District

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### Operational Update

Revenue Recap 2023 vs. 2022  
(Jan.-Mar. 25)

Year	Day Use Revenue	Camping Revenue	All Other Revenue	Revenue Collected	Revenue Received (After Refunds)	Visitation (# of People)
2023	\$14,599.00	\$77,216.00	\$10,280.00	\$108,241.00	\$102,095.00	4,257
2022	\$31,423.00	\$115,959.00	\$14,245.00	\$170,135.00	\$161,627.00	5,815

United Water Conservation District

16

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## Operational Update

### Other Revenue Recap – 2023 vs. 2022

Year	Firewood	Ice/Water	Showers/Laundry	Wi-Fi	Filming/Events	Concessions (Tommy's)
2023	\$1,604.00	\$443.00	-	\$1,971.00	-	-
2022	\$2,029.00	\$503.00	-	\$2,658.00	\$1,100.00	-

United Water Conservation District

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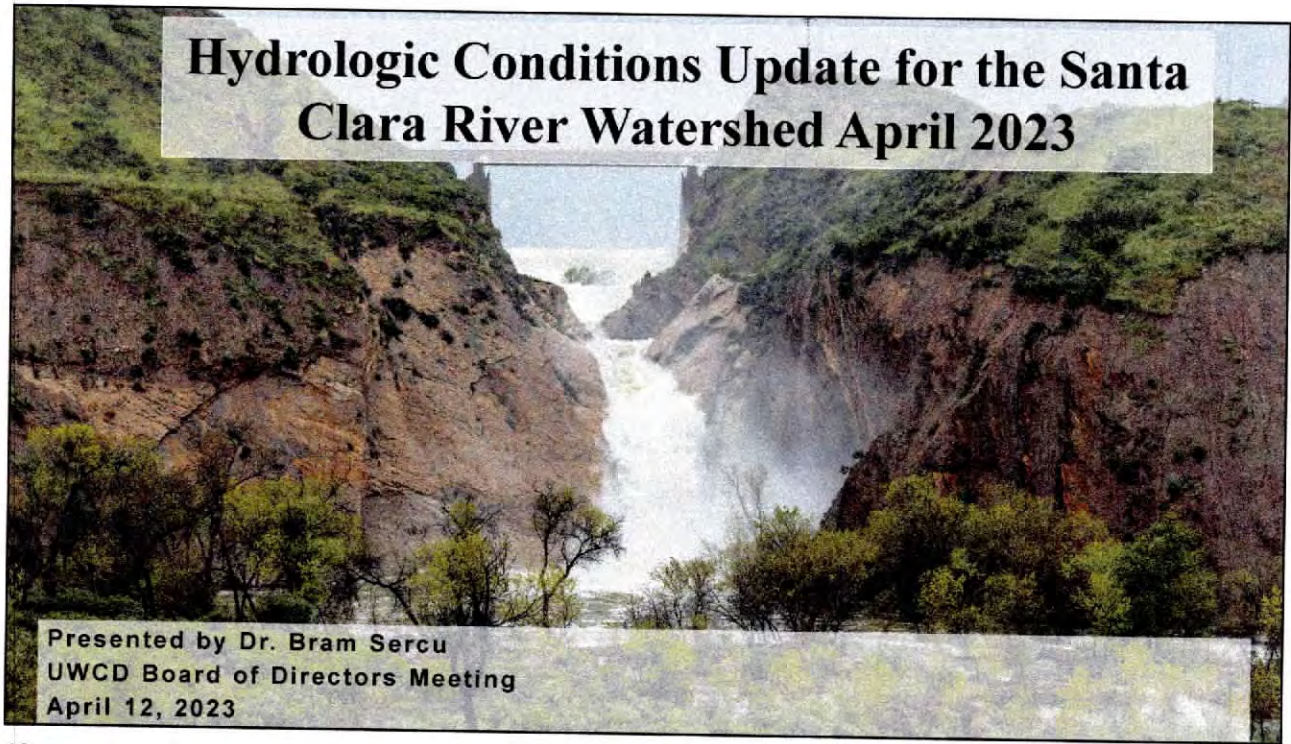
# QUESTIONS?

United Water Conservation District

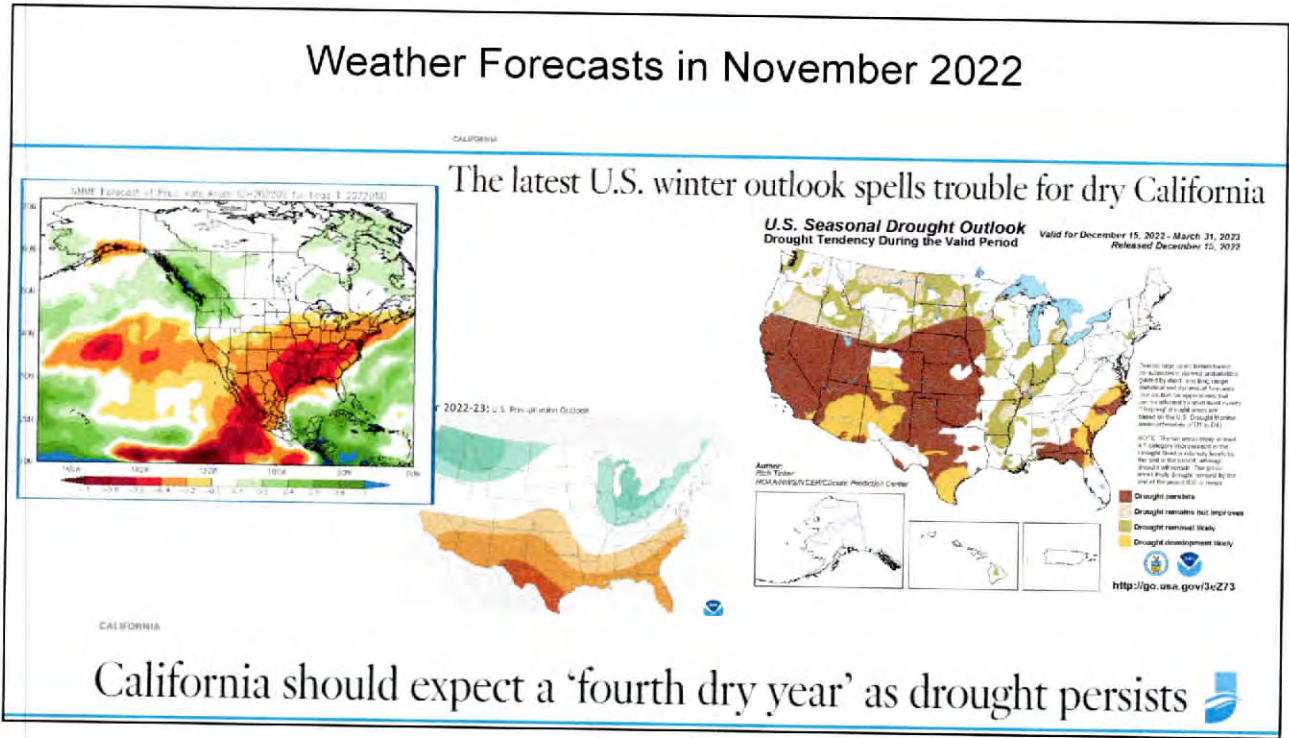
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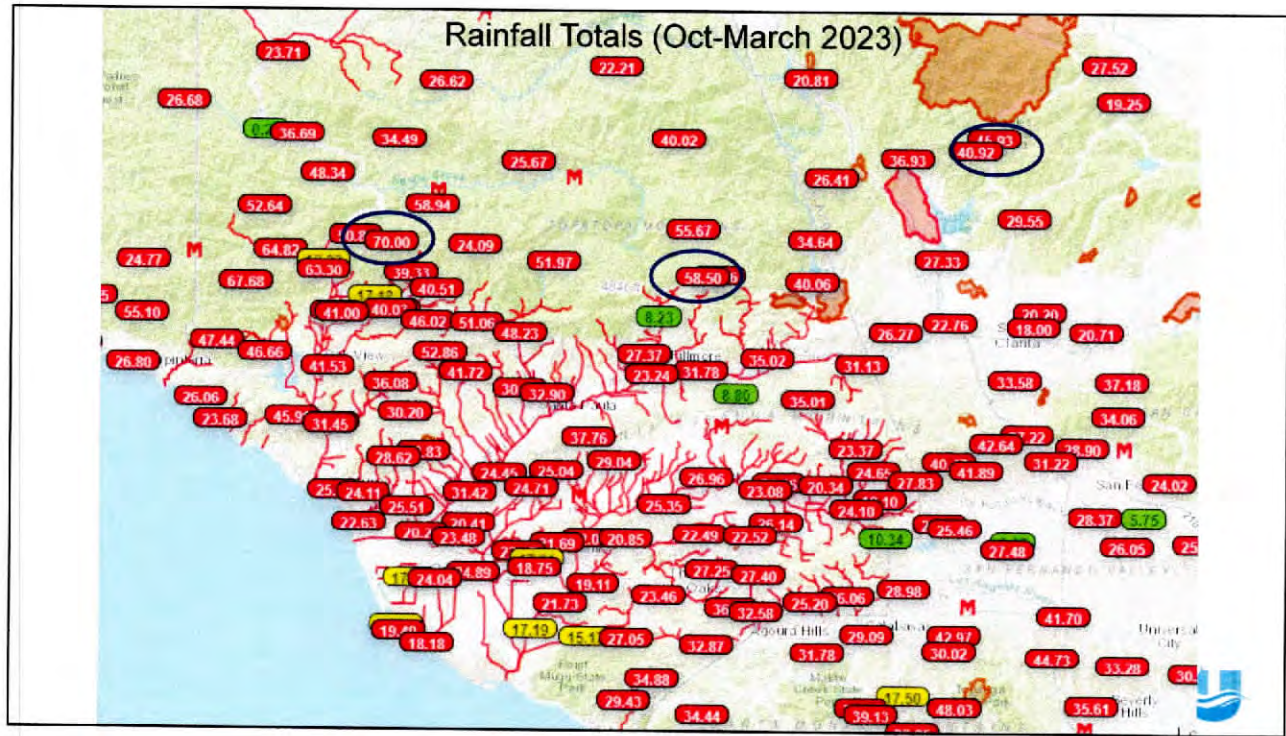


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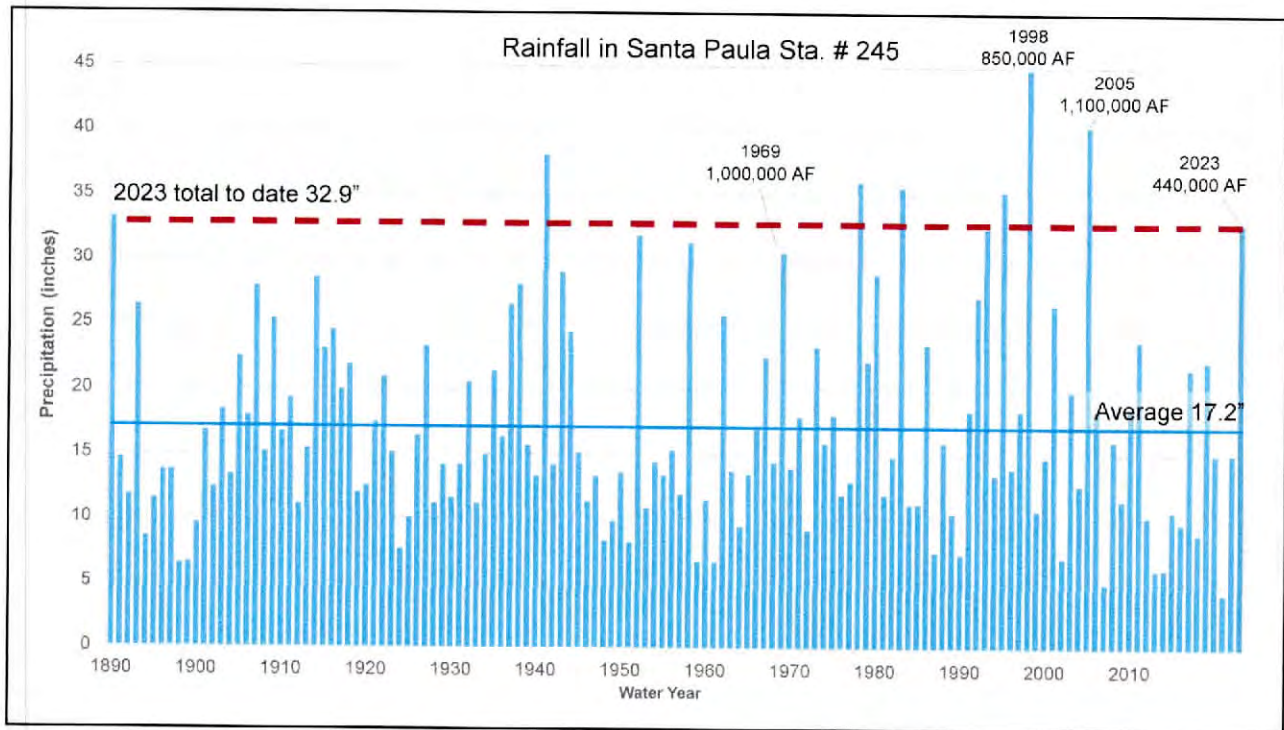


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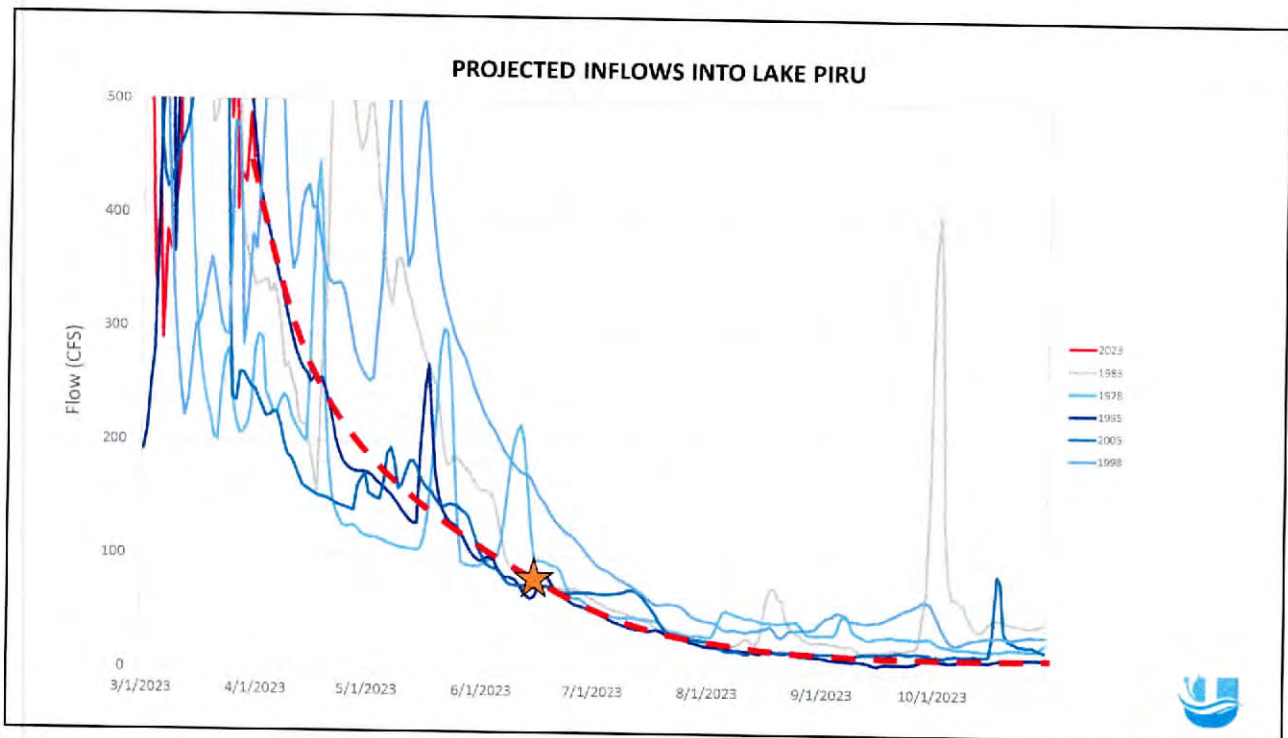


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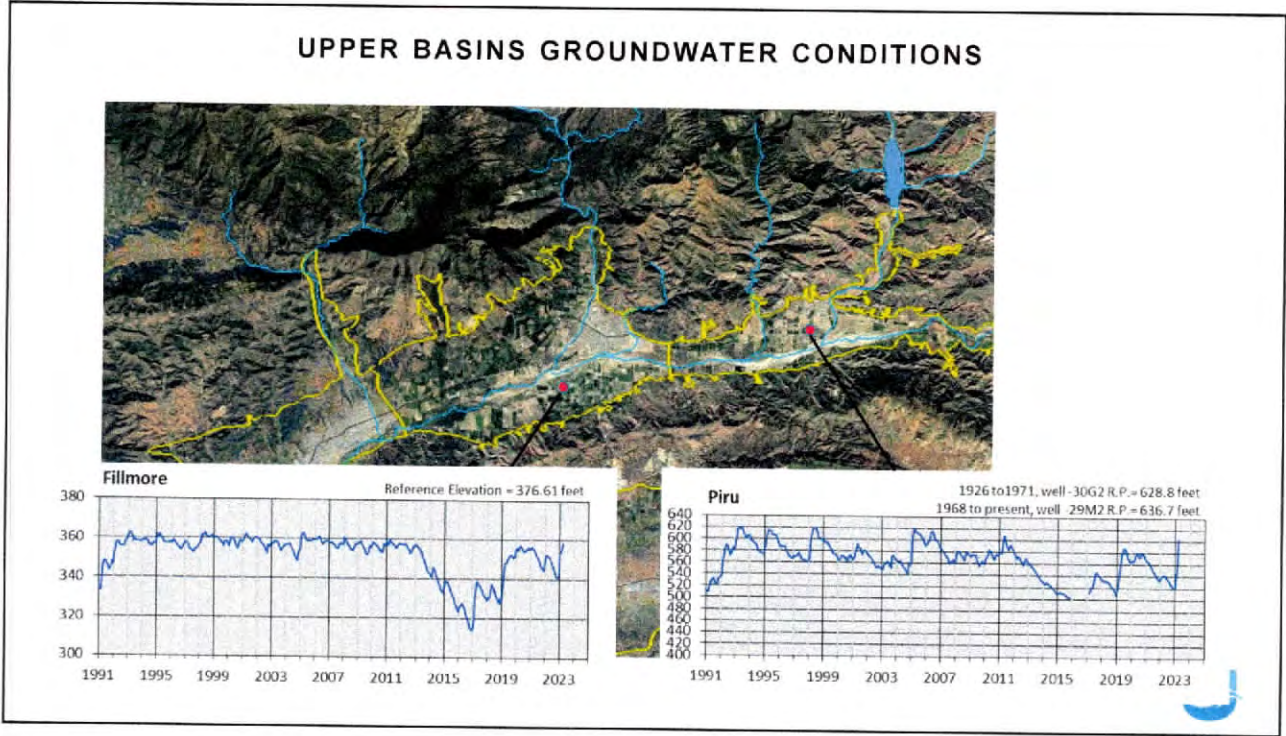


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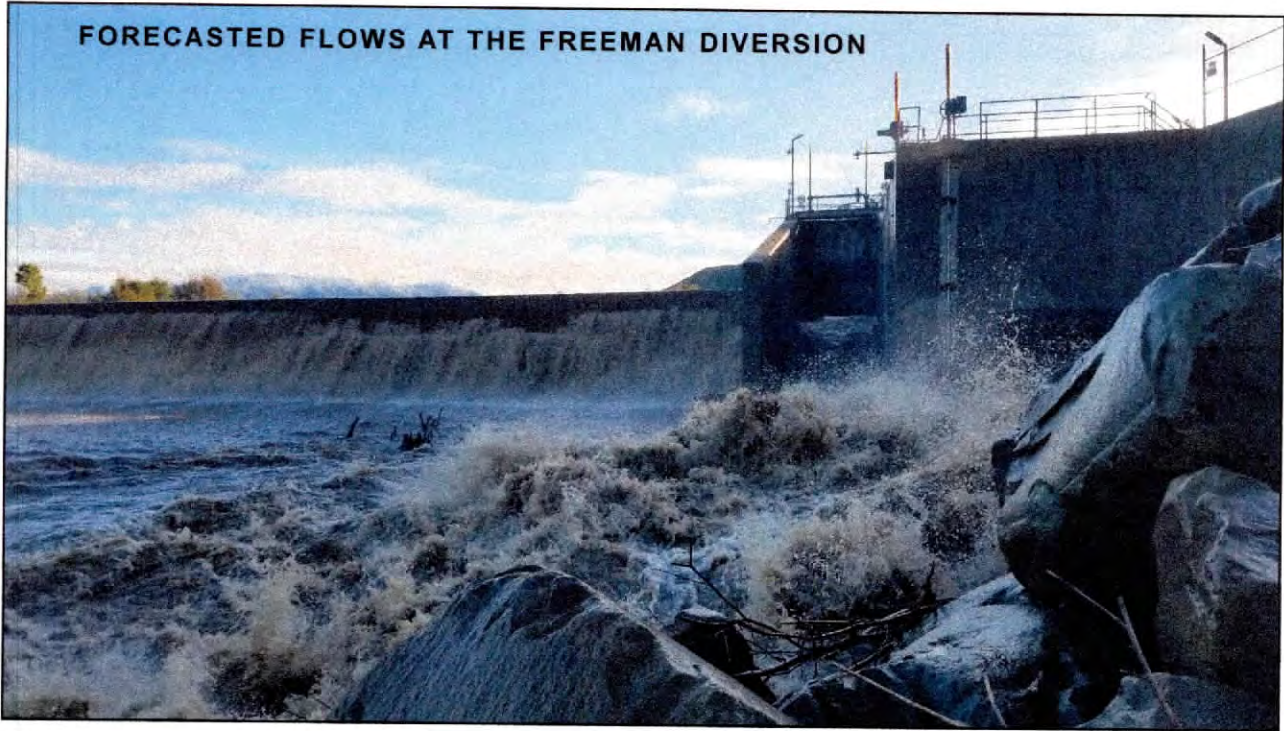


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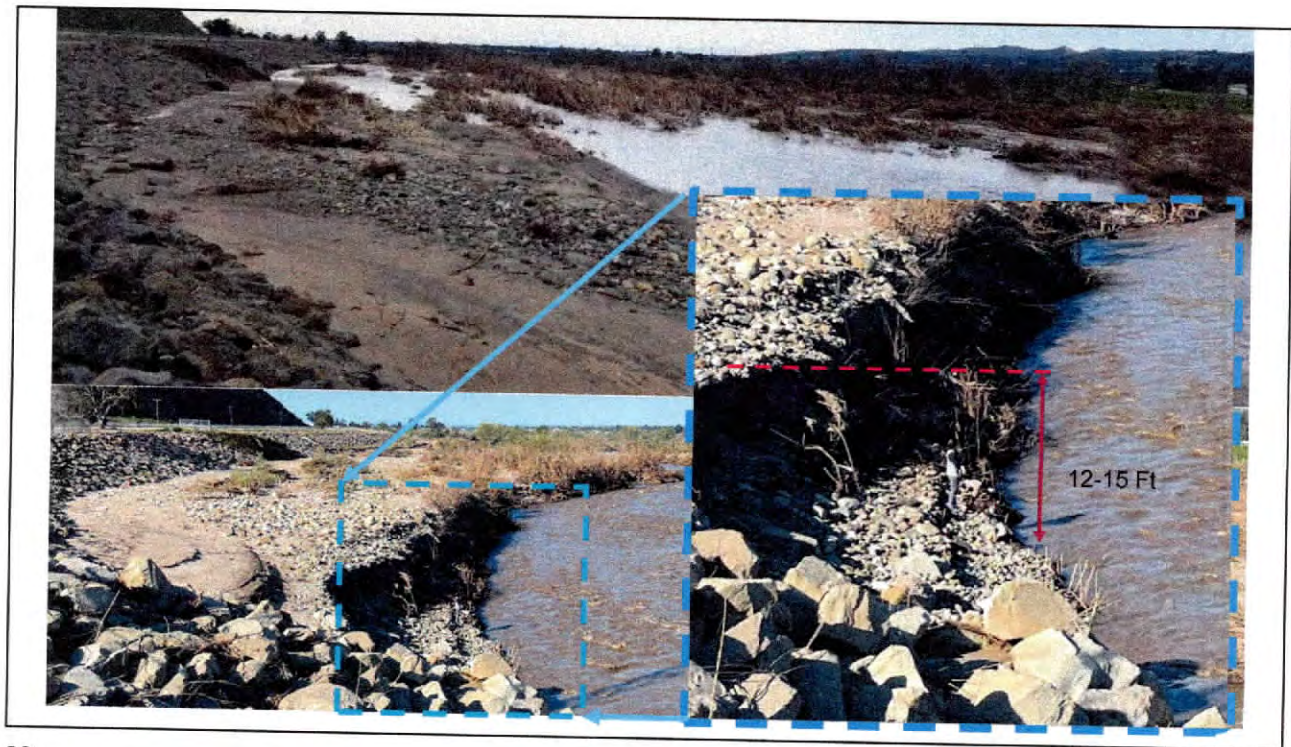


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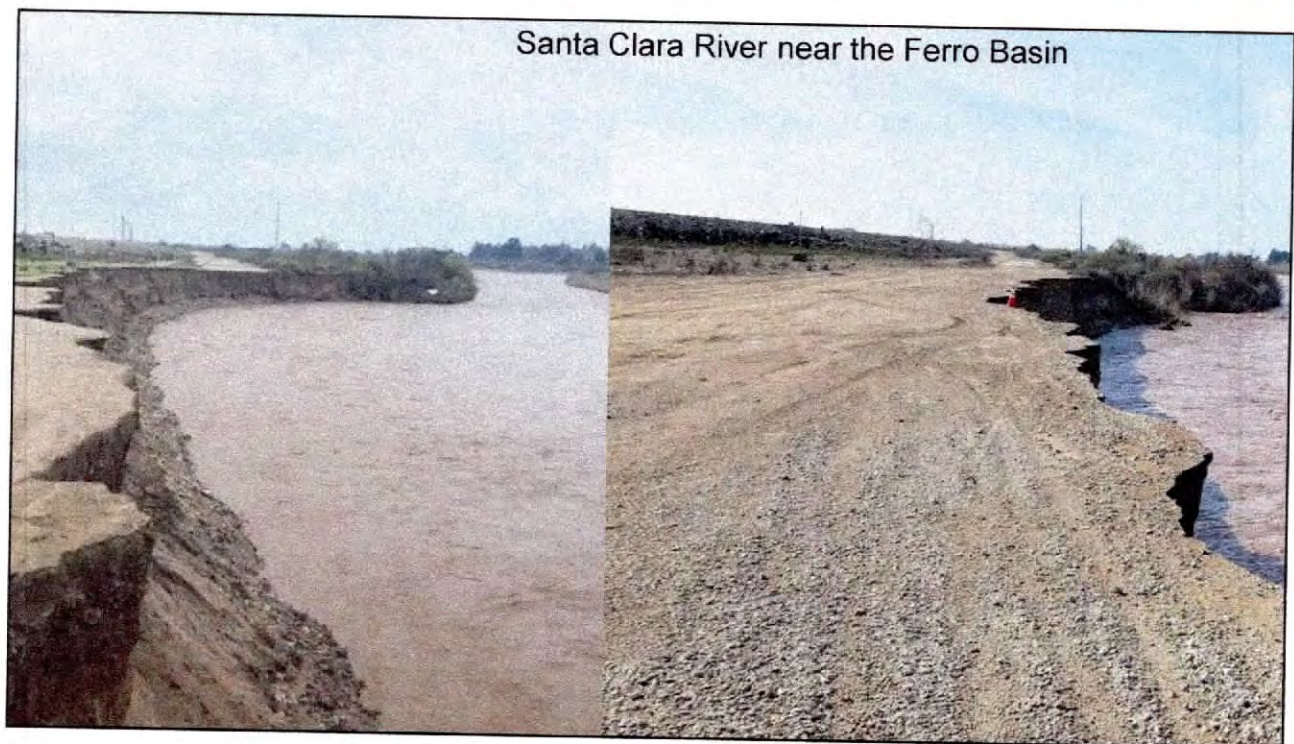


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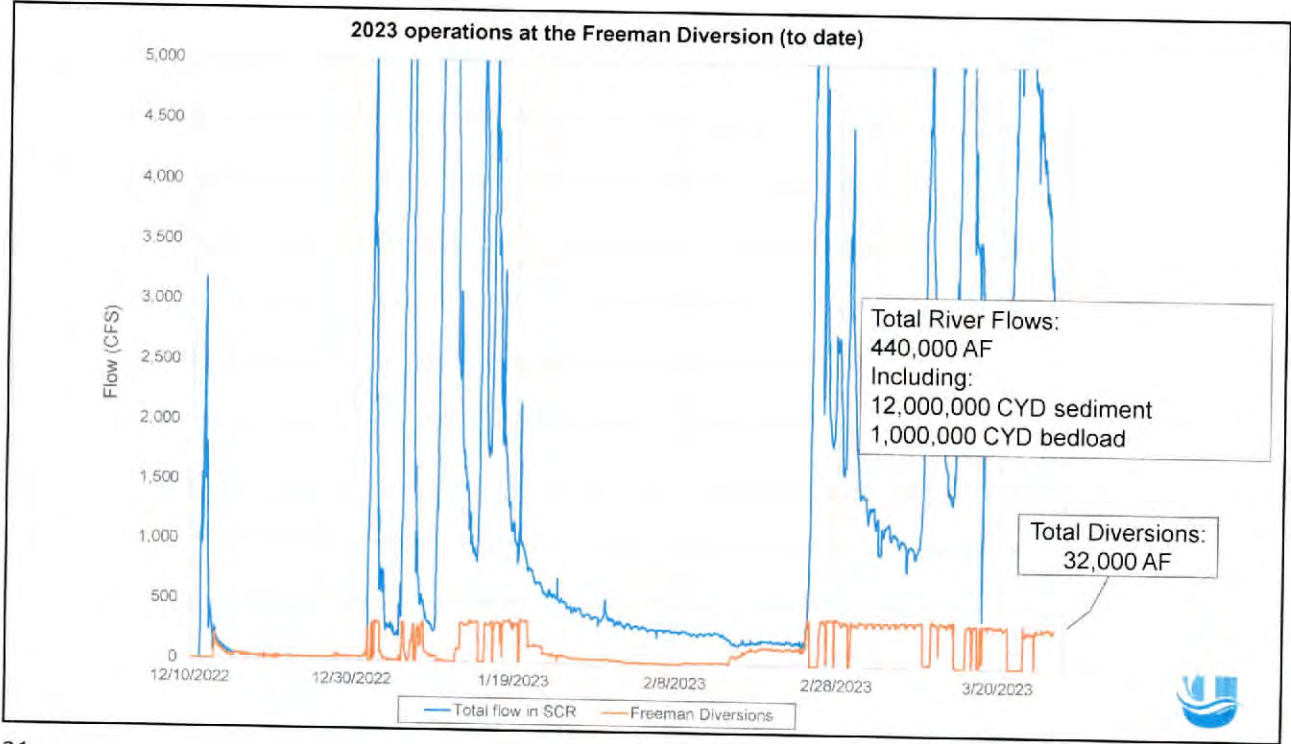


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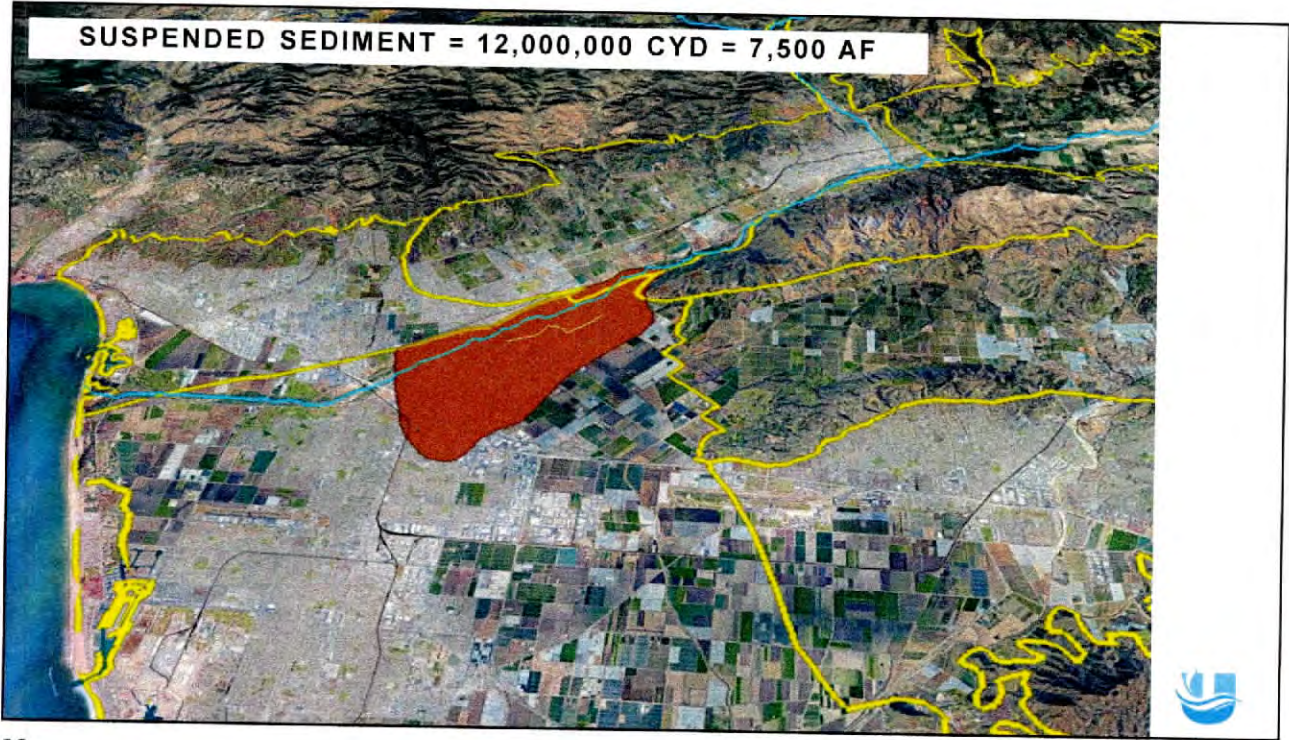


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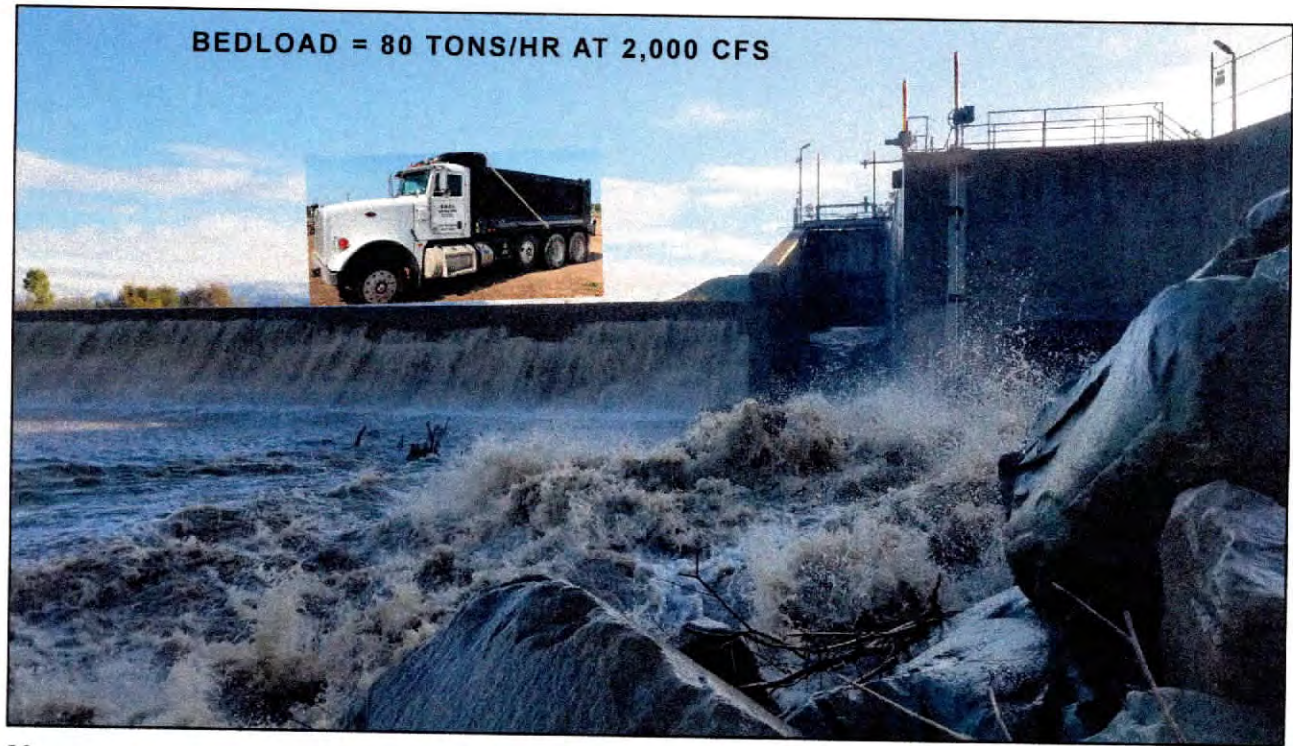


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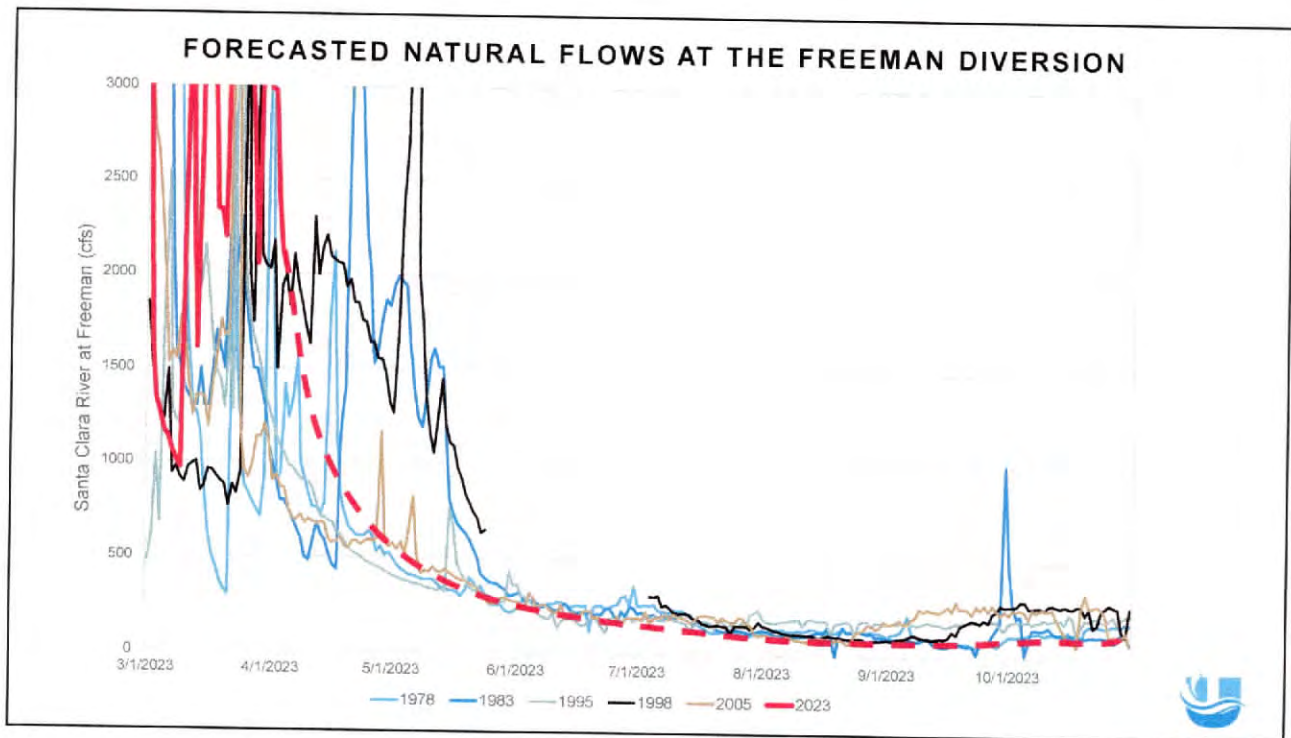


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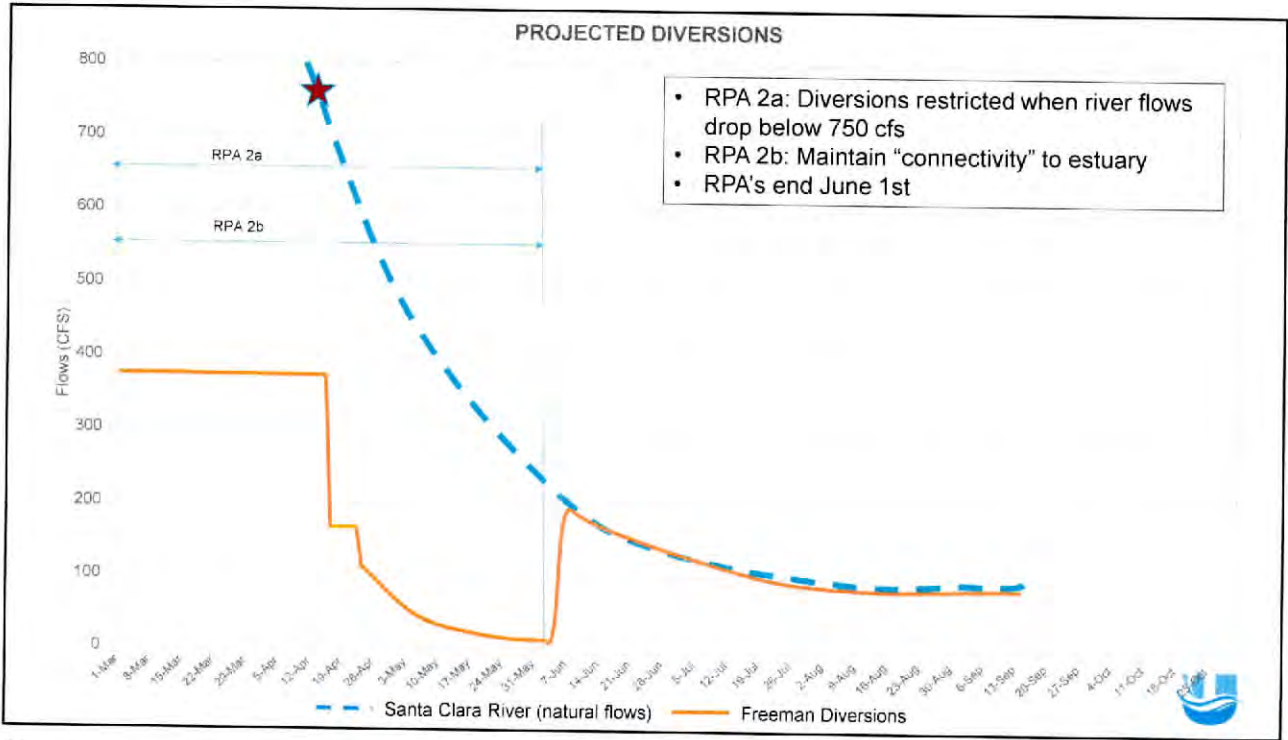




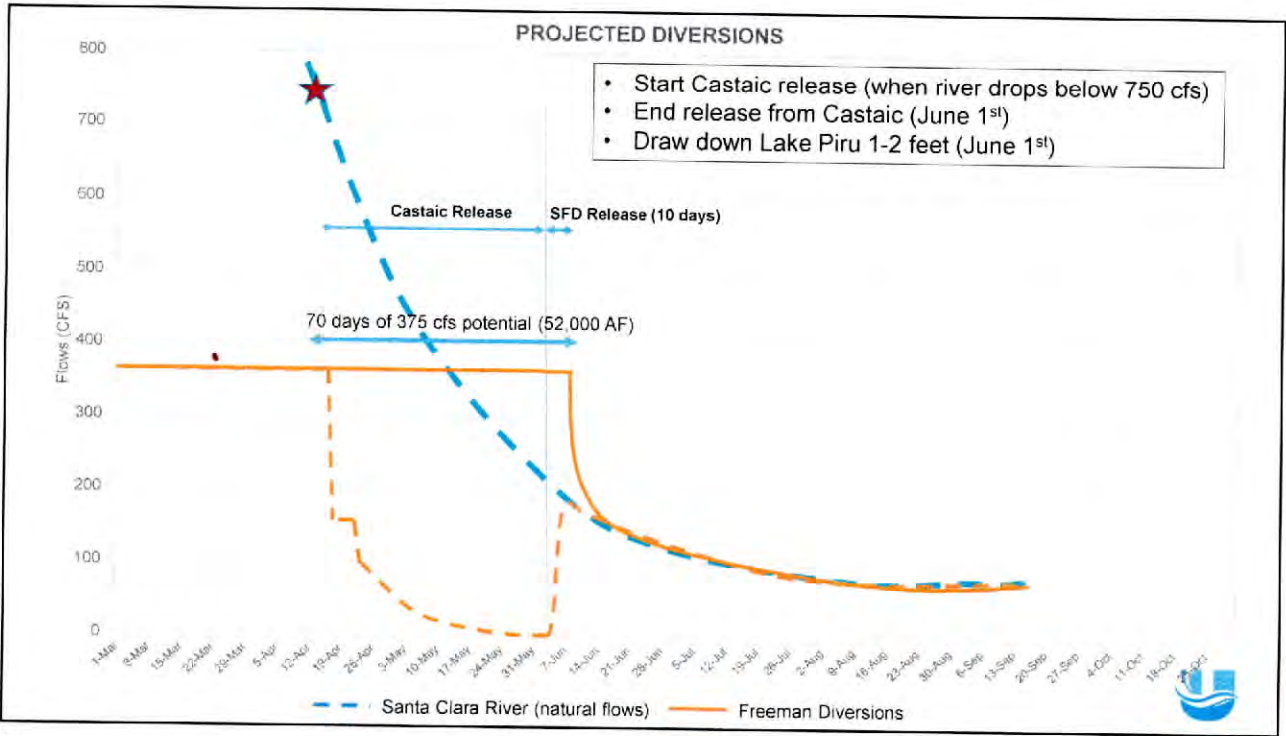
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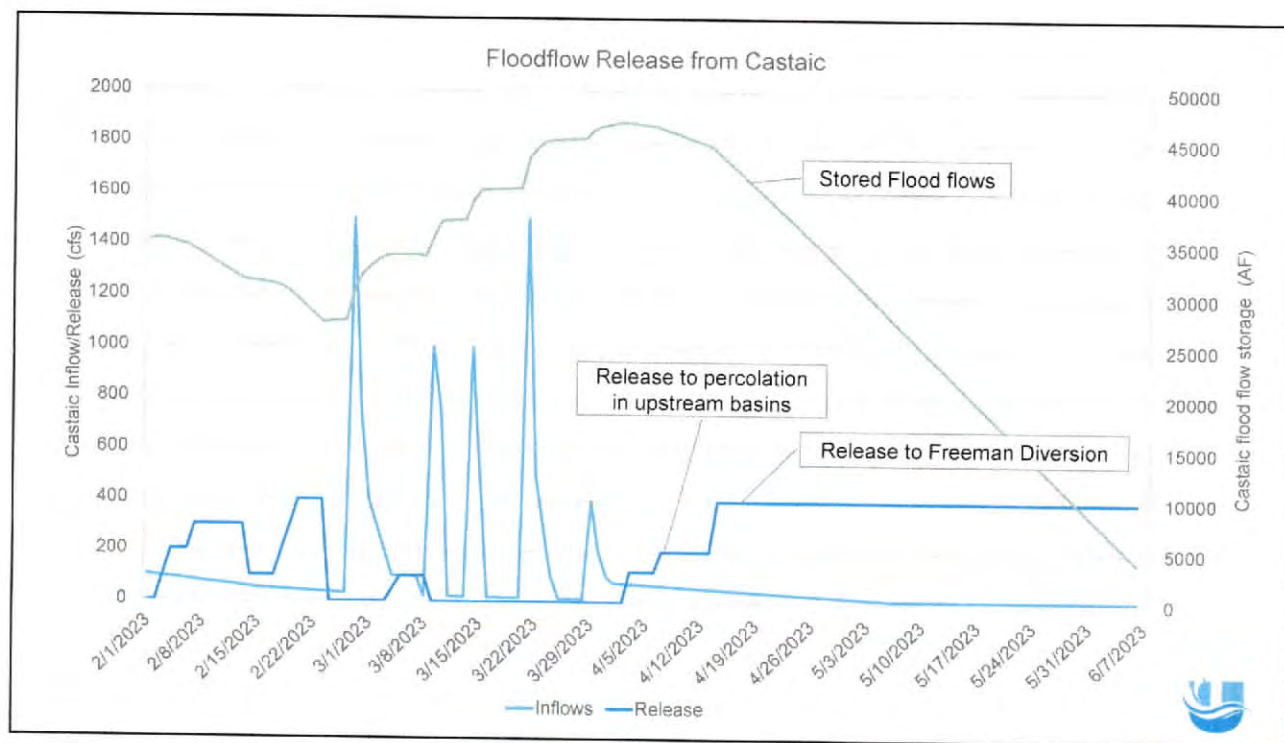


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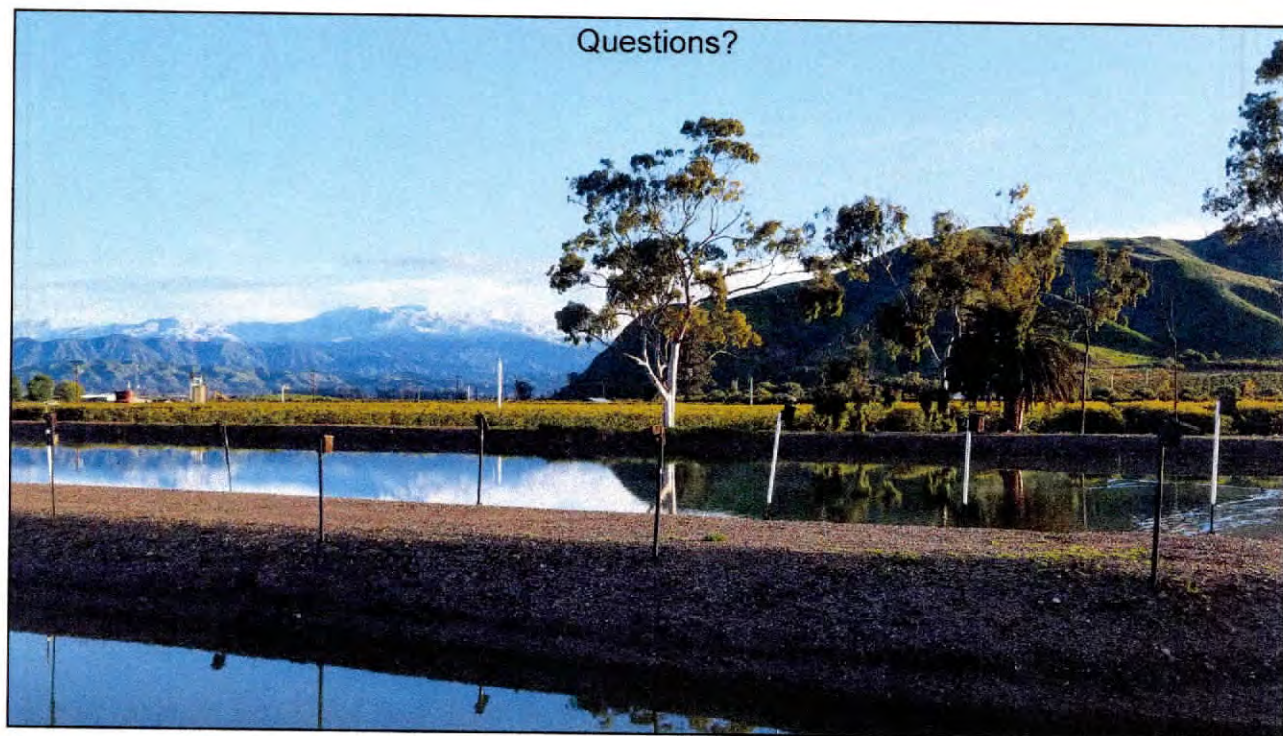


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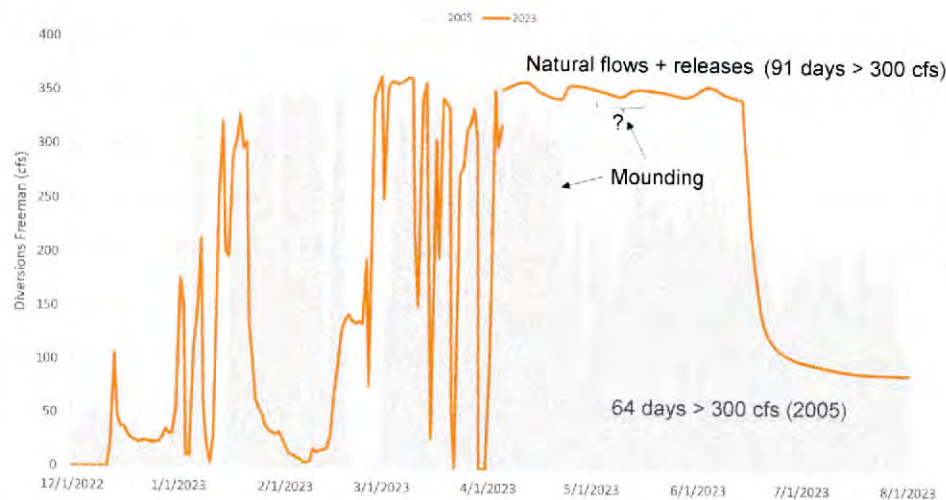
## 4. Optimization of Groundwater Recharge at the Saticoy Facility

Presented by Dr. Bram Sercu  
Water Resources Committee Meeting  
April 12, 2023



39

### DIVERSION GOALS FOR 2023



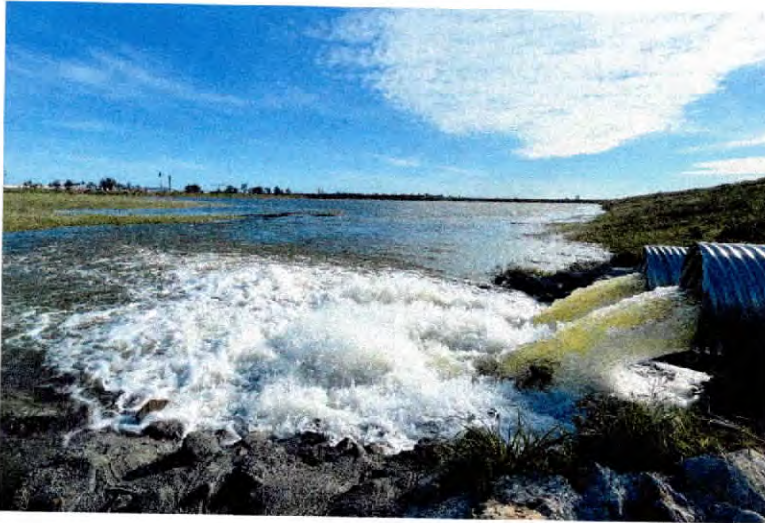
- Mounding anticipated between 5/1 – 5/15
- Diversions limited by recharge capacity



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## ROSE BASIN



- Connected to Noble 1 in 2016
- 80 cfs conveyance to Rose
- Preliminary perc rates 4-5 ft/d
- Will be instrumental in maintaining diversion rates through June 10



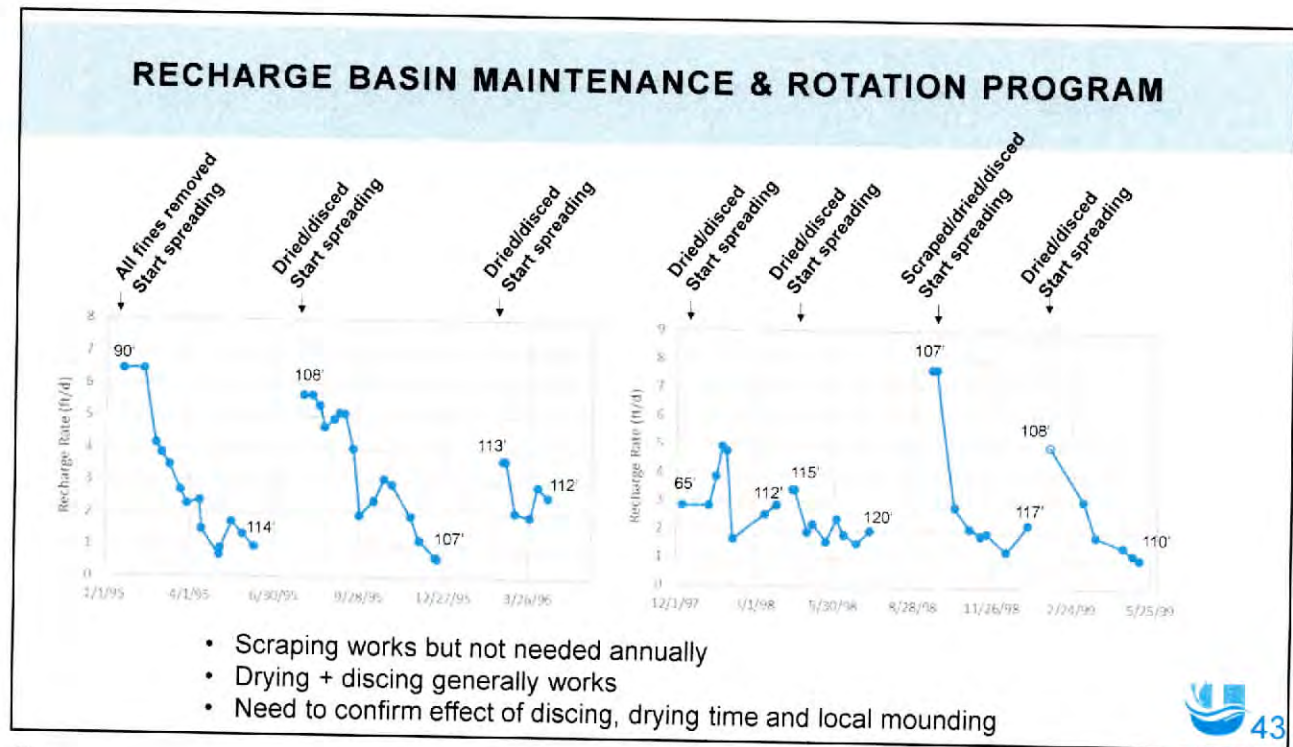
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## SATICOY-FERRO RECHARGE PILOT PROJECT

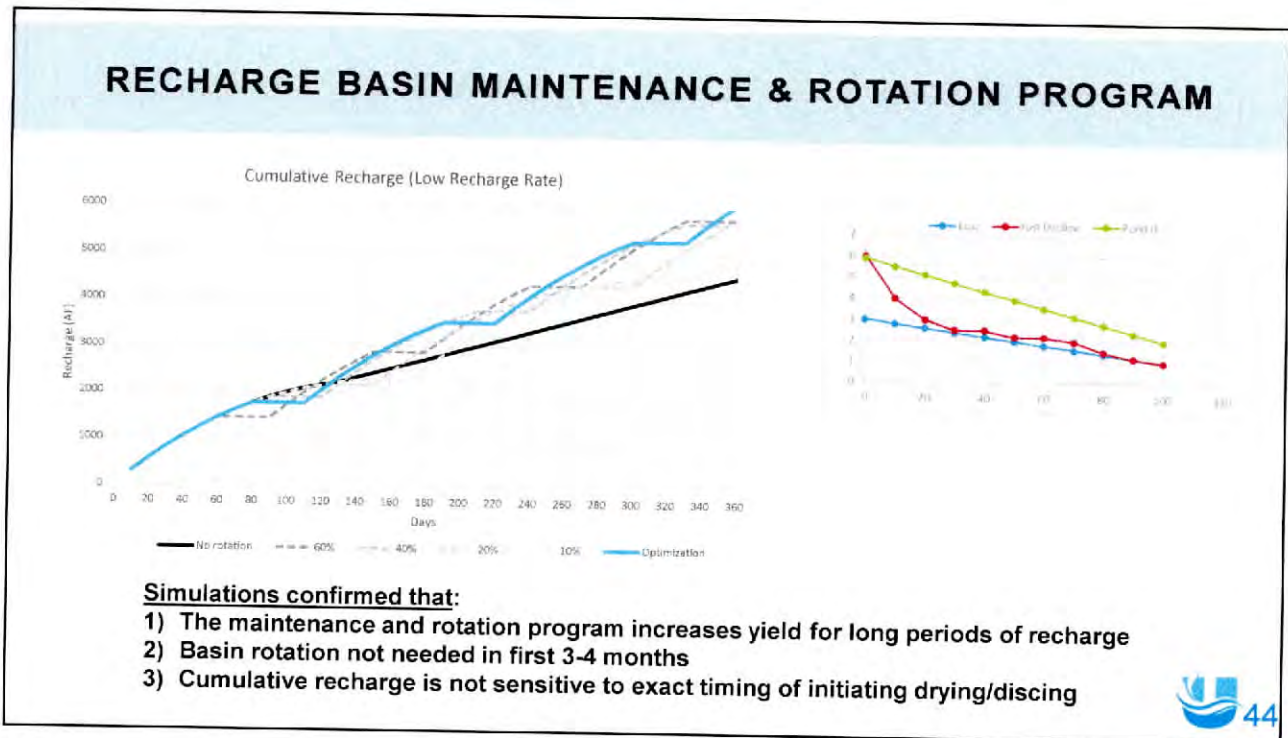
- Increase recharge capacity when mounding
- 54 cfs conveyance to Ferro
- Potential yield:
  - High estimate = 4,600 AF (5/1 – 6/10)
  - Low estimate = 2,700 AF (5/15 – 6/10)



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[illegible]

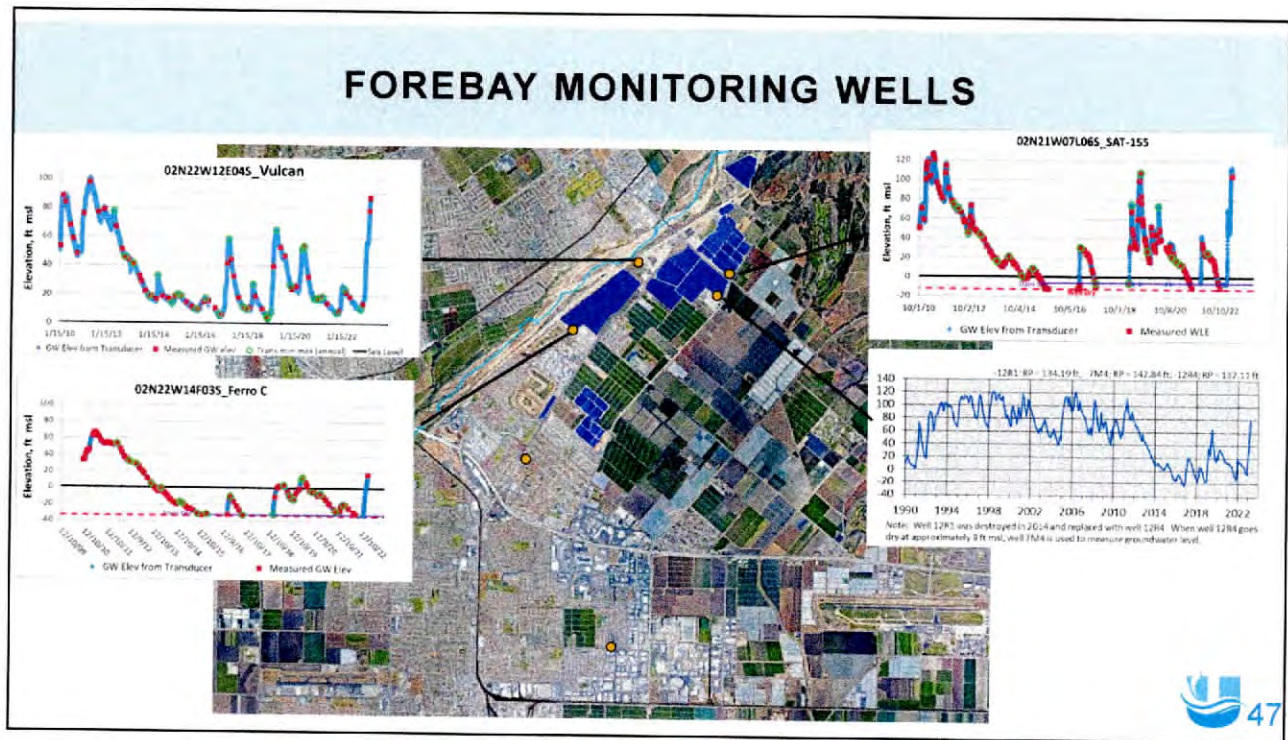
In use

- 1) Continue coordination with operators to measure percolation rates and plan drying, discing and basin rotation
- 2) Also track recharge long-term to determine when removal top layer is needed

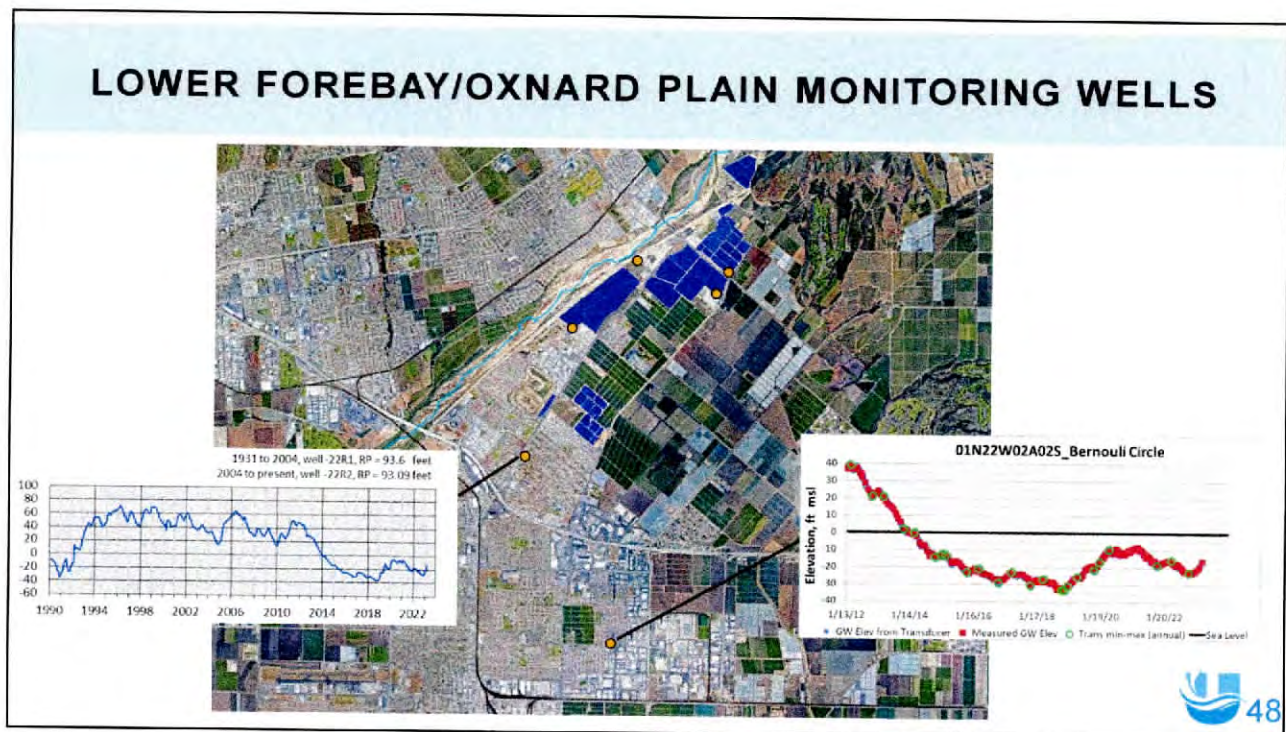
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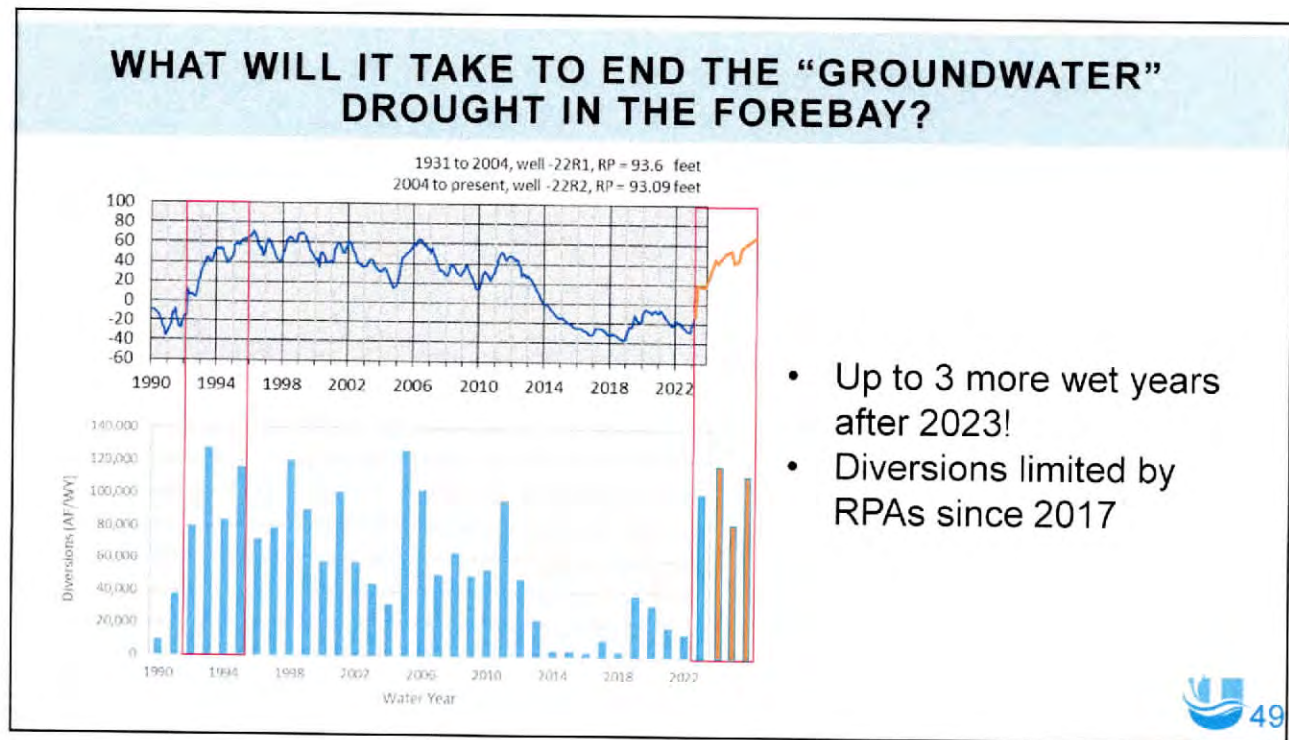


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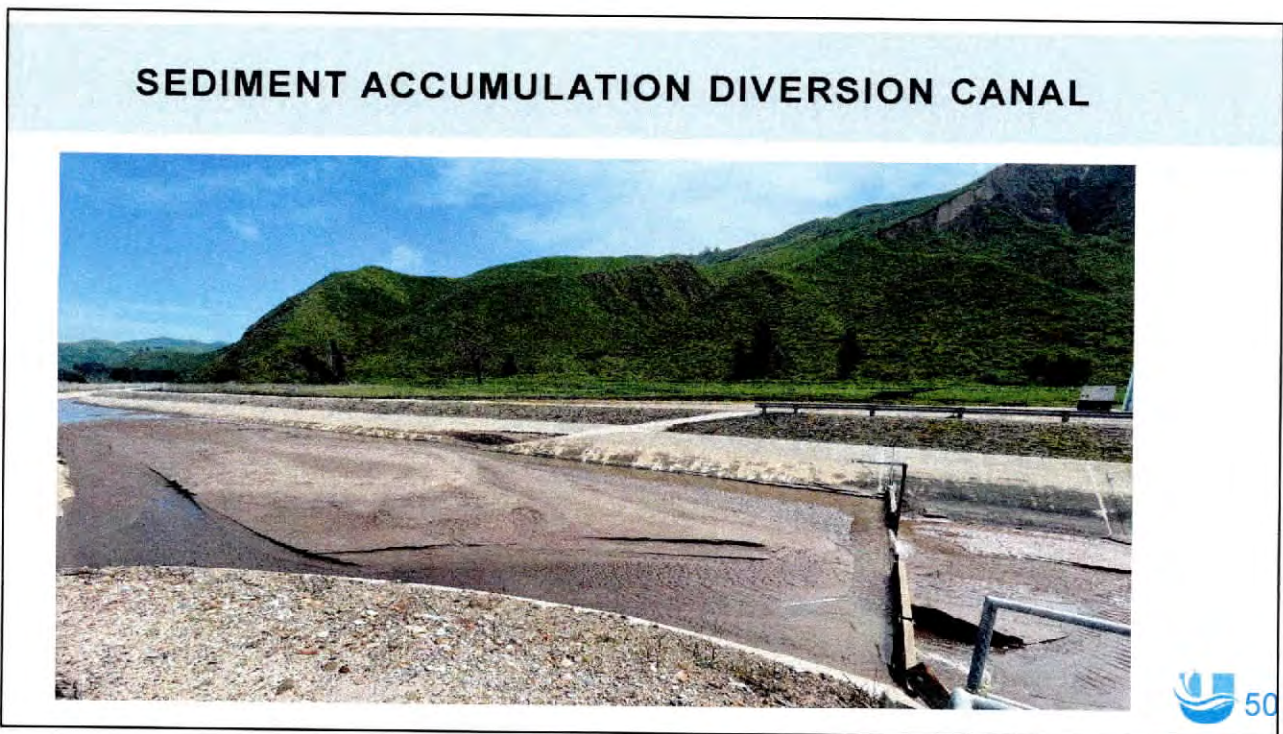


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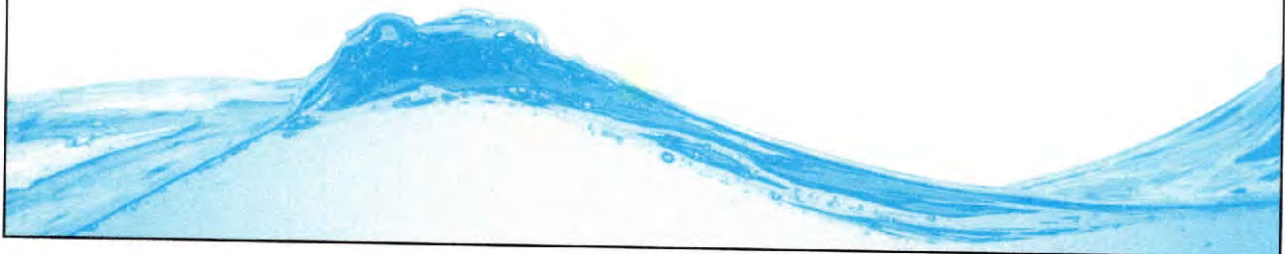
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## SEDIMENT ACCUMULATION DESILTING BASIN



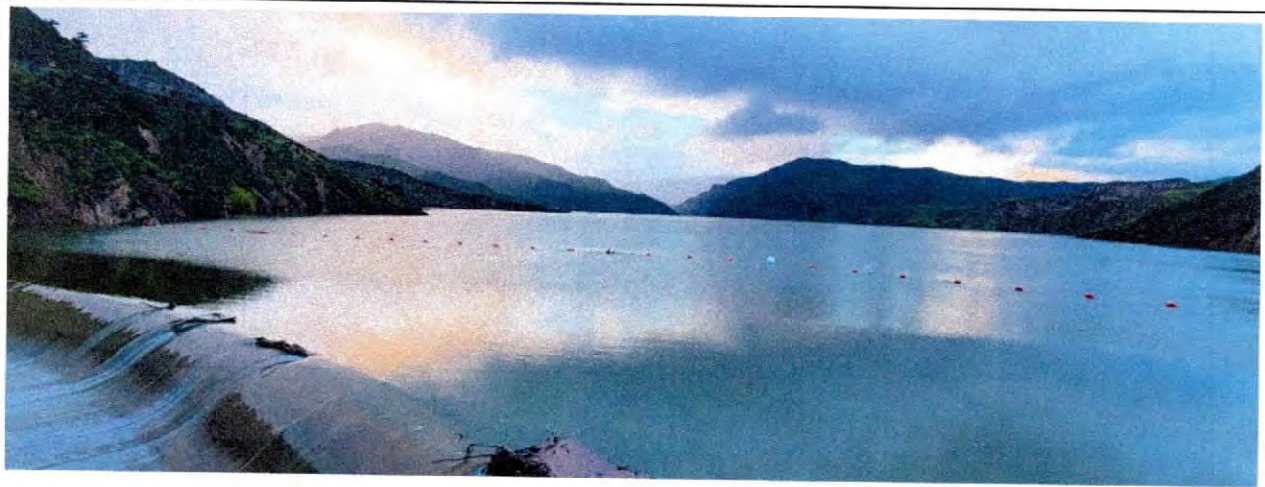
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## QUESTIONS?



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## ENGINEERING DEPARTMENT MONTHLY UPDATE

April 12, 2023



53

## Santa Felicia Dam Safety Improvement Project

### In preparation for Outlet Works Construction Phase:

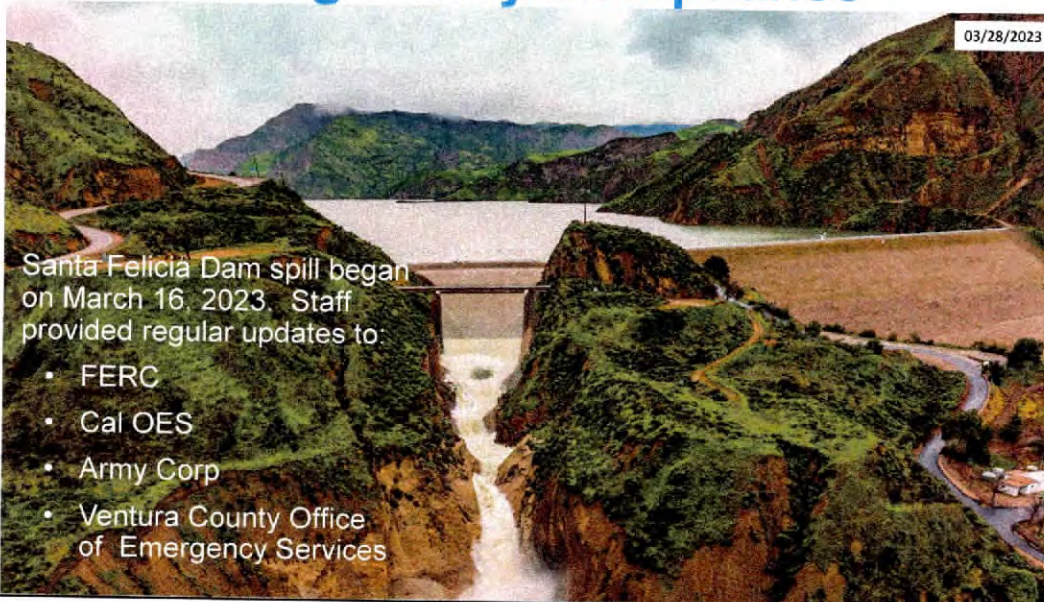
- Released RFP/Q for CM and Inspection Services for the Outlet Works
- Provided a tour of SFD was to potential proposers and written responses to proposers' questions
- Met with FERC to discuss IRRMs
- Preparing responses to NMFS and FERC comments on the draft BA



54



## Santa Felicia Dam Safety Regulatory Compliance



Santa Felicia Dam spill began on March 16, 2023. Staff provided regular updates to:

- FERC
- Cal OES
- Army Corp
- Ventura County Office of Emergency Services



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## Santa Felicia Dam Safety Regulatory Compliance



Fernandeño Tataviam Band of Mission Indians supported Staff with the content on Tataviam people's lifestyle.

### NATURAL AND CULTURAL RESOURCES

#### Traditional Home of the Tataviam People

Before the construction of Santa Felicia Dam on Piru Creek, the area around what is now Lake Piru was originally inhabited by the Fernandeño Tataviam Band of Mission Indians, while the Ventureño Chumash traditionally occupied land to the west. Several Tataviam villages are known to exist in and around the area now known as Piru, and the creek would have provided a critical source of fresh water. The Tataviam practiced hunting and gathering for food, and subsisted on small game and local vegetation, including yucca, juniper



berries, sage seeds, and acorns from the oak woodlands still seen around Lake Piru. The word "Piru" means "hole," a versatile reed that was used to make houses, clothing, mats, baskets, and tools, and is common along Piru Creek, highlighting the importance of the creek and surrounding area to the Tataviam people.

© "Tataviam" meaning "people" in any quantity, made of finished oak and cedar poles by the Fernandeño Tataviam Band of Mission Indians, 2019. <https://www.fernandevic.com/>



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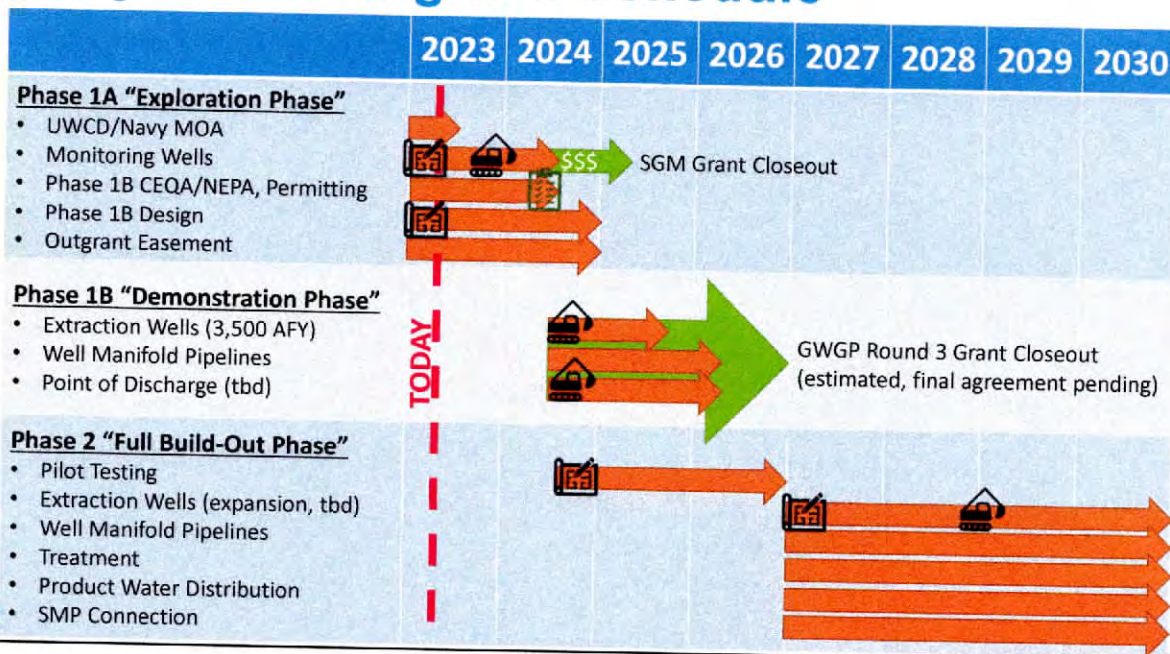
## Iron and Manganese Treatment Facility



➤ DOD OLDCC Audit/  
Site Tour on April 19

57

## Project Phasing and Schedule



58

## Public Outreach



March 23 - Eng/ WR/ ESD Staff toured the Charles E. Meyer Desalination Plant in Santa Barbara



March 15- Mauricio and Robert attended meeting with LAFCO



March 29 – at El Rio Fe/Mn Treatment Facility Project as part of District Open House and Facilities



59

59

## QUESTIONS



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Santa Felicia Dam Spillway-- March 16, 2023

## ENVIRONMENTAL SERVICES DEPARTMENT MONTHLY UPDATE


April 12, 2023




61

### Department Summary Updates


- Freeman operations support
- Activities initiated in response to Lake Piru spill
  - Lower system quagga mussel monitoring
- Clean Water Act permits for maintenance activities at Lake Piru
- Clean Water Act permits for emergency work in Reasoner Creek



Freeman Diversion – March 2023

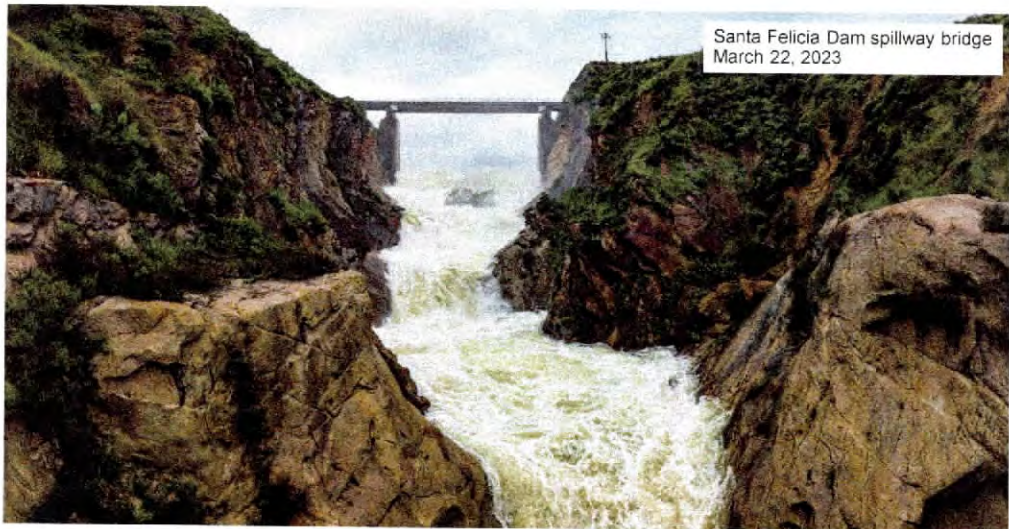


Reasoner Creek Emergency Work – March 28, 2023



62







Santa Felicia Dam spillway bridge  
March 22, 2023

Photo credit: John Carman

QUESTIONS ?




63

### El Rio Well Replacement Program Water Well No. 20 Construction Project

**Bid Results:**

- Bakersfield Well and Pump: \$849,283
- Best Drilling and Pump: \$953,000
- Layne Christensen Co: \$1,144,670.08



64





### 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:** May 3, 2023 (May 17, 2023 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 April 2023.

#### **Summary:**

Diversions, Recharge and Ag Pipeline Deliveries for Month of April 2023\*

Activity	Amount (acre-feet)
Total Diversions at Freeman Diversion	17,306
Lloyd-Butler Mutual Water Company surface water use	17
Recharge to Saticoy basins (metered + unmetered)	7,870
Recharge to Noble and Rose basins	3,791
Recharge to El Rio basins	4,522
Total Ag Pipeline Deliveries of water diverted at Freeman	1,106
Total Ag Pipeline Deliveries of water pumped from Saticoy Well Field	0
Recharge to Piru spreading grounds	0

\*Provisional data. Final data are made available in the September Hydrologic Conditions Report of each water year.

Groundwater Basin Available Storage at End of Month of April 2023

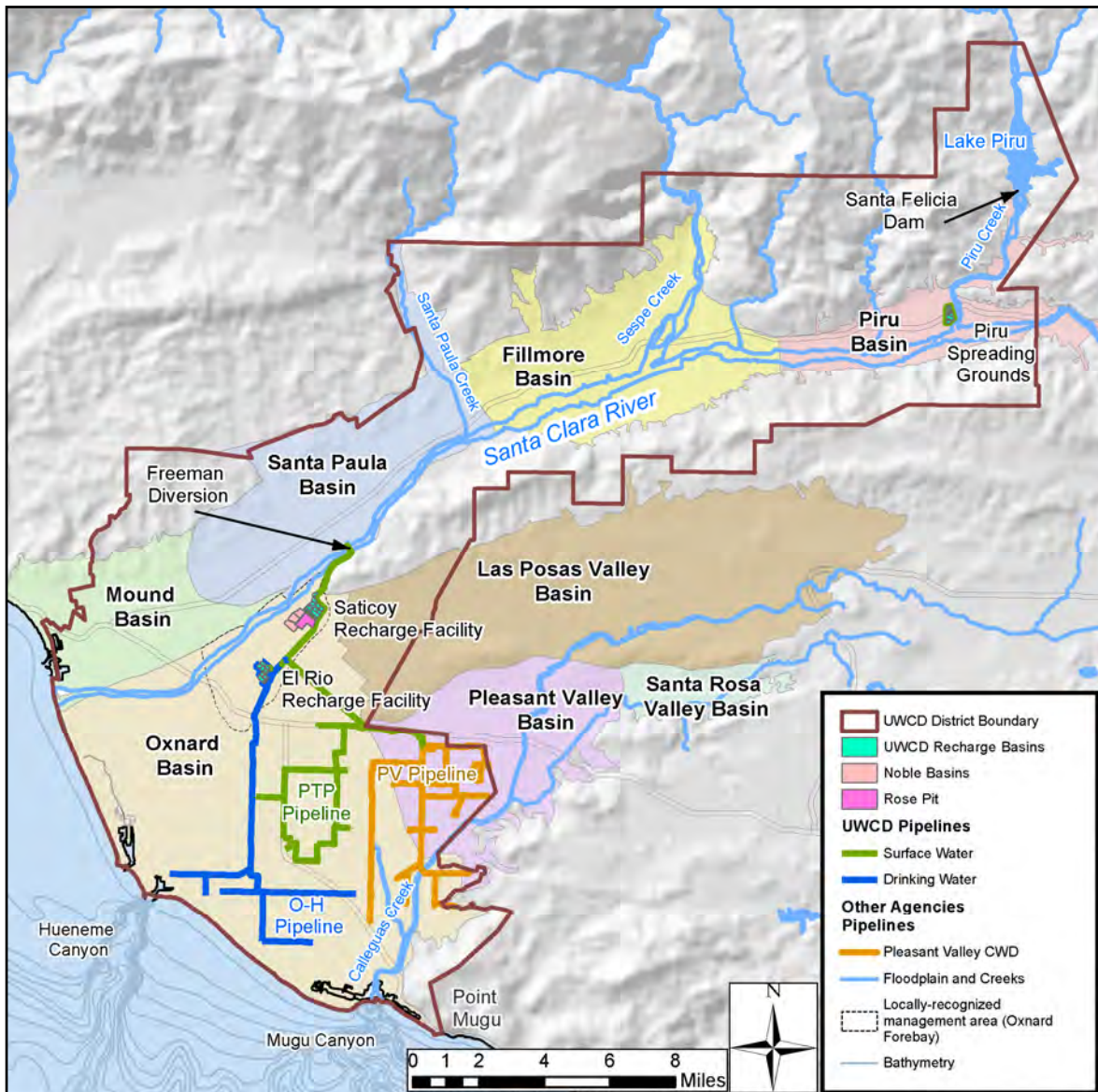
Basin	Available Storage (acre-feet)
Oxnard Forebay	51,600

Precipitation for Month of April 2023

Location	Precipitation (inches)
Lake Piru	0.02
Santa Paula	0.01
El Rio	0.00

### April 2023 Hydrologic Conditions Report 2022/23 Water Year

May 3, 2023

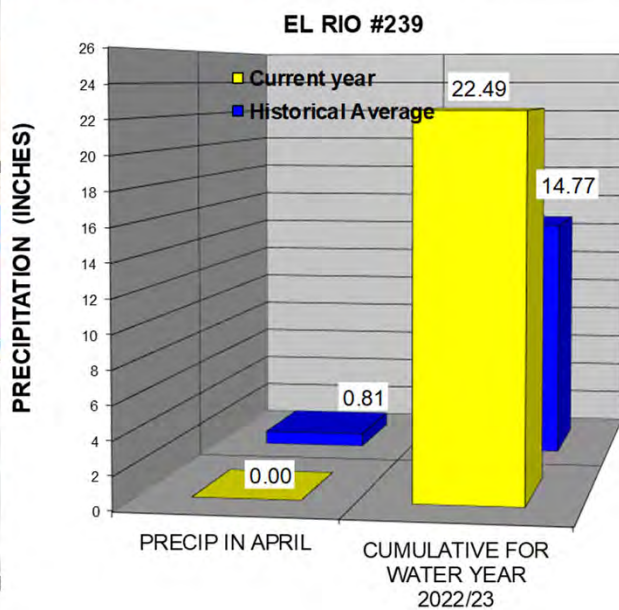
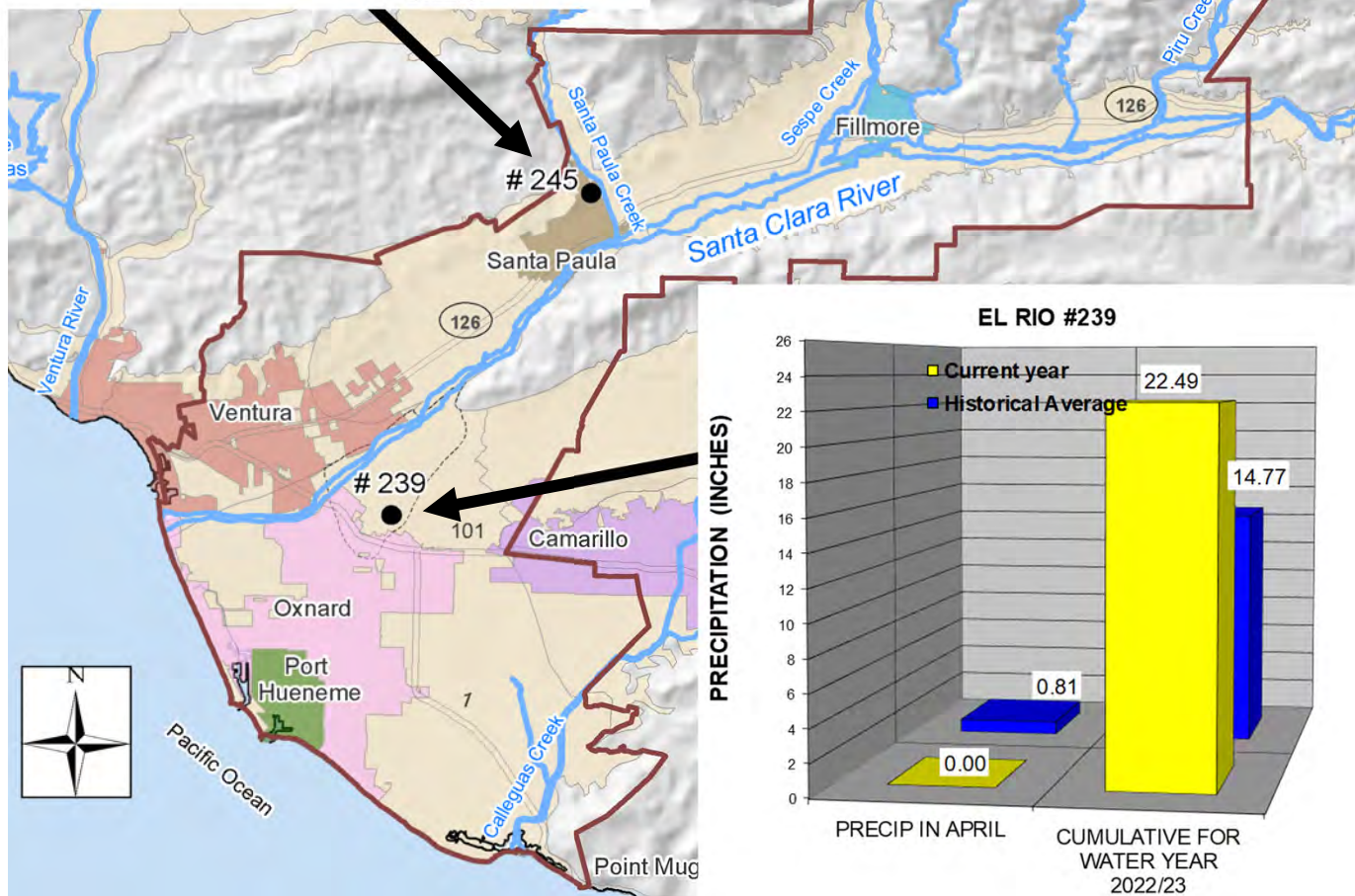
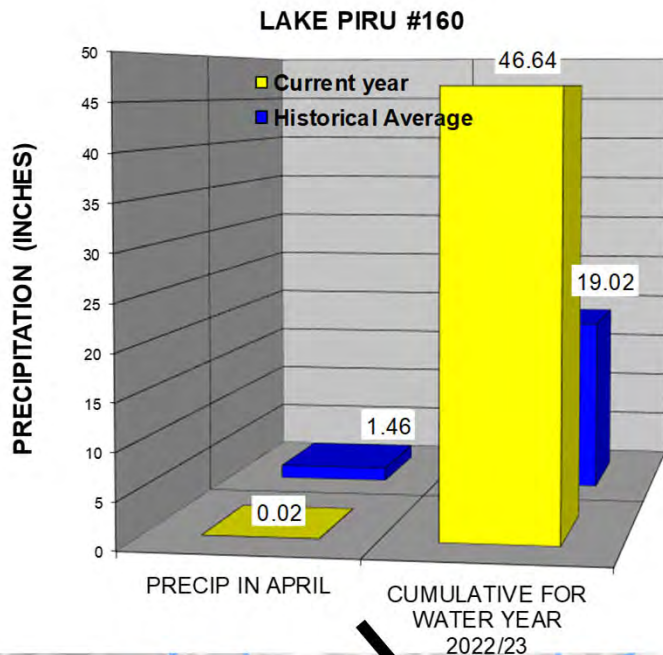
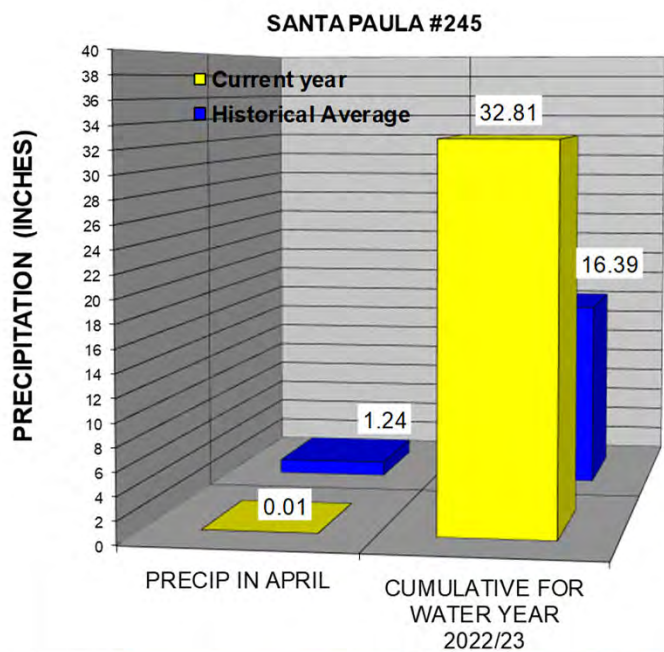


*Note: This report may contain provisional data until final review at the end of the water year.*

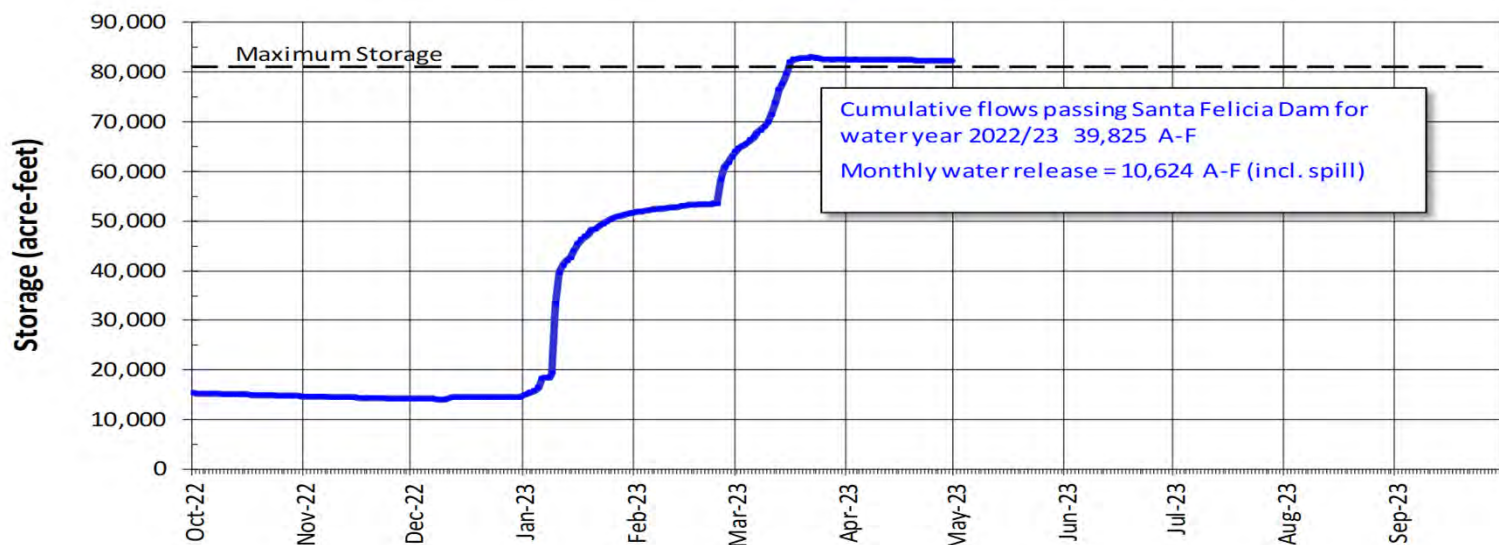
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# Precipitation

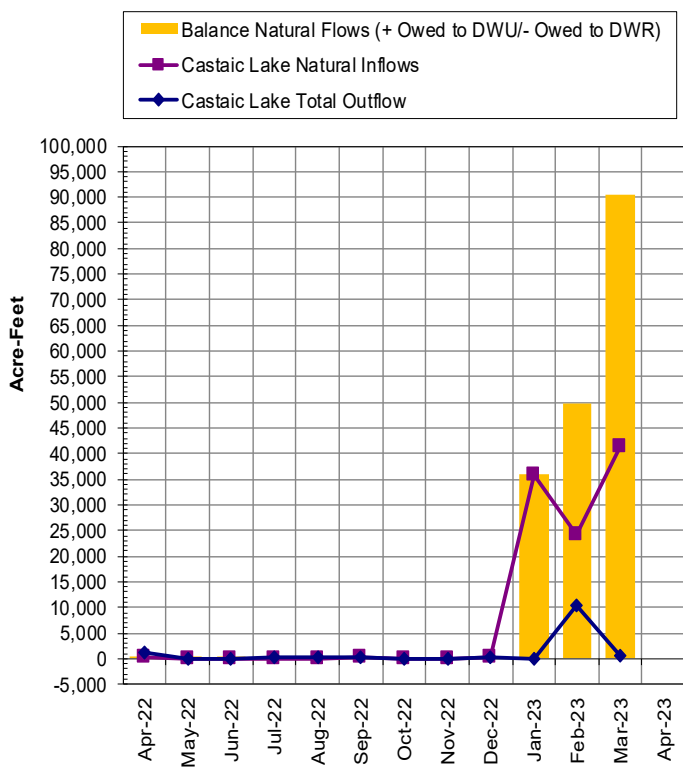


District-wide percent of normal precipitation = 203%

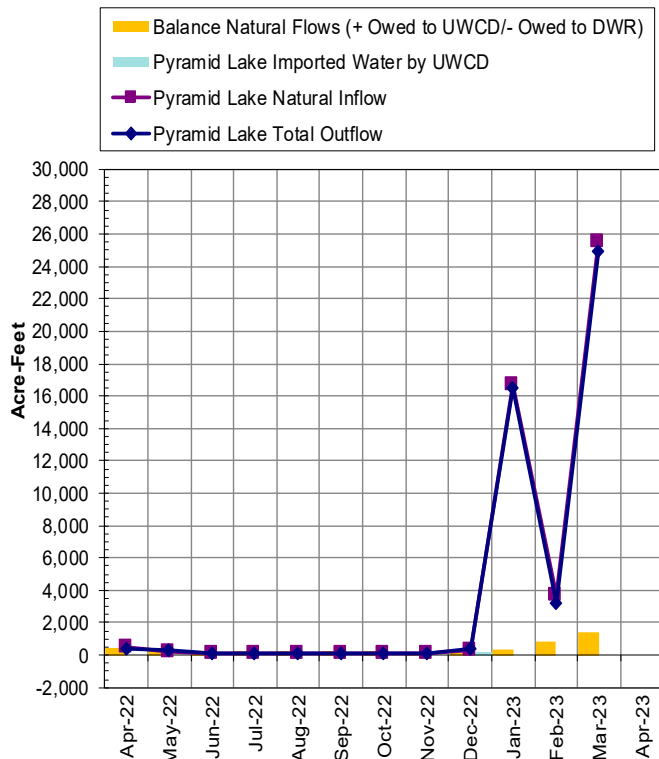


	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Hydro Plant Outflow (Acre-Feet)	0	0	0	0	0	0	0					
Cumulative Hydro Plant Outflow (A-F)	0	0	0	0	0	0	0					

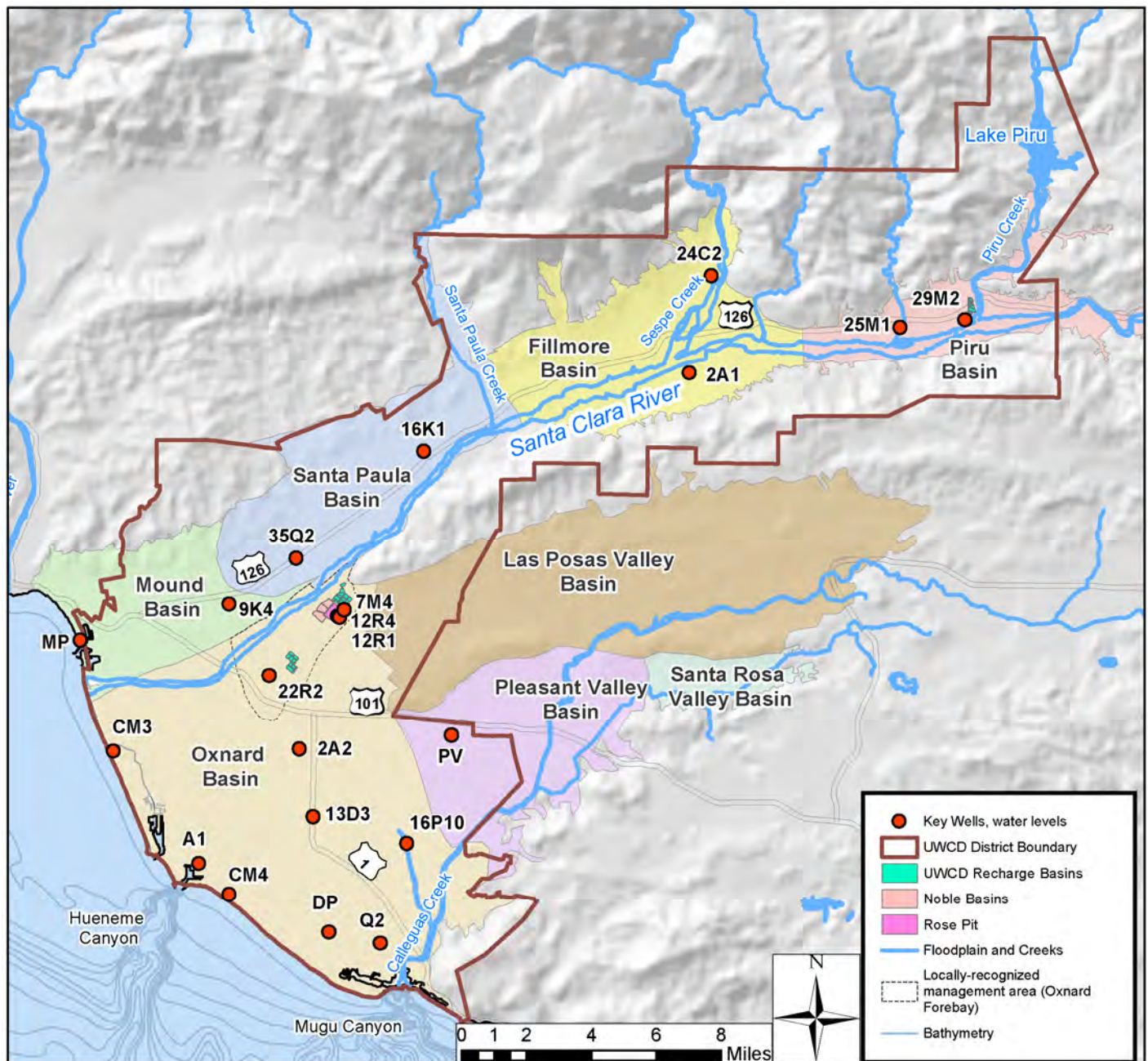
## Castaic Lake releases to downstream water users (DWU)



## Pyramid Lake releases to UWCD





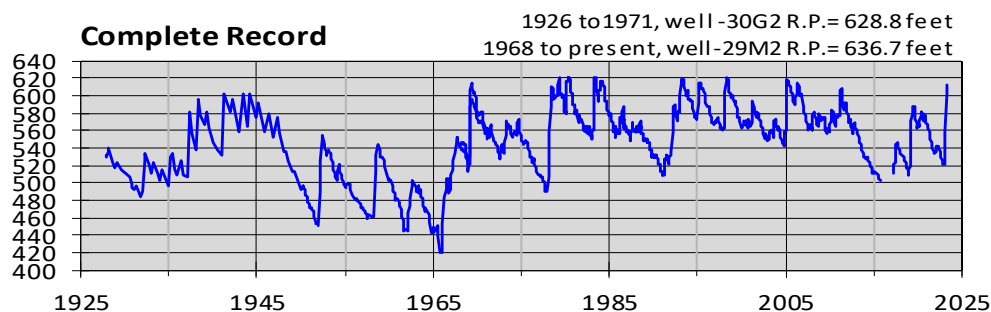
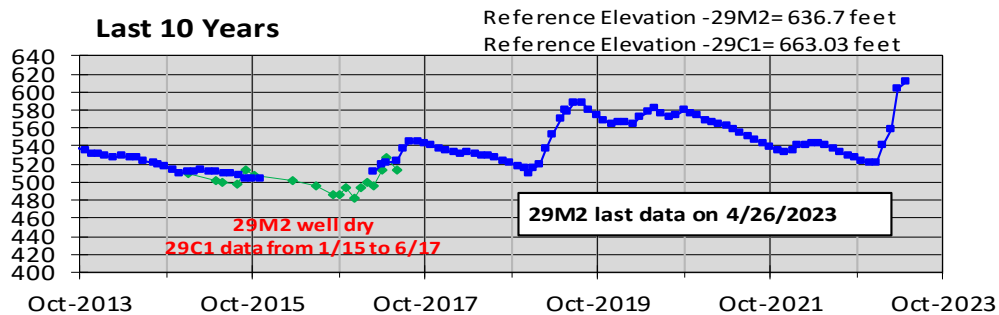


## Locations of Key Wells, Monthly Groundwater Elevation Monitoring

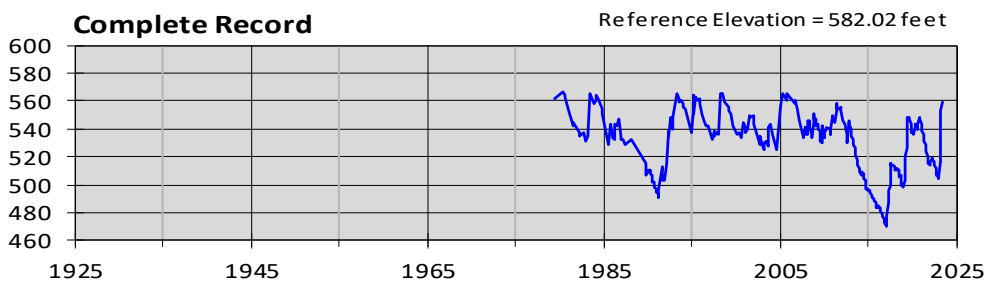
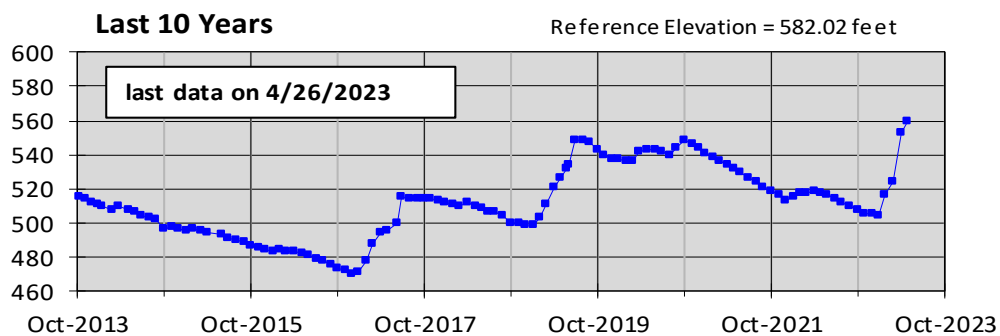


# Groundwater Elevation Records – Piru Basin

Well 04N18W29M02S (29M2)



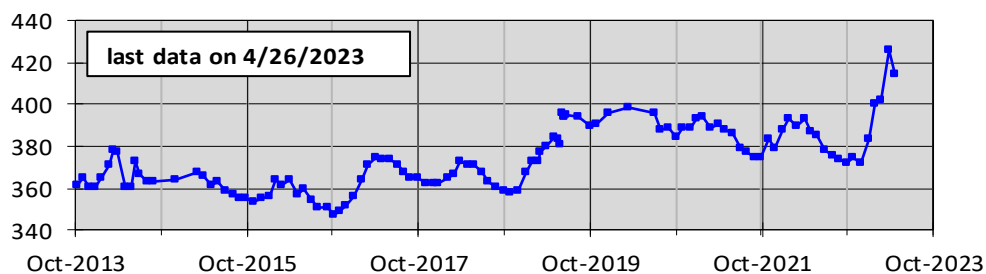
Well 04N19W25M01S (25M1)



# Groundwater Elevation Records – Fillmore Basin

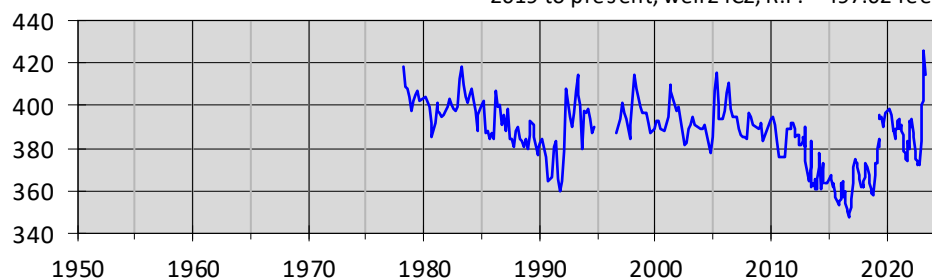
Well 04N20W24C02S (24C2)

## Last 10 Years



## Complete Record

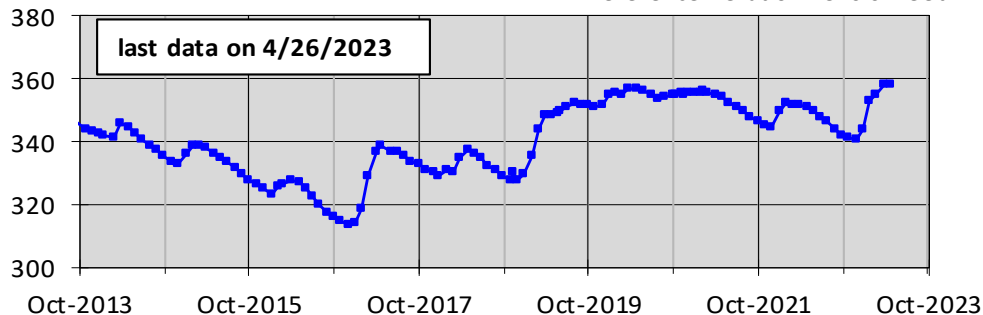
1978 to 2014, well 23Q2, R.P. = 513.99 feet  
 2015 to 2019, well 23N1, R.P. = 559.00 feet  
 2019 to present, well 24C2, R.P. = 497.02 feet



Well 03N20W02A01S (2A1)

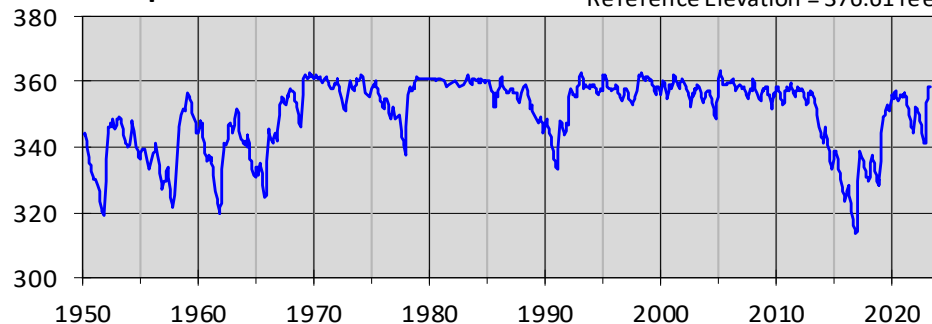
## Last 10 Years

Reference Elevation = 376.61 feet

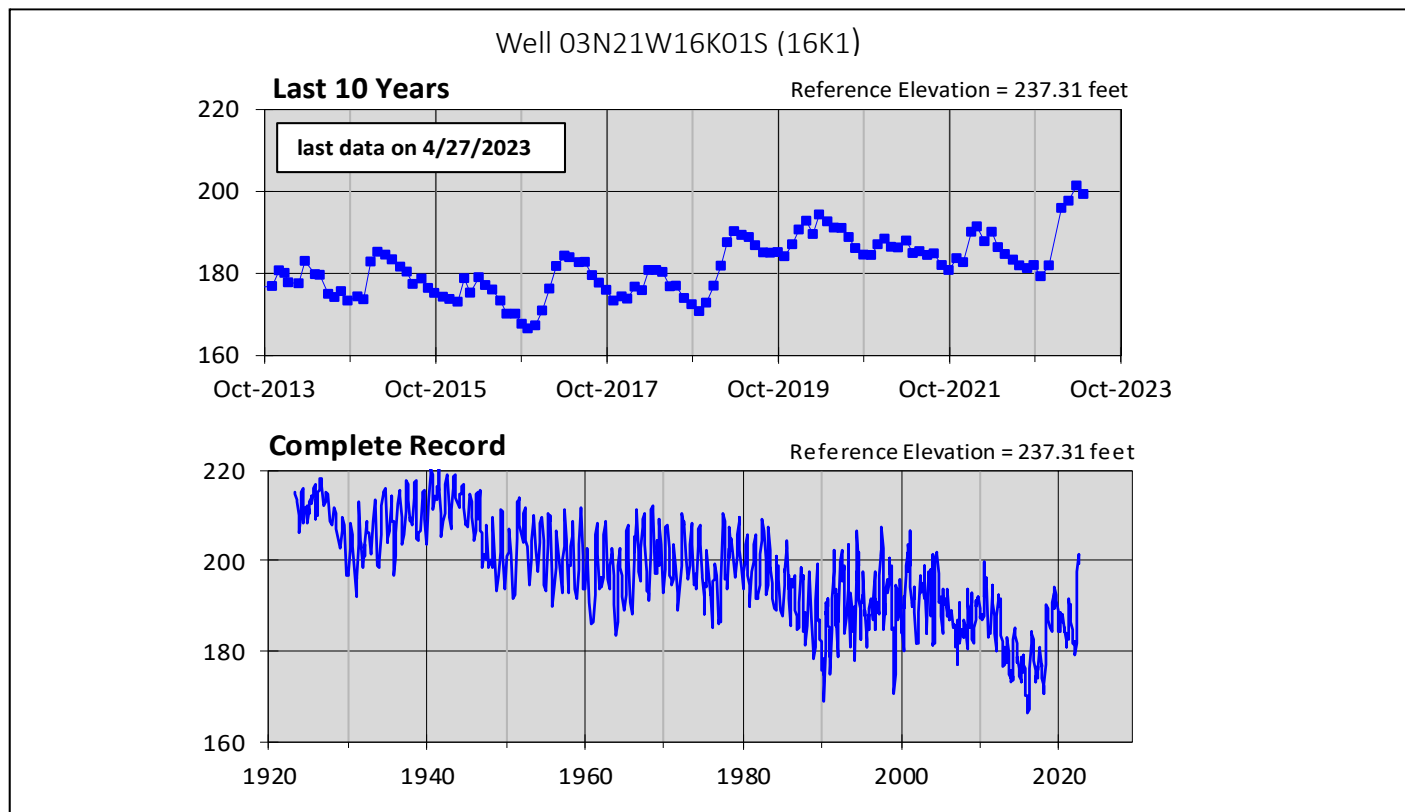


## Complete Record

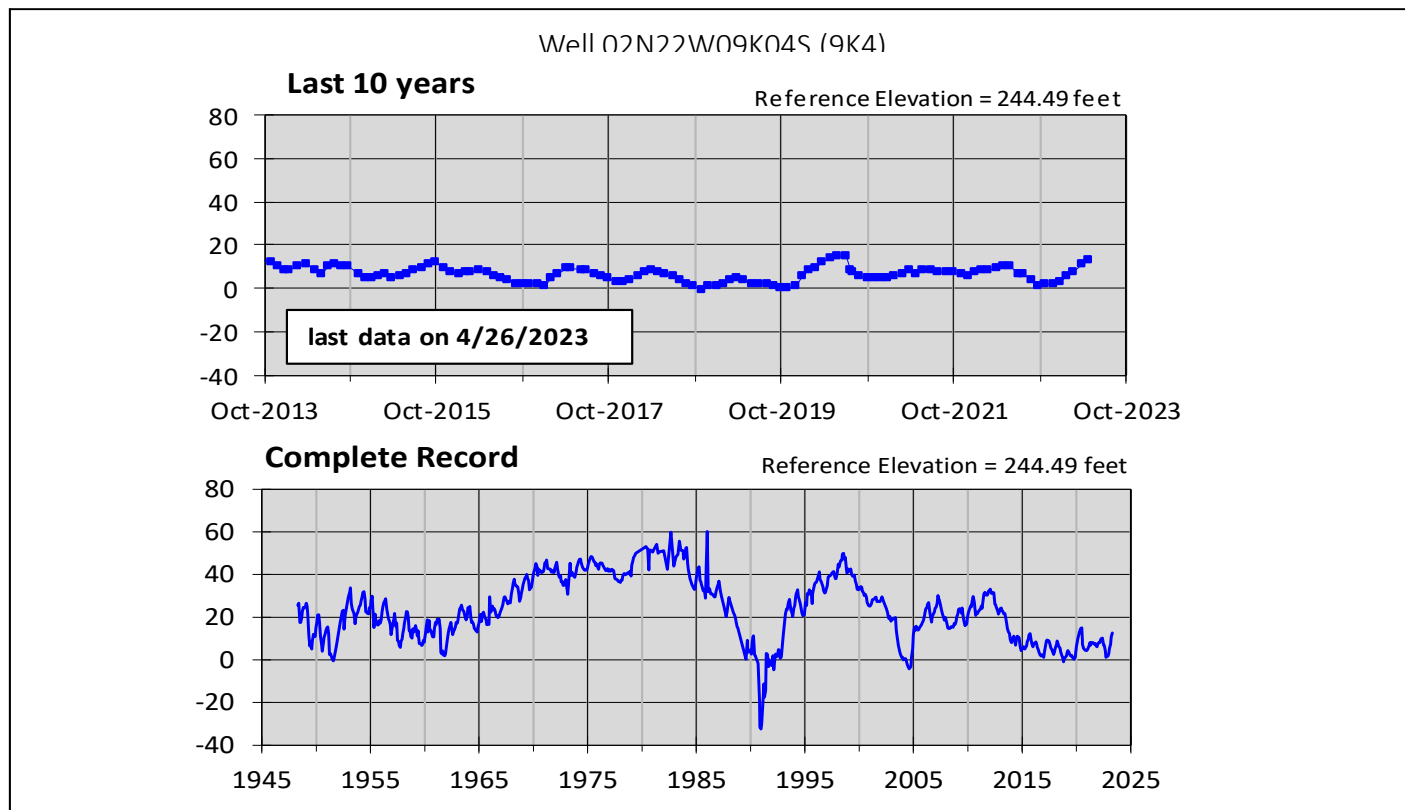
Reference Elevation = 376.61 feet



## Groundwater Elevation Records – Santa Paula Basin



## Groundwater Elevation Records – Mound Basin



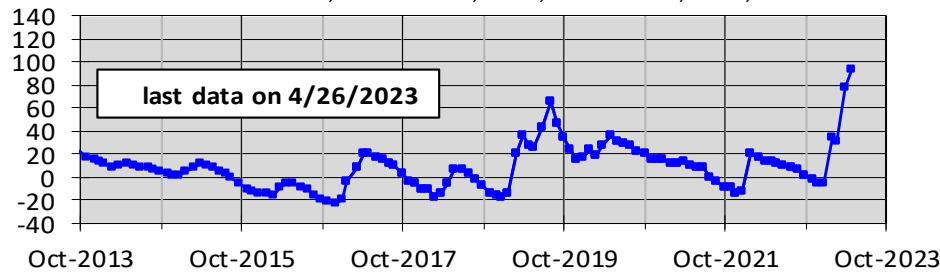


# Groundwater Elevation Records – Oxnard Basin, Forebay

Wells 02N22W12R01S (12R1), 02N22W12R04S (12R4), and 02N21W07M04S (7M4)

## Last 10 Years

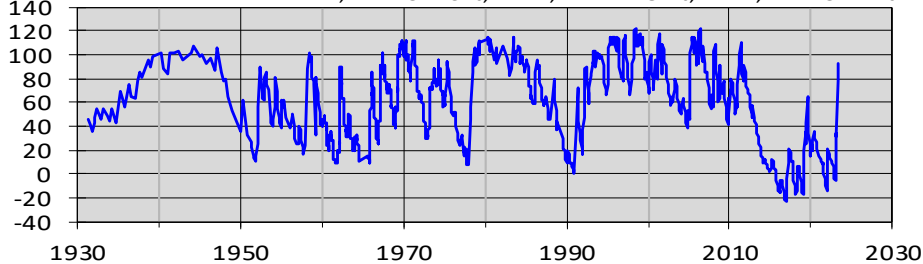
-12R1; RP = 134.19 ft; - 7M4; RP = 142.84 ft; -12R4; RP = 137.11 ft



Note: Well 12R1 was destroyed in 2014 and replaced with well 12R4. When well 12R4 goes dry at approximately 9 ft msl, well 7M4 is used to measure groundwater level.

## Complete Record

-12R1; RP = 134.19 ft; - 7M4; RP = 142.84 ft; -12R4; RP = 137.11 ft

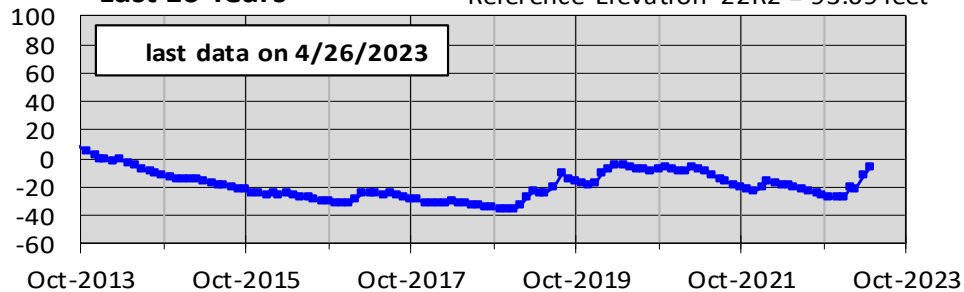


Note: Well 12R1 was destroyed in 2014 and replaced with well 12R4. When well 12R4 goes dry at approximately 9 ft msl, well 7M4 is used to measure groundwater level.

Well 02N22W22R02S (22R2)

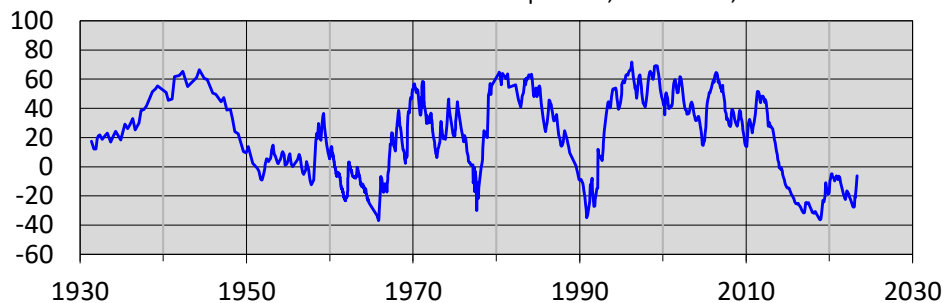
## Last 10 Years

Reference Elevation -22R2 = 93.09 feet

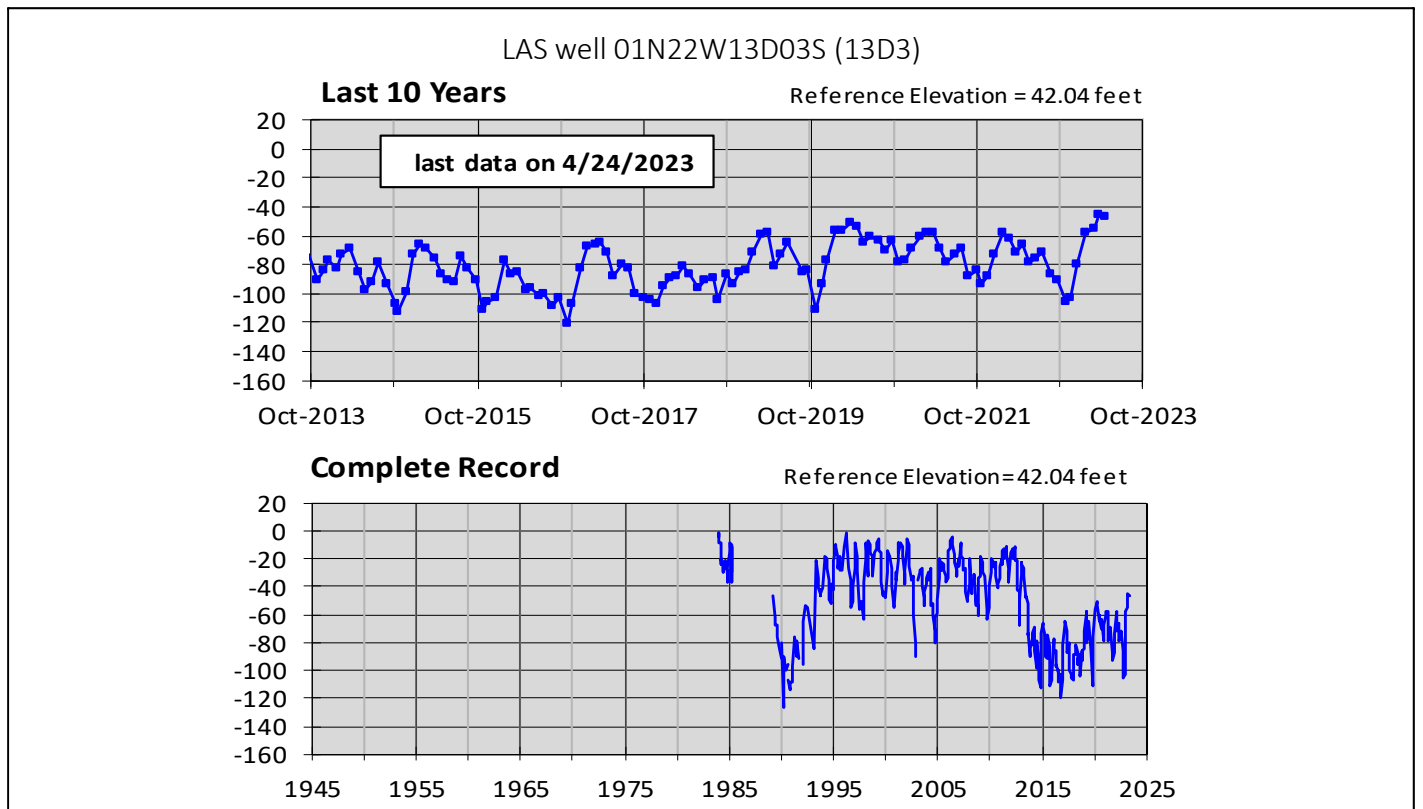
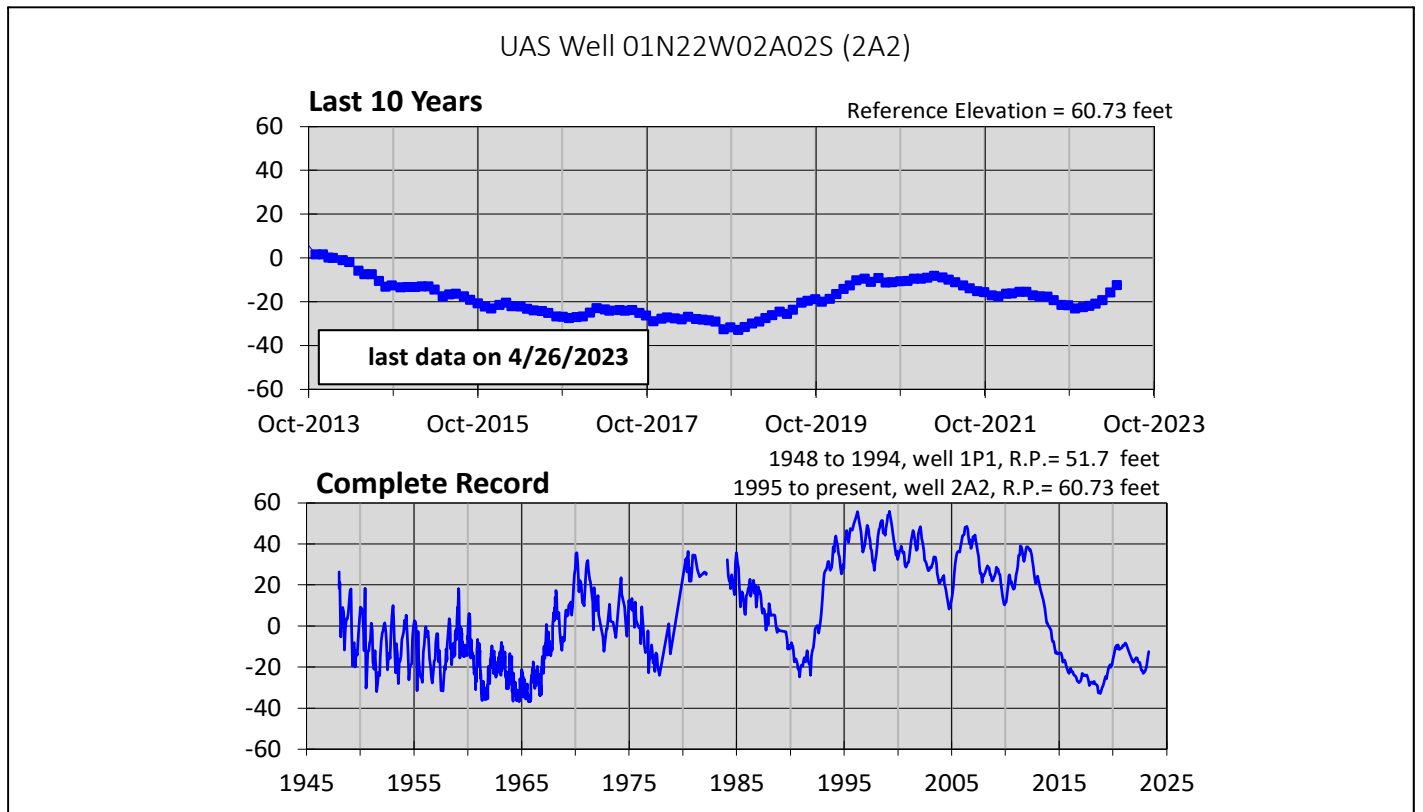


## Complete Record

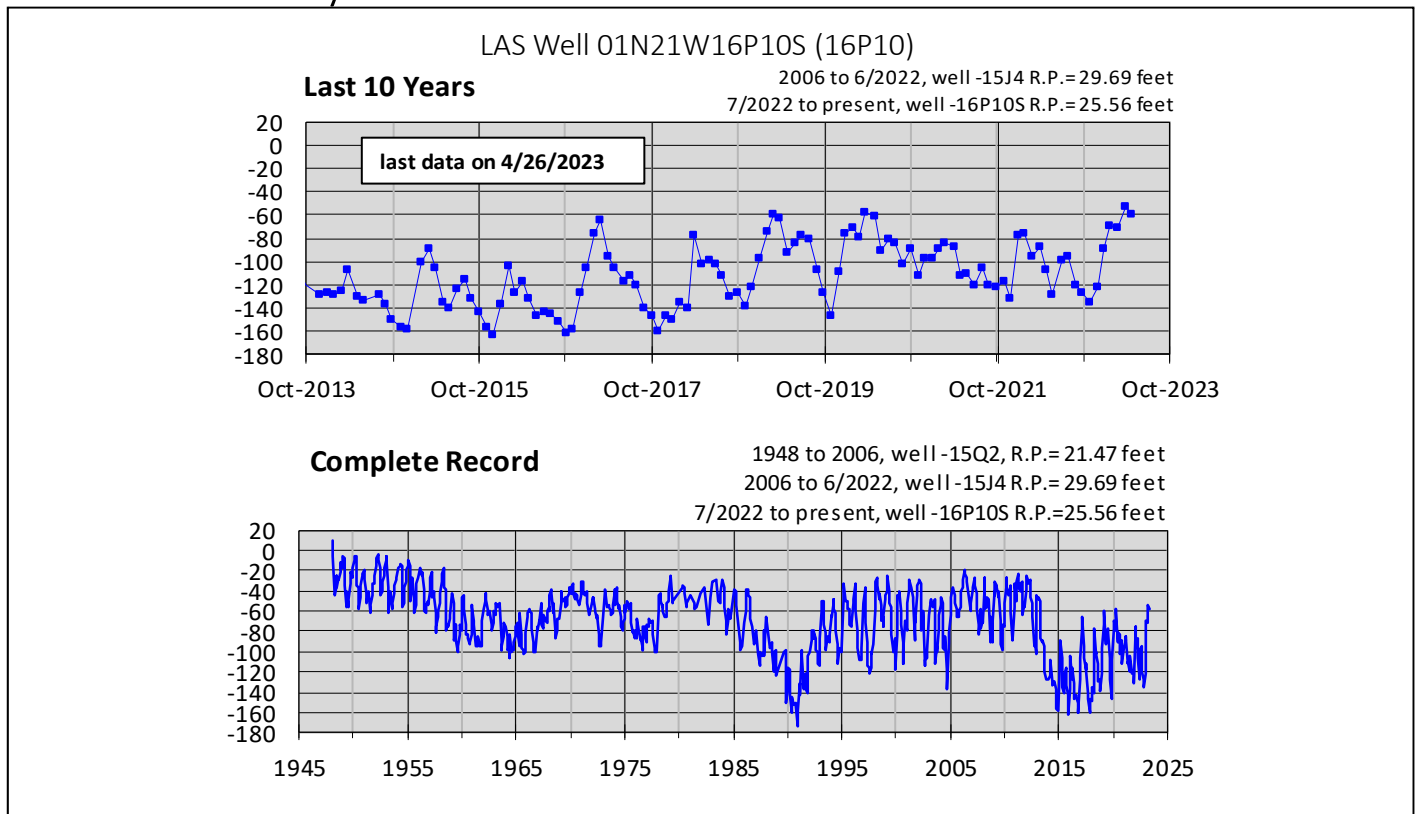
1931 to 2004, well -22R1, RP = 93.6 feet  
2004 to present, well -22R2, RP = 93.09 feet



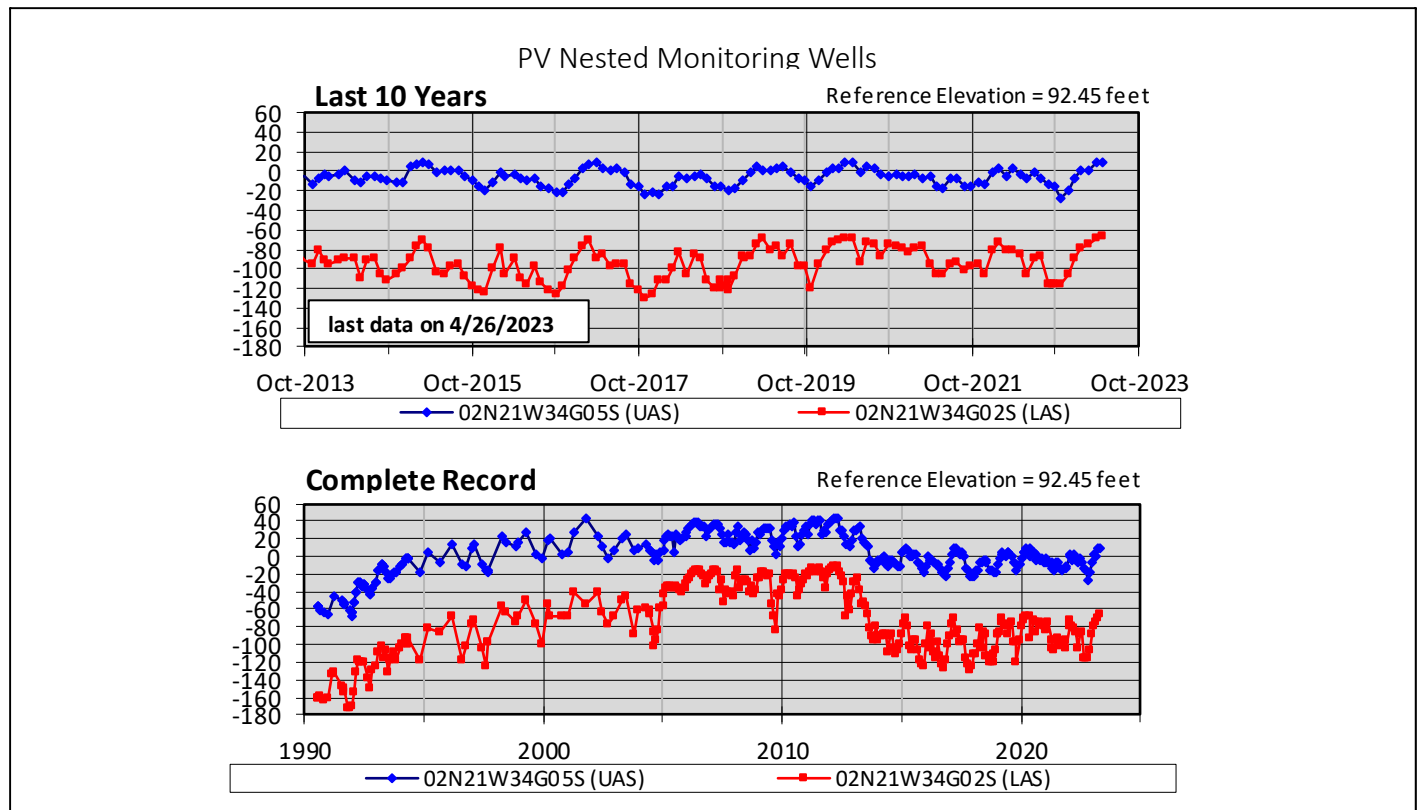
# Groundwater Elevation Records – Oxnard Basin



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



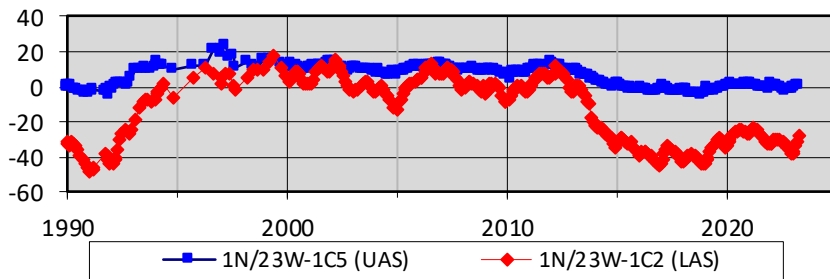
## Groundwater Elevation Records – Pleasant Valley Basin



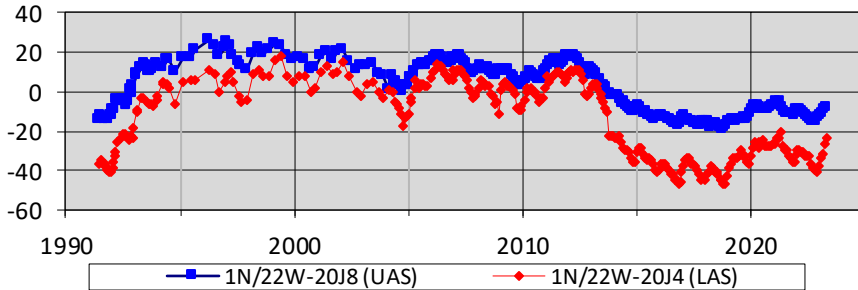


# Groundwater Elevation Records – Coastal Nested Monitoring Wells

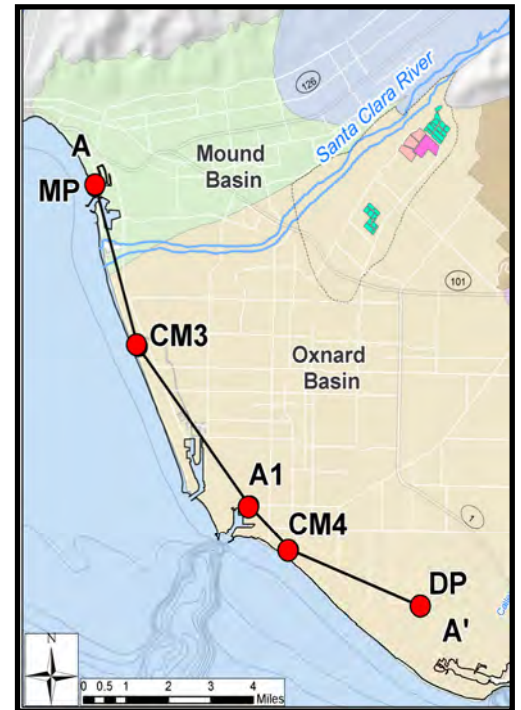
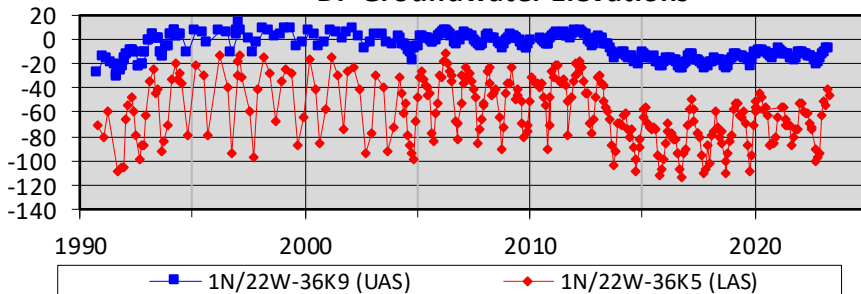
**CM3 Groundwater Elevations**



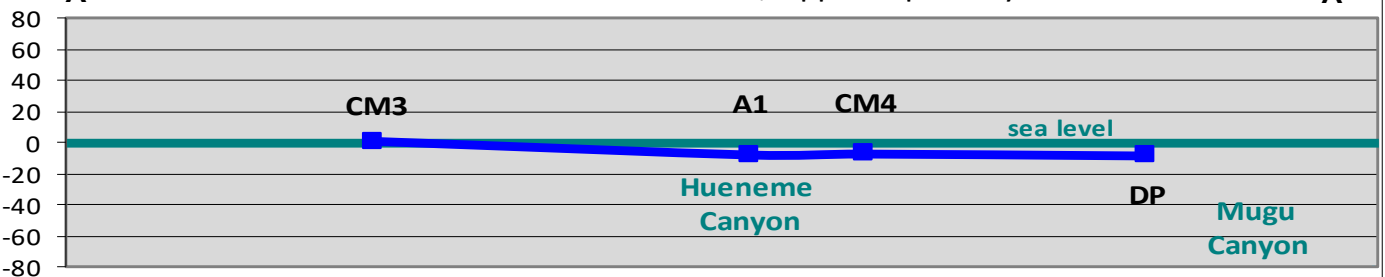
**A1 Groundwater Elevations**



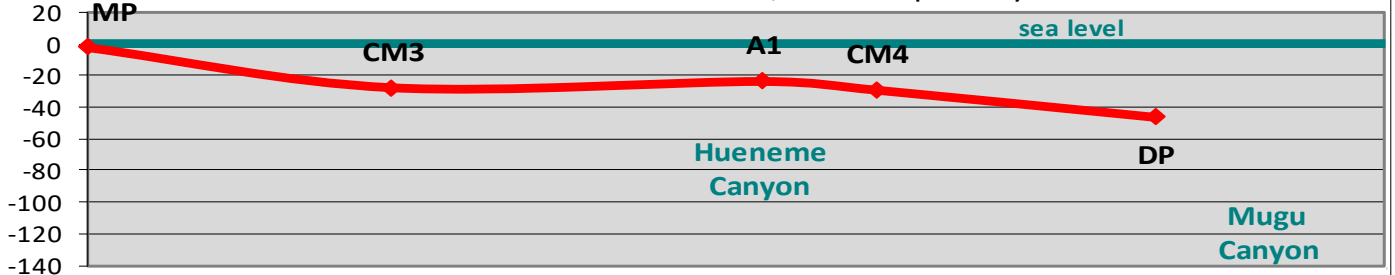
**DP Groundwater Elevations**



**Coastal Groundwater Elevation Transect, Upper Aquifer System**



**Coastal Groundwater Elevation Transect, Lower Aquifer System**



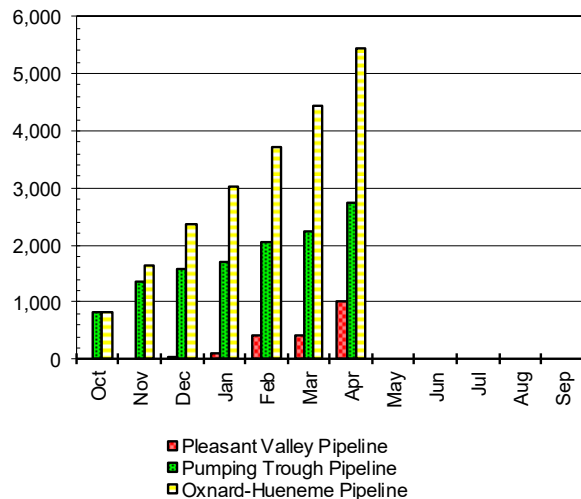
## Monthly Water Deliveries, acre-feet (Water Year 2022/23)

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
PV Pipeline (surface water)	0.0	0.0	7.9	84.3	312.8	18.9	598.8					
PV Pipeline (Saticoy well field)	0.0	0.0	0.0	0.0	0.0	0.0	0.0					
Total to Pleasant Valley Pipeline	0.0	0.0	7.9	84.3	312.8	18.9	598.8					
PTP (surface water)	0.0	0.0	64.5	143.7	207.7	186.7	507.1					
PTP (PTP 1-5)	706.9	500.4	145.6	0.0	117.3	9.1	2.2					
PTP (OH-12/13)	116.5	32.1	0.0	0.0	0.0	0.0	0.0					
PTP (Saticoy well field)	0.0	0.0	0.0	0.0	0.0	0.0	0.0					
Total PTP	823.4	532.5	210.1	143.7	325.0	195.8	509.3					
C-customers (surface water)	0	0	0	0	0	0	0					
Saticoy Well Field (groundwater)	0.0	0.0	0.0	0.0	0.0	0.0	0.0					
O-H Pipeline (groundwater)	835.8	818.2	713.2	643.3	700.3	730.8	986.3					
Total Surface Water Delivery (PTP, PV, c-cust)	0.0	0.0	72.4	228.0	520.5	205.6	1,105.9					
Total Groundwater Delivery (PTP, OH, Sat)	1,659.2	1,350.7	858.8	643.3	817.6	739.9	988.5					
Total Delivery (surface water, groundwater)	1,659.2	1,350.7	931.2	871.3	1,338.1	945.5	2,094.4					

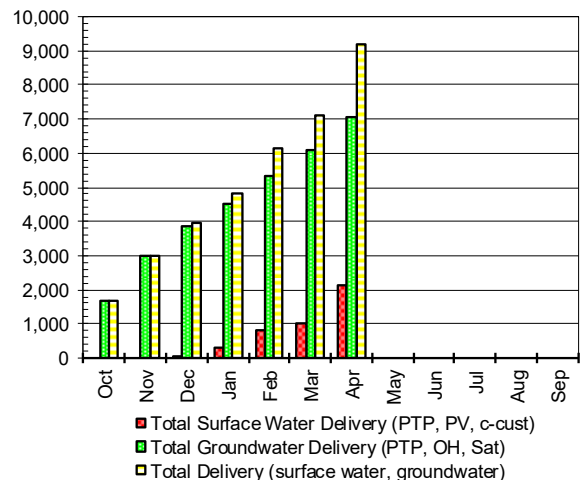
## Cumulative Water Deliveries, acre-feet (Water Year 2022/23)

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
PV Pipeline (surface water)	0.0	0.0	7.9	92.2	405.0	423.9	1,022.7					
PV Pipeline (saticoy well field)	0.0	0.0	0.0	0.0	0.0	0.0	0.0					
Total to Pleasant Valley Pipeline	0.0	0.0	7.9	92.2	405.0	423.9	1,022.7					
PTP (surface water)	0.0	0.0	64.5	208.2	415.9	602.6	1,109.7					
PTP (PTP 1-5)	706.9	1,207.3	1,352.9	1,352.9	1,470.2	1,479.3	1,481.5					
PTP (OH-12/13)	116.5	148.6	148.6	148.6	148.6	148.6	148.6					
PTP (Saticoy well field)	0.0	0.0	0.0	0.0	0.0	0.0	0.0					
Total PTP	823.4	1,355.9	1,566.0	1,709.7	2,034.7	2,230.5	2,739.8					
C-customers (surface water)	0.0	0.0	0.0	0.0	0.0	0.0	0.0					
Saticoy Well Field (groundwater)	0.0	0.0	0.0	0.0	0.0	0.0	0.0					
O-H Pipeline (groundwater)	835.8	1,654.0	2,367.2	3,010.5	3,710.8	4,441.6	5,427.9					
Total Surface Water Delivery (PTP, PV, c-cust)	0.0	0.0	72.4	300.4	820.9	1,026.5	2,132.4					
Total Groundwater Delivery (PTP, OH, Sat)	1,659.2	3,009.9	3,868.7	4,512.0	5,329.6	6,069.5	7,058.0					
Total Delivery (surface water, groundwater)	1,659.2	3,009.9	3,941.1	4,812.4	6,150.5	7,096.0	9,190.4					

Cumulative deliveries by system



Cumulative deliveries by source/type



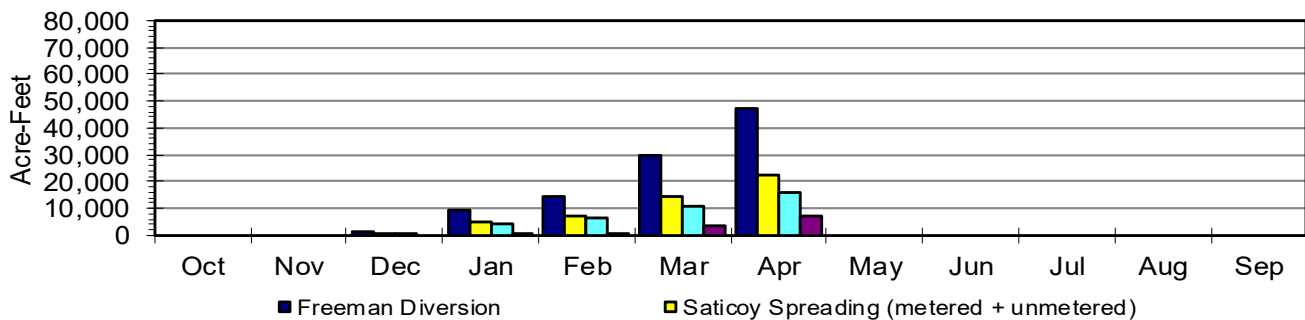
### Monthly diversion and recharge totals by facility, 2022/23, in acre-feet

Month	Piru Spreading	Freeman Diversion	Saticoy Spreading (metered + unmetered)	El Rio Spreading	Noble/Rose Spreading	LBMWC Water Use
Oct	0	0	0	0	0	0
Nov	0	0	0	0	0	0
Dec	0	1,360	900	387	0	1
Jan	0	7,937	3,775	3,751	183	0
Feb	0	5,268	2,347	2,127	274	15
Mar	0	15,517	7,754	4,751	2,806	3
Apr	0	17,306	7,870	4,522	3,791	17
May						
Jun						
Jul						
Aug						
Sep						

### Cumulative diversion and recharge totals by facility, 2022/23, in acre-feet

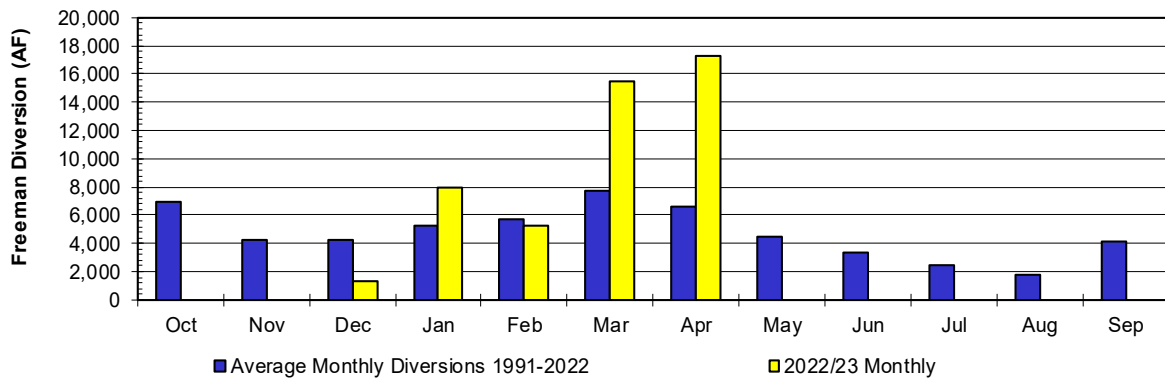
Month	Piru Spreading	Freeman Diversion	Saticoy Spreading (metered + unmetered)	El Rio Spreading	Noble/Rose Spreading	LBMWC Water Use
Oct	0	0	0	0	0	0
Nov	0	0	0	0	0	0
Dec	0	1,360	900	387	0	1
Jan	0	9,297	4,675	4,138	183	1
Feb	0	14,565	7,022	6,265	457	16
Mar	0	30,082	14,776	11,016	3,263	19
Apr	0	47,388	22,646	15,538	7,054	36
May						
Jun						
Jul						
Aug						
Sep						

### Cumulative diversion at Freeman, and distribution to recharge facilities

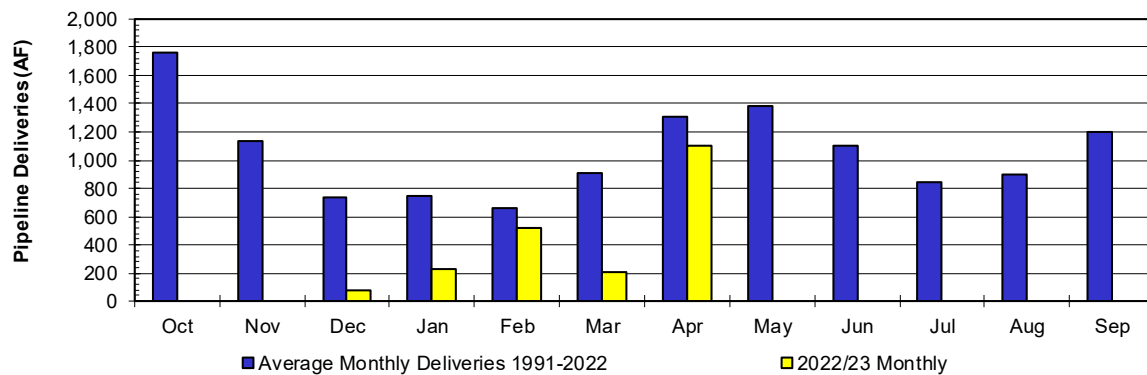




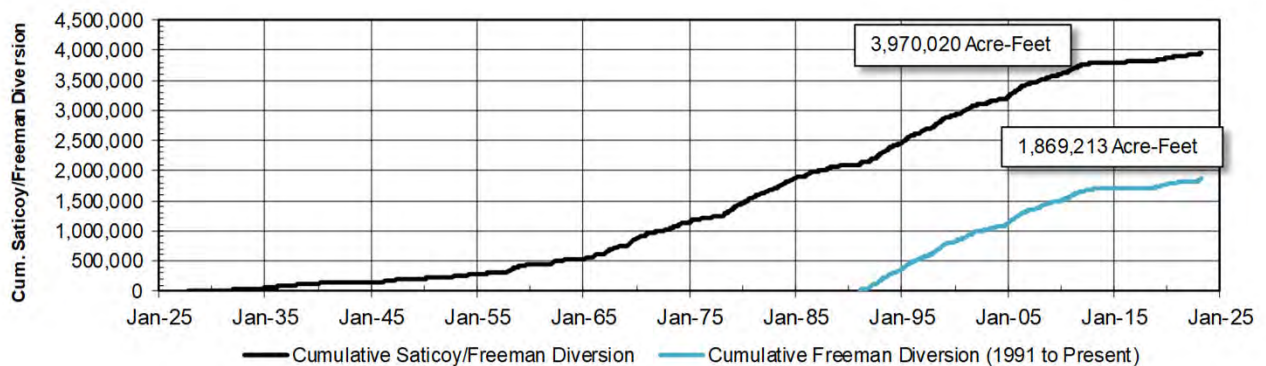
Monthly 2022/23 diversion at Freeman, compared to average monthly diversions (1991-2022)



Monthly 2022/23 pipeline deliveries (surface water deliveries), compared to average monthly pipeline deliveries (1991-2022)

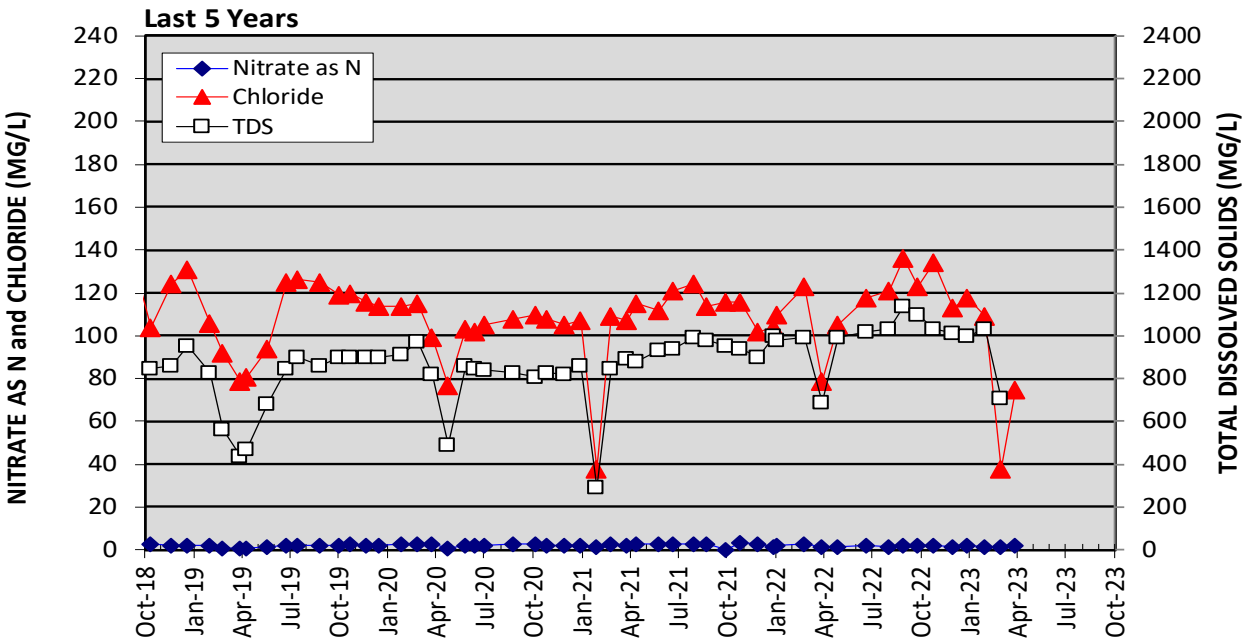


Cumulative diversion at Saticoy and Freeman Diversion, in acre-feet

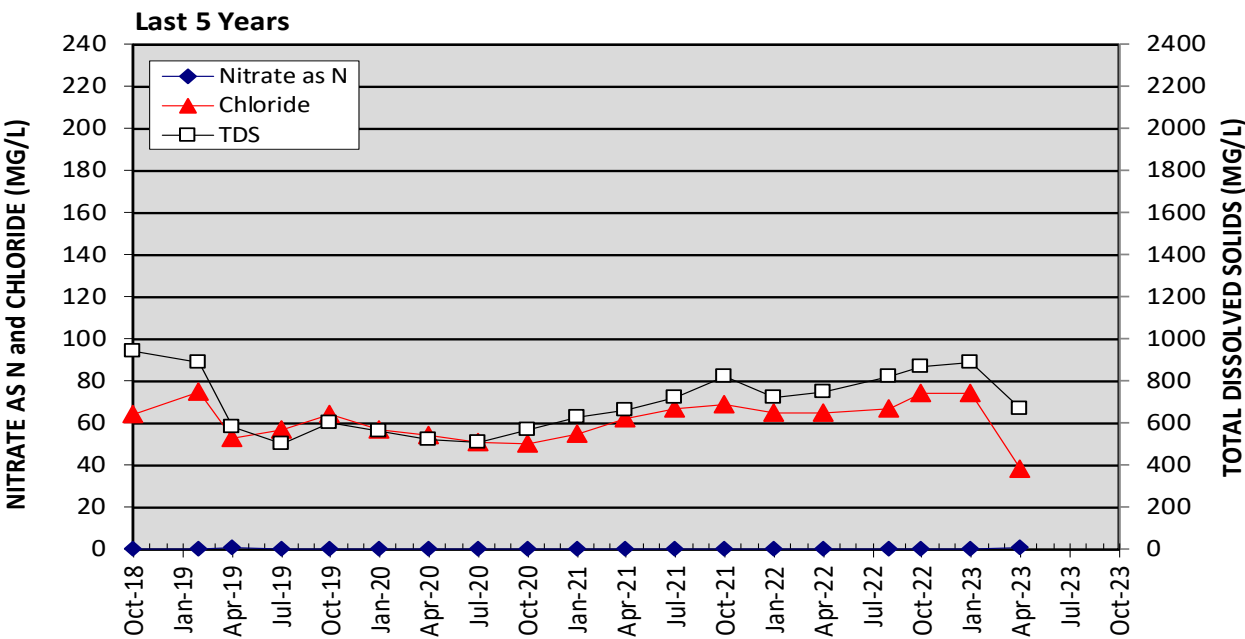


# Water Quality

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

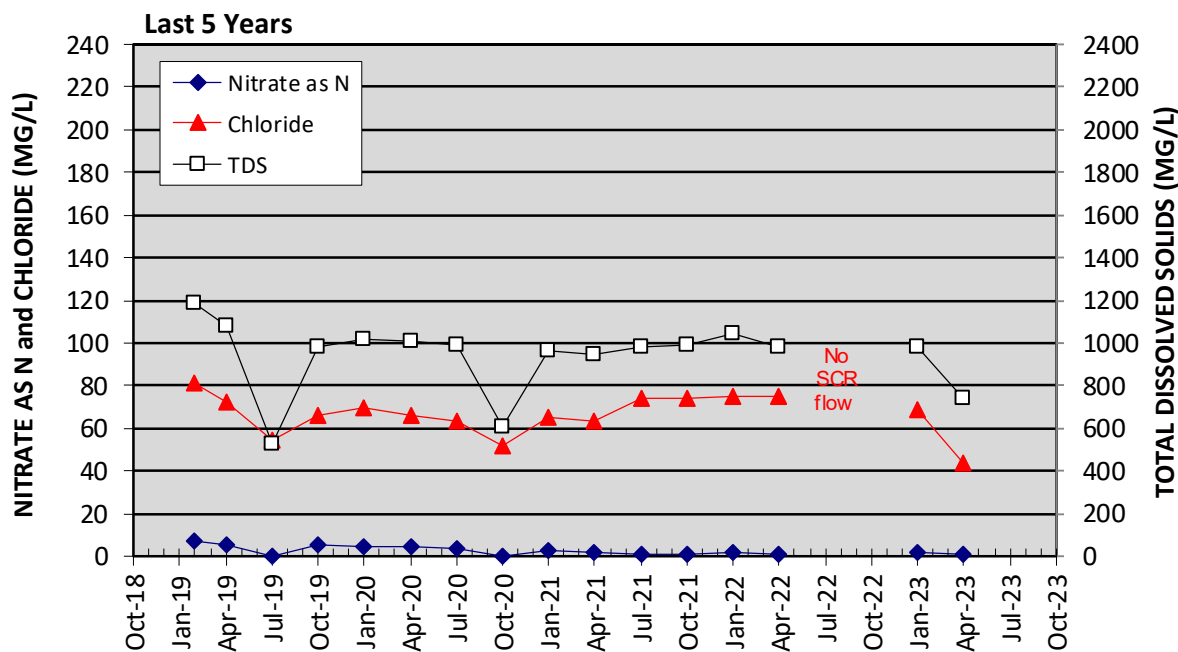


Piru Creek water quality below Santa Felicia Dam

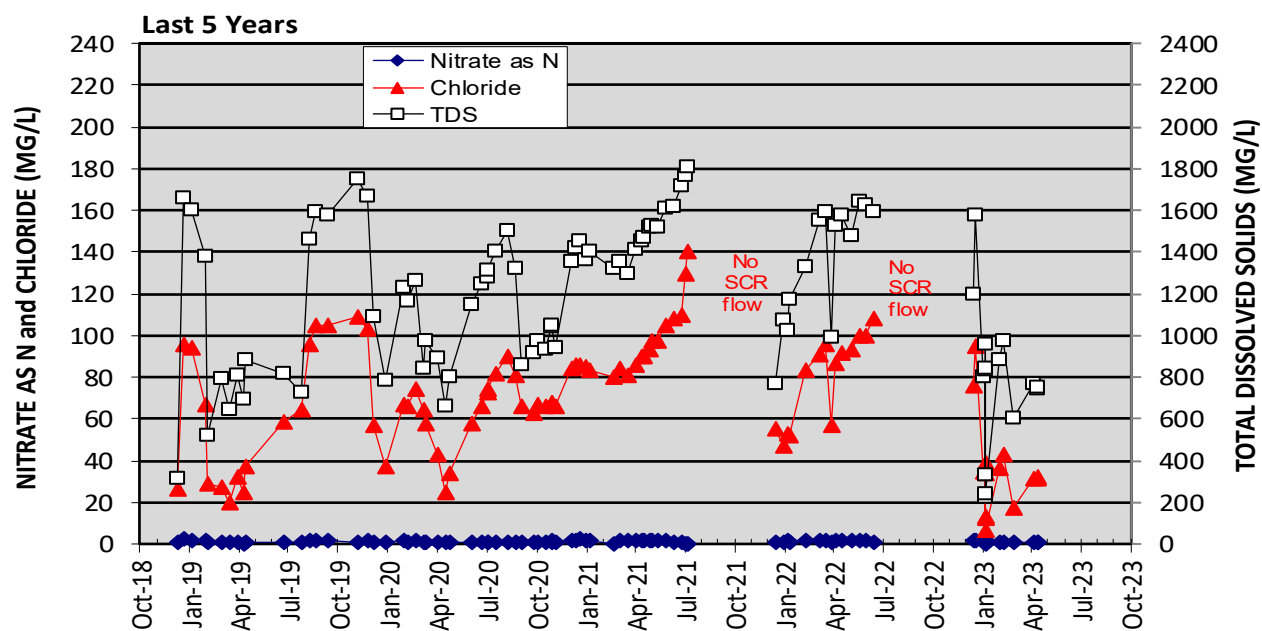


# Water Quality

Santa Clara River water quality near Fillmore Fish Hatchery

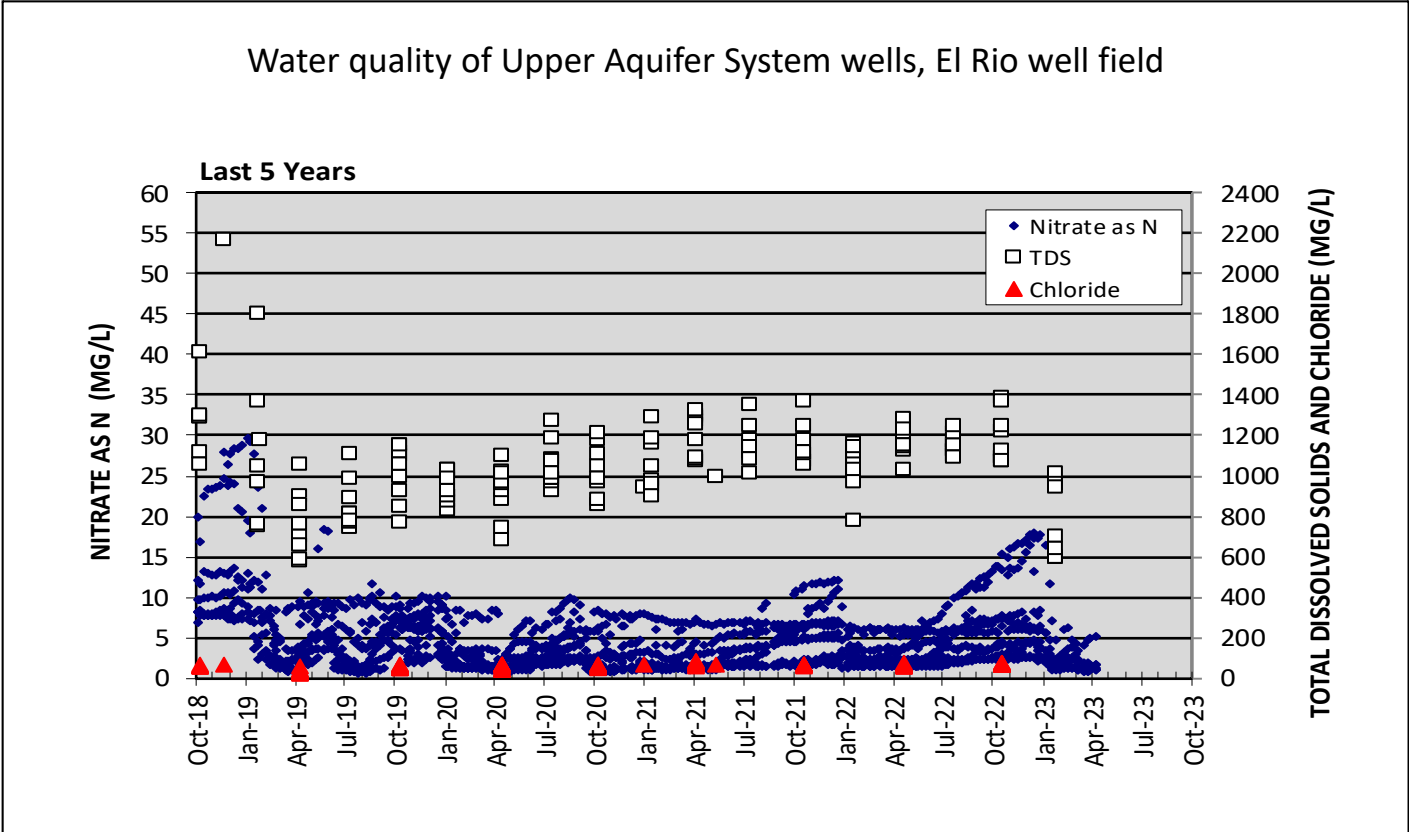


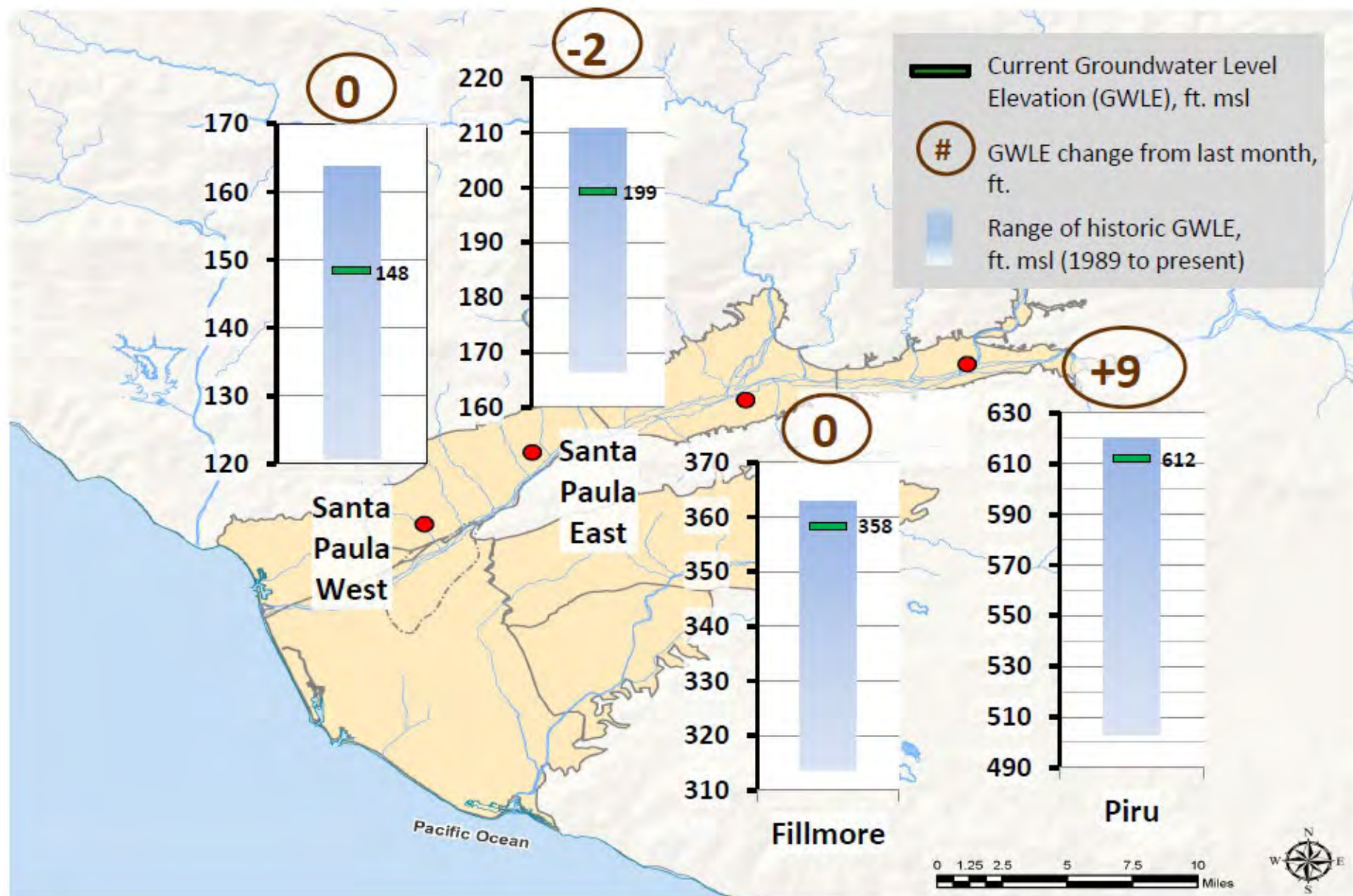
Santa Clara River water quality at Freeman Diversion

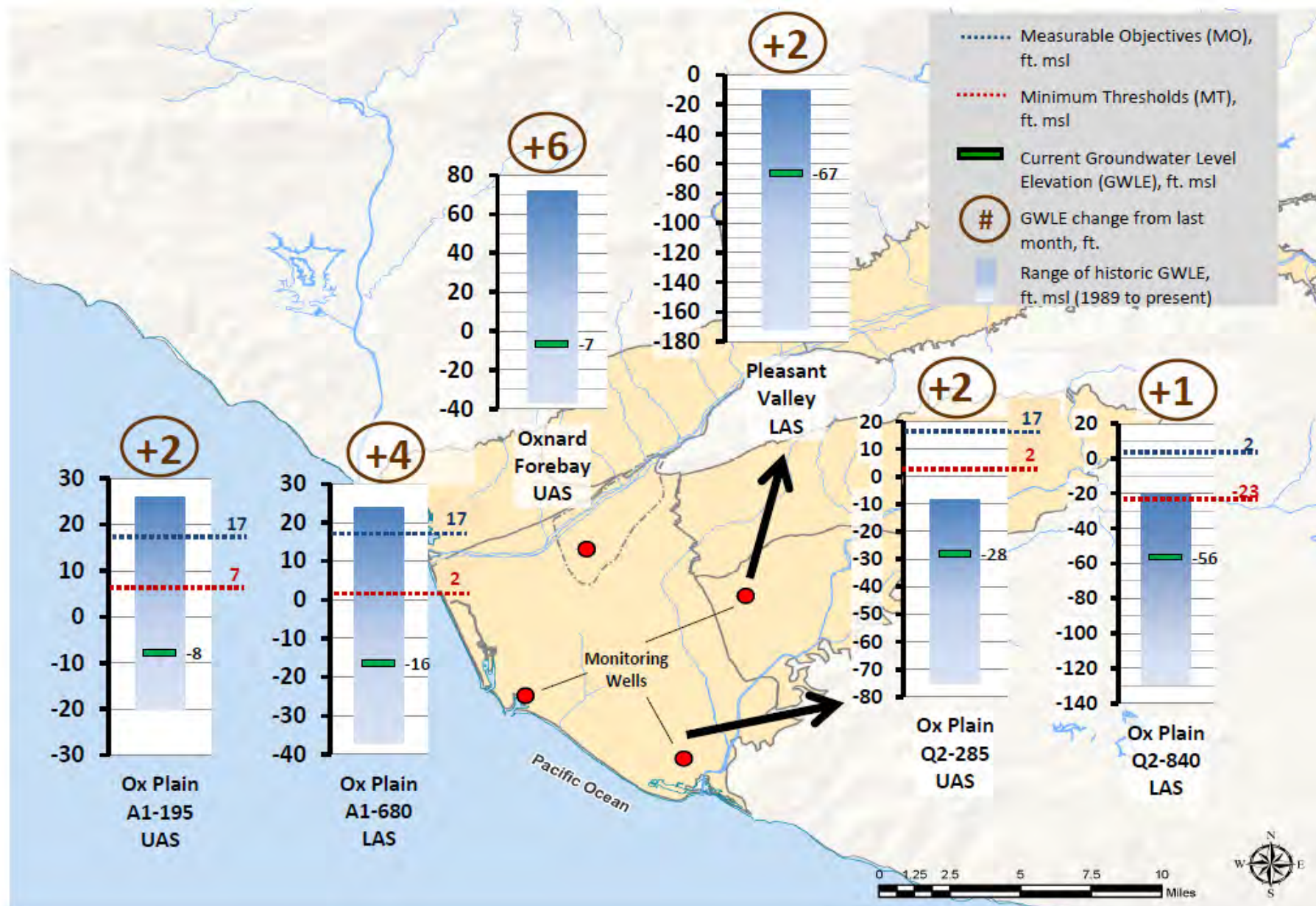




# Water Quality

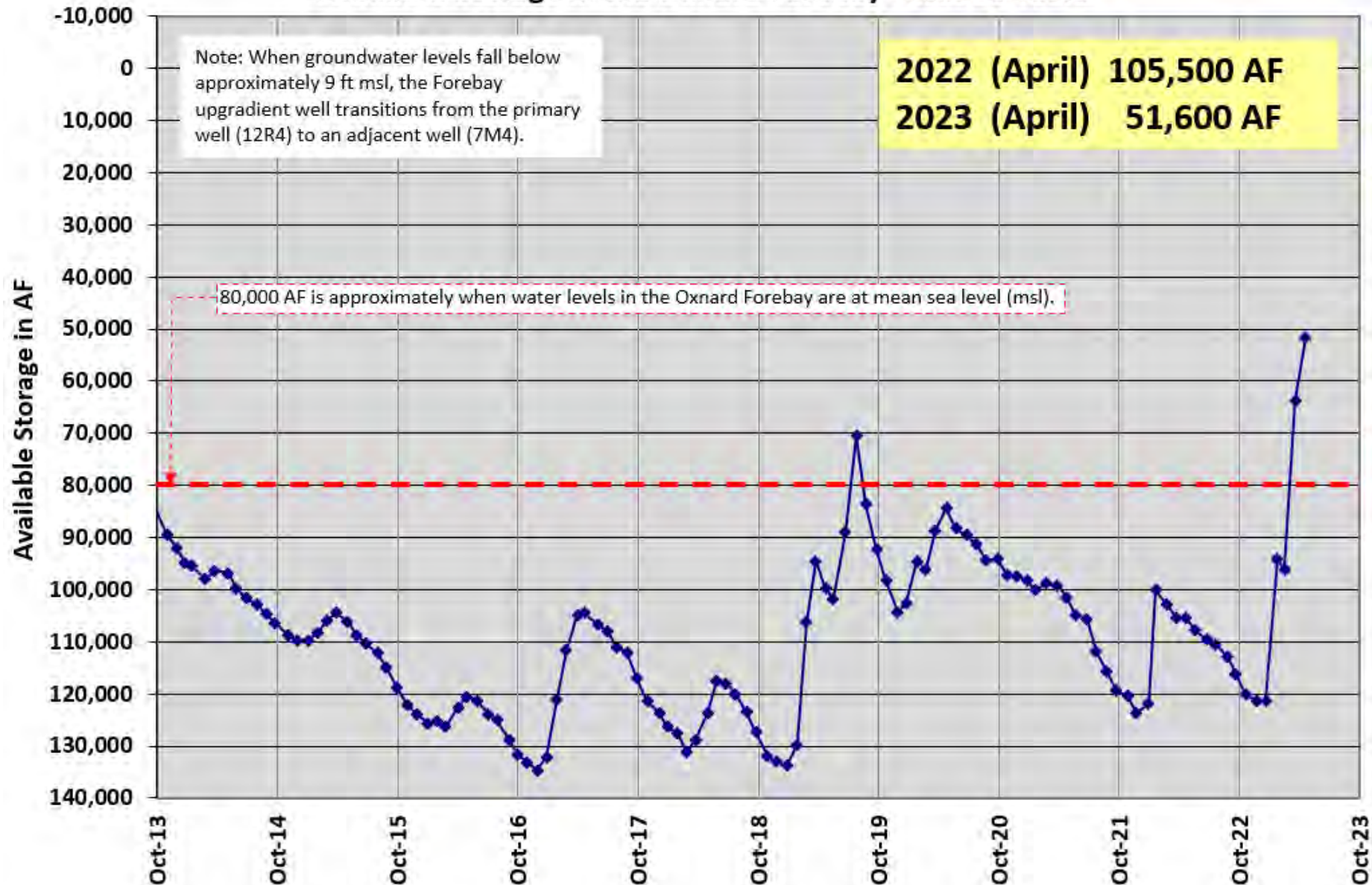


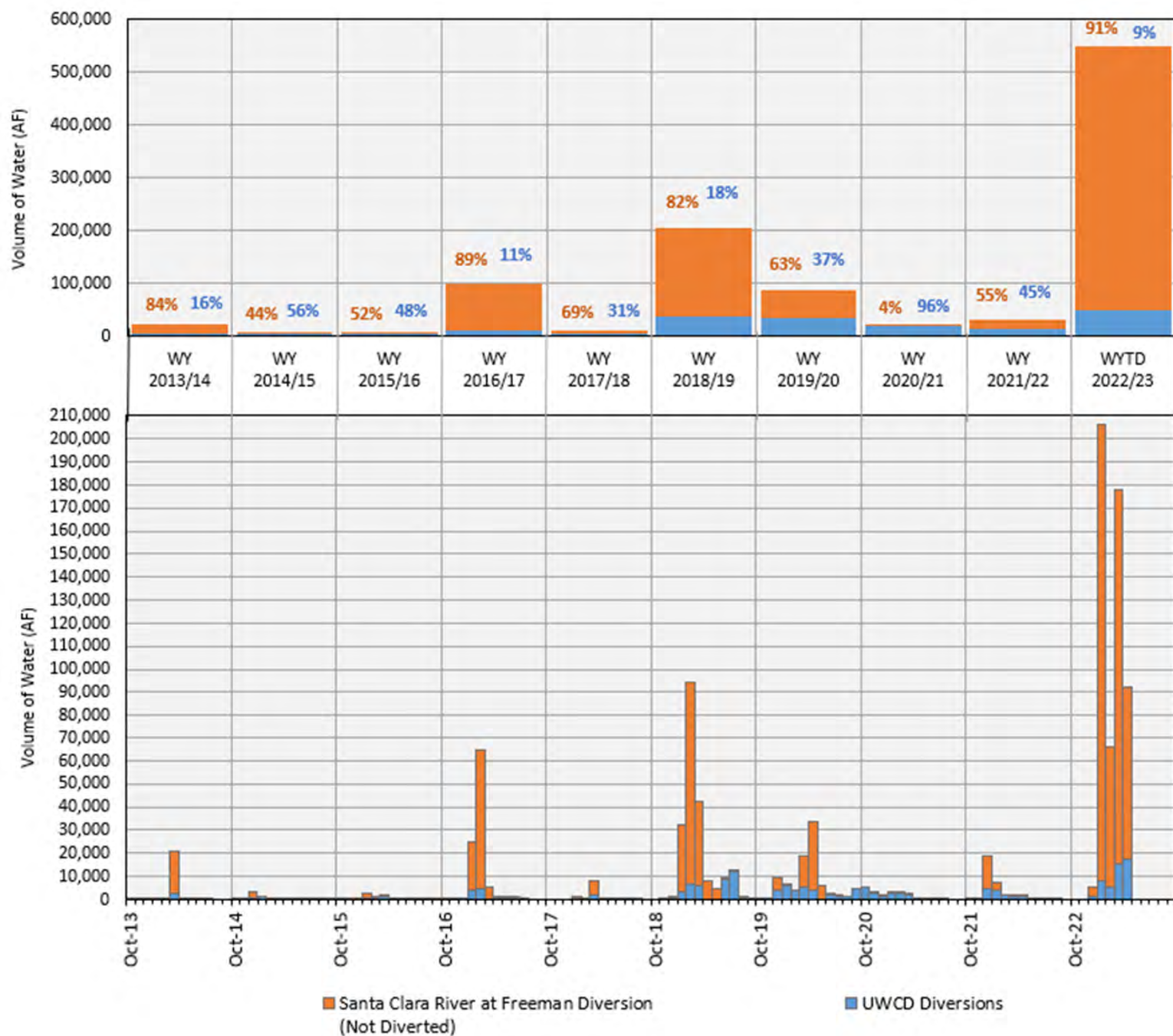






## Available Storage in the Oxnard Forebay - Last 10 Years





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:** April 26, 2023 (May 17, 2023, meeting)

**Agenda Item:** 3.C Monthly Investment Report (March 31, 2023)  
**Information Item**

---

**Staff Recommendation:**

The Board will receive and review the most current investment report for March 31, 2023, that is enclosed.

**Discussion:**

Informational purposes.

**Fiscal Impact:**

As shown.

**Attachment:**

Combined Investment Report

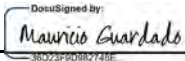


**United Water Conservation District**  
**Monthly Investment Report**  
**March 31, 2023**

<b><u>Investment Recap</u></b>	<b><u>G/L Balance</u></b>	<b><u>Weighted Avg Days to Maturity</u></b>	<b><u>Diversification Percentage of Total</u></b>
Bank of the Sierra	1,671,279	1	3.38%
Citizens Business Bank	2,409,545	1	4.87%
US Bank - 2020 COP Bond Balance	10,121,506	1	20.47%
Petty Cash	4,400	1	0.01%
County Treasury	1,712	1	0.00%
LAIF Investments	35,241,746	1	71.26%
<b>Total Cash, Cash Equivalents and Securities</b>	<b>49,450,188</b>		<b>100.00%</b>
 <b>Investment Portfolio w/o Trustee Held Funds</b>	 <b>49,450,188</b>		
<b>Trustee Held Funds</b>	<b>-</b>		
<b>Total Funds</b>	<b>49,450,188</b>		

<b>Local Agency Investment Fund (LAIF)</b>	<b>Beginning Balance</b>	<b>Deposits (Disbursements)</b>	<b>Ending Balance</b>
	35,241,747	-	35,241,747
	<b>Interest</b>	<b>Interest</b>	
	<b>Earned YTD</b>	<b>Received YTD</b>	<b>Qtrly Yield</b>
	266,445	323,826	2.07%

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

4/26/2023  
 Date Certified

Anthony Emmert, Assistant General Manager

Date Certified

  
 Brian H. Zahn, Chief Financial Officer

4/24/2023  
 Date Certified

<b><i>United Water Conservation District</i></b>			
<b><i>Cash Position</i></b>			
<b>March 31, 2023</b>			
<b>Fund</b>	<b>Total</b>	<b>Composition</b>	<b>Restrictions/Designations</b>
<b>General/Water Conservation Fund:</b>			<b>Revenue collected for district operations</b>
General/Water Conservation	15,410,921	771,247	Includes General, Rec & Ranger, Water Conservation
		4,962,000	Reserved for legal expenditures
		6,184,000	Designated for replacement, capital improvements, and environmental projects
		3,493,674	Supplemental Water Purchase Fund
General CIP Funds	10,055,025	10,055,025	Appropriated for capital projects
2020 COP Bond Funds	6,795,887	6,795,887	Reserved for CIP Projects
<b>Special Revenue Funds:</b>			<b>Revenue collected for a special purpose</b>
State Water Project Funds	6,917,308	6,917,308	Procurement of water/rights from state water project
<b>Enterprise Funds:</b>			<b>Restricted to fund usage</b>
Freeman Fund	2,528,493	2,528,493	Operations, Debt Service and Capital Projects
		-	Designated for replacement and capital improvements
		-	Reserved for legal expenditures
Freeman CIP Fund	2,073,691	2,073,691	Appropriated for capital projects
OH Pipeline Fund	(2,401,330)	(2,401,330)	Delivery of water to OH customers
OH CIP Fund	4,525,645	4,525,645	Appropriated for capital projects
OH Pipeline Well Replacement Fund	603,103	603,103	Well replacement fund
PV Pipeline Fund	595,816	595,816	Delivery of water to PV customers
PV CIP Fund	243,578	243,578	Appropriated for capital projects
PT Pipeline Fund	1,108,222	1,108,222	Delivery of water to PTP customers
PT CIP Fund	993,831	993,831	Appropriated for capital projects
<b>Total District Cash &amp; Investments</b>	<b>49,450,188</b>	<b>49,450,188</b>	



### **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:** April 26, 2023 (May 17, 2023, meeting)

**Agenda Item:** 4.1 Monthly Administrative Services Department Report  
**Information Item**

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#### **Staff Recommendation:**

The Board will receive this staff report and attached presentation from the Administrative Services Department regarding its activities for the month of April 2023.

#### **Discussion:**

##### **Finance**

- FY 2023-24 Proposed Budget and Rate Development completed. Target date to present Proposed Budget to the Board is on May 24, 2023, at the Budget Workshop.
- Met with Department Managers to review their March YTD spend and create an updated projection and analysis of total FY 2022-23 spend.
- Awarded a three-year contract to new external Auditors – Lance, Soll, and Lunghard, LLP. Interim Audits are set to start in May 2023.
- New Accountant II started training on Grants, Fixed Assets, and Capital Improvement Projects processes.

##### **Administrative Services**

- Provided administrative assistance for drafting, finalizing, and distributing/posting materials for the UWCD Finance and Audit (April 3), Water Resources (April 4), Recreation (April 5) and Engineering and Operations (April 6), Committee meetings as well as the regular UWCD Board meeting (April 12).
  - Assisted Engineering department in preparing for and coordinating a meeting with OLDCC representatives and UWCD staff as well as USNBV for discussion of the Extraction Barrier Brackish Water (EBB Water) Treatment project (April 19).
-



#### **4.1 Monthly Administrative Services Department Report**

##### **Information Item**

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- Provided support for the UWCD exhibit table at the AWA Symposium (April 20) and also secured video acceptance speech from Congresswoman Julia Brownley as the 2023 Laubacher award, which was played during the AWA Awards luncheon.
- Provided administrative support, coordination and assistance to Farm Bureau Ventura County for its meeting in the UWCD Boardroom on April 17; to UCEE for its Avocado Growers meeting in the UWCD Boardroom on April 25; and to the Los Angeles Regional Water Quality Control Board meeting in the UWCD Boardroom and Santa Clara Conference Room on April 27.
- Provided administrative assistance, coordination, and technical support in organizing tours of the Freeman Diversion for Limoneira, City of San Buenaventura, Assemblymember Jacqui Irwin, Channel Islands Beach Community Services District Board and staff, Nyeland Acres Mutual Water Company Board and staff, and Santa Paula City Councilmember Pedro Chavez.

##### **Human Resources**

- Successfully onboarded the following personnel:
    - Recharge O&M Worker I (Roger Cano selected and first day on the job will be May 1).
    - Environmental Services Field Technician (Jesse Mitchell selected and will start April 24).
    - Environmental Services Field Assistant (selection pending General Manager approval).
  - Working on recruitments for the following positions:
    - Hydrologist interviews are scheduled for April 26th.
    - Senior Hydrogeologist, application close date May 5<sup>th</sup>.
    - Water Treatment Operator II, application close date April 28<sup>th</sup>.
    - Water Treatment Operator III, application close date April 28<sup>th</sup>.
  - Promotions
    - Promoted Receptionist Marylou Fulton to Accounting Technician
    - Promoted Water Treatment Operator III Ruben Sanchez to Water Treatment Operator IV
    - Promoted Seasonal Park Ranger Assistant Natalie Everton to Park Ranger Cadet
  - Attended CalPERS Prefunding Programs workshop.
  - Attended the FEMA Recovery Scoping meeting.
  - Working on gathering groundwater hearing exhibits for the 2023 groundwater/workshop hearings
  - Working on reclassification documents for several positions in Water Resources and Finance Departments
  - Finalized salary chart for FY 23-24 Budget pending outcome of labor negotiations.
  - Participated in labor negotiations and briefed Executive Committee on most recent proposal from the bargaining unit.
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#### **4.1 Monthly Administrative Services Department Report**

##### **Information Item**

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##### **Safety and Risk Management**

- Coordinated with Chief Park Ranger on FEMA Disaster Recovery Efforts with support from multiple departments, including organizing documentation efforts in alignment with FEMA templates and initiating reimbursement process.
- Certified Park Ranger staff on Bloodborne Pathogens Protection through the American Red Cross.
- Delivered Valley Fever training for Park Rangers staff.
- Administered Exit Hearing Testing for departing O&M staff.
- Conducted Respiratory Fit Testing for Park Ranger staff.
- Responded to Positive COVID-19 case and disseminated awareness notification to staff.
- Participated with Engineering in a meeting with a northern California public agency on sharing dam sector security best practices and resources.
- Participated with internal stakeholders on SFD Functional Exercise After Action briefing.
- Met with City of Oxnard Emergency Management team along with Associate Engineer on discussing SFD Functional Exercise observations and emergency management best practices.
- Supported Human Resources and Recreation Departments with Park Ranger Cadet interview.
- In partnership with IT, supported Park Rangers radio training with VC Sheriff's Office and internal District radio SOP.

##### **Technology Systems**

- Working on full implementation of new technology enhancing our remote access capabilities while also providing ease of access in a secure manner which will enhance the on-call capabilities of staff members.
  - Continue to deploy enhanced options for door access across district facilities. Partnered with Risk and Safety to pilot test and enroll District FirstNet Devices with HID Bluetooth Proxy Applications. (Works well with iPhone, additional considerations for Android devices.)
  - Staff and IT Contractors work towards completing final phases of a planned e-mail server migration project. Two new windows servers were configured to run Microsoft's latest mail server software. Designed with security in mind, UWCD Staff continue to utilize Microsoft cloud e-mail services. This Email server supports UWCD software, Office Printers and SCADA e-mail services and bridges benefits from both cloud and traditional e-mail features.
  - Worked with HR and Administrative departments to assist with new staff on-boarding procedures. Several of United's Departments have recently begun filling department vacancies. During this process, Tech Systems staff have worked to provide new and refreshed technological equipment including laptops, mobile devices and proper security access to district facilities and appropriate network access.
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#### 4.1 Monthly Administrative Services Department Report

##### Information Item

- Assisted District Operations and Maintenance teams with various “plain old telephone” services that had connectivity issues due to a phone carrier’s network upgrade. This required the development between the teams of an entirely new approach of alarming on SCADA events using Voice over Internet Protocol services. This is a massive development in the Districts use of new technologies which work towards providing staff and management with more reliable communication and creating resilient systems less prone to interruption and failure.
- Currently supporting efforts alongside the District’s preferred printer and copier vendor to enhance and replace devices across the District that are unable to support software updates and unreliable on Microsoft Windows 11 operating systems. Windows OS 11 was being introduced on PCs since early 2023 and this will enhance operational and technical capabilities moving forward.
- Ordered a new desktop server with enhanced CPU processing capabilities to become the next generation of the ground water modeling workhorse. The Water Resources Groundwater Modelers are planning to benchmark modeling capabilities and will share realized improvements in future updates. The last upgrade of this type occurred ten years ago.
- Supported the requests of District staff for the month of April as noted below:
  - Provided A/V services throughout the month of April. Various tours, Board Committees, and virtual seminars were enhanced by United's technology program. Some notable events include the Farm Bureau of Ventura County, and UC Cooperative Extension presenting to the Avocado Growers Association and finally, the California Water Board LA Regional Water Quality Board Meeting scheduled for April 27, 2023.
- Technology Systems Desk Request Statistics:

State by Agent						
	Open	In Progress	Awaiting Reply	Pending 3rd party	Waiting for approval	Total
Unassigned	12	0	0	0	0	12
Ed Reese	1	12	7	0	0	20
Zachary Plummer	6	16	4	0	4	30
Total	19	28	11	0	4	62

State by Ticket Type						
	Open	In Progress	Awaiting Reply	Pending 3rd party	Waiting for approval	Total
Employee Information Update	0	1	0	0	0	1
IT Projects and Change Management	3	4	0	0	0	7
IT Purchase Request	1	0	0	0	1	2
IT Services and Support	15	23	11	0	2	51
SCADA Proj. and Change Management	0	0	0	0	1	1
Total	19	28	11	0	4	62










## 4.1 Monthly Administrative Services Department Report



### Information Item

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Monthly ticket type overview - 2023

Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
 Employee Information Update	0	2	0	0	/	/	/	/	/	/	/	/	2
 IT Projects and Change Management	0	1	0	0	/	/	/	/	/	/	/	/	1
 IT Purchase Request	0	1	0	0	/	/	/	/	/	/	/	/	1
 IT Services and Support	20	27	26	34	/	/	/	/	/	/	/	/	107
 Network   Port patching	0	1	0	0	/	/	/	/	/	/	/	/	1
 New employee	0	3	0	0	/	/	/	/	/	/	/	/	3
 Offboarding   Disable Account	0	2	0	0	/	/	/	/	/	/	/	/	2
Total	20	37	26	34	/	/	/	/	/	/	/	/	117

Monthly ticket priority overview - 2023

Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
 High	0	1	0	0	/	/	/	/	/	/	/	/	1
 Low	20	36	26	34	/	/	/	/	/	/	/	/	116
Total	20	37	26	34	/	/	/	/	/	/	/	/	117

Monthly ticket source overview - 2023

Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
 Email	19	33	22	32	/	/	/	/	/	/	/	/	106
 Website	1	4	4	2	/	/	/	/	/	/	/	/	11
Total	20	37	26	34	/	/	/	/	/	/	/	/	117



### **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

**Date:** April 26, 2023 (May 17, 2023, meeting)

**Agenda Item:** 4.2 Monthly Engineering Department Report  
**Information item**

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#### **Staff Recommendation:**

The Board will receive and file this summary report from the Engineering Department regarding its activities for the month of April 2023.

#### **Discussion:**

##### 1. Santa Felicia Dam Safety Improvement Projects

- Spillway Improvement Project
    - Staff conducted bi-weekly progress meetings with GEI Consultants (GEI) to review and discuss the current design status. The preparation of 60% design analyses, plans and drawings, and specifications continued during this reporting period.
  - Outlet Works Improvement Project
    - The preparation of 90% design analyses, plans and drawings, and specifications continued during this reporting period. Staff reviewed the draft Field Reconnaissance of Slope Failures and Erosion Technical Memorandum and provided comments to GEI.
    - On April 17, Engineering and OPS staff attended the 90% design workshop for the outlet works improvement project. During this workshop, GEI presented design changes that occurred during the 90% phase and responded to Staff questions and feedback. On April 21, Staff received GEI proposal for completion of the final design and bid phase support.
    - Staff released addenda No. 1 and No. 2 to the Request for Qualification/Proposals (RFQ/P) for construction management and inspection services through BidNet to respond to questions received from prospective proposers and remove a task from the scope of work. Staff received three proposals on April 17, the proposals due date. All
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#### 4.2 Monthly Engineering Department Report Information Item

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- three proposals were reviewed by the selection panel and the proposals are scheduled to be interviewed by the selection panel in early May.
- Staff received and reviewed the California Department Safety of Dams (DSOD) comments on the 60% design reports on April 14, nearly seven months after the 60% design packet was submitted to the agency.
  - FERC License Amendment Application, NEPA Documentation and Section 7 Consultation
    - Engineering and Environmental Services Staff attended the bi-weekly permitting progress meetings with Catalyst Environmental Solutions (Catalyst) on April 14 and 28.
    - Staff continued preparing responses to the National Marine Fisheries Service (NMFS)'s comments on the draft BA. Staff reviewed the updates to the draft Biological Assessment (BA) report partially prepared by Catalyst and provided comments to Catalyst to be incorporated in the document.
    - Engineering and Environmental Services Staff attended two meetings with the Federal Energy Regulatory Commission (FERC) and NMFS on April 5 and April 26 to discuss February 21, 2022 NMFS comments of the draft BA.
  - Loan and Grant Applications  
No updates to report.
  - Santa Felicia Dam Safety  
On April 18, 2023, staff e-filed the 2023 SFD EAP Functional Exercise After-Action Report with FERC. The report was required to be e-filed no later than 60 days after the date of the exercise, which took place on February 23, 2023. On April 20, staff met with DWR via Microsoft Teams to present proposed operational variances that would help the District reduce risk during the SFD Outlet Works Improvement Project. Staff will meet with DWR on May 4, 2023, at District Headquarters to continue these discussions.
2. Condor Point Improvement Project
- No updates to report this period.
3. Freeman Diversion Expansion
- On April 11-12, Staff, Brian Wheeler, Larry Weber, Chris Caudill, USBR, NHC, NMFS (including legal counsel), CDFW (including legal counsel), Wishtoyo's legal counsel and Special Master Smith met at USBR's Denver Testing Center for witness testing of the 1:24 and 1:12 scale physical models of the Hardened Ramp fish passage alternative. Tests were run on the dubbed Mod 9 configuration that utilizes a flushing channel as was presented to the agencies in NHC's Design Development Report. This two-day visit culminated in the delivery of a summary report to Special Master Smith which was delivered to Judge Carter.
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## 4.2 Monthly Engineering Department Report

### Information Item

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- Staff, USBR, the University of Iowa, Stantec and NHC participate in rotating weekly calls with NMFS and CDFW to provide updates on operational and stress testing of the physical model and to reach consensus on the next round of Hardened Ramp physical modeling that is scheduled for May 23-25.

#### 4. 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 364 out of a total of 396 submittal packages anticipated for the project. HDR and design engineer (KJ) have provided responses on approximately 363 submittal packages including a requirement to comply with the Buy American Act (BAA).
- GSE Construction has submitted approximately 128 Requests for Information (RFIs) to date. HDR, KJ and the District have been providing responses.
- Thirty-one (31) Change Orders (COs) have been partially or fully executed to date amounting to a net total of \$1,155,205.72. This represents approximately 12.4% 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) and \$492,295.50 or 5.3% of the original contract amount is related to all other COs that have resulted in additions or modifications to the original scope of work.
- District O&M Staff completed the construction of the 20" OF and 8" OF rip-rap aprons on February 22, 2023.
- Final Draft Operations, Maintenance and Monitoring Plan (OMMP): document is under review by Staff and will be finalized and submitted to the State Water Resources Control Board (SWRCB) Division of Drinking Water (DDW) by March 2023 before commencement of start-up and testing operations.
- GSE Construction continued construction of the following 20" Spent Wash Water (SWW)
  - 24" Raw Water Pipeline (RAW)
  - 24" Raw Water (RAW) – flushing and disinfection
  - 24" Filtered Water (FW) Connection – pressure testing and corrections
  - Various underground sample lines
  - Various underground electrical conduits
  - Various work around Filter Drain Pump Station
  - Filter face piping encasement and concrete slab construction
  - Filter vessel platform handrails
  - Filter vessel cleaning and internals
  - Laboratory/Electrical/Blower Building
    - i. Exterior grouting and weather sealing

## 4.2 Monthly Engineering Department Report Information Item

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- ii. Drywall
  - iii. Interior electrical
  - iv. Fire line risers and backwash service
  - The tentative date for construction completion and implementation is June 21, 2023, (per CO No. 31 which was fully executed on March 21, 2023). A total of thirteen (13) inclement weather days have been counted. GSE's latest monthly schedule update on March 18, 2023, indicated that construction will be completed by July 21, 2023.
  - April 19, Office of Local Defense Community Cooperation (OLDCC) staff visited the project site and attended the weekly construction progress meeting. The OLDCC provided \$4,230,133 in grant funding under the Defense Community Infrastructure Pilot (DCIP) Program. District staff provided a tour of the facilities under construction.
5. PTP Metering Improvement Project
- Total number of meters installed: 41 of 60 or 68.3% complete.
  - An additional eleven (11) meter installations are planned by mid-2023 (Turnout Nos. 102, 103, 105, 109, 113, 114, 123, 132, 134, 158, 162).
  - Easement acquisition completion: 28 of 40 obtained or 70% complete.
  - An additional three (3) utility easement deeds have been signed by the property owner (Turnout Nos. 113, 114, 132) pending execution by the General Manager and recording by the County of Ventura.
  - Battery and solar panel thefts are on the rise at some locations. Staff are considering measures to secure this equipment.
  - The District is working to schedule an on-site meeting with the property owner and tenant at Turnout No. 154. The property owner previously submitted a letter declining to sign the easement deed.
6. PTP Recycled Water Connection – Laguna Road Pipeline Project
- On April 14, Staff reviewed proposal from Rincon Consultants, Inc. to perform environmental investigations and prepare the Initial Study as part of the CEQA analysis. Rincon revised their proposal based on comments provided by Staff. The Professional Service Agreement (PSA) with Rincon is anticipated to be executed by the end of April.
  - Staff is currently reviewing a proposal from Kennedy Jenks (KJ) for development of the 60%, 90%, and final design, including support during bidding.
  - Staff completed the Sustainable Groundwater Management (SGM) Grant quarterly Progress report and Invoice No. 3 covering the work completed between January 1 and March 31, 2023.
7. Rice Avenue Grade Separation Project and Impact on PTP
- No updates to report.
8. State Water Project (SWP) Interconnection Pipeline Project
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## 4.2 Monthly Engineering Department Report Information Item

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- Staff are planning to meet with Ventura Water Commission Staff in May to discuss detailed design and easements.

### 9. Extraction Barrier and Brackish Water Treatment Project

- Meetings:
  - Held weekly internal meetings between Engineering, Environmental, and Water Resources staff to discuss progress on agreements with the Navy (Memorandum of Agreement, Outgrant Easement), grants (SGM, GWGP), CEQA/NEPA documentation preparation, permitting agency engagement, discharge alternatives evaluation, coastal water quality sampling and groundwater flow modeling.
  - April 12, second NEPA/CEQA “Drumbeat” Meeting with District, ESA Consultants and Navy NEPA staff and Subject Matter Experts (SMEs). The Navy informed the group that the District’s consultant could prepare the NEPA documents under the supervision of the Navy. Additionally, the Navy informed that their legal counsel had drafted written responses to the permitting charrette held on Feb 28 and Mar 1.
  - March 25, the District and Navy staff held a meeting to finalize the draft Memorandum of Agreement to establish a UWCD-Navy partnership for the Phase 1B project.
  - April 17, held progress meeting with the Phase 1B project design team, Kennedy/Jenks Consultants.
  - April 17 and May 1, held progress meetings with the Phase 1B project CEQA and permitting team, ESA Consultants.
  - April 19, provided a presentation to Office of Local Defense Community Cooperation (OLDCC) staff of the EBB Water Treatment Project with Navy staff. Provided a site tour of the proposed Phase 1B project sites at NBVC Point Mugu. This included an introduction of OLDCC staff to NBVC’s Commander, Capt. Kimmach III.
- Agreements/Grants:
  - New Monitoring Wells: An amendment is needed to an existing license agreement that covers access, maintenance, operation and data collection for existing monitoring wells (22, A1, A-2, CM-1, CM-2, CM-1A, CM-6 and Q2). This amendment is pending site approval by the Navy.
  - The draft Memorandum of Agreement (MOA) has been prepared between UWCD and the Navy to develop a partnership for the Phase 1B project which has been reviewed by both parties’ legal counsels. This MOA will now be processed for final Navy review and signature.
  - The draft Letter of Request (LOR) initiating the Navy’s real estate process for an outgrant easement has been prepared for the Phase 1B project and will be submitted to the Navy for review and comment.
  - On March 6, 2023, the District received written notice from the State Water Resources Control Board (SWRCB) Division of Financial Assistance (DFA) that a grant award of \$8,449,062 was approved for the Phase 1B project. The District has been requesting a date for a kick-off meeting with the DFA.
- Design:
  - On March 17, Kennedy/Jenks (K/J) Consultants submitted the draft Technical Memorandum (TM) No. 1 entitled “Discharge Options Evaluation.” This included input



## 4.2 Monthly Engineering Department Report

### Information Item

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from ESA consultants on environmental and regulatory considerations. The District provided comments to K/J on April 11.

- Kennedy/Jenks Consultants has provided a draft scope of work for surveying and geotechnical needs to be performed by one of the District's on-call consultants. The District provided comments to K/J on the Geotech scope of work on April 21 and is currently reviewing the surveying scope of work.
- CEQA/NEPA/Permits:
  - ESA Consultants reviewed water quality data related to the Mugu Lagoon and reviewed general NPDES permit requirements. ESA Consultants is currently determining the appropriate permitting path for the proposed discharge options and developing a scope of work for data collection as required. A meeting request with the Los Angeles Regional Water Quality Control Board staff has been sent.
  - ESA Consultants is currently developing the CEQA Project Description for the Phase 1B project.
- Geotech/Hydrogeology:
  - April 24, proposals were received in response to the RFQ/P for "Planning, Design, Construction Oversight, and Related Support Services for up to Twenty (20) Phase 1 Groundwater Monitoring Wells as Part of Extraction Barrier and Brackish Water Treatment Project at Naval Base Ventura County-Point Mugu." Proposals are currently under review by Water Resources and Engineering staff.

#### 10. Asset Management/ CMMS System

- No updates to report.

#### 11. Lake Piru Recreation Area – 2022 Pavement Maintenance Program

On April 24, Staff observed the asphalt repair completed by the asphalt contractor (Horizon). Staff requested Horizon repair ten (10) areas of distressed asphalt within Olive Grove Campground roads and areas adjacent to the park ranger's office and the Marina parking lot. The repair work consists of removal of distressed asphalt, excavating approximately 8-inch of subsoil, placing geogrid mat and imported aggregate base, compacting subbase to at least 95%, and replacing the asphalt concrete layer (see Figures 3 and 4 below).

#### 12. Other Topics, Meetings and Training

- On April 13, Maryam Bral, Robert Richardson and Tessa Lenz toured the nearly one-year old Perris II Desalter in Menifee, CA which treats brackish groundwater in the San Jacinto Groundwater Basin. The facility has a capacity of 5.4 million gallons per day.
- On April 12, Michel Kadah attended Ventura County Multi-Jurisdictional Hazard Mitigation Plan (VCMJHMP) Annual Maintenance meeting. The requirements of the VCMJHMP annual progress report were discussed during this meeting.

## 4.2 Monthly Engineering Department Report

### Information Item

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*Figure 1 - Maryam B. and Tessa L. on a tour at the Perris II Desalter (brine disposal shown in the background)*



*Figure 2 - Tour of the Perris II Desalter (Tessa L. shown near the primary feed pumps to the reverse osmosis treatment trains)*





*Figure 3 – Asphalt Repair at Lake Piru Recreation Area, April 24*



*Figure 4 – Asphalt Repair at Lake Piru Recreation Area, April 24*





### **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:** Marissa Caringella, Environmental Services Manager

**Date:** April 26, 2023 (May 17, 2023, meeting)

**Agenda Item:** 4.3 Monthly Environmental Services Department Report  
**Information Item**

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#### **Staff Recommendation:**

The Board will receive and file this staff report from the Environmental Services Department regarding its activities for the month of April 2023.

#### **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. The table below presents trigger criteria for each month and minimum required releases if those triggers are met. Each month that the trigger is not met, the minimum required habitat water release is seven cubic feet per second (cfs). The measured cumulative rainfall (to date) for the current water year has exceeded all triggers for enhanced habitat water releases through October 1, 2023. The minimum required habitat water release for the month of May is 10 cfs.

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### 4.3 Monthly Environmental Services Department Report Information Item

Habitat water release trigger date	Trigger criteria (total cumulative precipitation on trigger date)	Minimum required water release if trigger is met	2023 Measured cumulative precipitation	Actual minimum required habitat water release for month
<b>January 1</b>	4.80 inches	15 cfs	7.03 inches	15 cfs
<b>February 1</b>	8.10 inches	20 cfs	28.18 inches	20 cfs
<b>March 1</b>	12.00 inches	20 cfs	35.07 inches	20 cfs
<b>April 1</b>	14.90 inches	20 cfs	46.62 inches	20 cfs
<b>May 1</b>	16.30 inches	10 cfs	46.64 inches	10 cfs
<b>June 1</b>	17.50 inches	9 cfs*	TBD	9 cfs

\*If triggered, the minimum required water release will remain at nine (9) cfs through October 1, at which time, minimum required water release will be seven (7) cfs through January 1 of next calendar year.

- **Habitat Improvement Plan**

On March 14, 2023, FERC issued a letter requesting that United file a proposed schedule for finalizing the Lower Piru Creek Habitat Improvement Plan (HIP) within 15 days. In response, on March 28, 2023, Environmental Services staff submitted a proposed schedule to provide the seventh iteration draft HIP to the National Marine Fisheries Service (NMFS) for review and approval by May 8, 2023, with the expectation of a standard 30-day review period for NMFS. United proposed to file the HIP, consultation history, and documentation of NMFS' approval with FERC for review and approval by July 31, 2023.

- **Santa Felicia Fish Passage Pre-Implementation Studies**

During the month of April, limited access was reestablished to pre-implementation study sites in middle Piru Creek on Piru Canyon Road. Cramer Fish Sciences technicians conducted additional scouting of road conditions and study sites. Currently, flows in middle Piru Creek remain too high to redeploy passive integrated transponder antenna or fyke trap equipment. Environmental Services staff continues to evaluate field conditions and assess if conducting additional project activities this season is feasible.

- **Santa Felicia Dam Safety Improvement Project (SFDSIP)**

On April 5, 2023, FERC issued a communications memorandum documenting an agency coordination meeting between FERC, NMFS, and United regarding agency comments on the SFDSIP draft Biological Assessment. On April 21, 2023, Environmental Services staff submitted a status update to FERC on the SFDSIP NMFS Endangered Species Act Section 7 Consultation actions and timeline based on FERC's guidance that an additional coordination meeting is

#### 4.3 Monthly Environmental Services Department Report Information Item

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needed. To date, United has received comments from both FERC and NMFS on the draft Biological Assessment and is prepared to submit the response to comments and revised documents following the additional coordination meeting, or as advised by FERC.

#### 2. Clean Water Act Permits for Emergency Activities at Lake Piru

On April 4, 2023, the U.S. Army Corps of Engineers issued a Regional General Permit (RGP 63) for emergency work at Reasoner Creek. On April 5, 2023, Environmental Services staff submitted an emergency notification to the California Department of Fish and Wildlife (CDFW), informing CDFW that work at Reasoner Creek had been initiated.

#### 3. Freeman Diversion Operations

- Freeman Diversion Sediment Management

On April 20, 2023, United received approval from CDFW to relocate a cowbird trap that satisfies mitigation requirements associated with the Lake and Streambed Alteration Agreement for the Phase 1 Sediment Management Project. During the month of April, the trap consistently captured non-target species and was relocated approximately 0.6 miles upstream in an effort to minimize bycatch. Griffith Wildlife Biology will continue to operate the trap on behalf of United through June 30, 2023.

- Freeman Diversion Operations and Fish Passage Facility

The Freeman Diversion fish ladder and associated surveillance system have remained in operation since January 1, 2023. During the month of April, O&M staff conducted flushing operations to minimize sediment deposition in the facility. Environmental Services staff have supported O&M's operations and maintenance activities several times a week<sup>1</sup> by providing field support, conducting surveys of dewatered areas, setting up fish exclusion netting, providing on-site biological monitoring, and issuing agency notifications when appropriate. No *O. mykiss* has been observed during these activities.

During the month of April, the video surveillance monitoring system at the Freeman fish ladder has recorded 18 instances of fish passing upstream through the ladder. Environmental Services staff are reviewing the footage to determine the species, size, and life stage of each fish, and attempting to determine if there are multiple detections of individuals. Specifically, the monitoring system has recorded the following:

- Three passages on April 7, 2023
- Two passages on April 9, 2023
- Three passages on April 10, 2023
- One passage on April 14, 2023

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<sup>1</sup> Environmental Services staff have assisted with O&M operations on April 5, 7, 8, 10, 12, 14, 17, 19, 21, 24, 26, and 28.



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

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- Six passages on April 15, 2023
- One passage on April 18, 2023
- Two passages on April 20, 2023

#### 4. Increased Importation of State Water Project (SWP) Water from Pyramid Lake to Lake Piru

On February 15, 2023, the Department of Water Resources (DWR), on behalf of United, submitted a request to FERC for a temporary variance to Article 52 of the South State Water Project FERC license (P-2426) to allow for an increase in SWP water imports from a maximum of 3,150 acre-feet (AF) per year to 25,000 AF via Pyramid Dam to Lake Piru during the 2023-2024 water year. Subsequently, FERC posted a public notice of the application for a variance to the license on March 13, 2023, opening a 30-day comment period. On March 23, 2023, FERC issued a request for additional information regarding consultation with the U.S. Fish and Wildlife Service (USFWS), CDFW, and U.S. Forest Service (USFS). On April 13, 2023, staff met with DWR, USFWS, CDFW, and USFS per the request from FERC and provided follow-up information to the agencies, thereby initiating a 30-day period during which the agencies can provide comments on the variance request. No other requests for information or public comments were received by the April 12, 2023, deadline. Pending receipt of comments specifically from USFWS, CDFW, and USFS, the FERC license variance is anticipated to be issued ahead of the SWP water delivery window of November 2023 – February 2024.

On April 5 and 19, 2023, Rincon Consultants biologists conducted arroyo toad surveys in middle Piru Creek. They confirmed the presence of arroyo toad tadpoles during the April 19 survey.

#### 5. Quagga Mussel Management

On April 25, 2023, Environmental Services staff met with CDFW to discuss the 2022 Annual Report for the Quagga Mussel Monitoring and Control Plan. Additionally, Environmental Services staff scheduled a Technical Advisory Committee (TAC) meeting for May 23, 2023, which will be the first time the TAC has met since 2015. Confirmed attendees include staff from NMFS, DWR, and CDFW.

On April 3, 2023, Environmental Services staff began bi-weekly veliger sampling of the lower system in response to the spill at Lake Piru. Sites included in the bi-weekly veliger sampling include Freeman Moss Screen, El Rio, three PTP sites, and the Pleasant Valley Reservoir. Environmental Services staff continue to conduct all quagga monitoring activities on Lake Piru and lower Piru Creek with the exception of the spillway pool due to safety concerns regarding the ongoing spill.

#### 6. Miscellaneous

- On April 12, 2023, Environmental Services field staff attended a Sontek Workshop to learn about new flow monitoring methods that may improve United's ability to conduct discharge measurements in varying conditions.

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

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- On April 13, 2023, Tessa Lenz participated in a tour of Eastern Municipal Water District's Perris II Desalter Facilities in Menifee, CA.
- On April 18, 2023, Hannah Garcia-Wickstrum presented information on Lake Piru's Quagga Mussel Monitoring and Control Plan to Recreation staff during their Watercraft Inspection Training led by Pacific States Marine Fisheries Commission.
- On April 19, 2023, Marissa Caringella and Tessa Lenz joined the Engineering team on a tour of the proposed Extraction Barrier Brackish Water Treatment Project locations at U.S. Navy Base Point Mugu with staff from the Department of Defense and the Office of Local Defense Community Cooperation granting agency.
- On April 20, 2023, interviews were conducted for the part-time Environmental Services Field Assistant position. Staff has recommended a selection to the General Manager for consideration.
- On April 24, 2023, Jesse Mitchell joined the District as an Environmental Services Field Technician.
- In April 2023, Environmental Services staff began conducting point-count surveys at locations on the Santa Clara River near the Freeman Diversion and downstream as part of the USFWS led least Bell's vireo watershed wide point-count survey protocol.



### **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:** April 27, 2023 (May 10, 2023, meeting)

**Agenda Item:** 4.4 Monthly Operations and Maintenance Department Report  
**Information Item**

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#### **Staff Recommendation:**

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

#### **1. Water Releases, Diversions**

- Lake Piru rose 0 feet in April to 82,371 acre-feet (AF) of storage.
- 17,306 AF of water was diverted by the Freeman Diversion facility in April.
- 11,661 AF of water was diverted to the Saticoy recharge basins in April (metered plus unmetered, including Noble/Rose Basins).
- 4,522 AF of surface water was delivered to the El Rio recharge basins in April.
- 507 AF of surface water was delivered to the PTP system in April.
- 0 AF of surface water was delivered to C customers in April.
- 599 AF of surface water was delivered to Pleasant Valley County Water District in April.

#### **2. Major Facilities Update**

##### **• Santa Felicia Dam**

- On May 1, 2023, the lake level was 1055 and spilling via the spillway.
  - Habitat and migration water releases from the Santa Felicia Dam (SFD) were maintained between 20-200 cubic feet per second (cfs), for the month of April, as per the Water Release and Ramping Rate Implementation Plan for Lower Piru Creek.
  - District staff continues cleanup efforts associated with the January 9, 2023, storm activities.
  - Lake Piru reached 100% capacity and began spilling on March 16, 2023, staff is continually monitoring flows.
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**Agenda Item: 4.4 Monthly Operations and Maintenance Department Report**  
**Information Item**

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- **Freeman Diversion, Saticoy, and El Rio Recharge Facilities**

- Flows at the Freeman Diversion averaged 291 cfs for the month of April, with 370 cfs of surface water being diverted on May 1, 2023.
- District staff operated the Freeman Diversion throughout the month including many nights of labor-intensive operations, harvesting Castaic release flood flows, recharging basins, and delivering surface water to the PTP and PV pipelines.
- In collaboration with Environmental Services, staff performed Freeman Diversion flushes and sediment removal every Mon/Wed/Fri the month of April.
- Noble basins were filled in preparation of potential temporary pilot pump/pipeline to Ferro Basin, traveling through Vineyard Ave culvert and through Vulcan/Harry's Berries properties.
- April 27, 2023, Air Pollution Control District performed an annual site inspection for El Rio Booster Plant and Saticoy Facilities.
- Static water levels (distance of water from the well pad to the water table):

	<b>2023</b>	<b>2022</b>	<b>2021</b>
Saticoy	18'	117'	125'
El Rio	92.6'	131.2'	122.3'
PTP	77'-106'	108'- 145'	111'-148'

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

- April 25, 2023, Disinfection Facility Post Chlorination injection was isolated for nine hours for manifold modifications associated with new grant funded Iron and Manganese treatment plant.
- April 26, 2023, Variable Frequency Drives and Electrical room was deenergized for eight hours as Contractor Taft Electric tied in the electrical feed supply for the new grant funded Iron and Manganese treatment plant.
- OH Booster Plant, rebuilt gas engine #4 manifold and check-valve reinstalled, pressured tested and placed back in service.
- April 27, 2023, staff completed and submitted the State Water Resource Control Board Division of Drinking Water Electronic Annual Report.

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

- PVCWD received United's surface water supply, surface supply from Conejo Creek Project and 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 April, the PTP system demand was met with both PTP wells and surface water.

**Agenda Item: 4.4 Monthly Operations and Maintenance Department Report**  
**Information Item**

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- **Instrumentation**

- Staff installed, programed, and configured a new El Rio Disinfection Facility ammonia tank motor operated valve.
- April 11, 2023, startup, and commissioning of OH Well #12 was completed.
- Instrumentation staff installed a new Dos Diego communications antenna and pole.
- Staff replaced Endress Hauser magnetic meter batteries at Turnouts #104 and #133.

- **Lake Piru Water System**

- All chlorine residuals and turbidity readings for the drinking water system were within proper ranges for the month of April.
- The Piru Water Treatment Filtration plant is in service, lake turbidity levels remain at acceptable range for potable water production despite substantial rainfall runoff, and lake debris removal efforts.
- 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.
- April 24, 2023, staff replaced SFD Treatment Plant Irrigation 150' flexible hose.

3. **Operations and Maintenance Projects Update**

- The Iron and Manganese grant funded project is progressing well at El Rio Booster Plant, projected completion date scheduled for June 30, 2023.

- **Other Operations and Maintenance Activities**

- The Santa Felicia Dam Emergency Action Plan sirens located in Piru were exercised on April 7, 2023.
- Facilitated tours at Santa Felicia Dam, Freeman Diversion, and Iron and Manganese facilities.
- Contractor 805 Discing and Grading completed discing recharge basins at El Rio, Saticoy, Ferro, and Noble grounds.
- On April 19, 2023, staff attended the Santa Paula Chamber of Commerce board meeting.
- 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.

- **Safety and Training**

- During the month of April, approximately 3100 hours of work, within the O&M department, were performed with 1 reportable accident.
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**Agenda Item: 4.4 Monthly Operations and Maintenance Department Report  
Information Item**

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- The online Target Safety assignment for April was “Water Industry Respiratory Protection.” staff have been submitting their medical clearances in preparation for annual respirator fit testing. The fit testing for O&M staff has also been started. For staff operating in the field (e.g., at the Freeman Diversion), they will be fit tested in the field by the Risk and Safety Manager as the District’s fit testing equipment has the capability to perform in the field while minimizing operational impact. The safety meeting for staff will be held in early May due to major ongoing operations this month.
- Tailgate safety meetings were conducted at all individual O&M field locations and the topics included refresher training on equipment used at the various O&M locations.

**Attachment:** Operations Log for April



## OPERATIONS LOG v 10/7/21

DATE	SANTA FELICIA DAM								FREEMAN DIVERSION**					RECHARGE				IRRIGATION						O-H		
	SFD El.	Stor.	Surface	Evap.	Inflow Balance	Outflow USGS	Hydro	Rain 106E	River	Diverted	Fish*** Facility	Bypass Channel	Crest	El Rio	Saticoy Facility		Noble/ Rose	Piru	T.I.D.	P.T.P.	PVCWD		L.P.	Saticoy Wells	Total	CI2
	Ft.	A/F	Acres	Inches	Av. CFS	Av. CFS	Kw	Inches	Av. CFS	Av. CFS	Av. CFS	Av. CFS	Av. CFS	Av. CFS	Misc CFSI	Weir CFS	Av. CFS	Av. CFS	A/F	A/F	A/F	%	A/F	A/F	A/F	Lbs.
A/F*		82456			97,117	29,201		46.62	455,220	30,082	14,314	54,621		11,016	18085		3080	0.0	979	608	396		0.0	0	4,589	37,370
4/1/23	1055.27	82395	1216.00	0.111	254	282	0	0.00	3014	99	88.4	1014.4	1812.2	35.29	45	16	4.89	0.0	4.1	5.4	0.0	0.00	0.0	0.0	29.1	236
4/2/23	1055.28	82408	1217.00	0.123	292	282.4	0	0.00	2430	353	89.1	0	1988.2	93.5	59	198.63	66.98	0.0	3.1	3.3	0.0	0.00	0.0	0.0	26.6	219
4/3/23	1055.32	82456	1217.00	0.133	306	278.6	0	0.00	2132	335	89.3	88.7	1618.7	92.04	24	214.44	78.5	0.0	8.1	7.8	0.3	0.00	0.0	0.0	33.1	251
4/4/23	1055.25	82371	1216.00	0.154	229	267.5	0	0.00	1765	354	90	0	1321.3	101.47	32	213.83	99.16	0.0	13.2	12.9	0.3	0.00	0.0	0.0	32.0	264
4/5/23	1055.22	82335	1216.00	0.052	245	262.2	0	0.00	1950	234	87.9	417.4	1211.5	83.34	0	131.16	61.4	0.0	37.4	12.8	24.6	0.05	0.0	0.0	33.0	260
4/6/23	1055.21	82322	1216.00	0.124	259	262.2	0	0.00	1938	338	91.5	0	1508.4	66.29	46	199.9	85	0.0	51.2	30.0	21.2	0.03	0.0	0.0	36.2	315
4/7/23	1055.18	82286	1215.00	0.118	247	262.2	0	0.00	1968	228	91.3	169.5	1478.7	70.36	6	128.92	54.72	0.0	45.1	24.7	20.4	0.05	0.0	0.0	31.3	257
4/8/23	1055.20	82310	1216.00	0.121	277	262.2	0	0.00	1846	277	91.8	119.7	1356.9	77.49	20	164.2	67.62	0.0	30.9	13.5	17.4	0.03	0.0	0.0	33.2	284
4/9/23	1055.22	82335	1216.00	0.141	278	262.1	0	0.00	1715	333	93	0	1288.8	94.04	39	197.23	74.82	0.0	6.5	6.1	0.4	0.00	0.0	0.0	28.1	241
4/10/23	1055.22	82335	1216.00	0.141	266	262.1	0	0.00	1718	252	91.8	148.2	1225.8	79.31	14	150.68	58.78	0.0	17.6	17.4	0.2	0.00	0.0	0.0	33.9	276
4/11/23	1055.21	82322	1216.00	0.111	258	262.1	0	0.00	1602	356	92.9	0	1152.9	78.03	230	21.54	83.51	0.0	51.3	14.0	37.3	0.05	0.0	0.0	32.8	267
4/12/23	1055.21	82322	1216.00	0.108	265	262.2	0	0.00	1756	219	87.7	452.8	996.8	67.65	-6	137.19	31.87	0.0	40.4	14.2	26.2	0.06	0.0	0.0	32.7	260
4/13/23	1055.18	82286	1215.00	0.105	247	262.2	0	0.02	1451	345	92.1	0	1014.3	75.96	50	199.85	28.49	0.0	36.8	17.5	19.3	0.03	0.0	0.0	34.4	289
4/14/23	1055.26	82383	1216.00	0.126	314	262.1	0	0.00	1628	223	86.4	396	923.1	52.16	-5	156.32	53.4	0.0	37.1	18.1	19.0	0.04	0.0	0.0	33.0	277
4/15/23	1055.26	82383	1216.00	0.130	265	262.1	0	0.00	1372	345	90.7	0	935.8	74.27	39	216.76	87.01	0.0	30.4	18.5	11.9	0.02	0.0	0.0	36.5	313
4/16/23	1055.25	82371	1216.00	0.136	260	262.1	0	0.00	1015	347	89.7	0	577.5	90.24	22	227.91	102.95	0.0	15.0	7.4	7.6	0.01	0.0	0.0	31.9	269
4/17/23	1055.25	82371	1216.00	0.135	156	152.1	0	0.00	1431	203	83.4	556	588.6	58.79	-29	149.57	68.01	0.0	45.9	18.7	27.2	0.07	0.0	0.0	36.8	295
4/18/23	1055.23	82347	1216.00	0.123	143	152.1	0	0.00	1205	339	92.3	0	773.7	57.61	44	207.83	82.24	0.0	58.6	20.9	37.7	0.06	0.0	0.0	37.6	307
4/19/23	1055.23	82347	1216.00	0.179	72	67.1	0	0.00	1756	120	78.9	1045.9	510.4	76.92	-74	85.63	36.7	0.0	61.9	21.6	40.3	0.17	0.0	0.0	39.4	325
4/20/23	1055.15	82249	1215.00	0.236	24	67.1	0	0.00	1446	316	91.4	0	1038.8	84.86	82	119.71	42.15	0.0	58.2	25.0	33.2	0.05	0.0	0.0	40.3	336
4/21/23	1055.14	82237	1215.00	0.177	66	67.1	0	0.00	1504	267	89.7	176.6	970.8	66.87	2	166.05	59.34	0.0	61.6	32.8	28.8	0.05	0.0	0.0	41.4	329
4/22/23	1055.13	82225	1215.00	0.155	65	67.1	0	0.00	1294	333	91.5	0	869.8	60.12	22	212.42	67.13	0.0	76.0	35.4	40.6	0.06	0.0	0.0	40.4	329
4/23/23	1055.13	82225	1215.00	0.237	73	67.1	0	0.00	1100	336	91.6	0	672.4	82.61	22	219.14	69.46	0.0	23.3	8.5	14.8	0.02	0.0	0.0	34.8	294
4/24/23	1055.12	82213	1215.00	0.171	65	67.1	0	0.00	1320	273	89.4	220.8	736.5	64.69	21	162.6	56.93	0.0	49.2	25.1	24.1	0.04	0.0	0.0	36.2	319
4/25/23	1055.13	82225	1215.00	0.162	77	67.1	0	0.00	1115	339	91.7	0	684.8	82.4	35	201.54	66.63	0.0	40.1	20.3	19.8	0.03	0.0	0.0	12.0	107
4/26/23	1055.14	82237	1215.00	0.137	77	67.1	0	0.00	1206	282	89.5	155.6	678.7	73.82	16	170.14	57.43	0.0	44.7	23.1	21.6	0.04	0.0	0.0	13.9	109
4/27/23	1055.12	82213	1215.00	0.163	59	67.1	0	0.00	1042	336	91.8	0	614.9	84.08	23	202.45	65.88	0.0	52.2	22.1	30.1	0.05	0.0	0.0	31.2	237
4/28/23	1055.15	82249	1215.00	0.171	90	67.1	0	0.00	1070	268	88.5	63.1	650	73.66	13	159.77	56.94	0.0	42.7	22.5	20.2	0.04	0.0	0.0	36.6	287
4/29/23	1055.16	82262	1215.00	0.186	78	67.1	0	0.00	1102	345	91.9	0	665.6	85.17	28	211.76	68.86	0.0	39.4	20.0	19.4	0.03	0.0	0.0	36.3	284
4/30/23	1055.15	82249	1215.00	0.172	65	67.1	0	0.00	877	349	91.8	0	436.4	100.64	23	223.08	78.03	0.0	5.3	5.1	0.2	0.00	0.0	0.0	31.6	252
TOTAL CFS					5372	5366		0.02	46764	8740	2697	5025	30302	2284	841	5066	1915	0.0								
AVERAGE CFS					179	179			1559	291	90	167	1010	76	28	169	64	0.0								
TOTAL A/F					10637	10624			92594	17306	5340	9949	59999	4522	1666	10031	3791	0.0	1087	525	564		0	0.0	986	8088
MONTHLY REVENUE TO DATE (approx.)								\$0	K																	
AVERAGE A/F					355	354			3086	577	178	332	2000	151	56	334	126	0.0	36	17	19	4%	0	0.0	33	270
WATER YEAR TOTALS A/F					107,754	39,825		46.64	547,814	47,388	19,654	64,570	59,999	15,538	29,782		6,871	0.0	2,066	1,133	960		0	0	5,575	45,458
* Input total A/F previous month																										
** Daily averages imported from Ranch Systems																										
*** Fish facility flows include Denil fishladder, aux pipe and smolt bypass pipe																										
I Includes Ponds A, C, E, and I overflows, temporary storage in the desilting basin and Pond B, JLB diversions, losses between meters. Negatives mean prior storage from pond B or desilting basin is discharging to other metered sources.																										



### **Staff Report**

**To:** UWCD Board of Directors

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

**From:** Clayton W. Strahan, Chief Park Ranger

**Date:** April 30, 2023 (May 17, 2023, meeting)

**Agenda Item:** 4.5 Monthly Park and Recreation Department Report  
**Information item**

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#### **Staff Recommendation:**

The Board will receive and file this staff report from the Parks and Recreation Department regarding its activities for the month of April 2023.

#### **Discussion:**

As previously noted, the lake has received more than forty-six inches of rainfall this winter, resulting in Lake Piru rising over eighty vertical feet and receiving more than 69,000 AF of runoff. As a result of this significant inflow, on March 16 the lake began to spill. The lake has continuously spilled at a rate of between 1,100 cubic feet per second at its peak, and at an average spill rate of over 200 cubic feet per second. Much of April was spent working with contractors on the larger storm cleanup efforts associated with cleaning the lakes surface of debris and restoring the lakes facilities to pre-storm condition. In addition, staff spent considerable time preparing to reopen for boating, which occurred April 29. This effort included securing boarding floats, readying floating restrooms, installing signage at the Santa Felicia dam spillway, bolstering the spillway barrier with additional navigational buoys, and developing handouts to advise the public of all boating restrictions around the spillway. Lastly, staff spent a significant amount of time working to ensure that the District's FEMA reimbursement efforts continue to be completed in an efficient and timely manner, while also dealing with increased visitation due to a full lake.

#### **1. Staff Tasks and Activity Highlights**

- **March 28-April 1:** Staff attended the annual Bart Hall Boat and RV show for the first time in 13 years. The trade show, which targets outdoor enthusiasts, is one of the largest trade shows of its type in the country. Staff made reservations for camping, handed out Lake Piru t-shirts, key chains, and mugs, while also offering ten percent off camping to all participants who made a reservation.
  - **April 1-30:** Staff began efforts to perform the annual picnic table restoration project. This effort includes assessing all four hundred units within the park, repairing damaged boards and re-painting every table.
  - **April 1-26:** McNabb Construction LLC. (MCL), who is the contractor tasked with
-

performing cleanup up work on the lake associated with the January 9 storm event, continued their efforts associated with removing floating debris on the reservoir. After 64 days, MCL completed its contracted work on the reservoir. Although final tallies have not been completed, as of April 6, approximately 3,500 cubic yards of debris have been removed from the lakes surface.

- **April 1-30:** Summer Construction Inc. (SCI), the contractor that was selected to perform land based cleanup work associated with the January 9 storm event, continued with their efforts to restore roadways, drains, channels, basins, and park facilities to pre-storm conditions. SCI began their efforts on February 21, and is expected to be onsite through August. To date they have removed 3,471 tons of sediment and debris from in and around the recreation area, with more than 40,000 additional tons believed to still need to be removed.
- **April 3-8:** Staff secured boarding floats, installed signage, and placed additional navigational buoys in anticipation of reopening to boating. This effort included setting new anchors at the marina docks and at the pump barge for the domestic water system.
- **April 4:** Staff responded to a mainline domestic water leak in the vicinity of group camp two near the lakes edge. It was determined that a section of older AC pipe which was believed to have been disconnected and abandoned, was live and connected. This six-inch line experienced a failure. Given staff was engaged in preparations for the Easter holiday, Quality Ag. was contracted to perform the repair to isolate and abandon the old pipe. This repair resulted in a loss of service to the lower oaks campground for approximately five days. Lower Oaks campground was then closed to camping during that time.
- **April 10-13:** Staff developed and initiated printing purchases associated with warning notifications associated with the ongoing spill at the Santa Felicia Dam.
- **April 10-28:** Staff in coordination with Pacific Vista Landscapes, who is the district's Landscaping vendor, initiated a significant fire abatement project. This included mowing and herbicide application measures to control noxious weeds. To date approximately 65 percent of the district's annual fire clearance measures for the lake Piru area have been completed.
- **April 26:** Advanced Sanitation Services were contracted to perform annual septic pumping services of all thirteen of the facility's septic tanks and six vault toilets onsite. More than twenty thousand gallons of waste was pumped.

## **2. Staff Training/Meetings/Events**

- **April 6:** All Lake Piru Park Ranger staff participated in a radio communications training with the Ventura County Sheriff's Department. The training was intended to familiarize Park Ranger and County dispatch staff with each agencies communications protocol when communicating emergencies occurring within the park. In addition, the Districts Risk and Safety Manager Tony Huynh and the District's Information Technology Specialist Ed Reese, provided staff training on newly developed radio communications protocol, which is first being rolled out within the Recreation Department.
  - **April 6, 13, 20, and 27:** Staff participated in weekly FEMA scoping discussions where reimbursement efforts and project updates were discussed with agency staff.
  - **April 11 and 27:** Staff meet with representatives of Spartan Races, the nation's largest obstacle course race promotion, to evaluate and discuss the potential for hosting a series of
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these races at Lake Piru. To date discussions are promising and staff are excited to work toward a process to host these events at Lake Piru.

- **April 14:** Chief Ranger Strahan attended a routine ACWA legislative Committee meeting to stay on top of legislation that could have an impact on District operations. This legislative session has been particularly eventful, as there are several bills on the docket with respect to water rights, which if passed, could have a negative impact on District operations.
- **April 18:** Newly hired Park Ranger Cadet staff and seasonal Park Ranger Assistant completed a quagga mussel watercraft inspection certification training, where they learned how to perform vessel inspections necessary to prevent the spread of the invasive quagga mussel. The course was put on by the Pacific State Marine Fisheries Commission.
- **April 18-19:** Recreation staff assisted engineering staff in assessing and monitoring repairs for the asphalt in front of the ranger station. These repairs were performed due to damage sustained to the asphalt after the January 9 storm event. As previously reported, the original asphalt repair work in this area was completed in late December and experienced failures because of the excessive moisture received in January.
- **April 24-28:** Park Ranger Cadet Macy Petrula attended a PC-832 arrest and control course to familiarize her with the requirements associated with perform arrests measures. This is a state mandated course for all the district's Park Ranger personnel.

### 3. Revenue and Visitation Recap

2023 Day Use/Other Revenue Recap and Comparison	
2023 Day Use/Other Revenue (Jan. 1 – Apr. 30)	\$69,202.00
2022 Day Use/Other Revenue (Jan. 1 – Apr. 30)	\$88,585.00
Total Revenue Increase/Decrease from Prior Year	<b>\$-19,383.00</b>
Annual Increase/Decrease in %	<b>-28%</b>
2023 Camping Revenue Recap and Comparison	
2023 Camping Revenue (Jan. 1 – Apr.30)	\$178,938.00
2022 Camping Revenue (Jan. 1 – Apr.30)	\$182,892.00
Total Revenue Increase/Decrease from Prior Year	<b>\$-3,954.00</b>
Annual Increase/Decrease in %	<b>-2.2%</b>
Current and Previous Year Comparison (2023 vs. 2022)	
2023 Combined Revenue (Jan. 1 – Apr. 30)	\$248,140.00
2022 Combined Revenue (Jan. 1 – Apr. 30)	\$271,477.00
Total Revenue Increase/Decrease from Prior Year	<b>\$-23,337.00</b>
Annual Increase in %	<b>-9.5%</b>

*\*\*\*It should be noted that the above figures have not been verified by the district's finance department and are field summary totals.*

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<b>2023 Total Visitation Figures</b>				
<b>Month</b>	<b># People</b>	<b># Vehicles</b>	<b># Vessels</b>	<b>Pets</b>
January	598	414	16	10
February	1,698	366	0	3
March	3,475	1,036	0	3
April	11,466	3,222	125	67
<b>Total</b>	<b>13,780</b>	<b>4,420</b>	<b>141</b>	<b>83</b>

**4. Incidents/Arrests/Medicals**

As visitation increased, the number of incidents which occurred within the park also increased. Listed below are the items of significance which occurred during the month.

- I. **April 9:** Staff responded to medical aid of a small child having a seizure. Immediate aid was rendered until EMS arrived. The child was then transported to the hospital for further evaluation.
- II. **April 9:** Staff responded to a medical aid of a small child who was bitten by a dog. Animal control and EMS were both contacted. The child was treated for a small puncture wound on the ankle and released to his family. The dog was placed on quarantine in Los Angeles County where it resides.
- III. **April 9:** An adult female fell in the restroom in the day use park, striking her face on the wall. Staff responded to her aid and provided immediate first aid until EMS arrived. It was determined alcohol was the cause for her fall and was transported to the hospital where she received thirteen stitches on the bridge of her nose.
- IV. **April 28:** Staff initiated a request to the California Highway patrol for a DUI in the marina parking lot. The two subjects involved in the incident were not arrested for DUI, as no one witnessed either party driving the vehicle. However, both parties were cited for entering a closed area and evicted from the property by the highway patrol.
- V. **April 29:** Staff contacted a 25-year-old male for driving with an open container when he passed ranger personnel, while drinking and driving. The subject was not arrested for DUI, as he was within the legal limits to operate a vehicle. However, he was cited for driving with an open container and for possession of a controlled substance in a public place. He and his family were then asked to leave the facilities.

**5. Citations/Enforcement Summary**

Throughout April, four (1) citation (s) were issued for violations of Ordinance 15 and or the California Harbors and Navigation Code. Additionally, it should be noted that Ranger staff did issue numerous verbal warnings throughout the month for violations of district ordinances and state laws.

**6. Grants**

Nothing new to report currently.

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### **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:** April 26, 2023 (May 17, 2023, meeting)

**Agenda Item:** 4.6 Monthly Water Resources Department Report  
**Information Item**

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#### **Staff Recommendation:**

The Board will receive and file this summary report on various Water Resources Department activities for the month of April 2023, 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:

- United's hydrologists are assisting other District staff with operational decisions at Freeman Diversion in order to manage problems with sediment accumulation near the intake structure, maximize diversions, and comply with regulatory requirements to provide opportunity for fish migration and passage.
  - United's hydrologists are assisting other District staff to assess and comply with *O. mykiss* migration release requirements at Santa Felicia Dam and bypass flows at Freeman Diversion.
  - United's hydrologists continue to coordinate the release to captured stormwater from Castaic Lake to the Downstream Users and are actively monitoring several gaging locations to assess flow conditions along the Santa Clara River and major tributaries.
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**Agenda Item: 4.6. Monthly Water Resources Department Report**  
**Information Item**

Page 2

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- Staff is coordinating with recharge operators at Saticoy to measure percolation rates in individual basins and then dry and disc the basins when necessary to maintain optimum percolation rates for the facility.
- Groundwater Modeling:
  - Staff have developed and calibrated a Perched Aquifer Model (PAM) to simulate groundwater flow in the unconfined Semi-perched aquifer in the Extraction Barrier and Brackish (EBB) Water Project study area. The break-out model will allow higher resolution (both horizontally and vertically) forecasting of groundwater flow in the study area. The model will allow simulation of solute transport in the unconfined perched aquifer, including the inland extent of the natural seawater density wedge at the base of the aquifer near the coastline.
  - Staff continued to apply MODFLOW's "Subsidence package" to the District's existing groundwater flow model of the OPV basins to forecast potential occurrence and magnitude of land subsidence during the model calibration period (1985-2019) and under future assumed pumping scenarios and basin conditions.
  - Staff have assisted the City of Ventura and their consultant in modeling travel times and areas of influence for their proposed indirect potable reuse project located near their Golf Course wells in the NW portion of the Oxnard basin.
- 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 continue to assist the Engineering and Environmental Services Departments and their consultants to conduct the environmental permitting and engineering design efforts for Phase 1 of United's EBB Water Project.
  - Staff continue to support selection of locations and design specifications for extraction wells to be included as Phase 1 of the EBB Water Project.
  - Staff continue to plan for installation of EBB Water Project Phase 1 groundwater monitoring wells and are managing the SGM Grant activities associated with this project. Staff are reviewing statements of qualifications and proposals from potential well-construction-oversight consultants and will likely recommend selection of a consultant to United's Board of Directors within the next two months.
  - Staff are developing a monitoring plan for Phase 1 of EBB Water (extraction of brackish water and discharge without treatment), to measure and evaluate potential effects on groundwater elevations, hydraulic gradients, and groundwater quality in the project area. The information collected will be used to adjust operations of Phase 1 (if necessary) and provide data to support optimization of design of Phase 2.
  - Staff are modeling and assessing various well field arrangements and production rates for Phase 2 of the EBB Water Project.
- Staff are assisting the Engineering Department in evaluating the feasibility and water resources impacts of releasing water from Lake Piru and operating at lower reservoir levels

**Agenda Item: 4.6. Monthly Water Resources Department Report**  
**Information Item**

Page 3

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as an Interim Risk Reduction Measure prior to and during the construction of the new outlet works. During construction, unprecedented low reservoir levels in the range of elevations 940-945 feet are needed to be able to build the new multi-port slopping intake and a tunnel.

- 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 are also working to determine what modifications to United's water right permits and licenses might be required to increase the instantaneous diversion rate at Freeman Diversion.

**Outreach and Educational Activities**

- Staff have led several tours of Freeman Diversion and United's recharge facilities for local and regional water users throughout the past month.

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

*Board of Directors meetings* – The next regular FCGMA Board meeting is scheduled for April 26, at 1:30 pm. 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:

- Receive a presentation from Agency staff on a new water well permit application from Ventura County Waterworks District No. 1 (WWD-1) and consider a request for an exception from the prohibition on new extraction facilities set forth in Article 4 of Emergency Ordinance E for the new well permit application.
- Receive a presentation from Agency staff regarding groundwater management in the Arroyo Santa Rosa Valley Basin (ASRVB) under the draft Groundwater Sustainability Plan (GSP); receive a presentation from the consultant that prepared the ASRVB GSP.
- Receive a presentation from Agency staff on recommendations for improving basin management and administration of combined operation of extraction facilities under "CombCodes."

The next regular Board meeting is scheduled for May 24 at 1:30 p.m.

*Operations Committee meetings* – There was an Operations Committee meeting held on April 19, 2023, at 9:00 am. The main topic of discussion was weighting of criteria for prioritization of water supply and infrastructure projects. The Committee decided to return the current version of the weighting criteria to the full Board with a recommendation of approval. Staff were also directed by the Committee to provide more information about the proposed project-ranking process (e.g., who will review and score projects, the timeline for doing so).

**Agenda Item: 4.6. Monthly Water Resources Department Report**  
**Information Item**

Page 4

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*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.

**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 FPBGSA held a regular board meeting on April 20. Notable topics included:

- The Board selected Director Albert Mendez (City of Fillmore) as the new Board Secretary.
- The Board received a presentation from Southern California Edison Company on its Agricultural Energy Efficiency Program which provides incentives for irrigation variable frequency drives on farms.

The next FPBGSA Board meeting is scheduled for May 18, at 4:00 p.m.

*GSP implementation* – None this month, following assistance with the grant application for SGM implementation Round 2 funding in December 2022.

*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.

**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 regular MBGSA Board meeting scheduled for April 24 was canceled, and the next regular Board meeting will be on May 22 at 3:00 p.m.

*GSP implementation* – Staff provide the MBGSA's Executive Director and consultants various groundwater level and quality data periodically, as requested, as part of implementation of the Mound Basin GSP.

**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 2022.



**Staff Report**

**To:** UWCD Board of Directors

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

**From:** Dr. Maryam Bral, Chief Engineer  
Michel Kadah, Engineer

**Date:** April 26, 2023 (May 17, 2023, meeting)

**Agenda Item:** 5.1 Authorize Approval of a Contract with GEI Consultants, Inc. to Develop the Final Design Phase of the Santa Felicia Dam Outlet Works Improvement Project, Prepare Final Bid Documents and Support Bid Phase  
**Motion**

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**Staff Recommendation:**

The Board will review and consider authorizing the General Manager to execute an agreement with GEI Consultants, Inc. (GEI) in the amount of \$867,980.00 to develop the final design phase of the Santa Felicia Dam Outlet Works Improvement Project, prepare final bid documents and support the bid phase.

**Background:**

The existing outlet works system needs to be replaced due to concerns related to seismic stability of the intake tower and water conveyance conduit through the dam and the ongoing accumulation of sediment in the reservoir that could potentially impact operation of the outlet works in the near future. The existing outlet works will be relocated to the east (left) abutment and replaced with a new outlet works facility which will consist of an intake control facility, including a sloping intake located in the reservoir, two water conveyance conduits in a new tunnel through, a downstream control facility (DCF), and a hydropower facility consisting of a small cross-flow turbine located within the DCF. The design of the Santa Felicia Dam Outlet Works Improvement Project (Project) has advanced to the 90% phase. Under an existing contract, GEI will complete the 90% design documents by early June 2023 and presented the design outcomes to the Board of Consultants (BOC), Federal Energy Regulatory Commission (FERC), and the California Department of Water Resources Division of Safety of Dams (DSOD) at the BOC meeting No. 7 on June 21-22, 2023. Staff expects to receive the BOC approval of the 90 percent design documents along with their recommendations to proceed with the final design phase at the completion of the BOC meeting No. 7.

**Discussion:**

During the final design (100% design), GEI will update the geotechnical, structural, hydraulic, site civil, and hydropower analyses, and finalize the technical specifications, design drawings,

**Agenda Item: 5.1 Authorize Approval of a Contract with GEI Consultants, Inc. to Develop the Final Design Phase of the Santa Felicia Dam Outlet Works Improvement Project, Prepare Final Bid Documents and Support Bid Phase Motion**

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constructability evaluation, reservoir operation plan and the project estimated cost. Staff will submit the 100% design packet to the BOC, FERC and DSOD by the end of October 2023. The design findings will be presented at the BOC meeting No. 8 scheduled for November 2023.

Following the completion of the final design, GEI will prepare the final bid documents, including the bidding forms, bid schedule, District general provisions, applicable special provisions, and measurement and payment sections. The notice inviting bids for construction of the Project is anticipated to be advertised in March 2024. GEI's support services during the bid phase include preparation of responses to interested contractors' requests for information pertained to the project design, addenda items to clarify technical questions, and of conformed plans and specifications.

Staff recommends execution of the contract with GEI. A copy of the Professional Consulting Service Agreement detailing GEI's complete proposal, including the scope of work and deliverables, proposed fee, and the project schedule, is included in Attachment A.

**Fiscal Impact:**

Sufficient funds to cover the proposed contract amount of \$867,980.00 are included in the Fiscal Year 2023/24 budget (Account No. 051-400-81080-8002-815).

**Attachment:**

Attachment A – Santa Felicia Dam Outlet Works Improvement Project – Final Design Professional Services Agreement with GEI Consultants, Inc.

# AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

THIS AGREEMENT (“Agreement”) is made and entered into on \_\_\_\_\_, 2023, by and between the **United Water Conservation District**, Ventura County, California, (hereinafter “**UNITED**”), and **GEI Consultants, Inc.** (hereinafter “**CONSULTANT**”).

## RECITALS:

WHEREAS, UNITED desires to obtain professional engineering consultation services in connection with the development of final design documents, prepare final bid documents, and support bid phase for the **Santa Felicia Dam Outlet Works Improvement Project** (“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. **Thomas O. Keller** 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 **Chief Engineer, Maryam A. Bral** 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 **July 15, 2024**.

## **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 **eight hundred sixty seven thousand and nine hundred eighty dollars (\$867,980.00)** 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 **Chief Engineer, Maryam A. Bral**, 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:	Thomas O. Keller, P.E., G.E. GEI Consultants, Inc. 5901 Priestly Drive, Suite 301 Carlsbad, CA 92008
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To UNITED:	Maryam A. Bral, Ph.D., PE 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

GEI Consultants, Inc.

By Thomas O. Keller  
Thomas O. Keller, Vice President



**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**.

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

CONSULTANT shall provide professional consultation services for the **Santa Felicia Dam Outlet Works Improvement Project – Final Design** in accordance with the following scope of work.

### **BACKGROUND**

Santa Felicia Dam is owned and operated by United Water Conservation District (UWCD) and is under the jurisdiction of the Federal Energy Regulatory Commission (FERC) and California Department of Water Resources Division of Safety of Dams (DSOD).

The outlet works system of the dam consists of an intake tower with a single intake level, conduit beneath the dam, and downstream control facilities on the right (west) side of the dam. A small hydroelectric plant is located adjacent to the downstream control facility. The existing outlet works system needs to be replaced because of concerns for seismic stability of the intake tower and conduit through the dam, and to mitigate ongoing accumulation of sediment in the reservoir that will impact operation of the outlet works in the near future. The purpose of the outlet works improvement project is to replace the outlet works to address dam safety and operational concerns.

UWCD is also required by FERC and DSOD to improve the spillway of the dam to increase its capacity. The outlet works improvement project and spillway improvement project are collectively referred to as the “Santa Felicia Dam Safety Improvement Project” (Project). UWCD issued a Final Environmental Impact Report (Final EIR) for the Project in compliance with provisions of the California Environmental Quality Act in February 2019.

GEI Consultants, Inc. (GEI) has completed the following studies and designs to advance the outlet works improvement project:

- Phase 1 Study – A feasibility study was performed to evaluate alternatives to mitigate concerns with the existing outlet works. UWCD submitted the Phase 1 Study report to FERC and DSOD in April 2015.
- Phase 2 Study – A Phase 2 Study was performed to further evaluate alternatives to address outlet works concerns. A subsurface exploration program was performed as part of the Phase 2 Study to obtain geotechnical information to support conceptual design of outlet works replacement alternatives. The Phase 2 Study report describes alternatives for construction of a new outlet works system on the left (east) abutment of the dam and contains a conceptual design of a new outlet works configuration to

carry forward into the final design phase. UWCD submitted the Phase 2 Study report to FERC and DSOD in March 2019.

- 10% Design – A 10% design phase was performed to advance the outlet works improvement project. This design phase included a hydropower facility evaluation that led to UWCD’s decision to incorporate a small turbine system in the outlet works improvement project and to abandon the existing hydropower facility. UWCD submitted the 10% design report to FERC and DSOD in March 2020.
- 30% Design – A 30% design phase was performed to advance the outlet works improvement project. A subsurface exploration program was performed as part of the 30% design to obtain additional geotechnical information to support the final design. UWCD submitted the 30% design documents to FERC and DSOD in September 2021.
- 60% Design – A 60% design phase was performed to advance the outlet works improvement project. UWCD submitted the 60% design documents to FERC and DSOD in September 2022.
- 90% Design – A 90% design phase was performed to advance the outlet works improvement project. UWCD plans to submit the 90% design documents to FERC and DSOD in June 2023.

As required by FERC, UWCD convened an independent Board of Consultants (BOC) to oversee and assess the adequacy of the investigations, designs, and construction activities for the outlet works improvement project. Six BOC meetings have been held through completion of the 60% design phase. A seventh BOC meeting is scheduled for June 2023 to review the 90% design. The BOC prepared a report at the end of each meeting to present their conclusions and recommendations with regard to the ongoing design work.

The new outlet works facility will consist of the following four major components to be constructed on the left abutment of the dam:

- Sloping intake facility in the reservoir,
- Two water conveyance conduits in a tunnel through the left abutment,
- Downstream control facility (DCF), and
- Hydropower facility consisting of a small turbine located within the DCF.

The project will also include access road improvements, extension of the existing electrical power supply system to the new facilities, and a temporary trench from the DCF outlet channel to lower Piru Creek to allow for start-up testing of facilities. The existing outlet works will remain operational during construction of the outlet works improvements. Abandonment of the existing outlet works facilities and powerhouse will be part of the spillway improvement project.

The 90% design will be completed in June 2023. The remaining final design includes completion of 100% design, preparation of final bid documents, and bid phase support. The design of the outlet works improvements will evolve as additional analyses are performed, and additional input is received from UWCD, FERC, DSOD, and BOC.

The scope of work described below includes completion of final design of the outlet works improvement project, consisting of 100% design, preparation of final bid documents, and bid phase support.

## **SCOPE OF WORK**

The scope of work for the final design of the outlet works improvement project is divided into the following three tasks:

- Task 1 – 100% Design
- Task 2 – Final Bid Documents
- Task 3 – Bid Phase Support

The scope of work for each task is presented in detail below. General assumptions related to the scope of work are contained after a description of Task 3.

### **Task 1 – 100% Design**

#### **Task 1.1 – Project Management and Coordination**

This task includes management of the GEI team, contract administration, project controls, progress reporting, and coordination with UWCD, regulatory agencies, and other UWCD consultants. GEI's project manager will coordinate with UWCD throughout the duration of the work, with assistance as needed from task leads. This task includes the following activities:

- Management and supervision of the GEI design team.
- Coordination meetings of the GEI design team.
- Management, coordination, and evaluation of subconsultant services.
- Management of the project scope, schedule, and budget.
- Progress report included with submittal of monthly invoices.

Coordination and communications with UWCD includes one-hour bi-weekly progress meetings (virtual) to discuss project issues and progress.

GEI will participate in coordination meetings (virtual) with regulatory agencies and other UWCD consultants regarding relevant designs performed by others. This includes the design of a downstream release channel to connect the new concrete-lined outlet channel of the outlet works to lower Piru Creek.



GEI will assist UWCD in communications with FERC and DSOD to address issues related to process and functioning of the BOC, schedule of review submittals, and other matters related to the final design efforts. We have assumed that these communications will mainly be via phone and email.

#### Task 1.2 – 100% Analyses and Design

GEI will perform geotechnical, structural, hydraulic, mechanical, electrical, site civil, and hydropower analyses and design studies required to advance the design, plans, and specifications to a 100% level of completion. UWCD, BOC, FERC, and DSOD comments on the 90% analyses and design will be incorporated into the 100% design, as appropriate. The updated engineering design studies will be documented in the Design Report or separate TMs, as appropriate.

#### Task 1.3 – 100% Plan Drawings

GEI will update the plan drawings to bring them to a 100% level of completion. Updates will be based on the results of additional design studies and consider comments on the 90% design documents received from UWCD, FERC, DSOD, and BOC.

The drawings will be prepared in a current version of AutoCAD Civil 3D as standard 22x34-inch full size drawings, which are conveniently reducible to 11x17-inch half size drawings for reference. The plan drawings will be finalized in Task 2 to incorporate comments received from UWCD, FERC, DSOD, and BOC on the 100% submittal.

#### Task 1.4 – 100% Specifications

GEI will update the specifications to bring them to a 100% level of completion. Updates will be based on the results of additional design studies and consider comments on the 90% design documents received from UWCD, FERC, DSOD, and BOC.

Technical specifications will be submitted as individual Microsoft Word files. A compiled set of specifications will be submitted in searchable PDF format. The specifications will be finalized in Task 2 to incorporate comments received from UWCD, FERC, DSOD, and BOC on the 100% submittal.

#### Task 1.5 – 100% Geotechnical Baseline Report

GEI will update the GBR to bring it to a 100% level of completion. The update will consider comments on the 90% GBR received from UWCD, FERC, DSOD, and BOC.

This task includes finalization of the GBR to incorporate comments received from UWCD, FERC, DSOD, and BOC on the 100% submittal.

#### Task 1.6 – 100% Basis of Design Report and 100% Design Report

The Basis of Design Report (BDR) contains design criteria used for final design of the outlet works improvement project. GEI will update the BDR to bring it to a 100% level of completion. The update will consider comments on the 90% BDR received from UWCD, FERC, DSOD, and BOC.

The Design Report documents the design of facilities for the outlet works improvement project and summarizes the analyses that have been performed for the project. GEI will update the Design Report to bring it to a 100% level of completion. The update will consider comments on the 90% Design Report received from UWCD, FERC, DSOD, and BOC. Design Report will reference other documents pertinent to the design effort, such as plan drawings, specifications, and topic-specific technical memoranda and reports. TMs developed during the 100% design will be included as appendices to the 100% Design Report (or included in a separate volume).

This task includes finalization of the BDR and Design Report to incorporate comments received from UWCD, FERC, DSOD, and BOC on the 100% submittals.

#### Task 1.7 – 100% Constructability Evaluation Report and Cost Estimate

GEI will update the 90% Constructability Evaluation Report based on the 100% design information. The report will include an anticipated construction schedule (Microsoft Project format) based on an anticipated sequence of construction. This task includes finalization of the Constructability Report to incorporate comments received from UWCD, FERC, DSOD, and BOC on the 100% submittal.

Opinions of probable construction cost (OPCC) and opinions of probable project costs (OPPC) for the outlet works improvement project will be updated based on the 100% design information. The cost estimates will be updates of the AACE International Class 1 estimates developed during 90% design. The OPCC will be based on our evaluation of the major construction items appropriate to complete the work, and quantity estimates developed from the 100% design drawings. The cost estimate will be submitted as a separate TM.

#### Task 1.8 – Three-Dimensional Visualizations

GEI will update three-dimensional (3D) visualizations that depict the outlet works and spillway improvements. The visualizations will be developed using AutoCAD Civil 3D software (and Revit software by Autodesk as needed). The most current design drawings will be used to develop 3D models of the facilities.

#### Task 1.9 – Operations and Maintenance Manual

GEI will update the O&M Manual based on comments received from UWCD on the 90% O&M Manual.

#### Task 1.10 – 100% Reservoir Operations Plan During Construction

GEI will update the Reservoir Operations Plan (ROP) for the outlet works improvements construction period to bring it to a 100% level of completion. The update will consider comments on the 90% ROP received from UWCD, FERC, DSOD, and BOC.

#### Task 1.11 – Board of Consultants Meeting

There will be one meeting of the BOC near the completion of the 100% design phase (BOC Meeting No. 8), to be attended by UWCD, GEI, FERC, and DSOD. The 100% design documents to be submitted to the BOC, FERC, and DSOD for formal review are the following:

- 100% Basis of Design Report
- 100% Design Report and Appended TMs
- 100% Plan Drawings
- 100% Specifications
- 100% GBR
- 100% Constructability Evaluation Report
- Updated BOC Comment Tracking Form

GEI will perform the following in support of the 100% design BOC meeting: assist UWCD with development of a meeting agenda, prepare a list of questions for the BOC to respond to, compile and an electronic packet of information for review by meeting attendees, print two copies of the packet of information for UWCD use, develop a PowerPoint presentation to summarize key elements of the 100% design work, and attend the BOC meeting to make presentations and answer questions. We have assumed that this meeting will be held at UWCD's office in Ventura County over a two-day period and be attended by three GEI staff.

UWCD will handle scheduling of the meeting with the BOC and communications with the BOC, FERC, and DSOD relative to the meeting time and location.

#### Task 1.12 – Comment Response Memorandum

FERC, DSOD, and the BOC will submit comments on the 100% design documents submitted to them for review. GEI will update the comment tracking forms to document FERC, DSOD, and BOC comments, and provide responses to comments. GEI will update the Comment Response Memorandum (CRM). A Draft CRM will be submitted to UWCD for review and finalized to address UWCD comments on

GEI's responses. UWCD comments on the 100% design documents will be tracked and addressed separately.

Comments on the 100% design received from UWCD, FERC, DSOD, and BOC will be used to finalize reports and TMs as part of separate tasks, and to prepare final plan drawings and specifications for bidding as part of Task 2.

#### Task 1.13 – PFMA Support (Optional)

UWCD plans to engage a separate consultant to perform a potential failure modes analysis (PFMA) of the new outlet works facilities. As an optional task, GEI will participate in the PFMA to provide input on the design and operation of the new facilities. We have assumed that GEI will prepare for and participate in a three-day PFMA workshop at UWCD's office in Oxnard, CA. We have budgeted a total of 84 hours for the PFMA support effort.

#### Task 1.14 – Presentation to UWCD Board (Optional)

As an optional task, GEI will prepare for and participate in a workshop to present key elements of the 100% design to UWCD management/Board. For budgeting purposes, we have assumed that the workshop will occur over a one-day duration, will be held at UWCD's office, and be attended by two GEI staff (plus one other GEI staff as part of the spillway improvement project).

### **Task 2 – Final Bid Documents**

#### Task 2.1 – General Bid Documents

GEI will finalize bid documents, including bidding forms, bid schedule, UWCD general provisions, applicable special provisions, and measurement and payment sections.

#### Task 2.2 – Plan Drawings

GEI will finalize all plan drawings for inclusion in the final bid documents. The drawings will be finalized based on comments received from UWCD, FERC, DSOD, and BOC on the 100% design drawings.

#### Task 2.3 – Specifications

GEI will finalize all technical specifications for inclusion in the construction contract documents. The specifications will be finalized based on comments received from UWCD, FERC, DSOD, and BOC on the 100% specifications.



### **Task 3 – Bid Phase Support**

#### **Task 3.1 – Pre-Bid Meeting**

GEI will prepare for and attend a pre-bid meeting to provide an overview of the project and answer potential bidder's questions. We assume the pre-bid meeting will take place at the dam site and include a site tour for potential bidders.

#### **Task 3.2 – Respond to RFIs and Questions**

GEI will provide responses to bidder's questions and "Requests For Information" (RFIs) related to the project design.

#### **Task 3.3 – Prepare Addenda**

If requested by the UWCD, GEI will prepare addenda items as needed to clarify technical questions on the project design.

#### **Task 3.4 – Develop Conformed Plans & Specifications**

GEI will prepare a "conformed" set of plans and specifications that incorporates all addenda to the bid documents. Conformed plans and specifications are for reference only, and will include the following statement on each cover:

"The Conformed Plans and Specifications are intended to include revisions made to the Contract Documents by addenda. Conformed Plans and Specifications are for reference only and are not to be used as the Contract Documents. The United Water Conservation District does not guarantee the accuracy or completeness of the Conformed Plans and Specifications."

### **Additional Assumptions**

The following additional assumptions were made in developing the scope of work and fee estimate for final design of the outlet works improvement project:

1. The configuration of outlet works improvement facilities will be as generally shown on the 90% design documents. Changes to this general configuration required by UWCD, BOC, or regulatory agencies may require modifications to the scope of work and design fee.
2. The BOC and regulatory agencies will not request extraordinary engineering analyses beyond typical geotechnical, structural, and hydraulic evaluations for an outlet works improvement project of this type.
3. All site survey information and site topography for design of facilities will be provided by others.

4. No additional field subsurface explorations will be required for design of facilities.
5. The allowable approach velocity for fish screen design is 0.8 feet per second.
6. A passive system for cleaning of fish screens will be allowed, such that fish screens can be brought to the surface for periodic cleaning.
7. Excavations for realignment of the existing access road near the intake facility will be allowed to extend beyond UWCD's property line.
8. The outlet works improvements will not include the Amiad system for quagga mussel filtration. If UWCD decides to implement the Amiad system, then changes to the design of the outlet works facilities will be required. These design changes would be performed as additional services at additional cost. Implementation of the Amiad system would likely require additional time to complete the design and construction of the outlet works improvement project.
9. The outlet works improvements do not include design of fish passage facilities.
10. The outlet works improvements do not include design of a permanent release channel improvements beyond the concrete-lined outlet channel of the downstream control facility.
11. All deliverables will be submitted in electronic format. Two hard copies of final documents will be submitted to UWCD.
12. Comments on the 90% design by reviewing entities will be sent to GEI within six calendar weeks after submission of the documents to UWCD for distribution. The intent is to have sufficient time to incorporate review comments in the 100% design.
13. Comments on the 100% design by reviewing entities will be sent to GEI within three calendar weeks after submission of the documents to UWCD for distribution. The intent is to have sufficient time to incorporate review comments in the bid documents to be sent by UWCD to FERC and DSOD for approval.

14. FERC and DSOD approval of the bid documents will be sent to UWCD within 30 calendar days after submission of the bid documents to FERC and DSOD by UWCD. The intent is to have sufficient time to incorporate review comments on the bid documents in the final bid documents to be used by UWCD to advertise for construction bids. We have assumed that any FERC and DSOD comments on the bid documents will be minor and editorial in nature.
15. All bid documents will be printed by UWCD.
16. The bid phase support budget is an allowance amount based on an anticipated level of effort. GEI will request an increase in the budget amount if additional effort is required to respond to Requests for Information, prepare addenda, or develop conformed plans and specifications.

## Schedule

CONSULTANT shall provide professional consultation services for the Final Design for the Santa Felicia Dam Outlet Works Improvement Project in accordance with the schedule below.

Item	Approximate Date
Submit 100 Percent Design Packet for UWCD, FERC, DSOD, and BOC Review	10/30/2023
Participate in BOC Meeting No. 8	11/15-16/2023
Receive Comments on 100 Percent Design from All Entities	11/20/2023
Submit Bid Documents to UWCD for Submission to FERC and DSOD for Approval	1/19/2024
Receive FERC and DSOD Approval of Bid Documents	2/19/2024
Submit Final Bid Documents for Advertisement for Bids	3/8/2024
UWCD Advertise for Bids	3/11/2024
Complete Bid Phase Support	7/15/2024

UWCD = United Water Conservation District  
FERC = Federal Energy Regulatory Commission  
DSOD = California Division of Safety of Dams  
BOC = Board of Consultants



## Feed Estimate and Schedule of Charges

United Water Conservation District  
Outlet Works Improvement Project  
Design Fee Estimate - Final Design  
GEI Consultants, Inc.

4/21/2023

Task	GEI Labor Hours	GEI Costs	Subconsultant Costs	Total Fee
Task 1 - 100% Design	2,516	\$611,128	\$80,000	\$691,128
Task 2 - Final Bid Documents	396	\$96,388	\$6,000	\$102,388
Task 3 - Bid Phase Support	288	\$74,464	\$0	\$74,464
TOTAL	3,200	\$781,980	\$86,000	\$867,980

<u>Personnel Category</u>	<u>Hourly Billing Rate</u> <u>\$ per hour</u>
Staff Professional – Grade 1	\$ 139
Staff Professional – Grade 2	\$ 152
Project Professional – Grade 3	\$ 167
Project Professional – Grade 4	\$ 187
Senior Professional – Grade 5	\$ 221
Senior Professional – Grade 6	\$ 251
Senior Professional – Grade 7	\$ 298
Senior Consultant – Grade 8	\$ 334
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Senior Drafter and Designer	\$ 167
Drafter / Designer and Senior Technician	\$ 152
Field Professional	\$ 125
Technician, Word Processor, Administrative Staff	\$ 124
<u>Office Aide</u>	<u>\$ 97</u>

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.

**Billing Rates for Specialized Technical Computer Programs** – Computer usage for specialized technical programs will be billed at flat rates established in the Agreement. Flow3D software modeling runs will be billed at \$2,000 per run.

**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 reimbursed per the Travel Expenses provisions included in Exhibit B.  
Tolls and parking charges will be billed directly. 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.

04/21/2023

## **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 (e.g., 65.5 cents per mile for calendar year 2023, 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 (e.g., \$182.00 per night [excluding

taxes] for the months of October 2022 and January – September 2023). 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., \$55.50 (or 75% of a daily rate) per day for first and last calendar day of PROJECT work, and \$74.00 per day for additional PROJECT work days for calendar year 2023.

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:<br>Including operations, products and completed operations, as applicable. | <b>\$1,000,000</b> 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:   | <b>\$1,000,000</b> 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:** Brian H. Zahn, Chief Financial Officer

**Date:** May 3, 2023 (May 17, 2023, meeting)

**Agenda Item:** 5.2 Authorizing Payment to Casitas Municipal Water District  
for Table A Allocation  
**Motion**

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**Recommendation:**

The Board will consider approval of a motion authorizing United Water Conservation District (United) to pay Casitas Municipal Water District's (Casitas) State Water invoice on July 1, 2023.

**Background:**

United is under contract with Casitas to purchase their annual Table A State Water allocation for the next five years. This year's allocation is 100% equating to \$1,375,000 for the water under the contract and an estimated \$1,375,000 in transportation costs for a total of \$2,750,000 or \$550 per acre foot.

Casitas has invoiced United for the water in April 2023, but United has until July 1, 2023, to pay the invoice. Delivery of the water will most likely be taken later in the year. United is funding this purchase through the annual property tax assessment, but this assessment will not be collected by July 1, 2023, to pay for the purchase.

Finance staff recommends utilizing the District's State Water Fund (Fund) to pay the Casitas State Water invoice by July 1, 2023. As funds are collected through the property tax assessment, fund will be reimbursed.

**Fiscal Impact:**

The annual impact to the fund should be zero.

**Attachment:**

None

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### Staff Report

**To:** UWCD Board of Directors

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

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

**Date:** April 5, 2023 (May 17, 2023 Meeting)

**Agenda Item:** 5.3 PUBLIC HEARING Continuation of Annual Groundwater Hearing to Accept Public Comment on Groundwater Conditions within the District

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#### **Staff Recommendation:**

Continue Annual Groundwater Hearing.

#### **Discussion:**

In accordance with the California Water Code, the Board annually conducts a public hearing to consider the conditions of groundwater resources within the District. An Annual Engineering Investigation and Report of Groundwater Conditions within the United Water Conservation District was submitted to the Board's Secretary/Treasurer on April 4, 2023, and has been available for public review and comment. It is suggested that this hearing be continued through each regular Board meeting through June. During its June meeting, the Board may choose to close the hearing and consider the establishment of zones and the levying of groundwater extraction charges in those zones.

Staff presented a summary of the groundwater conditions detailed in the 2023 Annual Report. The Water Code Section 75574 uses specific definitions for terms such as "overdraft" and "total of annual overdrafts"; these terms will be explained in the context of their use in the Annual Report.

	2021-2022 (previous year)	Water Year 2022-2023 (current year)	2023-2024 (ensuing year)
<b>Annual Overdraft*</b>	61,000 AF	-69,000 AF (projected)	0 – 59,100 AF
<b>Accumulated Overdraft</b>	20,000 – 25,000 AF	20,000 – 25,000 AF	-
<b>Total of Annual Overdrafts*</b>	1,171,000 AF	-	-
<b>Estimated Groundwater Pumping for Agriculture</b>	-	-	132,000 AF

\* The methodology for calculating Annual Overdraft and Total of Annual Overdrafts was updated in 2023, as described in Attachment A.

**5.3     PUBLIC HEARING    Continuation of Annual Groundwater Hearing to Accept  
Public Comment on Groundwater Conditions within the District**

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	<b>2021-2022</b> <b>(previous year)</b>	<b>Water Year</b> <b>2022-2023</b> <b>(current year)</b>	<b>2023-2024</b> <b>(ensuing year)</b>
<b>Estimated Groundwater Pumping for M&amp;I</b>	-	-	42,000 AF
<b>Estimated Surface Water Distribution</b>	-	-	58,000 AF
<b>Total Water Distribution</b>	-	-	232,000 AF

The Forebay groundwater basin is an important element of the water resources management program implemented by the District. Staff calculates the available storage in the Forebay on a monthly basis. The available storage, as of March 2023, is approximately 63,800 AF. For reference, an available storage value of about 80,000 AF means that water levels in the Forebay basin are at about sea level and these lower water levels cannot provide the positive pressures on the seawater intruded aquifers at the coast to retard landward migration of saline waters.

**Public comment will be accepted at this time.** This hearing will be continued until Wednesday, June 14, 2023. No Board decisions will be made until the final hearing on Wednesday, June 14, 2023.

Attachment A: [Annual Investigation and Report of Groundwater Conditions within the  
United Water Conservation District](#)



## VENTURA LOCAL AGENCY FORMATION COMMISSION

801 S. VICTORIA AVENUE, SUITE 301 • VENTURA, CA 93003

TEL (805) 654-2576 • FAX (805) 477-7101

VENTURA.LAFCO.CA.GOV

April 24, 2023

Board of Directors

United Water Conservation District

1701 North Lombard Street, Suite 200

Oxnard, CA 93030

Subject: United Water Conservation District's (United) Extraction Barrier Brackish Water Treatment Project

Dear Board Members:

The purposes of the Ventura Local Agency Formation Commission (LAFCo) are to (1) discourage urban sprawl, (2) preserve open space and prime agricultural land, (3) ensure efficient provision of government services, and (4) encourage the orderly formation and development of local agencies, including cities and most special districts in the County (Government Code Section 56301). Ventura LAFCo accomplishes its purposes primarily through its authority to approve changes to the jurisdictional boundaries and service areas of these public agencies.

At Ventura LAFCo's meeting of March 15, 2023, United's General Manager, Mauricio Guardado, made a presentation to the Commission regarding United's Extraction Barrier Brackish Water Treatment Project. This treatment system would (1) extract brackish groundwater from aquifers on the Oxnard Plain to remediate the effects of past seawater intrusion, (2) develop a hydraulic barrier by intercepting landward flow of seawater, and (3) desalinate the extracted groundwater for direct use or for recharge. The project promises to reduce seawater intrusion and improve groundwater quality. It would also provide an alternate high-quality water source for municipal, industrial, and agricultural users, including the Naval Base Ventura County.

The Commission appreciated Mr. Guardado's informative presentation. After the presentation and the discussion that followed it, the Commission voted unanimously to support, in concept, United's Extraction Barrier Brackish Water Treatment Project and directed me to sign a letter expressing LAFCo's support of the project.

Should you have any questions, please feel free to contact Kai Luoma, LAFCo Executive Officer, at the phone number above.

Sincerely,

Pat Richards, Chair

cc: LAFCo Commissioners  
Mauricio Guardado, United Water Conservation District



**COUNTY of VENTURA**

## Grand Jury

800 South Victoria Avenue  
Ventura, CA 93009  
Tel (805) 477-1600  
Fax (805) 658-4523  
[grandjury.countyofventura.org](http://grandjury.countyofventura.org)

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March 30, 2023

Mr. Mauricio E. Guardado, Jr.  
General Manager, United Water Conservation District  
1701 Lombard St.  
Oxnard, CA 93030

Dear Ms. Guardado:

The members of the 2022-2023 Ventura County Grand Jury wish to convey our appreciation to you and Ms. Sofley for the very interesting and professional briefing you provided us on Tuesday, March 7, 2023, and also to your entire staff and the board members for hosting us on the tour of the Freeman Diversion Dam on March 29, 2023.

We thoroughly enjoyed our discussions, the tour, as well as the opportunity to ask questions. Visits such as these greatly assist the Grand Jury in meaningfully performing our mandated oversight obligations.

We thank you for your cooperation and professional courtesy in furthering our educational endeavor.

Sincerely,

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Harold Schneider  
Protocol Officer  
2022-2023 Ventura County Grand Jury  
[Harold.Schneider@ventura.org](mailto:Harold.Schneider@ventura.org)

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Keith Frost  
Foreperson  
2022-2023 Ventura County Grand Jury  
[Keith.Frost@ventura.org](mailto:Keith.Frost@ventura.org)





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Daniel C. Naumann

General Manager  
Mauricio E. Guardado, Jr.

Legal Counsel  
David D. Boyer

March 13, 2023

The Honorable Anna Caballero  
California State Senate District 14  
1021 O Street Suite 7620  
Sacramento CA 95814

**Subject: Support for Senate Bill 23**

Dear Senator Caballero:

Thank you for the opportunity to comment on the Senate Bill 23 Streamlining Delivery of Critical Water Projects while Protecting the Environment to Meet Challenges of Climate Change (SB 23). United Water Conservation District (United) strongly agrees with the intent of SB 23, to refine and streamline California's current regulatory process to facilitate the timely delivery of critical water resources projects.

United, located in central Ventura County, manages, protects and enhances the water resources of the Santa Clara River watershed. The water from the Santa Clara River supports the cities of Oxnard, Ventura, Santa Paula, Port Hueneme, and Fillmore, Naval Base Ventura County, and a two billion dollar per year agricultural economy. One of the District's primary activities is to capture runoff from local precipitation in the mountainous northern portion of the County for recharging the local groundwater basins and surface water delivery.

United achieves this through water appropriations licenses/permits issued by the State Water Resources Control Board (State Board) for its Santa Felicia Dam on Piru Creek and its Freeman Diversion facility on the lower Santa Clara River. These permits/licenses were issued by the State Board, in consultation with the California Department of Fish and Wildlife (CDFW), California Department of Water Resources, National Marine Fisheries Service (NMFS), and U.S. Fish and Wildlife Service (USFWS).

United is actively working to improve the existing fish passage system at its Freeman Diversion facility, and to increase its instantaneous diversion capability and permitting, in order to divert extremely high-sediment water during storm events, when fish are less likely to be impacted, for use in groundwater recharge. These activities are in line with the California Water Resiliency Plan in response to ongoing climate change. Despite this alignment, United has constantly met with opposition and delay from both state and federal regulatory agencies during the permitting and consultation process for ongoing maintenance and operation of its longstanding facilities, as well as



for new water supply projects. The regulatory process is disengaged from California's objectives to balance the water needs of the environment and people.

Following is a listing of examples of regulatory issues recently experienced by United:

- Santa Felicia Dam-Lake Piru Recreation Area Maintenance Permitting. United holds a five-year Lake and Streambed Alteration Agreement (LSAA) from CDFW for routine maintenance of the roadways, drainage facilities and visitor swim beach at its Santa Felicia Dam and associated Lake Piru Recreation Area. During 2022, United worked to renew the permits required for these routine activities. CDFW issued a new five-year LSAA, but the Los Angeles Regional Water Quality Control Board (Regional Board) requested compensatory mitigation for ongoing vegetation removal for the visitor swim beach that was not proportional to the impacts associated with a Clean Water Act 401 certification. The request for mitigation was not appropriate for any water quality impacts associated with the proposed activities and was reaching outside the authority of the Regional Board and into the area of CDFW's responsibility. After several months, this issue is still not resolved.
- Freeman Diversion Facility Upstream Sediment Management Project. Every few years, United needs to work in the Santa Clara River upstream of its Freeman Diversion to move accumulated sediment so that the main thalweg of the river remains directed to the facility's fish passage system and diversion canal intake. Work is done in a mostly dry riverbed outside of fish passage season and outside of bird nesting season, and very little vegetation is disturbed. Despite this, CDFW took months to review United's proposed scope of work, and CDFW requested mitigation significantly out of proportion to any impacts of the work. Due to the very small time window for the work (after bird nesting season ends on September 15<sup>th</sup> and before the first winter rainfall), United did not have time to utilize the arbitration process and chose to scale-back the project in order to gain timely agreement on the mitigation. United expeditiously completed the work, but will have to re-engage with the agencies for the larger scope of work that was not able to be accomplished the first time, resulting in diminished performance of its water facility and additional expenditures to the local taxpayers.
- Freeman Diversion Fish Passage Improvement Project. United has been working for several years with CDFW and NMFS to design an improved fish passage system at its Freeman Diversion Facility that will function reliably through the extremely high sediment flows and wide flow fluctuations of the Santa Clara River. This effort has proven to be extremely difficult and expensive – United has spent over ten years and \$10 million dollars modeling and designing several different fish passage systems. In 2012, at the start of the design and modeling effort, CDFW, NMFS, and USFWS provided direction on the fish species that the improved facility was to be designed to pass, *O. mykiss* (Rainbow trout/steelhead), and *E. tridentatus* (Pacific lamprey). In 2021, when United was building multi-million dollar scale models, CDFW added three new native fish species to the list of fish that the facilities must be designed to pass. Neither modeled facility can pass these three small fish species without significant redesign. CDFW provided no reason for why it did not provide these three species early in the design process, nor could it provide any examples of other fish passage facilities in California that it was requiring to pass these species.



- **Freeman Instantaneous Capacity Expansion.** During the design and permitting process for the improved Freeman Diversion facility, NMFS and CDFW recommended that United operate its facility to bypass (not divert) significant water following precipitation events to facilitate *O. mykiss* and *E. tridentatus* migration to and from the Pacific Ocean. The two agencies recommended that United improve the facility's capabilities to divert extremely sediment laden water during storm flow periods, in order to maintain the water yield of the facility, and that they would support the proposal before the State Water Resources Control Board for a change of instantaneous diversion rate without changing the maximum quantity of the diversion. United has worked for years to design and model Freeman Diversion modifications (diversion works, fish screening, canal capacity, expanded, desilting system, expanded groundwater recharge facilities) that can divert double the instantaneous flow of extremely high-sediment water for short periods during and immediately after storms, when fish are unlikely to be migrating. The proposed change is directly aligned with the California Water Supply Strategy (August 2022). CDFW and NMFS have recently changed their minds regarding this advice, and state that they no longer support the proposal.
- **Santa Felicia Dam Safety Project.** The Federal Energy Regulatory Commission (FERC) issued a 40-year license to United for its Santa Felicia Project in 2008. United has been working to develop, permit and implement the many requirements in the license. One of the requirements was to form an expert panel to evaluate potential fish passage past the dam. CDFW and NMFS were both active participants in the collaborative effort to evaluate all fish passage options. The expert panel found that volitional passage was technically infeasible and recommended trap and transport fish passage, following biological and engineering studies, and the establishment of biological triggers for implementation. United agreed and initiated the required biological and engineering studies. In 2022, CDFW informed United that it no longer supports trap and transport as an acceptable fish passage methodology for any facility, despite being actively involved with the expert panel that recommended the trap and transport fish passage. In addition to fish passage at the Santa Felicia Dam, United is designing and preparing to construct improvements to the existing dam to address seismic and flood vulnerabilities. Both FERC and the California Division of Safety of Dams have been actively involved and supportive of these improvements to protect the approximately 400,000 persons living downstream of the dam. CDFW and NMFS are now stating that they may not be able to permit the dam safety projects if their desired volitional fish passage requirements are not incorporated into the project. Halting design of the safety improvements and re-engaging with CDFW and NMFS on this issue would jeopardize the health and safety of the people who are depending upon United and the state and federal dam safety agencies to ensure that its dam remains safe.

These are just a few of the examples of regulatory dysfunction regarding water supply projects. In order to facilitate meaningful improvements in the conception, planning and permitting of water supply projects that can meet California's current and future water resources needs in light of climate change, California needs to make more significant changes to its regulatory process. Senate Bill 23 is a good first step in that process and we would be happy to support this important piece of legislation.



The Honorable Anna Caballero  
California State Senate District 14  
March 13, 2023  
Page 4

To that end, if United's experiences with these various regulatory agencies may be of further help to your efforts in securing support for SB 23, we would be happy to be involved with any outreach efforts you and your staff may be organizing.

Thank you for your time and consideration of United's comments.

Sincerely,

Mauricio E. Guardado, Jr.  
General Manager





March 15, 2023

The Honorable Nancy Skinner  
Chair, Senate Budget Committee  
1021 O Street, Room 8630  
Sacramento, CA 95814

The Honorable Josh Becker  
Chair, Senate Budget Subcommittee #2  
1021 O St., Ste. 7250  
Sacramento, CA 95814

**RE: 2023-24 State Budget: Water Rights Modernization Continuation - Support for \$31.5 Million  
in Governor's Proposed Budget**

**Dear Budget Committee and Subcommittee Chairs:**

On behalf of the entities listed below, we are writing to express our support for the inclusion of \$31.5 million in the Governor's proposed budget to the State Water Resources Control Board (State Water Board) for Water Rights Modernization Continuation.

**Enhanced water rights data and technologies** are integral to the modernization of our water management system in California. This includes a combination of measurement (stream gages, snow survey) with data and technology (digitizing records, forecast-informed reservoir operations, improving the water right data management system) to improve the water unavailability methodology that provides the basis for implementing the water rights priority system and to verify water rights. ([California's Water Supply Strategy](#) 4.1 and 4.3; *Piloting a Water Rights Information System for California*). Good data and information are foundational to implementing our water rights system, leading the State Legislature to invest more than \$82 million over the past two years to help advance this important effort.

The State Water Board has made tremendous progress over the past decade improving its water unavailability methodology to more effectively implement the water rights priority system. We laud this progress and focus on the ongoing efforts to help the State Water Board improve our current water rights system in California to be more effective during dry years. Fundamentally, the work that will be undertaken by the State Water Board pursuant to this budget allocation is essential for increasing transparency and improving the administration of our water rights system.

We strongly encourage your support for this budget allocation for these critical efforts.

Sincerely,

Jim Abercrombie, General Manager  
El Dorado Irrigation District

Kristopher Anderson, State Relations Advocate  
Association of California Water Agencies

Brenda Bass, Policy Advocate  
California Chamber of Commerce

Tom Coleman, General Manager  
Rowland Water District

Gail Delihant, Sr. Director, CA Government Affairs  
Western Growers Association

Ed Franciosa, P.E., General Manager  
Modesto Irrigation District

Mauricio Guardado, General Manager  
United Water Conservation District

David Guy, President  
Northern California Water Association

Dennis J. Herrera, General Manager  
San Francisco Public Utilities Commission

Erik Hitchman, General Manager  
Walnut Valley Water District

Mark Krause, General Manager and Chief Engineer  
Desert Water Agency

Dennis LaMoreaux, General Manager  
Palmdale Water District

Chris Lee, Interim General Manager  
Solano County Water Agency

Bob Reeb, Executive Director  
Valley Ag Water Coalition

Michelle Reimers, General Manager  
Turlock Irrigation District

Greg Thomas, General Manager  
Elsinore Valley Municipal Water District

**cc: Members of Senate Budget Subcommittee #2**



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Daniel C. Naumann

General Manager  
Mauricio E. Guardado, Jr.

Legal Counsel  
David D. Boyer

March 15, 2023

The Honorable Salud Carbajal  
U.S. House of Representatives – CA 24  
2331 Rayburn House Office Building  
Washington, DC 20515

Dear Congressman Carbajal:

As General Manager of United Water Conservation District (United), a groundwater management agency and a regional wholesale water supplier in Ventura County, I am writing in support of the City of Ventura's application for federal assistance through the Fiscal Year 2024 Congressionally Directed Spending Requests for the State Water Interconnection Project.

This pipeline will allow United an alternate means of accessing our State Water allocation. Although United has access to our State Water entitlement, we have environmental restrictions on the timing and quantity of deliveries. This project will allow United to take direct deliveries of State Water Project water supplies in order to enhance groundwater recharge options, as well as provide an emergency connection.

This project will enhance regional water supply reliability in times of outages and/or shortages and improve drought resiliency for the region. I support the City's pursuit of federal funding to support this important regional project.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Guardado", is positioned above the printed name and title.

Mauricio Guardado  
General Manager



March 21, 2023

TO: Members, Assembly Committee on Water, Parks, and Wildlife

**SUBJECT: AB 429 (BENNETT) GROUNDWATER WELLS: PERMITS  
HEARING SCHEDULED MARCH 28, 2023  
OPPOSE – AS AMENDED MARCH 2, 2023**

The undersigned organizations respectfully **OPPOSE AB 429** because this bill restricts the water available for food production and restricts the local control of groundwater previously guaranteed by the Sustainable Groundwater Management Act (SGMA). In addition, the proposed requirements in the bill are untimely and present significant cost concerns for farmers and other businesses.

### **AB 429 is Untimely as DWR is Evaluating Best Practices for Well Permitting**

The regulatory regime for well permitting included in **AB 429** is premature at this point in time. The Department of Water Resources (DWR) is currently reviewing steps taken by local well permitting agencies in response to the Governor's March 28, 2022 Executive Order (N-7-22). DWR's Sustainable Groundwater Management Office (SGMO) is developing an analysis of agency actions to address how location and construction considerations of proposed wells can identify, minimize, prevent and/or mitigate well interference and land subsidence impacts. The SGMO intends to summarize recommendations that can be used to develop future solutions—whether legislative or executive—that align land use planning and groundwater use. SGMO is currently conducting outreach to local agencies and expects to complete the analysis later this year.

Since the intention of DWR's analysis is to provide information to inform future policy direction, it is premature to impose well permitting restrictions. Rather, it is prudent to wait for the outcome of the DWR analysis before seeking to create permanent changes to well permitting. In the meantime, the provisions in Executive Order N-7-22 remain in place.

### **Onerous Findings Critically Delay Well Permitting**

**AB 429** would create a new permitting process for groundwater wells that will negatively impact agricultural businesses, rural communities that rely on a thriving agricultural economy for their livelihoods, and food security. This bill imposes a strict new mandate on how groundwater sustainability agencies (or GSAs) must operate and manage their own groundwater basins. Rather than allowing GSAs to determine which



management options are best suited for local conditions, this bill would require that GSAs make specific findings related to new groundwater wells before a county could authorize such a well.

It is important to note that GSAs currently possess the authority to manage groundwater and impose restrictions on groundwater extraction and use. The difference is that each and every GSA is not *required* to make the same specific findings in the manner prescribed by **AB 429**. In that sense, the bill imposes a state mandate and circumvents local control. SGMA acknowledges that not every groundwater basin is the same, and that no single management solution is the right fit for every basin. **AB 429** does not afford GSAs the necessary flexibility to tailor management to local conditions as required under SGMA.

Specifically, **AB 429** requires a GSA to determine that a new or altered well will not impact other nearby wells or cause subsidence that impacts nearby infrastructure. This is difficult if not impossible to assess. SGMA already authorizes a GSA to impose spacing requirements on new wells to minimize well interference, to control groundwater extractions, and to regulate the construction of new wells. (Wat. Code, § 10726.4). Furthermore, the findings a GSA and county must make under this bill tend to make well permitting decisions appear discretionary. This could make well permitting decisions subject to the California Environmental Quality Act (CEQA). CEQA necessarily introduces delay and litigation risk to public agency actions.

### **No Recourse for a GSA's Failure to Act**

The bill requires a GSA to issue a verification that a well is consistent with its GSP before a county can approve a permit. However, there is no requirement that a GSA timely act on a requested verification. Not all GSAs are created equal – some have very limited staff capacity, and others may have multiple priorities. We are concerned that without a deadline by which a GSA must act, well permit applications will fall to the wayside and not be processed for a significant length of time. A GSA's failure to timely act should not be the reason that a farmer is unable to irrigate permanent crops, keep a farm business afloat, and provide quality food for California and the United States.

### **Language Referring to A Percentage of Dry Wells Is Vague**

The provisions in this bill would be triggered in a scenario where 1% of domestic wells go dry in a critically overdrafted basin, starting from the effective date of the bill. However, it is unclear how this figure will be determined and by whom or what agency. Furthermore, there are no provisions for what might happen should groundwater levels improve, which is of course the goal of bringing basins into sustainability.

We appreciate the severity of the recent drought and the effects that the drought has had on all of us. However, we must respectfully **OPPOSE AB 429** as it imposes mandates that have not been developed with the benefit of deeper analysis of effective mechanisms for reducing potential negative impacts of new wells.

Sincerely,



Brenda Bass  
Policy Advocate  
On Behalf of

Agricultural Council of California, Tricia Geringer  
California Alfalfa and Forage Association, Nicole Helms  
California Association of Wine Grape Growers, Michael Miller  
California Cattlemen's Association, Kirk Wilbur  
California Chamber of Commerce, Brenda Bass  
California Cotton Ginners and Growers Association, Roger Isom  
California Grain and Feed Association, Dennis Albiani

California Fresh Fruit Association, Ian LeMay  
California Food Producers, Margie Lie  
California Manufacturers and Technology Association, Dean Talley  
California Seed Association, Dennis Albiani  
California Walnut Commission, Robert Verloop  
Kings River Conservation District, Jack Gualco  
Kings River Water Association, Jack Gualco  
Winegrowers of Napa, Michelle Benvenuto  
United Water Conservation District, Mauricio Guardado  
Valley Ag Water Coalition, Bob Reeb  
Ventura County CoLab, Louise Lampara  
Western Agricultural Processors Association, Roger Isom  
Western Growers Association, Gail Delihant  
Western Plant Health Association, Renee Pinel  
Wine Institute, Noelle Cremers

Cc: Legislative Affairs, Office of the Governor  
Candace Cotton, Office of Assemblymember Bennett  
Pablo Garza, Assembly Committee on Water, Parks, and Wildlife  
Brent Finkel, Assembly Republican Caucus



March 21, 2023

TO: Members, Assembly Committee on Water, Parks, and Wildlife

**SUBJECT: AB 560 (BENNETT) SUSTAINABLE GROUNDWATER MANAGEMENT ACT: GRUNDWATER ADJUDICATION  
HEARING SCHEDULED MARCH 28, 2023  
OPPOSE – AS INTRODUCED FEBRUARY 8, 2023**

The undersigned organizations respectfully **OPPOSE AB 560**, which proposes to require that the court provide a proposed judgment in a groundwater adjudication to the State Water Resources Control Board (State Water Board) for an advisory opinion on that judgment.

Comprehensive groundwater adjudications are notoriously complex, lengthy, and expensive legal proceedings. We are concerned that the bill as currently drafted is either duplicative of existing law or may serve as a means to provide a veto power over a judicial proceeding by the executive. We request that the bill be clarified to ensure that the separation of powers is honored and to ensure that provisions are not duplicative.

Under existing law, the court must make a finding that the judgment will not impair a groundwater sustainability agency's (GSA) or the state's ability to achieve sustainable groundwater management. Currently, the GSA is often the lead defendant in a groundwater adjudication, or if they are not initially named, a GSA has a right to intervene in an adjudication affecting its basin. (Code Civ. Proc., § 837.) This means that the perspective of GSAs, and their ability to meet their duties under the Sustainable Groundwater Management Act (SGMA), will be directly represented in the adjudication proceedings.

In addition, Water Code section 2000 already authorizes courts to refer issues, such as those relating to the sustainable yield of a basin and relative allocations, to the State Water Board. Many courts do take advantage of this ability. Importantly, the ability to refer specific questions, framed with input from the court and all parties, occurs within the pendency of the proceeding. Additionally, under Code of Civil Procedure (CCP) section 837, the state can intervene and become a party to a groundwater adjudication. A court can request the State Water Board's recommendations on individuals who would be suitable as a special master in an adjudication pursuant to CCP section 845. These consultations or intervention occur at a time when the State Water Board's input may be most helpful in informing the outcome of a judgment. That is, while the proceedings are still ongoing and allocations are being determined. In this sense, **AB 560** as currently drafted is duplicative of existing law and serves to further delay lengthy adjudication proceedings by adding yet a further consultation requirement that lacks any timeframe for the State Water Board's response. Perhaps a cross-reference to the provisions in Water Code section 2000 and/or CCP sections 837.5 and 845 would achieve **AB 560**'s goals without layering further steps on an already complex process.

If the bill is not intended to be substantially duplicative of the consultation abilities in Water Code section 2000 and CCP section 845, we are concerned that the bill is intended to give the State Water Board—an arm of the executive branch—"veto" power over a proposed judicial decision. This would be a violation of the separation of powers doctrine. This fundamental principle of United States government ensures that each branch of the government, executive, judicial,

and legislative, can act independently within their scope of powers to serve as a check on the other branches. Giving an executive agency the power to essentially disapprove of a judicial decision takes away a court's ability to independently find facts and make legal determinations regarding the rights and responsibilities of the parties before it. This is a critical issue, and we request that the bill be amended to prevent the possible interpretation that a consult between the State Water Board and the court would infringe upon the doctrine of separation of powers.

For these and other reasons, we must respectfully **OPPOSE AB 560**. We look forward to continuing discussions with the author.

Sincerely,



Brenda Bass

On behalf of

African American Farmers of California, Will Scott, Jr.  
Agricultural Council of California, Tricia Geringer  
California Apple Commission, Todd Sanders  
California Blueberry Association, Todd Sanders  
California Blueberry Commission, Todd Sanders  
California Chamber of Commerce, Brenda Bass  
California Fresh Fruit, Ian LeMay  
California Food Producers, Margie Lie  
California State Association of Counties (CSAC), Catherine Freeman  
California Walnut Commission, Robert Verloop  
Nisei Farmers League, Manuel Cunha, Jr.  
Kings River Conservation District, Tomas Garza  
Kings River Water Association, Tomas Garza  
United Water Conservation District, Mauricio Guardado  
Western Growers Association, Gail Delihant  
Western Plant Health Association, Renee Pinel

Cc: Legislative Affairs, Office of the Governor  
Candace Cotton, Office of Assemblymember Bennett  
Pablo Garza, Assembly Committee on Water, Parks, and Wildlife  
Brent Finkel, Assembly Republican Caucus





March 21, 2023

TO: Members, Assembly Committee on Water, Parks, and Wildlife

**SUBJECT: AB 1563 (BENNETT) GROUNDWATER SUSTAINABILITY AGENCY: GROUNDWATER EXTRACTION PERMIT: VERIFICATION HEARING SCHEDULED MARCH 28, 2023 OPPOSE – AS INTRODUCED FEBRUARY 17, 2023**

The undersigned organizations respectfully **OPPOSE AB 1563** because this bill imposes significant costs upon well applicants and increases the likelihood of legal challenges to well permitting decisions. Small family farmers are the least likely to be able to afford the new requirements in this bill, particularly when these farmers are already struggling to keep their businesses running. In addition, the proposed requirements in the bill are untimely, considering current state study into well permitting best practices.

#### **AB 1563 is Untimely as DWR is Evaluating Best Practices for Well Permitting**

The regulatory regime for well permitting included in **AB 1563** is premature at this point in time. The Department of Water Resources (DWR) is currently reviewing steps taken by local well permitting agencies in response to the Governor's March 28, 2022 Executive Order (N-7-22). DWR's Sustainable Groundwater Management Office (SGMO) is developing an analysis of agency actions to address how location and construction considerations of proposed wells can identify, minimize, prevent and/or mitigate well interference and land subsidence impacts. The SGMO intends to summarize recommendations that can be used to develop future solutions—whether legislative or executive—that align land use planning and groundwater use. SGMO is currently conducting outreach to local agencies and expects to complete the analysis later this year.

Since the intention of DWR's analysis is to provide information to inform future policy direction, it is premature to impose well permitting restrictions. Rather, it is prudent to wait for the outcome of the DWR analysis before seeking to create permanent changes to well permitting. In the meantime, the provisions in Executive Order N-7-22 remain in place.

#### **Onerous Technical Requirements Impose Unaffordable Costs on Well Applicants**

**AB 1563** requires well applicants to provide a permitting agency (i.e., a county) with a report written by a licensed professional that concludes that extracting groundwater from a proposed well is unlikely to cause harm to nearby wells or infrastructure. While simple in concept, this determination is incredibly difficult to reach. First, unlike surface water, groundwater has many layers, and not all aquifers are connected to one another, even when close by. Thus, the question is three-dimensional. This is but one example of how this provision would require a deep and comprehensive study and analysis of the aquifers in the basin, plus all other wells and overlying infrastructure.

Addressing the complexity of these factors and variables means the required report will cost a significant sum. Several groundwater agencies are currently undertaking similar studies as part of their Sustainable Groundwater Management Act (SGMA) compliance, and price tags exceed \$2 million. This is simply unaffordable for a typical well applicant, in particular small or family farmers.

Instead, we urge that this requirement be removed and replaced with a more attainable certification on the part of the well applicant that acknowledges: (1) the law and the local groundwater sustainability agency's (GSA) authority to manage and restrict pumping from that well based on requirements in its groundwater sustainability plan (GSP), and (2) that the well will be operated in compliance with those requirements.

### **Posting a Well Application May Invite Legal Challenge**

This bill requires a permitting agency to post a well permit application to its website for 30 days. This requirement begins to make the bill appear as though it is making well permitting decisions discretionary actions, rather than ministerial as these actions are typically considered. Accordingly, well permitting decisions may face increased legal challenge pursuant to the California Environmental Quality Act (CEQA) or other actions contesting local governmental decision-making, since these actions are aimed at discretionary (but not ministerial) government actions. Notwithstanding this concern, this requirement adds unnecessary time to a process that is otherwise ministerial, increasing the burden on local governments and delay and expense for well applicants.

### **No Recourse for a GSA's Failure to Act**

The bill requires a GSA to issue a verification that a well is consistent with its GSP before a city or county can approve a permit. However, there is no requirement that a GSA timely act on a requested verification. Not all GSAs are created equal – some have very limited staff capacity, and others may have multiple priorities. We are concerned that without a deadline by which a GSA must act, well permit applications will fall to the wayside and not be processed for a significant length of time. A GSA's failure to timely act should not be the reason that a farmer is unable to irrigate permanent crops, keep a farm business afloat, and provide quality food for California and the United States.

### **SGMA Is Operating Across Critically Overdrafted Basins**

Recently, DWR has approved many groundwater sustainability plans (GSPs) in critically overdrafted basins. Even the few plans that were not approved are moving through the backstop procedures put in place in the landmark 2014 legislation. This means that GSAs are actively monitoring and regulating groundwater usage. The Sustainable Groundwater Management Act (SGMA) provides GSAs with many tools to use in regulating the use of groundwater beyond the permitting of new wells. SGMA acknowledges that not every groundwater basin is the same, and that no single management solution is the right fit for every basin. Thus, GSAs should be allowed to use the tools they see fit to address the needs of the basin they steward. This bill imposes a one-size-fits-all approach that focuses only on new wells, where existing law empowers GSAs to use local expertise to determine what regulations or restrictions are needed to bring basins into sustainability.

We appreciate the severity of the recent drought and the impacts that the drought has had on all of us. However, we do not believe that **AB 1563** is the appropriate way to address drought conditions. Accordingly, we must respectfully **OPPOSE AB 1563** for the above reasons.

Sincerely,



Brenda Bass  
Policy Advocate  
On Behalf of

Agricultural Council of California, Tricia Geringer  
California Alfalfa and Forage Association, Nicole Helms  
California Association of Wine Grape Growers, Michael Miller  
California Cattlemen's Association, Kirk Wilbur  
California Chamber of Commerce, Brenda Bass  
California Cotton Ginners and Growers Association, Roger Isom  
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Kings River Water Association, Jack Gualco  
Winegrowers of Napa, Michelle Benvenuto  
Northern California Water Association, Ivy Brittain  
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Ventura County CoLab, Louise Lampara  
Western Agricultural Processors Association, Roger Isom  
Western Growers Association, Gail Delihant  
Western Plant Health Association, Renee Pinel  
Wine Institute, Noelle Cremers

Cc: Legislative Affairs, Office of the Governor  
Candace Cotton, Office of Assemblymember Bennett  
Pablo Garza, Assembly Committee on Water, Parks, and Wildlife  
Brent Finkel, Assembly Republican Caucus



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Daniel C. Naumann

General Manager  
Mauricio E. Guardado, Jr.

Legal Counsel  
David D. Boyer

March 28, 2023

The Honorable Shannon Grove  
California State Senate  
1021 O Street, Room 7150  
Sacramento, CA 95814

Re: Supporting Senate Bill No. 651 Water storage and recharge: California Environmental Quality Act: Sacramento-San Joaquin Delta Reform Act of 2009: exemptions.

Dear Senator Grove:

I am writing to you on behalf of United Water Conservation District (UWCD), a non-profit California Special District formed in 1950 to manage, protect, conserve and enhance the region's water supply. Through careful monitoring and management, UWCD maintains the water resources of the Santa Clara River, its tributaries and associated aquifers in Ventura County in an environmentally balanced manner while also developing innovative and collaborative solutions to thwart seawater intrusion, over pumping of groundwater basins and prolonged periods of drought. With our mission front of mind, we wholly support your proposed amendments to California's Public Resources Code and Water Code as defined in Senate Bill 651, Water storage and recharge: California Environmental Quality Act (CEQA): Sacramento-San Joaquin Delta Reform Act of 2009: exemptions introduced to California's Senate on February 16, 2023.

While it is the "policy of this state that, to help advance groundwater recharge projects, and to demonstrate the feasibility of projects that can use available high water flows to recharge local groundwater while minimizing flood risks, the state board and the regional water quality control boards prioritize water right permits, water quality certifications, waste discharge requirements, and conditional waivers of waste discharge requirements to accelerate approvals for projects that enhance the ability of a local or state agency to capture high precipitation events for local storage or recharge, consistent with water right priorities and protections for fish and wildlife," we continue to face resistance from regulatory agencies in the advancement and completion of projects that balance the public trust resources with UWCD's water resource management objectives mandated by the State.

Regulatory agencies have demonstrated a bias and an unwillingness to consider the advantages of the Freeman Diversion High Turbidity Capture and Conveyance Upgrades, which would reduce the risk to endangered southern California steelhead while still allowing UWCD to meet its mission of diverting water for use in recharging groundwater basins. UWCD has been directed to incorporate new requirements into this project based on unsubstantiated opinions rather than best science. These requirements, for example, increased bypass flows and passage for non-listed species without proper justification, could result in a project that fully benefits neither fish nor humans.



The Honorable Shannon Grove  
Support for California State Senate Bill 651  
March 28, 2023  
Page 2

Your proposed bill, exempting actions taken by a state agency, or by a local agency if the state agency with primary responsibility for the implementation of directives addressing impacts of drought concurs that local action is required, from CEQA, and the permits that are necessary to carry out those actions. We believe that this would accelerate approvals for projects that enhance the ability of a local or state agency to capture high precipitation events for local storage or recharge, consistent with water right priorities and protections for fish and wildlife.

UWCD has an annual budget of approximately \$30 million dollars. In 2022, between CEQA and National Environmental Policy act (NEPA) permitting and work on UWCD's fifth version of its Habitat Conservation Plan and California Endangered Species Act (CESA) obligations, UWCD has spent \$2,279,000, or nearly 10 percent of its annual budget. This figure does not include project design or construction costs, and severely impedes the development of vital water sustainability projects. To this end, UWCD offers its full support to you in bringing Senate Bill 651 forward to the legislature.

If we may be of further support in sharing the regulatory experiences of our district with others in the legislature, providing real-world examples of the need for the state board and the regional water quality control boards to prioritize water right permits, we would be happy to do so.

Respectfully,



Mauricio E. Guardado, Jr., general manager

cc: Members, California Senate Committee on Natural Resources and Water ([sntr@sen.ca.gov](mailto:sntr@sen.ca.gov))  
Senator Dave Min (Chair)  
Senator Kelly Seyarto (Vice Chair)  
Senator Benjamin Allen  
Senator Brian Dahle  
Senator Susan Talamantes Eggman  
Senator Shannon Grove  
Senator Melissa Hurtado  
Senator John Laird  
Senator Monique Limón  
Senator Steve Padilla  
Senator Henry I. Stern

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Sandra Sanders: [sandra.sanders@sen.ca.gov](mailto:sandra.sanders@sen.ca.gov)



March 30, 2023

The Honorable Nancy Skinner  
Chair, Senate Budget Committee  
1021 O Street, Room 8630  
Sacramento, CA 95814

The Honorable Josh Becker  
Chair, Senate Budget Subcommittee #2  
1021 O St., Ste. 7250  
Sacramento, CA 95814

The Honorable Phil Ting  
Chair, Assembly Committee on Budget  
1021 O Street, Room 8230  
Sacramento, CA 95814

The Honorable Steve Bennett  
Chair, Assembly Budget Subcommittee #3  
1021 O St., Ste. 4710  
Sacramento, CA 95814

**RE: 2023-24 State Budget: Water Rights Modernization Continuation - Support for \$31.5 Million  
in Governor's Proposed Budget**

**Dear Budget Committee and Subcommittee Chairs:**

On behalf of the entities listed below, we are writing to express our support for the inclusion of \$31.5 million in the Governor's proposed budget to the State Water Resources Control Board (State Water Board) for Water Rights Modernization Continuation.

**Enhanced water rights data and technologies** are integral to the modernization of our water management system in California. This includes a combination of measurement (stream gages, snow survey) with data and technology (digitizing records, forecast-informed reservoir operations, improving the water right data management system) to improve the water unavailability methodology that provides the basis for implementing the water rights priority system and to verify water rights. (*California's Water Supply Strategy* 4.1 and 4.3; *Piloting a Water Rights Information System for California*). Good data and information are foundational to implementing our water rights system, leading the State Legislature to invest more than \$82 million over the past two years to help advance this important effort.

The State Water Board has made tremendous progress over the past decade improving its water unavailability methodology to more effectively implement the water rights priority system. We laud this progress and focus

on the ongoing efforts to help the State Water Board improve our current water rights system in California to be more effective during dry years. Fundamentally, the work that will be undertaken by the State Water Board pursuant to this budget allocation is essential for increasing transparency and improving the administration of our water rights system.

We strongly encourage your support for this budget allocation for these critical efforts.

Sincerely,

Jim Abercrombie, General Manager  
El Dorado Irrigation District

Erik Hitchman, General Manager  
Walnut Valley Water District

Kristopher Anderson, State Relations Advocate  
Association of California Water Agencies

Mark Krause, General Manager and Chief Engineer  
Desert Water Agency

Brenda Bass, Policy Advocate  
California Chamber of Commerce

Dennis LaMoreaux, General Manager  
Palmdale Water District

Danielle Blacet-Hyden, Deputy Executive Director  
California Municipal Utilities Association

Chris Lee, Interim General Manager  
Solano County Water Agency

Justin Caporusso, Executive Director  
Mountain Counties Water Resources Association

James Peifer, Executive Director  
Regional Water Authority

Tom Coleman, General Manager  
Rowland Water District

Jennifer Pierre, General Manager  
State Water Contractors

Gail Delihant, Sr. Director, CA Government Affairs  
Western Growers Association

Bob Reeb, Executive Director  
Valley Ag Water Coalition

Ed Franciosa, P.E., General Manager  
Modesto Irrigation District

Michelle Reimers, General Manager  
Turlock Irrigation District

Mauricio Guardado, General Manager  
United Water Conservation District

Jeffery Sutton, General Manager  
Tehama-Colusa Canal Authority

David Guy, President  
Northern California Water Association

Greg Thomas, General Manager  
Elsinore Valley Municipal Water District

Dennis J. Herrera, General Manager  
San Francisco Public Utilities Commission

Chris White, Executive Director  
San Joaquin River Exchange Contractors Water  
Authority

cc: **Members of Senate Budget Subcommittee #2**  
**Members of Assembly Budget Subcommittee #3**



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Catherine P. Keeling  
Gordon Kimball  
Daniel C. Naumann

General Manager  
Mauricio E. Guardado, Jr.

Legal Counsel  
David D. Boyer

April 6, 2023

The Honorable Ken Calvert  
U.S. House of Representatives  
2205 Rayburn  
Washington, DC 20515

Re: Support for H.R. 872, the Federally Integrated Species Health (FISH) Act

Dear Mr. Calvert:

We write to give our appreciation and strongest possible support for H.R. 872, which you introduced earlier this congress.

We believe that by consolidating the management and regulation of the Endangered Species Act (ESA) within the U.S. Fish and Wildlife Service, all stakeholders affected by the ESA will benefit from a unified approach to managing threatened and endangered species. H.R. 872 will reduce conflicting and often irreconcilable agency directives, providing better understanding and policy alignment for all involved.

Too often, the conflicting directives that water districts like ours receive from regulatory agencies cause litigation, paralysis and costly delays. By reducing, and hopefully eliminating, incompatible biological directives taken by competing resource agencies, those of us charged with protecting, preserving, managing and enhancing the endangered species who inhabit our regional waters can take actions to protect ESA listed species. We will be in a vastly superior position to fulfill our preservation mandate, which can only benefit the regional ecosystem.

As many have pointed out, H.R. 872 is an important step in reducing wasted time and money while maintaining sound and responsible resource management decisions. We applaud your legislation as it represents a practical, common-sense approach to enhancing protections for ESA listed species. Improving the efficiency and effectiveness of the federal government's approach to species protection through better decision-making is a goal that we should all strive for. Ultimately, we are confident that this legislation would only serve to positively benefit species.

Thank you for your time and consideration.

Respectfully,

A handwritten signature in blue ink, appearing to read "M. E. Guardado", is written over a light blue circular stamp.

Mauricio Guardado, general manager



**AB 460 (BAUER-KAHAN) STATE WATER RESOURCES CONTROL BOARD: WATER RIGHTS AND USAGE: INTERIM RELIEF: PROCEDURES**





April 11, 2023

TO: Members, Assembly Water, Parks, and Wildlife Committee

SUBJECT: **AB 460 (BAUER-KAHAN) STATE WATER RESOURCES CONTROL BOARD: WATER RIGHTS AND USAGE: INTERIM RELIEF: PROCEDURES  
OPPOSE - AS AMENDED MARCH 30, 2023  
SCHEDULED FOR HEARING APRIL 18, 2023**

The undersigned organizations must respectfully **OPPOSE AB 460**, which would provide expansive new authority for the State Water Resources Control Board to issue “interim relief orders,” on its own motion or upon petition of an interested party, to apply or enforce such things as the Reasonable Use and Public Trust Doctrine. The bill would also eliminate and weaken constitutionally protected rights to judicial review of State Water Board actions. While our organizations believe that illegal diversions are serious and should not be sanctioned, **AB 460** goes far beyond what is needed for the State Water Board to enforce and discourage illegal water diversions. **AB 460** is not only contrary to both the State and Federal constitutions, and in conflict with California’s Administrative Procedures Act, but it portends ill-conceived and uninformed water management actions that will, in all likelihood, result in worse outcomes for the fish and wildlife resources that the bill purports to protect.

#### **The Scope Is Overly Broad and Implicates Questions Unsuitable for Interim Relief**

We are concerned that this bill encompasses far more than alleged illegal diversions of surface water or violations of State Water Board orders. First, the bill proposes to authorize interim relief order and limit judicial review of numerous constitutional, statutory and common law doctrines that, by definition, require robust evidentiary records and full judicial review. For example, in addition to the Reasonable Use and Public Trust Doctrines, **AB 460** would authorize interim relief in actions concerning standards promulgated under the state’s comprehensive water quality law (Porter-Cologne). For example, Water Code section 13241 governs the State Water Board’s and regional water quality control boards’ (Regional Boards) obligations to set water quality objectives, and the considerations and balancing that the boards must undertake when establishing and amending objectives. Water Code section 13241 includes, for instance, the need to develop housing in the area and the need to develop and use recycled water, among other local and regional considerations, when setting water quality objectives. Water Code sections 13550 *et seq.* relate directly to uses of recycled water. This bill would allow third parties to use the interim enforcement proceedings in **AB 460** as a new pathway to attack decisions relating to housing and recycled water projects.

Furthermore, as part of Porter-Cologne, Water Code sections 13241 and 13550 *et seq.* are already subject to a different set of mechanisms for enforcement and interim relief.<sup>1</sup> It is concerning that this could create a different, duplicative procedure for aggrieved parties to seek State Water Board investigation of water quality-related orders, discharges to water, or uses of recycled water. It is unnecessary to create new enforcement authority to address water quality issues when Porter-Cologne already provides adequate enforcement authority.

In addition, **AB 460** allows the State Water Board to issue interim relief for alleged violations of the Public Trust Doctrine, which is not defined in the bill. While the concept of public trust has long been interwoven in water and environmental law, courts have struggled to define exactly what it means and when it applies. For example, the doctrine requires the state to hold in trust designated resources for the benefit of the people; but, to which natural resources it applies has been subject to debate. And even the *National Audubon* case, which famously applies the Public Trust Doctrine to the State Water Board’s allocation decisions,<sup>2</sup> requires the State Water Board to balance the interests of the environmental and other beneficial uses of water. Moreover, we are aware of no authority that would extend the SWRCB’s public trust authority and balancing to riparian and pre-1914 appropriative water rights.

<sup>1</sup> See Wat. Code §§ 13301-13304, 13320, 13330.

<sup>2</sup> *National Audubon Society v. Superior Court* (1983) 33 Cal.3d 419.

Given these nebulous legal concepts and applications, it is concerning that the State Water Board would be able to issue an interim relief order on these grounds without an evidentiary hearing and regardless of the basis of right. These concerns are particularly heightened when there are limited opportunities for a diverter to understand the basis for the allegations and defend themselves. And **AB 460**'s proposed restrictions on independent judicial review of these types of State Water Board actions further heightens our concerns about the implications of this bill.

The bill also allows the State Water Board to issue interim relief to enforce Fish & Game Code section 5937. Again, this section contains language that makes the potential violations that could be implicated much broader than illegal diversions in critically dry conditions. For instance, Fish & Game Code section 5937 provides that dam owners must ensure sufficient flows through or around the dam in order to maintain in "good condition" any fish populations below the dam. **AB 460** would allow interested parties who disagree with dam releases to seek immediate state intervention and authorize the State Water Board to essentially take over operations, potentially at a moment's notice.

### **Plenary Discretion Given to State Water Board to Initiate and Shape Interim Relief Proceedings**

We are also concerned that this bill conflicts with the California Administrative Procedures Act, including the Administrative Bill of Rights, because the bill provides significant discretion to the State Water Board in pursuing and issuing interim relief orders, particularly in the event that the relief is initiated by the State Water Board itself. For instance, the bill outlines the requirements that an interested party must meet if it petitions for an interim relief order, but the same does not appear to apply to an own-motion process initiated by the State Water Board.

More concerning is that the State Water Board could immediately issue an interim relief order before holding a hearing if it makes certain findings. This is unnecessary given that the State Water Board already has the authority to act swiftly to address, for example, violations of curtailment regulations. Water Code section 1052 allows the State Water Board to go to court to obtain a temporary restraining order to stop diversions that are impacting fish and wildlife. A temporary restraining order is much more effective and enforceable than an interim relief order and, importantly, is issued by a neutral arbitrator. **AB 460** lacks the procedural protections that should be afforded to all property rights. This bill would have the State Water Board serve as prosecutor, judge, jury, and executioner in deciding whether an interim relief order is warranted. This is critical considering that a diverter's rights to water are at stake without sufficient time to prepare a real case in defense.

Once the process has been initiated, the bill grants broad authority to the State Water Board to determine what evidence will be allowed at the hearing on the matter and how arguments will be presented. This is on a case-by-case basis, meaning that a diverter has no way to know ahead of time what evidence they may want or need to provide in order to defend themselves. The right to present evidence and testimony, to cross examine witnesses and to test evidence against you is a fundamental civil right that must be guaranteed before the state may restrict the use of vested property rights, including water rights.

### **Due Process and Access to Judicial Review Are Limited or Eliminated**

Water rights are property rights, and as such may not be infringed without due process of law. As written, **AB 460** deprives diverters of due process when the State Water Board makes certain findings. Under this scenario, the State Water Board does not have to provide at least 10 days' notice before a hearing to consider interim relief. Rather, the interim relief order may issue *without* notification or opportunity to be heard until after the fact, and only upon the diverter's request.

The bill would also allow an interim relief order to remain in place for 180 days. 180 days (or 6 months) is an entire irrigation season. This means that a diverter has no real opportunity to defend themselves for an entire 6-month period, and in the meantime, their right to divert water has been suspended.

**AB 460** would not only provide expansive new administrative authorities to the State Water Board, but would also substantially weaken the existing, long-standing standards of review and, in many cases, eliminate any judicial review at all. Moreover, the bill would provide a very limited and unreasonably deferential standard of review for review of interim relief orders and preclude judicial review until the State Water Board acts on the underlying matter. In short, this bill deprives water rights holders from seeking any judicial or administrative review of an interim order. Given that the interim relief order may be issued with no due process, this compounds the injury to water rights holders.

We understand that AB 460 is motivated in part by certain illegal actions that occurred in violation of the State Water Board's curtailment orders in late summer 2022. We do not condone such actions and do support efforts to better deter illegal water diversions. Flagrant violations of the law should not be merely a cost of doing business. However, we believe that AB 460 goes well beyond enforcement and grants the State Water Board broad new authority that injects new risks and infringes upon due process for water rights holders. For these and other reasons, the undersigned organizations must respectfully **OPPOSE AB 460**.

Sincerely,

Brenda Bass  
Policy Advocate  
On behalf of

Agricultural Council of California, Tricia Geringer  
Association of California Egg Farmers, Debbie Murdock  
Association of California Water Agencies, Kristopher Anderson  
Antelope Valley-East Kern Water Agency, Matthew Knudson  
California Alfalfa and Forage Association, Nicole Helms  
California Apple Commission, Todd Sanders  
California Blueberry Association, Todd Sanders  
California Blueberry Commission, Todd Sanders  
California Business Properties Association, Matthew Hargrove  
California Association of Winegrape Growers, Michael Miiller  
California Association of Wheat Growers, Brooke Palmer  
California Bean Shippers Association, Jane Townsend  
California Building Industry Association, P. Anthony Thomas  
California Chamber of Commerce, Brenda Bass  
California Cotton Ginners and Growers Association, Roger Isom  
California Farm Bureau, Alexandra Biering  
California Fresh Fruit Association, Ian LeMay  
California Grain and Feed Association, Chris Zanobini  
California Manufacturers & Technology Association, Dean Talley  
California Municipal Utilities Association, Andrea Abergel  
California Pear Growers Association, Debbie Murdock  
California Seed Association, Donna Boggs  
Carmichael Water District, Cathy Lee  
City of Roseville, Bruce Houdesheldt  
Coachella Valley Water District, J.M. Barrett  
Coastside County Water District, Mary Rogren  
Cucamonga Valley Water District, John Bosler  
Desert Water Agency, Mark Krouse  
Dunnigan Water District, William Vanderwaal  
East Turlock Subbasin Groundwater Sustainability Agency, Mike Tietze  
Elsinore Valley Municipal Water District, Bruce Kamilos  
Friant Water Authority, Jason Phillips  
Grower-Shipper Association of Central California, Christopher Valdez  
Humbolt Bay Municipal Water District, John Friedenbach  
International Bottled Water Association, James Toner  
Kern County Water Agency, Thomas McCarthy  
Kings River Conservation District, David Merritt  
Kings River Water Association, Steven Haugen  
Lake Arrowhead Community Services District, Catherine Cerri  
McKinleyville Community Services District, Patrick Kaspari  
Mesa Water District, Paul Shoenberger  
Modesto Irrigation District, Ed Franciosa  
Mojave Water Agency, Allison Febbo  
Montecito Water District, Tobe Plough



Napa County Flood Control & Water Conservation District, Rick Thomasser  
Northern California Water Association, Ivy Brittain  
Oakdale irrigation District, Scott Moody  
Olive Growers Council of California, Todd Sanders  
Pacific Egg & Poultry Association, Debbie Murdock  
Pinedale County Water Agency, Jason Franklin  
Placer County Water Agency, Anthony Firenzi  
Regional Water Authority, James Peifer  
Rosedale-Rio Bravo Water Storage District, Trent Taylor  
Rowland Water District, Tom Coelman  
San Gabriel Valley Municipal Water District, Darin Kasamoto  
San Geronio Pass Water Agency, Lance Eckhart  
San Juan Water District, Paul Helliker  
San Joaquin River Exchange Contractors Water Authority, Chris White  
San Luis & Delta-Mendota Water Authority, J. Scott Petersen  
Santa Clarita Valley Water Agency, Matt Stone  
Santa Margarita Water District, Daniel R. Ferons  
Santa Clarita Valley Water Agency, Matt Stone  
Solano County Water Agency, Chris Lee  
Solano Irrigation District, Cary Keaten  
South San Joaquin irrigation District, Peter M. Rietkerk  
Southern California Water Coalition, Glenn Farrel  
Stockton East Water District, Richard Atkins  
Tehachapi-Cummings County Water District, Tom Neisler  
Three Valleys Municipal Water District, Matthew Litchfield  
Tranquillity Irrigation District, Danny Wade  
Tuolumne County Water Agency, Kathleen K. Haff  
Tuolumne Utilities District, Don Perkins  
Turlock Irrigation District, Michelle Reimers  
Tri-County Water Authority, Deanna Jackson  
United Water Conservation District, Mauricio Guardado  
Valley Center Municipal Water District, Gary Arant  
Western Agricultural Processors Association, Roger Isom  
Western Growers Association, Gail Delihant  
Western Municipal Water District, Craig Miller  
Wine Institute, Noelle Cremers  
Western Plant Health Association, Renee Pinel  
Yuba Water Agency, Willie Whittlesey

Cc: Legislative Affairs, Office of the Governor  
Estefani Avila, Office of Assemblymember Bauer-Kahan  
Pablo Garza, Assembly Water, Parks, and Wildlife Committee  
Todd Moffitt, Assembly Republican Caucus

**AB 1337 (Wicks): State Water Resources Control Board: water  
shortage enforcement  
OPPOSE**



April 11, 2023

Honorable Rebecca Bauer-Kahan  
Chair, Assembly Water, Parks, and Wildlife Committee  
1020 N Street, Room 160  
Sacramento, CA 95814

**RE: AB 1337 (Wicks) – State Water Resources Control Board: water shortage enforcement.**  
**Position: OPPOSE**

Dear Chair Bauer-Kahan:

The undersigned organizations write to respectfully express our opposition to AB 1337, which would provide unprecedented statutory authority for the State Water Resources Control Board (State Water Board) to restrict water diversions through regulation and to enforce the regulations through orders curtailing the diversion or use of water under any claim of right.

Water suppliers are collectively responsible for delivering water for domestic, agricultural, and industrial purposes throughout the state. Many of these agencies also provide water for fish and wildlife uses. These agencies rely on a water rights priority system that is essential to our state's economic, social, and environmental stability. The water rights that the people, the Legislature, and the courts have developed over the past century provide the legal framework upon which billions of dollars have been invested to make water consistently available to Californians.

AB 1337 would overhaul how California has managed and delivered water for more than a century. The bill's vision for future water management is little more than handing the State Water Board unfettered authority to control water use as it sees fit. Under this proposed system of water management, water managers would operate at the whims of the state. Reliability in water rights would be severely diminished, and many water agencies would struggle to meet the needs of homes and businesses throughout the state.

**AB 1337 threatens to undermine the basic foundation of water management and water delivery in California by proposing to authorize the State Water Board to reallocate water rights with little or no constitutional process.**

The bill would authorize the State Water Board to adopt sweeping regulations and to enforce them by later orders curtailing diversions or use of water under any claim of right. The bill would not require the State Water Board to hold a hearing before issuing curtailment orders when a hearing would be "impractical." Of course, this would be incredibly subjective. Given the absence of specificity regarding these regulations, it is impossible to know whether or how any curtailment orders would be tailored to specific factual situations. The bill excludes the involvement of a neutral arbitrator to evaluate whether a diverter is complying with regulations. Instead, the bill is structured so the State Water Board may write the rules and enforce them when and how it sees fit. AB 1337 proposes no less than to strip every water right holder in California of their state and federal constitutional guarantee of due process.

If the State Water Board did afford diverters and users of water a hearing before curtailing their rights, AB 1337 would allow the Board to tailor the hearing to the "circumstances" of the order—a vague standard that provides almost no assurances to water right holders. In addition, the hearing could be collective rather than an individual process and may be an oral or written process. The bill lacks any

specifics as to how a hearing would be conducted. It is silent as to the burden of proof, standard of review, who would oversee the hearing, how a party or parties subject to an order could defend their diversions or uses, whether they would have an opportunity to present or cross-examine witnesses, etc. The State Water Board could seemingly satisfy its obligations for issuing a curtailment order by merely giving each party a minute or two to present their case before making a final determination.

Furthermore, this raises the question of timing and delay. It would be infeasible for the State Water Board to fill up every Board agenda for months with hearings. Water diverters who have been curtailed without an opportunity to be heard first would be at the mercy of whenever the State Water Board can put their hearing on the agenda, further compromising due process protections and water supply reliability. This “process” would provide little more comfort to those subject to a curtailment order than issuing a curtailment order without any due process.

### **AB 1337 would allow the State Water Board to remake water management through unconstrained rulemaking authority**

Compounding our concerns over the absence of constitutional due process guarantees is that AB 1337 would authorize the State Water Board to adopt sweeping, and *permanent*, regulations. Neither the proponents nor opponents of this bill know what regulations the State Water Board would adopt in accordance with the bill. The rulemaking authority that would be afforded to the State Water Board is almost entirely without guardrails. The State Water Board would merely need to argue any regulations advance the reasonable use doctrine, protect public trust resources, promote water conservation, or further any of the other enumerated justifications provided in the bill.

Proposing to hand the State Water Board unbounded rulemaking authority ignores the plethora of tools already available to implement, manage, and enforce California’s water rights system. The State Water Board has a century’s worth of laws, regulations, and court decisions it commonly relies on to balance consumptive and environmental demands.

### **Exempting regulations and curtailment orders from CEQA would prevent the State Water Board from understanding the environmental impacts of these decisions**

AB 1337 would exempt all regulations and orders issued in accordance with the bill or Water Code Section 1058.5, which allows the State Water Board to adopt emergency regulations during extreme droughts, from the California Environmental Quality Act (CEQA). This would be extremely problematic, as it would authorize the State Water Board to ignore impacts within the service areas of a water supplier.

For example, if regulations and curtailment orders limited a municipal water supplier’s diversions, the water supplier would need to make up for this loss of supply through increased use of other sources, such as groundwater or desalination. Alternative water sources have their own environmental costs and benefits. In addition, reducing diversions may also decrease the amount of recycled water a water supplier has access to, as inputs to the system decrease. A CEQA exemption would prevent the State Water Board from considering these impacts.

The CEQA exemption further underscores why decisions regarding reasonable use and public trust cannot be made in a regulatory process without giving the affected parties the right to present evidence



of the impacts of these decisions. A robust regulatory and hearing process provides neutral decisionmakers with information and scientific evidence sufficient to make a truly informed decision.

**Instead of proposing to radically overhaul water management in California, we support the Legislature modernizing the administration of the existing water rights system**

There are a number of promising proposals this year that would modernize administration of the water rights priority system with improved data, efficiency, and transparency, while maintaining the existing priority system as its legal and operational foundation. Governor Newsom has proposed appropriating more than \$30 million to implement a new State Water Board project called Updating Water Rights Data for California (UPWARD). This program is intended to improve the way the state collects and manages its water rights data and information, which will be critical for data-driven water management decisions, particularly when hydrology affects supply, such as during droughts. In addition, we support proposals that have been introduced that would lead to increased deployment of stream gages, which would provide data essential to better water management. The Legislature has recognized the importance of improved data, as well, investing more than \$82 million over the past two years to help advance this important effort.

The consequences of AB 1337 should not be considered lightly. This bill would provide unfettered authority for the State Water Board to adopt regulations when it sees fit and for any purpose it sees fit. Once those regulations are adopted, the bill would hand the State Water Board punitive authority to curtail and penalize diverters and users without the information needed to make informed decisions. This bill represents an unconstitutional violation of state and federal due process protections. Ultimately, the real losers of AB 1337 will be the communities and industries that depend on the reliable supply of water that California's existing water rights system ensures.

For these reasons, we respectfully request a "NO" vote when AB 1337 is heard in the Assembly Water, Parks and Wildlife Committee on April 18. For questions about our position or comments, please contact Kristopher Anderson, Legislative Advocate with the Association of California Water Agencies, at (916) 441-4545 or [krisa@acwa.com](mailto:krisa@acwa.com).

Sincerely,

Tricia Geringer  
Vice President of Government Affairs  
Agricultural Council of California

Matthew Knudson  
General Manager  
Antelope Valley-East Kern Water Agency

Kristopher M. Anderson, Esq.  
Legislative Advocate  
Association of California Water Agencies

Michael Müller  
Director of Government Relations  
California Association of Winegrape Growers

P. Anthony Thomas  
Senior Vice President of Legislative Affairs  
California Building Industry Association

Brenda Bass  
Policy Advocate  
California Chamber of Commerce

Chris Reardon  
Director, Government Affairs  
California Farm Bureau

Robert Spiegel  
Senior Policy Director  
California Manufacturers & Technology  
Association

Andrea Abergel  
Manager of Water Policy  
California Municipal Utilities Association

Matthew Hargrove  
President and Chief Executive Officer  
California Business Properties Association

Cathy Lee  
General Manager  
Carmichael Water District

Bruce Houdesheldt  
Mayor  
City of Roseville

J.M. Barrett  
General Manager  
Coachella Valley Water District

Mary Rogren  
General Manager  
Coastside County Water District

John Bosler  
General Manager/CEO  
Cucamonga Valley Water District

Mark Krause  
General Manager and Chief Engineer  
Desert Water Agency

William Vanderwaal  
General Manager  
Dunnigan Water District

Mike Tietze  
General Manager  
East Turlock Subbasin Groundwater  
Sustainability Agency

Greg Thomas  
General Manager  
Elsinore Valley Municipal Water District

Bruce Kamilos, P.E.  
General Manager  
Florin Resource Conservation District/Elk Grove  
Water District

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Placer County Water Agency

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Executive Director  
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Water Resources Manager  
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South San Joaquin Irrigation District

Charles Wilson  
Executive Director  
Southern California Water Coalition

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Tuolumne Utilities District

Michelle Reimers  
General Manager  
Turlock Irrigation District

Deanna Jackson  
Executive Director  
Tri-County Water Authority

Mauricio E. Guardado, Jr.  
General Manager  
United Water Conservation District

Gary Arant  
General Manager  
Valley Center Municipal Water District

Erik Hitchman  
General Manager  
Walnut Valley Water District

Gail Delihant  
Senior Director, CA Government Affairs  
Western Growers Association

Craig Miller  
General Manager  
Western Municipal Water District

Noelle Cremers  
Director, Environmental & Regulatory Affairs  
Wine Institute

Willie Whittlesey  
General Manager  
Yuba Water Agency

cc: The Honorable Buffy Wicks  
Honorable Members, Assembly Water, Parks, and Wildlife Committee  
Pablo Garza, Chief Consultant, Assembly Water, Parks, and Wildlife Committee  
Brent Finkel, Consultant, Assembly Republican Caucus



**SB 389 (Allen): State Water Resources Control Board: determination  
of water right  
OPPOSE**





April 14, 2023

The Honorable Dave Min  
Chair, Senate Natural Resources and Water Committee  
1021 O Street, Room 3220  
Sacramento, CA 95814

**RE: SB 389 (Allen): State Water Resources Control Board: determination of water right**  
**Position: Oppose**

Dear Chair Min:

The undersigned organizations write to express our opposition to SB 389, which would authorize the State Water Resources Control Board (State Water Board) to investigate the diversion and use of water from a stream system to determine whether the diversion and use are based upon appropriation, riparian right, or other basis of right.

Of California's 40,000 active water rights claims, public water agencies hold approximately 80 percent of the surface water right claims by volume. Water suppliers are collectively responsible for delivering water to cities, farms, and businesses throughout the state. Many of these agencies also provide water for fish and wildlife uses across the state. Dependability in water rights is essential to our state's economic, social, and environmental stability.

SB 389 threatens to undermine the reliability of any water right, and, in turn, interests that depend on these rights. The bill would authorize the State Water Board to drag any water rights holder before the Board to defend its claim of right. Once the State Water Board begins adjudicating a claim, the bill would stack the deck against all right holders forced into these proceedings by providing minimal due process protections and placing the burden of proof on the right holder. This bill is not designed to create a fair and transparent process, nor is it narrowly tailored to investigate dubious claims to right.

**SB 389 threatens to undermine water rights reliability by authorizing the State Water Board to strip claimants of their rights with little due process.**

The consequences of SB 389 would be of interest to all water right holders. The bill would not require the State Water Board to provide a basis for initiating an investigation of a water right claim, meaning

any claimant could be subject to an investigation at any time. Once an investigation is initiated, water right claimants would be subject to onerous reporting requirements, forced to provide countless amounts of information in the hopes of proving the validity of their right.

The investigative process and ultimate decision on the validity or scope of right in SB 389 is designed to allow the State Water Board to operate in the dark. The only opportunity for the claimant to participate in the investigation is “after notice and opportunity for a hearing.” Unfortunately, SB 389 provides no further details about the hearing process. The claimant may have no opportunity to present evidence and testimony, to cross examine witnesses, and to test evidence against them. These are all fundamental civil rights that must be afforded before the state may restrict the use of property. Ultimately, the final decision on the validity or scope of the water right would not be made by a neutral arbitrator, but the State Water Board itself. Despite the fact that the bill allows the State Water Board to investigate and make a decision without meaningful involvement of the water right claimant, the burden of proof would still rest with the claimant.

The investigative process proposed in this bill is a far cry from the requirements the State Water Board must comply with during statutory adjudications. Under existing law, the State Water Board is authorized to initiate a statutory adjudication of all water rights to a stream system upon petition of a water rights claimant.<sup>1</sup> The State Water Board proceeds, after giving notice to all interested parties, by receiving claims, conducting an investigation, holding hearings, and making an order of determination. This process offers water right claimants a robust opportunity for involvement in the investigative process. After an investigation, the State Water Board is required to provide claimants with a preliminary report describing water supply and claims of water rights. This report is provided to all claimants, with an opportunity to inspect the evidence and object to the findings. The hearing on objections includes the ability to offer testimony and present and cross-examine witnesses. The State Water Board’s order of determination is filed with a court—a neutral arbitrator—and the court then issues a final decree.

Unfortunately, SB 389 provides none of the safeguards that existing law recognizes as essential to making informed and defensible decisions on the validity and scope of water rights. Instead, SB 389 is designed to insulate the State Water Board and would enable arbitrary outcomes.

**Authorizing the State Water Board to conclude water rights have been forfeited in the absence of a conflicting claim would disrupt settled law.**

Two key concepts govern appropriative water rights. First, their relative priorities are based on the concept of “first in time, first in right.” Second, they are based on use, so they are lost if that use ceases. In other words, an appropriative right holder must “use it or lose it.” Courts have held that forfeiture does not occur “in the abstract,” but rather a competing claim to the unused water must be asserted by a rival diverter who is using, or is prepared to use, the surplus water. If no competing claim is asserted, an appropriative right holder may resume full use of its right.

SB 389 would authorize the State Water Board to determine that all or a part of an appropriative water right is forfeited regardless of whether a conflicting claim within the stream system during the period of forfeiture existed. This provision seeks to overturn two Court of Appeal decisions: *North Kern Water Storage Dist. v. Kern Delta Water Dist.* (2007) 147 Cal.App.4th 555 and *Millview County Water Dist. v.*

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<sup>1</sup> Water Code § 2500 *et seq.*



*State Water Resources Control Bd.* (2014) 229 Cal.App.4th 879. Courts in this state have long recognized there is no policy justification for finding a forfeiture until an alternative use has been asserted, as the purpose of the forfeiture doctrine is to free unused water for beneficial use. If no other beneficial use has been asserted, there is no reason to find a forfeiture.

**Investigating individual water right holders would waste resources that should be directed to efforts that would allow the State to better manage water resources at a watershed-scale during droughts.**

SB 389 claims to provide the State Water Board with authority necessary to obtain up-to-date data for assessing water availability for all right holders in a watershed. Individual watersheds may have hundreds or thousands of water rights. The proposition that authorizing the State Water Board to allocate extensive resources toward investigating the claims of an individual water right holder would not improve water management in dry years when demand outpaces supply. An investigation of an individual water right—if properly done with adequate due process protections—would take months or more to complete. The costs of SB 389 far outweigh any benefits the bill would provide.

There is a need for the State to improve information and data collection efforts to support the existing water rights structure. However, instead of creating a piecemeal and inefficient process, the Legislature should support measured efforts that would modernize administration of the water rights priority system with improved data, efficiency, and transparency.

Governor Newsom has proposed appropriating more than \$30 million to implement a new State Water Board project called Updating Water Rights Data for California (UPWARD). This program is intended to improve the way the state collects and manages its water rights data and information, which will be critical for data-driven water management decisions, particularly when hydrology affects supply, such as during droughts. In addition, we support proposals that have been introduced that would lead to increased deployment of stream gages, which would provide data essential to better water management. The Legislature has recognized the importance of improved data, as well, investing more than \$82 million over the past two years to help advance this important effort.

SB 389 presents significant concerns, namely that it would unjustly expand the authority of the State Water Board and subject water right holders to costly and resource intensive investigations without adequate due process protections. For these reasons, we oppose SB 389 and respectfully request your “NO” vote when the bill is heard in the Senate Natural Resources and Water Committee. If you have any questions regarding this position, please contact Kristopher Anderson, Legislative Advocate with the Association of California Water Agencies, at [KrisA@acwa.com](mailto:KrisA@acwa.com).

Sincerely,

Will Scott, Jr.  
President  
African American Farmers of California

Tricia Geringer  
Vice President of Government Affairs  
Agricultural Council of California

Matthew Knudson  
General Manager  
Antelope Valley-East Kern Water Agency

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Michael Miiller  
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Matthew Hargrove  
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Roger Isom  
President and Chief Executive Officer  
Western Agricultural Processors Association

Gail Delihant  
Senior Director, CA Government Affairs  
Western Growers Association

Craig Miller  
General Manager  
Western Municipal Water District

Noelle Cremers  
Director, Environmental & Regulatory Affairs  
Wine Institute

Willie Whittlesey  
General Manager  
Yuba Water Agency

cc: The Honorable Benjamin Allen  
Honorable Members of the Senate Natural Resources and Water Committee  
Genevieve Wong, Principal Consultant, Senate Natural Resources and Water Committee  
Todd Moffitt, Consultant, Senate Republican Caucus





## 5 Best Things to Do in Ventura County, CA

*[Glendale Rosal](#)*

May 7, 2023 • 10 min read

[Ventura County, California](#), is renowned for plenty of awesome things.

It's home to distinguished schools, a unique cultural scene, the National Blue Ribbon, and unspoiled natural beauty.

It has 840,000 Californians residing in its 5,720 square kilometer area with [Oxnard](#), the largest city, and its county seat.

The county was founded in 1873 after declaring separation from Santa Barbara County.

After separating, it replaced its name with Ventura County from San Buenaventura.

Ventura County is a thriving area in California and a popular vacation destination near [Los Angeles](#).

It has dozens of unspoiled natural attractions from state parks, forests, and beaches.

At the same time, its towns and cities are home to locally-owned shops and restaurants with unique offerings.

So, read below to find out the most awesome things to do in Ventura County, [California](#).

## Browse Through the Ronald Reagan Presidential Library



Ken Wolter / Shutterstock.com

One of Ventura County's best attractions is the [Ronald Reagan Presidential Library](#).

You can visit this famous library along Presidential Drive in [Simi Valley](#).

This library was constructed to honor Reagan, the nation's 40th president.

This library spans over 125,000 square feet atop a hill.



Joseph Sohm / Shutterstock.com

It has fascinating galleries, exhibits, and sections you can tour with your loved ones.

While touring inside, you'll have fun exploring its halls with some of the nation's historical records, photos, and documents.

At the same time, plenty of interactive activities wait for everyone inside the Ronald Reagan Presidential Library, making it a must-visit attraction.



Joseph Sohm / Shutterstock.com

### Explore the Scenic Anacapa Island



Felix Lipov / Shutterstock.com

[Anacapa Island](#) is a destination of its own.

This small volcanic island is situated 11 miles off the coast of [Port Hueneme](#).

It comprises numerous narrow islets home to thriving native wildlife and a pristine natural area.

Most visitors who go there enjoy plenty of outdoor activities.

These activities include kayaking, sightseeing, wildlife viewing, hiking, and more.



Katharine Moore / Shutterstock.com

Its notable attractions include the 1932 lighthouse, offering a breathtaking sea view and a bit of history.



At the same time, you're guaranteed to enjoy watching plenty of sea lions, seals, and birds thriving on the island.

If you fancy an underwater adventure, you can do scuba diving and snorkeling at Anacapa Island.



Felix Lipov / Shutterstock.com

Check Out the [US Navy Seabee Museum](#)

The [US Navy Seabee Museum](#) is a fantastic place to travel to the past to explore this branch of the Navy's fascinating history.



You can visit this one-of-a-kind museum along South Ventura Road Naval Base Ventura in [Port Hueneme](#).

The museum spanned over six acres of land and was constructed in the 1960s to pay tribute to the US Navy Seabees.

The museum has exhibits displaying equipment, photographs, videos, and other items detailing the Seabees' long and honorable history.

Also, check out the US Navy Seabee Museum's memorial outside to pay tribute to the thousands of service members in this branch of the Navy.

Step Inside the Mission Basilica San Buenaventura 1782



[The original uploader was Geographer at English Wikipedia., CC BY 1.0](#), via Wikimedia Commons

[Mission Basilica San Buenaventura 1782](#) is one of the most excellent attractions for diving deeper into Ventura County's history.

You can visit this church along E. Main Street in the City of [Ventura](#).

This Catholic Basilica is under the Archdiocese of Los Angeles.

It was founded by a Spanish mission, particularly the Order of Friars Minor.

Visiting this historic church lets you learn more about Ventura County's history, particularly the birth of Catholicism in the county.

You can see its century-old church doors and original wooden bells up close.

Besides history, its beautifully landscaped garden guarantees you to be mesmerized.

It has an old but well-preserved stone grotto, a fountain, and a small exhibit featuring fascinating information about the area.

So, remember to drop by the Mission Basilica San Buenaventura 1782 for a solemn and fascinating experience.

#### Harvest Fresh Produce at the Underwood Family Farms



Hayk\_Shалunts / Shutterstock.com

[The Underwood Family Farms](#) is a famous attraction that immerses visitors in farm activities.

You can visit this farm along Los Angeles Avenue in the designated census community of Somis.

It's known for its farm-related activities, including harvesting fresh fruits and vegetables.

Besides this experience, you can buy these freshly-harvested fruits and vegetables at home.



Hayk\_Shalunts / Shutterstock.com

If you don't fancy this tiring yet fun activity, you can always browse through its farm-to-table market.

Or perhaps have your kid's birthday at the farm since it hosts private events for groups and individuals.

Besides that, the Underwood Family Farm is where the Fall Harvest Festival happens, an exciting annual event in Ventura County.



Hayk\_Shалunts / Shutterstock.com

### Discover Old Artifacts at the Channel Islands Maritime Museum

Since you're already in the Channel Islands, it would be a bummer to miss visiting the [Channel Islands Maritime Museum](#).

You can visit this fascinating museum along Bluefin Circle.

It mainly displayed historical, cultural, and artworks, with some dating back thousands of years ago.

This museum opened in 1991 and has already welcomed thousands of visitors.

During your visit, see up close its fascinating displays from the collection of Harry Nelson, who founded this museum.

Some of the artworks you'll see in this museum date back to the 17th century from British and Dutch artists.

Besides that, it has an extensive collection of antique sailing ship scale models made of animal bones.

Other exhibits inside the Channel Islands Maritime Museum include navigational instruments and whaling artworks.



See the Vintage Cars of the Mullin Automotive Museum



[PLawrence99cx](#), [CC BY-SA 4.0](#), via Wikimedia Commons

Head to the [Mullin Automotive Museum](#) to witness rare and exotic vintage cars.

You can visit this museum along Emerson Avenue in [Oxnard City](#).

It's a privately-owned automobile museum opened in 2010 by philanthropist and businessman Peter W. Mullin.

It displays Mullin's car collection, which you can see up close.



[PLawrence99cx](#), [CC BY-SA 4.0](#), via

Wikimedia Commons

The museum itself boasts gorgeous art deco and machine age-era architecture and artworks.

Of course, this museum's main attractions are the Delage, Bugatti, Hispano Suiza, Voisin, and Talbot-Lago vintage cars.

So, drop by the Mullin Automotive Museum for a unique experience with rare vintage cars.

Feel the Breeze at the Emma Wood State Beach



[DillyLynn](#), [CC BY-SA 3.0](#), via Wikimedia Commons

The [Emma Wood State Beach](#) in [Ventura](#) is a famous outdoor destination for everyone.

You can visit this beach along US Highway 101 freeway.

It's known for its gorgeous view of the Pacific Ocean and the rolling hills on the opposite side.

This state beach has a vast campground named North Beach Campground, where you can stay for a night or two.

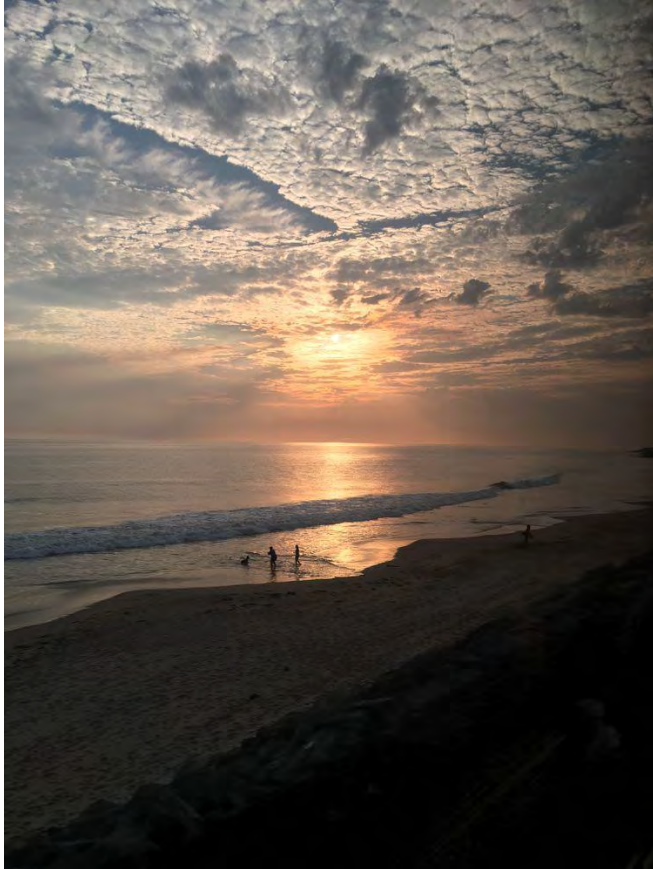


[Jon Osumi](#) / Shutterstock.com

Hiking is a popular outdoor activity besides surfing, swimming, and fishing at this beach.

The self-guided hike takes you to a nature trail leading to famous locations such as El Capitan Creek, Cachuma Lake, and the Gaviota Pier.

Of course, plenty of outdoor activities await you at Emma Wood State Beach, so remember to include this in your itinerary.



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Catch the Sunset at Channel Islands Harbor



Angel DiBilio / Shutterstock.com

The [Channel Islands Harbor](#) in [Oxnard](#) is another famous beachside destination.

It's a shore-protection project by the City of Oxnard on Santa Barbara Channel's southern end.

It's the fifth most extensive harbor for small water vessels in California and a famous recreation destination.

Visiting this harbor lets you enjoy jet skiing, whale watching, strolling, picnicking, and sunset watching.



HTurner / Shutterstock.com

If you're an avid surfer, you're guaranteed to have a blast in this harbor's perfect waves.

Meanwhile, it has a museum nearby and plenty of seafood restaurants to dine in with your loved ones.

Overall, the Channel Islands Harbor is the ultimate destination for beach and water activities for the whole family.

### [Ride the Waves at the Surfers Point at Seaside Park](#)

The [Surfers Point at Seaside Park](#) in [Ventura](#) is a famous destination for surfers and windsurfers for its perfect waves.

You can visit this place along Shoreline Drive.

Most surfers who experienced surfing in this area described it as one of California's finest places to ride the waves.

If you're not ready to surf, you can still enjoy the park view at its landscaped promenade.



Or perhaps enjoy cycling through the Omer Rains Bike Trail to the Ventura Pier nearby.

So, remember to bring your best surfboard and gear when visiting Ventura County because you're likely surfing at the Surfer's Point at Seaside Park.

Travel Back in Time to the Camarillo Ranch



[Los Angeles](#), [CC BY-SA 3.0](#), via Wikimedia Commons

The [Camarillo Ranch](#) is a historic house and a famous events center.

You can visit this place along Camarillo Ranch Road in the City of [Camarillo](#).

It's also known as the Adolfo Camarillo House or the Rancho Calleguas.

This historical attraction is known for its rich backstory dating back to the 1800s.

This house, constructed in 1892, boasts gorgeous, elegant Victorian-style architecture spanning over 6,000 square feet.



You Touch Pix of EuToch / Shutterstock.com

It served as the official residence of Adolfo Camarillo and his wife Isabella, who stayed there for the rest of their lives.

It still has its original furnishing and design from the day it was built.

Today, the Camarillo Ranch is a famous attraction that you can tour to learn its fascinating backstory.

Or perhaps have your wedding, birthday, or corporate events held at this gorgeous historic location.



You Touch Pix of EuToch / Shutterstock.com

Stroll Through the Conejo Valley Botanic Garden



[TOLocal](#), [CC BY-SA 4.0](#), via Wikimedia Commons

The [Conejo Valley Botanic Garden](#) is a fantastic outdoor attraction featuring the natural beauty of Ventura County.

You can visit this botanic garden along W. Gainsborough Road in [Thousand Oaks](#).

This place is famous for its 15 hillside botanic gardens.

It also has a peak that offers visitors scenic vista views, which you can reach through nature trails.



[TOLocal](#), [CC BY-SA 4.0](#), via Wikimedia Commons

The entire place spans over 33 acres of wonderfully landscaped gardens and terrains.

Since it opened in 1976, the Conejo Valley Botanic Garden has become one of Thousand Oaks' top tourist destinations.

It's also a convenient attraction to visit since it's a stone's throw away from the city center and adjacent to the Conejo Community Park.



[TOLocal](#), [CC BY-SA 4.0](#), via Wikimedia Commons

[Make a Swing at the Soule Park Golf Course](#)

[Soule Park Golf Course](#) is one of the nation's most highly regarded municipal courses.

It's situated along E. Ojai Avenue in the City of [Ojai](#).

This course takes pride as the 48th best municipal golf course in 2014 by the Golf Week Magazine.

It also became an inspiration to design Brazil's 2016 Rio Olympics official golf course for its gorgeous landscape and technicality.

With all that in mind, remember to spend an hour or two visiting the Soule Park Golf Course.

Or perhaps, spend your day conquering its 18-hole golf course while appreciating its gorgeous surroundings.



## Channel Your Curiosity at Grandma Prisbey's Bottle Village



[Los Angeles](#), [CC BY-SA 3.0](#), via Wikimedia Commons

[Grandma Prisbey's Bottle Village](#) in [Simi Valley](#) is a historic folk art landmark.

This place was the masterpiece of a 60-year-old grandma who began constructing a building made of bottles in 1956.

The area covers roughly an acre in the heart of Simi Village and is open to the public.

It displays remarkable sculptures, fountains, walkways, and structures.

These are entirely from tens of thousands of discarded soda, wine, beer, and miscellaneous bottles from a local landfill.



[Los Angeles](#), [CC BY-SA 3.0](#), via Wikimedia

Commons

The collected bottles are held together with mortar involving intricate architecture, patience, and devotion.

It culminates into a gorgeous but unusual art masterpiece.



While wandering through Grandma Prisbrey's Bottle Village, remember to drop by and take photos of its notable buildings and structures.

It includes the Pencil House, Shell House, Round House, and plenty more.



[Los Angeles](#), [CC BY-SA 3.0](#), via Wikimedia Commons

Paddle on a Boat at Lake Piru



Ansel B / Shutterstock.com

[Lake Piru](#) is one of the gems in the Los Padres National Forest.

This lake covers over 5,000 square kilometers and is adjacent to the Sespe Condor Sanctuary.

It's a famous outdoor destination where water activities are the most popular.

Visiting this lake lets you enjoy boating through boat rentals from locals.



Ansel B / Shutterstock.com

You can also enjoy fishing at this lake or perhaps set up camp at its amazing campgrounds.

Nature lovers would love their time at this lake as it also features a trail taking them to thick forest areas and scenic locations.

Of course, there are plenty of exciting things to enjoy at Lake Piru, making it a recommended attraction in Ventura County.

### Final Thoughts

With all these attractions, there is no way you'll overlook Ventura County as your next travel destination.

Ventura County is undoubtedly an amazing travel destination thanks to its unspoiled natural beauty and fascinating history.

You're guaranteed the best of both worlds, from sightseeing to outdoor activities, leisure, and history.

So, start planning your travel adventure with this post about what to do in Ventura County, [California](#).

VENTURA COUNTY



**STAR** | [vcstar.com](http://vcstar.com)

## Oxnard households likely to see 24% water rate hike in July



Brian J. Varela



The average Oxnard family could see monthly water bills go up about \$12 starting in July.

The City Council on Tuesday night unanimously approved water rate increases for utility customers as Oxnard's water division grapples with rising operational costs and aging pipes.

"What we put off today is only going to be worse tomorrow and at a higher cost," said Joe Marcinko, assistant public works director, on Tuesday.

If the council adopts the increases in a final vote at the May 16 meeting, the new rates will take effect on July 1. Rates would also increase annually through 2027.

The monthly water bill for an average single-family home, currently slightly more than \$50, would go up about \$12 — or roughly 24% — to nearly \$63, using figures rounded to the nearest dollar.

For multifamily residences, the average bill would go from \$91 to nearly \$109, an increase of about \$17, or 19%, city figures show.

Small commercial customers, meanwhile, could see a hike of nearly 40%, with average monthly bills going from about \$131 to nearly \$184, an increase of more than \$52. Big commercial users with larger monthly bills — currently an average of \$2,008 — would see a smaller percentage increase, with an additional \$175 a month, or less than 9%, pushing the tally to about \$2,183.

The actual amount of a customer's increase depends on water usage and meter size, with industrial users, irrigation customers and others included in the mix.

The water division wants the rate increases to pay its bills and fund system improvements.

Starting in July, when the new fiscal year begins, the department needs to boost revenue by 9.5%, according to city documents. The following year, rates will go up again to bring in 9.5% more revenue. In fiscal years 2026, 2027 and 2028, the department needs to generate 5% more revenue each year.

Public Works Director Michael Wolfe said in an email Friday he couldn't provide estimates for ratepayers' bills in future years due to unknown factors that could influence the amount.

About 15 residents spoke for and against the rate hike Tuesday. Those in favor acknowledged the need to replace aging infrastructure to keep water running to homes and businesses.

Opponents cited the rising cost of living and questioned where the money would go.

As part of the approval process, the city was required by California's Proposition 218 to collect written protests from water customers. The measure gives property owners an opportunity to stop a rate increase. But only 1,432 ratepayers turned in a protest letter, city spokesperson Katie Casey said in an email Wednesday. Almost 22,000 protests would have been needed to block the hike.



## **Years since last hike**

The water rate increase will be the first in about five years.

In 2017, the council raised rates by 14%, with a subsequent 1.9% pass-through increase in January 2018.

Then, in 2021, water rates dropped 3.4% after removal of an infrastructure user fee that, a court ruled, had been improperly collected.

The water utility, as an enterprise fund, relies on its own revenue for daily operations, debt payments and capital improvement projects. If the city doesn't increase rates, city documents said, the fund will face a deficit in coming years.

Staff said Tuesday that while water rates haven't gone up in years, operational costs have risen due to inflation and labor and supply shortages.

The additional funds would also allow the city to catch up on deferred maintenance and improvement projects, including replacing old pipes.

Resident Barbara Macri-Ortiz was in support of the increase, saying it was the water customers' responsibility to care for the aging system and ensure clean water comes out of the faucet.

"We have a good system, but it's only as good as the upkeep, and that costs money," she told the council.

There are more than 10 projects the city wants to tackle over the next five years, including installing new meters and replacing cast iron pipes in the Hobson Park East and Kamala Park neighborhoods.

The city plans to spend about \$33 million on such capital improvement projects during the five-year time frame.

Resident Rafaela Carrodegua, a retired employee of the Ventura County Watershed Protection District, spoke against the proposal. She said Tuesday nothing the city cited to justify the increase actually warranted a rate hike.

She said she's counting pennies to pay bills each month as she and other residents struggle with the rising cost of living.

"I'm getting increases from anywhere and everywhere," Carrodegua said.

Resident Aaron Starr, a frequent critic of Oxnard governance, questioned a section of the ordinance Tuesday that allows the council to increase rates during a drought. Such temporary rate hikes would ensure the water division's revenue stays level as water usage drops.

During a Stage 1 drought, which calls for a reduction in water use of up to 10%, the council can raise rates by 3.9%.

As drought stages progress, the percentage increases. In a Stage 6 drought, which asks residents to lower usage by 60%, the council can raise rates up to 58.7%.

Starr said water usage may not go down just because residents are being asked to use less water.

"You would be increasing water rates without having a decrease in revenue," Starr said.

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VENTURA COUNTY



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## California agencies on high alert after 20 endangered condors die



**Cheri Carlson**

April 26, 2023



California agencies working to protect critically endangered condors are on high alert after 20 recent deaths in northern Arizona, wildlife officials said last week.

A highly pathogenic avian influenza that has infected domestic and wild birds across the country has been confirmed as the cause of death for California condors in in the Arizona-Utah flock. By April 17, the U.S. Fish and Wildlife Service reported 20 condors had died. So far, tests confirmed 10 of those birds were positive for the avian flu.

The virus had not been detected in condor populations in Ventura County or other parts of California and Baja as of late this week. But agencies monitoring those flocks were preparing emergency actions in case that changes, said Ashleigh Blackford, the federal agency's California condor coordinator.

“Our concern is definitely heightened in California,” Blackford said.

### **More populations, more protection**

Agencies have worked for decades to help the species recover. The largest flying land bird in North America — known for its bald head and black feathers — had all but disappeared in the wild by the early 1980s.

The population dropped to just 22 birds in the wild in 1982. Five years later, all remaining wild condors were placed in a captive breeding program to save the species from extinction.

By the end of last year, 347 condors lived in the wild – 183 in California and 116 in the Arizona-Utah region.

Supporting separate populations in different areas was part of the plan to help the species overcome any single event such as a virus outbreak or wildfire. The more populations and the more birds increases the odds of survival, Blackford said.

The condors also continue to rely on captive-bred birds being released into the wild.



### **Virus can be fatal**



The avian influenza can spread quickly and appears to be almost 100% fatal for some species. But scientists didn't know until the recent outbreak how infected condors would fare.

"Now, we know that answer, and it is an unfortunate answer," Blackford said.

But some condors do appear to be recovering. Eight sick condors were captured in Arizona and brought to a facility for treatment. Of those, four died and four others are still receiving care and showing signs of improvement, wildlife officials said.

**See also:** [Avian flu is killing endangered California condors at alarming rate, federal data suggests](#)

### **A setback for Arizona flock**

The 20 recent deaths account for around 17% of the Arizona-Utah flock. That's four times the number of deaths in the region last year.

"That's a substantial setback for this flock," Blackford said. "But it is not insurmountable."

In all of last year, the agency reported 20 condor deaths, most of them in California. Lead poisoning is consistently the leading the cause of death and continues to be the biggest concern for agencies working to protect the species.

The birds feed on carcasses containing bullet fragments, so trying to get folks to use other types of ammunition continues to be a priority, wildlife officials said. Lead poisoning not only can be fatal but also can suppress the immune system, increasing the condors risk from other illnesses.

"If we were not losing birds to lead, then our population would be stronger," Blackford said. "It would be more robust, and we would have healthier birds."

## How to help

While the risk to the public's health is low, officials said human infections can happen and the general public should avoid handling wild birds. State and federal agencies recommended the following tips.

- Report dead birds using the state's mortality reporting system to help officials monitor the outbreak at wildlife.ca.gov/Living-with-Wildlife.
- If you see condors, observe from a distance. Stress can be harmful to birds exhibiting symptoms of illness.
- Keep your family, including pets, a safe distance away from wildlife. Do not feed, handle or approach sick or dead animals or their droppings.
- Prevent contact of domestic or captive birds with wild birds.
- Find more information about the avian influenza: cdfa.ca.gov/ahfss/Animal Health/Avian Influenza.html, aphis.usda.gov/aphis/ourfocus/animalhealth/animal-disease-information.

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Top story

## Local water districts ease restrictions in the face of replenished reservoirs

By Alex Wilson

April 20, 2023



Lake Bard stores water for the Calleguas Municipal Water District. (Photo submitted)

Ventura County's water supply situation last October looked dire to Anthony Emmert, assistant general manager of the United Water Conservation District. The agency's reservoir, Lake Piru, was reaching historically low levels and critical groundwater basins underneath the Santa Clara River Valley and Oxnard Plain were depleted. Even though customers in the UWCD service areas (including Santa Paula, East Ventura and Oxnard) had made great strides at reducing water use in recent years, the savings weren't enough to offset years of severe drought.

“It was pretty terrible in this area,” Emmert said. “All of the coastal groundwater aquifers were well below sea level. Seawater intrusion was taking place. We had been able to recharge very little in the last several years. Our reservoir, Lake Piru, was almost empty. So it was down to, I believe, 14,000 acre feet and it’s full at 82,000 acre feet. There were essentially statewide restrictions that all of the cities were putting in place.”

### **What a difference a few months make.**

Emmert and managers of other local water districts had no way of knowing last fall that the rain year starting in October would top 200% of normal in some areas of Ventura County. Two heavy storm systems in January — which caused some infrastructure damage to water collection systems — were followed by a series of smaller storms that had a more benign and positive impact on water supplies.

“You need the water to come over time, not all at once,” explained Emmert. “And so this year has been really nice in that it had six rainfall events, it had a little space. And so, you know, it just resulted in a lot of water that’s available to do some groundwater recharge. So we’re very, very thankful.”

UWCD saw Lake Piru spill over the Santa Felicia Dam and flow towards the Santa Clara River for the first time in many years, with much of the released water seeping into underground aquifers.

Even more dramatic than watching Lake Piru top off was the amount of water collected by the district’s Freeman Diversion. The concrete structure built in 1991 on bedrock in the Santa Clara River near Saticoy diverts some of the water flowing past to spreading grounds that recharge groundwater supplies.

“So this year, it’s highly possible that if we coordinate with everybody, we may be able to put 100,000 acre feet in the ground in the Oxnard Plain,” Emmert said. “It’s been since the 1990s that we were able to do that. But it’s looking like it’s lining up that we may be able to do that.”

### **Calleguas eases restrictions**

While low lake levels at Lake Piru and Lake Casitas served as a visible reminder of the recent drought years in Ventura County, the situation was just as dire at lakes throughout the state that feed into the California State Water Project.

That’s an especially big concern for officials with the Calleguas Municipal Water District (CMWD), which receives nearly all its water from the state water project through Metropolitan Water District which delivers the water to Ventura County. Calleguas primarily serves customers in eastern Ventura County communities including Thousand Oaks and Simi Valley and also sells water to the cities of Camarillo and Oxnard. The district stores water in Lake Bard located near the border of Thousand Oaks and Simi Valley.



Calleguas Manager of Water Resources and Public Affairs Dan Drugan said looking back exactly one year to April of 2022, the State Department of Water Resources allocated far less water than the district needed to serve its customers.

“So that was a 5% final allocation for 2022. Best way I can describe it is imagine you have an entity that comes in and says, ‘Look, I know you’re used to receiving maybe 90% or 100% of your paycheck. We’re going to give you 5% this year and you’re going to have to live off of it,’” Drugan said.

“So starting in June of last year was when the Metropolitan Water District had to transition to an extraordinary supply that was essentially borrowed from the state to meet minimum human health and safety needs throughout the summer and into the fall and into the end actually of last year,” Drugan said. “So that’s the first time that Southern California had to receive that supply from the state. And when you receive that supply, you have to demonstrate significant conservation measures, and so that came with our one-day-a-week watering mandate.”

Calleguas officials were able to lift that watering mandate at their April 5 meeting, which Drugan said could not have been predicted the previous April.

“What we’ve seen with what we’re calling climate whiplash right now was going from one of the driest years on the state water project to now a banner year on the state water project,” he said. “We’re seeing the largest accumulation of snowpack since the 1980s.”

Even with the dramatically improved conditions on the state water project right now, Drugan said that it’s still possible drought conditions could return at any time.

“We’ve rebounded quite a bit and exited that drought condition. But what we are facing right now is climate whiplash. We really could go back into the situation again based on these extremes that we’ve been seeing with our water supplies,” he said.

### **Lake Casitas sees big gains**

Years of severe drought caused Lake Casitas to fall to just 30% of its capacity before this rainy season filled it up to over 71%. The drought caused an island in the middle of the lake to rise from the water so far that it was no longer an island, but today it’s surrounded by water once again.

Casitas Municipal Water District General Manager Michael Flood said the district entered into a Stage 3 drought condition during 2016 which required customers to cut water use by roughly 30% compared to what people typically used around 1990. The Stage 3 drought condition also imposed financial penalties on customers who used more water than allowed. Overall, Casitas customers were able to cut back by about 50% in recent years, Flood said. The district serves customers stretching from the Ojai Valley to the Rincon area and also provides water to the western areas of the city of Ventura.

The Casitas board voted April 12 to lower the drought condition to the lowest level, Stage 1, last in place during 2014. Flood said he was happy that he could make that recommendation to the board.

“Pretty incredible. Really, almost unbelievable in such a short period of time,” Flood said. “So this is a year that we’ve never had anything like it before. It really is something else. I mean, in 1969 we had a series of storms that did a lot of damage and actually put more water in the lake than we got this year. But yeah, we’ve been able to really maximize what we’ve been able to put in the lake this year as compared to most other years that we’ve been operating.”

The lake might be even fuller right now if not for the powerful Jan. 9 storm that damaged the Robles Diversion Facility, a structure that takes water from the Ventura River to Lake Casitas.

“We had been expecting somewhere between six and eight inches of rain, which is a decent-sized storm, and ended up getting more than 18 in some spots in the watershed over a period of maybe about 15 or 16 hours,” Flood added. “So yeah, that puts a lot of heavy flow in the river and, you know, rocks, boulders, trees, all kinds of everything you can think of came down and just battered that wall, knocked a hole in it. So we were able to get in there in about four days and push up a temporary repair.”

Subsequent storms were gentle enough and spread far enough apart that there was no additional damage to the Robles Diversion Facility, which continues to fill the lake.

### **Casitas boaters rejoice**

CMWD Chairperson Richard Hajas has a long history with Lake Casitas. He worked at the district from 1977 to 1992 and was assistant general manager when he left to become general manager of the Camrosa Water District serving areas near Camarillo.

In addition to being the district’s most important means of storing water, Lake Casitas also serves as a recreational amenity for boaters and anglers. The main boat ramp near the lake’s restaurant had been closed for many years because it was high and dry, and boaters were forced to use a temporary launch facility that needed to be moved out farther and farther as the water receded.

Now the lake’s main boat ramp is usable again, and Hajas said boaters who have stayed away in recent years are already returning. Camping and picnics at Lake Casitas are also more enjoyable when the lake is higher.

“Easter Sunday is typically our biggest day for attendance at the park and this Easter was no exception,” Hajas said. “There was a huge number of people there and it’s just a much more pleasant place to be when you’re over there and the lake is up and you can hear water flowing. I think this summer will probably be a big year for the park.”

### **Looking ahead to the future**

Hajas said that if there hadn't been such a strong year for rainfall, the CMWD board was getting prepared to move to Stage 4 restrictions this spring and the very top level, Stage 5, in another year with even bigger mandatory cutbacks. As long as the lake remains above 50% capacity, however, the Stage 1 drought restrictions will remain in effect. He was relieved to move to the lowest level of drought restrictions, and stop imposing penalties on customers who used too much water.

"Feels good to me," Hajas said. "Imposing penalties on people is something no one really wants to do. And, you know, whenever you do something like this, it's not 100% fair. So there are always flaws in it. So having that go away and giving us an opportunity to kind of redo some of these policies now that we get some relief, I think it feels good to be able to do that."

Hajas is hopeful that since water conservation measures have become such a normal part of life for most people in recent years, the savings will help prevent the district from going back to mandatory cutbacks in the future.

"We're hopeful we'll never go back into Stage 3 or 4 situations again," Hajas said. "I think we're in pretty good shape as far as what people have done to change your water use habits and conserve. So our objective is to manage that demand . . . and to avoid having to go into the situation where the lake is that low again."

United Water Conservation District, 3561 N. Rose Ave., Oxnard, 805-525-4431,  
[www.unitedwater.org](http://www.unitedwater.org).

Calleguas Municipal Water District, 2100 Olsen Road,  
Thousand Oaks, 805-526-9323, [www.calleguas.com](http://www.calleguas.com).

Casitas Municipal Water District, 1055 N. Ventura Ave., Oak View, 805-649-2251,  
[www.casitaswater.org](http://www.casitaswater.org).