



MoundBasin

GROUNDWATER SUSTAINABILITY AGENCY

MINUTES

MOUND BASIN GROUNDWATER SUSTAINABILITY AGENCY BOARD MEETING

1:00 P.M.

Thursday, October 17, 2019

Ventura City Hall, Santa Cruz Conference Room #223
501 Poli Street, Ventura, California 93001

DIRECTORS IN ATTENDANCE

Mike Mobley, Board Chair
Susan Rungren, Board Secretary
Jim Chambers
Conner Everts

DIRECTORS ABSENT

Glenn Shephard, Board Treasurer

STAFF IN ATTENDANCE

Bryan Bondy, Executive Director
Kris Sofley, Clerk of the Board

PUBLIC IN ATTENDANCE

Erin Gorospe, UWCD Controller
Burt Handy
Margo McLaughlin Ferris
Tovil Raymond, McLoughlin Ranch
Kelley Raymond, McLoughlin Ranch
Lara Shellenbarger, Ventura County Watershed Protection District
Ambry Tibay, UWCD Senior Accountant

CALL TO ORDER 1:00 p.m.

Chair Mobley called the meeting to order at 1p.m.

1. PLEDGE OF ALLEGIANCE

Chair Mobley led the participants in the Pledge of Allegiance

2. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

Chair Mobley asked if there were any public comments. None were offered.

3. ROLL CALL

Directors Chambers, Everts, Mobley and Rungren were present. Director Shephard was absent.

4. APPROVAL OF AGENDA

Motion

Motion to approve the agenda as presented, Director Everts; Second, Director Chambers. Voice vote: four ayes (Chambers, Everts, Mobley, Rungren); none opposed; one absent (Shephard). Agenda approved 4/0/1.

5. 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)

Motion to approve the Consent Calendar, Director Rungren; Second, Director Everts. Roll call vote: four ayes (Conner, Everts, Mobley, Rungren); none opposed; one absent (Shephard). Consent Calendar items approved 4/0/1.

5a Approval of Minutes

Motion

The Board will consider approving the Minutes from the July 18, 2019 Regular Mound Basin GSA Board of Directors meeting and the Special Board Meeting which also took place on July 18, 2019.

5b Approval of Warrants

Motion

The Board will consider approving payment of outstanding vendor invoices.

5c Monthly Financial Reports

Information Item

The Board will receive monthly profit and loss statements and balance sheets for the months of July, August, and September 2019.

6. BOARD MEMBER ANNOUNCEMENTS

6a Directors will provide updates on matters not on the agenda.

Director Rungren reported that the Ventura Water's final Environmental Impact Report for its Ventura Water Supply Projects was certified and presented to the Ventura City Council.

6b Directors will provide oral reports of time spent on grant eligible activities since the previous regular Board meeting.

None of the Directors had any activities to report at this time.

7. EXECUTIVE DIRECTOR UPDATE

Executive Director Bondy reported that the Agency has submitted its first invoice and progress report (in compliance with the Prop 1 Grant administration) to the Department of Water Resources (DWR). The invoice and report begins at the time of eligibility covers expenses through June 30, 2019, and he is currently waiting from comments from DWR. Executive Director Bondy added that Eddie Pech, the Agency's contact at DWR, had been temporarily reassigned in September, which was the main reason for the delay.. The second invoice for grant reimbursement is due on November 15.

Margie McLaughlin asked what expenses were covered by the Grant and Executive Director Bondy replied that it covers work on the Groundwater Sustainability Plan (GSP). Executive Director Bondy address additional questions from Ms. McLaughlin about director expenses.

8. MOTION ITEMS

8a Groundwater Extraction Fee Payment Status

Motion

Executive Director Bondy referred the Board to the summary table of unpaid extraction fees to date in the meeting packet and a copy for Board members with operator names. Executive Director Bondy then summarized the status..

Executive Director Bondy spoke with the Agency's legal counsel Joe Hughes, and reviewed Article 10 of the bylaws concerning fee enforcement. Pursuant to the Joint Powers Agreement the Agency relies on the County's rules and procedures. . Legal Counsel and the Executive Director recommend proceeding with informal approaches to collect on these outstanding invoices first, and recommended that Director Chambers reach out to the well owners with past due accounts, which may be members of MBOG. Legal Counsel suggested sending a letter as a next step.

Director Chambers asked if it would be a letter or just an invoice. UWCD's Erin Gorospe said that statements and invoices with other statements had been sent to the operators in question. Executive Director Bondy clarified that the first invoice was followed by two statements; and that the second invoice and a statement had also been sent.

Director Chambers said he had reached out to Operator No. 1 and he still hadn't paid.

Ms. McLaughlin said that there may be some confusion between the Mound Basin Agricultural Water Group (MBAWG) fee and the MBGSA fee, and maybe that needs to be more clearly explained. Executive Bondy said that is exactly why he thinks the Agency needs to reach out to these operators. Director Chambers said that they may just assume it's a double billing issue.

Executive Director Bondy asked finance staff to provide copies of the invoices and statements to Director Chambers. Director Chambers said he would try to reach

out through MBAWG and will mention to the other members, too. Then he asked for copies of the invoices and contact information for the operators.

Chair Mobley suggested tryin the outreach and if there is no response by the next Board meeting, then consider sending a letter from the Agency's attorney.

Ms. McLaughlin asked what the interest and penalty fees were. Ms. Gorospe replied that there is a 10 percent penalty fee plus a charge of 1 percent per month interest fee on the outstanding balance. Ms. McLaughlin suggested sending a copy of the Articles of Incorporation with the statement.

Director Chambers asked if there were any unidentified wells, or wells with no meters. Executive Director Bondy said that MBGSA relies on extraction reports made to UWCD. There are four wells that currently do not report and UWCD is working on obtaining compliance. .

No motion.

8b. Waiver of late fees for CW Produce

Motion

Executive Director Bondy explained that the purpose of this item is to consider a request by CW Produce to waive late fees associated extraction fees for the July – December 2018 period.

Executive Director Bondy said that CW Produce's well was in an area of overlap with Fox Canyon Groundwater Management Agency (FCGMA), which was resolved in the Basin Boundary Modification. CW Produce was therefore subject to fees from both agencies. In light of this, staff is recommending waiving the late fees and will bring back a recommendation to refund all fees paid to MBGSA in addition to the late fees due. The Operator had been reporting to FCGMA and Executive Director Bondy has made an inquiry to confirm fees were paid to FCGMA in 2018.

Director Chambers said he thought it was a reasonable request. Motion to waive late fees and penalties for CW Produce, Director Chambers; Second, Director Rungren. Roll call vote: four ayes (Chambers, Everts, Mobley, Rungren); none opposed; one absent (Shephard). Motion to waive late fees for CW Produce approved 4/0/1.

8c Stakeholder Engagement Plan Update

Motion

Executive Director Bondy reported that he completed the annual review of the Agency's Stakeholder Engagement Plan, as required by the plan. The plan has been updated to reflect Tribal Engagement as the representative information for the Chumash has been received and the Agency's map has been updated to reflect the Basin Boundary Modification that was approved by DWR in early 2019.

Director Chambers inquired about the list of interested parties and groundwater users. Executive Director Bondy said that the Agency does have that information,

but due to confidentiality, those documents are not posted on the Agency's website or released to the public.

Director Chambers commented that there are many organizations with many meetings about water issues and that it is hard to determine what meetings to attend. A discussion followed concerning how directors and MBAWG members can get meeting information about water meetings. Lara Shellenbarger, Ventura County Watershed Protection District (VCWPD) mentioned the Santa Clara River Watershed Committee (SCRWC) has GSA updates and offered to add people to the email list. SCRWC can also assist with disadvantaged community outreach.

Executive Director Bondy reminded the Board that the agenda item is about the GSAs engagement and outreach and that discussion of attending other water group's meetings is not really related except to the extent that those groups can be used as a conduit for MBGSA's outreach, which is not really what the original question was about. Executive Director Bondy asked the Clerk to add links to the website concerning water-related groups and stated that he would work with SCRWC for MBGSA outreach.

Motion to adopt the updated Stakeholder Engagement Plan, Director Everts; Second, Director Chambers. Roll call vote: four ayes (Chambers, Everts, Mobley, Rungren); none opposed; one absent (Shephard). Motion to adopt updates to the Agency's Stakeholder Engagement Plan carries 4/0/1.

8d GSP Development Update

Motion

Executive Director Bondy reported that in early October, Intera and John Lindquist of United Water Conservation District reviewed United's scope of work and progress and the game plan for the sequencing of work, incorporating the lessons learned from the Fox Canyon Groundwater Management Agency process. Executive Director Bondy said there are a fair amount of GSP components that don't drive management decisions and recommends focusing on those components that directly affect management. Executive Director Bondy then walked the Board through the GSP Work Tasks Overview table (Attachment A to the staff report) pointing out key milestones and tasks.

Executive Director Bondy said the first task is to determine the options for a data management system, compile the data, and enter into the system. This will be done upfront so that there are no questions about what data is being used so data can be shared amongst with GSP development team and stakeholders, if requested.

The hydrogeologic concept model and groundwater conditions sections will come first, as they provide the technical foundation for evaluating sustainable management criteria (SMC). Timeframe is early 2020. These aspects would then be presented at a workshop in Spring 2020 along with a preliminary assessment of the SMC. The goal is to get identify and focus on the key groundwater management and policy issues early in the process.

The SMC will then be refined information based on the feedback and then presented again at a second workshop that would also begin to discuss what kind of projects or management actions might be needed to address the SMCA third workshop will be held to further define or refine the projects or management actions. Throughout March 2020 to March 2021 other pieces that don't require policy input and other technical pieces that do not drive management decisions will be addressed, all of which will fold into a draft GSP that will be presented at a fourth workshop in or around March 2021. A 90-day comment period would be opened from. A final draft GSP would be prepared around September 2021, with a target adoption date of November 2021, leaving three months to work through issues prior to the submission deadline.

Executive Director Bondy then asked John Lindquist of UWCD if he had anything to add. Mr. Lindquist said he thought it was a great way to approach the development of the GSP and United staff is fully behind this approach.

Executive Director Bondy said he had identified four workshops but he is flexible with the process and if issues require additional workshops. Chair Mobley said the stakeholder outreach, and workshops too, were a good way to do outreach and educate stakeholders. Director Chambers asked if there were specific milestones to hit and Chair Mobley asked if specific locations were better for attracting participation. Director Everts also added different times of day to accommodate all the various schedules people have. Chair Mobley said he approved of the update. Executive Director Bondy said it is important to receive updates and provide feedback as this is a living plan and needs to have flexibility. Chair Mobley agreed.

Ms. McLaughlin said that timing and noticing is crucial. Ms. McLaughlin reminded the Board that a lot of the stakeholders are working farmers and the longer the lead time, the better. Executive Director Bondy said the FCGMA held its workshops in the early evening and participants had multiple opportunities to engage.

Director Everts asked how the Board will measure success and if it should try different ways of outreach. Executive Director Bondy said the Agency will have to find out how people heard of the events and what got them there to participate and then see if a pattern emerges. Director Everts said it's all different and part of the education process, but encouraged long lead times and giving stakeholders a real reason to be there and be engaged.

Motion to receive the update of the overview of the GSP development from the Executive Director, Director Everts; Second Director Chambers. A voice vote was taken: four ayes (Chambers, Everts, Mobley, Rungren); none opposed; one absent (Shephard). Motion to receive the GSP Development Update carries 4/0/1.

8e Approval of Intera Work Order Nos. 2 and 3

Motion

Executive Director Bondy summarized the reported that the Agency had two work orders from Intera. Work Order No. 2 provides budget to develop options for a MBGSA data management system (DMS), which is required as an element of the

GSP. The GSP regulations concerning the DMS are vague, so some thought needs to be put into MBGSA's needs and options.. Work Order No. 3 provides a budget to review the hydrogeologic concept model (HCM) developed by UWCD and support the Executive Director with the review of sustainability management criteria leading up to the first workshop.

Executive Director Bondy reviewed the proposed work orders. Chair Mobley said that \$75,000 was serious money but he read through the proposal and thought it looked good. Executive Director Bondy said that there was \$270,000 budgeted and this work order represented the first piece of that. Chair Mobley asked what Bondy and United's costs were and if this was still covered by the first \$50,000 of in-kind services from UWCD. Executive Director Bondy said the Agency would be close to the in-kind services cap later in this fiscal year.

Motion to approve Intera Work Order No. 2 and Work Order No. 3, for the development of a data management system, support for development of a hydrogeologic conceptual model (HCM), support for preliminary review of sustainability criteria, and support for a public workshop concerning the aforementioned topics, Director Everts; Second, Director Rungren. Voice vote: four ayes (Chambers, Everts, Mobley, Rungren); none opposed; one absent (Shephard). Motion to approve Work Orders No. 2 and No. 3 for Intera carries 4/0/1.

9. INFORMATION ITEMS

9a **Fiscal Year 2018/2019 Budget Report** **Information Item**

The Board received annual financial reports for fiscal year 2018-19.

Executive Director Bondy said that in reviewing the profit/loss statement and the balance sheet for fiscal year 2018-19, it's obvious the Agency is well under budget and this is primarily due to the fact that GSP development did not start as early as previously anticipated.

Chair Mobley inquired about Joe Hughes (legal counsel) activities.. Executive Director Bondy said Mr. Hughes is available to him when he seeks out legal advice but his meeting attendance continues to be on an as-needed basis consistent with prior practice.

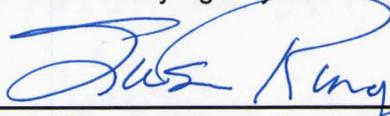
10. FUTURE AGENDA ITEMS

Director Chambers said he would not be available for the November 21 Board meeting. Executive Director Bondy said the next meeting may wait until December. Chair Mobley suggested keeping the November meeting on the calendar and the meeting could be canceled later.

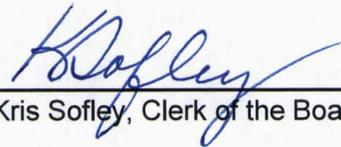
ADJOURNMENT 2:14p.m.

Chair Mobley adjourned the meeting at 2:14p.m. to the next **Regular Board Meeting** on Thursday, **November 19, 2019**, or call of the Chair.

I certify that the above is a true and correct copy of the minutes of the Mound Basin Groundwater Sustainability Agency's Board of Directors meeting of October 17, 2019.

ATTEST: 

Susan Rungren, Board Secretary

ATTEST: 

Kris Sofley, Clerk of the Board



MOUND BASIN GSA BOARD OF DIRECTORS MEETING

October 17, 2019

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