

To: Ojai Basin Groundwater Management Agency Board of Directors

From: Cece VanDerMeer

Date: November 14, 2011

Subject: Minutes of Board Meeting of October 27, 2011

The Regular Meeting of the Ojai Basin Groundwater Management Agency was called to order at 7:00 PM at the Ojai City Hall Chamber at 401 S. Ventura St., Ojai.

Attendees were: Board Members: Jerry Conrow, President, Ken Petersen, Russ Baggerly, Roger Essick, Betsy Clapp, Diana Leach (GSWC Alternate), Mary Bergen (CMWD Alternate) and Secretary/Treasurer Cece VanDerMeer.

Also in attendance: Elizabeth Martinez; Ventura County Watershed Protection District, Jordan Kear; Kear Groundwater and Dr. Gregory Schnaar, D.B. Stephens & Assoc.

Audience members in attendance: Bill O'Brien, Kevin Lakes, Bob Beck, Harry Bodell, Toby Moore, Kathy Nolan, Joe Conner, Lorraine Walter, Peter Sheydayi, Dwayne Bower, Deborah Pendrey, Leonard Klaif, Pat Baggerly, Robert Marks, Aaron Clapp, Bob Daddi and Robert Callier.

1. **PUBLIC COMMENT PERIOD:** An OjaiFLOW spokesperson, Bob Daddi, raised some questions and issues related to contradictions about the "value" of water and cited the GSWC/Chaparral Water case. Two other public members spoke, Robert Collier and Leonard Klaif about water rights and eminent domain. Considering the five Founding members of OBGMA and their representation interests, Conrow expressed concern (again) about what could happen to OBGMA and groundwater basin management if OjaiFLOW took over the water system from GSWC.
2. **GSWC PRESENTATION ON OJAI FLOW ACTIVITIES:** Joe Conner with the firm Baker Donaldson, presented a report on the Ojai Flow activities.
3. **PRESENTATION ON THE LOCAL GROUNDWATER MANAGEMENT ASSISTANCE GRANT:** Dr. Greg Schnaar with D.B Stephens & Assoc., and Jordan Kear with Kear Groundwater, presented the Results of the Basin Model. The final report will be submitted to DWR by November 15, 2011.
4. **Minutes:** On motion by Baggerly and 2nd by Essick the September 29, 2011 minutes were approved.

5. **Treasurer's Report:** On motion by Baggerly and 2nd by Essick the Treasurer's reports were received and filed.

6. **Progress Reports:**

a. **Ventura River Watershed Planning Project V-1:**

Elizabeth Martinez reported that Cardno-Entrix is continuing to work on the "Watershed Management Plan Report" for the project under contract with the District, and will have a draft report ready by December 5, 2011. A presentation on the draft report will be given at the Ventura River Watershed Council Meeting on December 13, 2011 at the City of Ventura Community Room. The final report is expected to be complete in mid-January.

b. **San Antonio Creek Recharge Project V-2** Elizabeth Martinez provided copies of the Final Baseline Geotechnical Study (dated October 20, 2011) that was prepared for the District by BTC Labs - Vertical V for the spreading grounds project. The geotechnical findings indicate that the proposed 24" transfer pipeline is feasible from a geotechnical standpoint; however, the independent analysis from Blois Construction, Inc. recommends boring using a jacking pit and a larger 36" casing, resulting in a cost estimate of \$1,012,812 (which is substantially higher than DBS&A's 90-percent design estimate for this element). Elizabeth noted that the consultant found the directional drilling to be feasible and made some recommendations to save costs, i.e. about \$1 million compared to initial estimate of \$1.36 million. There were several comments by Board members including ones about the issue of costs. Conrow asked Jordan Kear to contact the county about the V-2 Project cost estimates and bidders. The grant administrator is requesting a one year time extension from DWR since the project was delayed by the state's actions. Construction may start in July 2012. Conrow commented that there is still time to consider whether or not to go forward with the project considering the state's 50% increase in required flows compared to original plan, thereby rendering less water for the basin. If the project will render only 129 afy, is it cost beneficial for the parties? Part of the county's appeal of this requirement is that the state is imposing a restriction on flows for a project that was funded by a state grant due to the project's perceived value. Next update may come via email since there will be no OBGMA meeting in November.

With regard to permit status, the District received the requested 401 Certification permit from the Regional Water Quality Control Board for the project on September 29, 2011. On October 7, 2011,

the District sent a letter to CDFG requesting a “completeness determination” and expedited issuance of a draft SAA for the project; no response has been received to date and we may need to consider going to arbitration. The SWRCB announced that it will consider the water rights protests from CDFG and NMFS to be resolved and dismissed if no further written communication is received before November 5, 2011. NMFS has requested flow monitoring to verify discharge relationship between POD and POC at Grand Avenue Bridge.

c. Basin Water Level Report: Ken Petersen reported that the Gorham Well was pumping at 420 gpm with a pump level of 349’.

d. Kear Groundwater monthly Report: Jordan Kear presented a report on the condition of the monitoring well for the San Antonio Creek Recharge Project V-2.

7. **Allocation of Reserve Funds:** On motion by Baggerly and 2nd by Clapp the allocation of reserve funds in the amount of \$40,000.00 for the San Antonio Creek Recharge Project was approved.
8. **Proposed Meeting Schedule:** Conrow recommended that the November 2011 Board meeting be cancelled due to the holiday and that next Board meeting be held on December 15, 2011, the Board agreed.
9. **Director Reports and Comments (Board Members):**
 - Ojai Water Conservation District -- None
 - Mutuals -- None
 - City Of Ojai -- None
 - Golden State Water Company – None

ADJOURNMENT TO CLOSED SESSION

CLOSED SESSION: LITIGATION

{Government Code Section 54956.9 (b) – Alexandra Bendorf, et al Federal Court Case No. CV11-3877-DSF(SP)}

The Board met in Closed Session and provided direction to Staff.

The Board reconvened in Open Session at 9:45 pm.

ADJOURN -- The meeting was adjourned at 9:45 pm October 27, 2011

Jerry Conrow, President