

AGENDA
Ojai Basin Groundwater Management Agency
Special Meeting of March 8, 2023

Meeting Time 3:00 pm

Council Chambers, Ojai City Hall
401 South Ventura Street, Ojai, CA 93023
Phone: (805) 640-1207 **Web site:** obgma.com
Email address: obgma@aol.com

Zoom Teleconferencing for Public Call in Participation:

1. Zoom Dial in Information: 1-669-900-9128, Meeting ID: 827 5712 7464, Password: 218792.

For Public Viewing

2. Zoom Meeting

Link: <https://us02web.zoom.us/j/82757127464?pwd=Rm5JenhNUDNvRVovaEUwMzdScnFRdz09>

3. The OBGMA.com Website;
4. City of Ojai YouTube Channel at:
<https://www.youtube.com/channel/UC3DhCB5Z1DynNC7n8qcNeDQ/live> (2 Minute delay of transmission)
5. In Ojai, CA: Spectrum Channel 10.

Public Comments: Members of the public may provide public comment under item 6 or on each agenda item presented herein. Please wait until the Board Chair ask if any members of the public wish to comment. This will provide for orderly participation during the meeting.

Members of the public may also submit written public comments in advance via e-mail no later than 12:00 p.m. on the day of the meeting. Public comment e-mails should be sent to OBGMA@aol.com "Attention Board of Directors".

1. CALL TO ORDER AND ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. DIRECTOR ANNOUNCEMENTS/REPORTS/COMMENTS

- Mutuals:
- Ojai Water Conservation District:
- City of Ojai:
- Casitas Municipal Water District
- Community Facilities District - CMWD Ojai Service Area:

4. GENERAL MANAGER COMMENTS

5. BASIN STATUS REPORTS

- Current Status of Basin: Input, Output and Storage

6. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

The board will receive comments from the public at this time. Other than for emergency items, no action can be taken during this period. Matters raised at this time may be briefly discussed by the board and will generally be referred to staff and/or placed on a subsequent agenda.

7. ACTION ITEMS

a. Proposal for GSP Support Services - Dudek

- Board to consider and approve GSP support proposal by Dudek.

b. Dudek GSP Activities

- Dudek to provide an update on activities conducted in support of the GSP and receive direction if necessary.

c. LAFCO Municipal Service Review

- Board to review, discuss and provide direction on comments from LAFCO.

d. Well Application – Gerda Mertz

- Board to review application, receive comments from staff and provide direction.

e. Book Keeping Services

- Board to review and approve agreement with Michelle Gaston.

f. Financial Reports for January 2023

- Board review and approve the Financial Reports as presented.

8. DISCUSSION ITEMS

a. Casitas MWD Management Support of OBGMA.

b. General Manager Retirement.

9. ADJOURNMENT:

The regular meetings of the Ojai Basin Groundwater Management Agency are scheduled for the last Thursday of each month. The meeting agenda will be posted at Ojai City Hall and the OBGMA Website 72 hours prior to the meeting.

The next regular meeting of the Ojai Basin Groundwater Management Agency is scheduled for April 27, 2023, 3:00 p.m. to be held in the Council Chambers at Ojai City Hall and by Zoom Teleconferencing. If you have any questions please contact OBGMA by email at obgma@aol.com or by calling 805.640.1207.

**OBGMA Board Meeting - 3/8/23
Agenda Item: 7a.**

February 17, 2023

John R. Mundy
Ojai Basin Groundwater Management Agency
417 Bryant Circle, Suite 112
Ojai, California 93023

Subject: Proposal to Provide As-Needed Technical Support During Implementation of the Ojai Basin Groundwater Sustainability Plan

Dear John Mundy:

Dudek is pleased to provide the Ojai Basin Groundwater Management Agency (OBGMA) with this proposal for as-needed technical services to support implementation of and, as necessary, revisions to, the Groundwater Sustainability Plan (GSP) for the Ojai Valley Groundwater Basin (OVGB) during the 2023 Calendar Year (i.e., January 1, 2023 through December 31, 2023). Dudek has prepared this proposal at the request of the OBGMA Board, as discussed at the January 26, 2023 OBGMA Regular Board Meeting.

Dudek understands that services performed under this contract, if approved, will be performed on an as-needed basis and assumes that all tasks will be initiated by written request from the OBGMA. Because the as-needed tasks are not well-defined, Dudek has provided an anticipated Scope of Services below, based on activities completed during the 2022 calendar year to support GSP implementation and development for the OVGB. The anticipated scope of services described below is intended to provide the OBGMA Board and staff with a high-level understanding of the activities that may be pursued during the duration of this contract, but may not be inclusive of all activities that may be performed to support GSP implementation.

Dudek has not included the development of the 2023 GSP Annual Report in this proposal because the OBGMA Board approved the 2023 GSP Annual Report proposal and scope of work on January 26, 2023.

1 Anticipated Scope of Services

Task 1 Semi-Annual Groundwater Level Evaluation and Submittal

GSP Regulations (23 CCR § 354.34(c)(1)(B)) require Groundwater Sustainability Agencies (GSA) to submit groundwater levels to the California Department of Water Resources' (DWR) Sustainable Groundwater Management Act (SGMA) Monitoring Network Module at least semi-annually, representing seasonal high and seasonal low conditions. DWR has historically defined seasonal high measurements as spring and seasonal low measurements as fall, with readings submitted to DWR's SGMA Monitoring Network Module by July 1st and January 1st for each seasonal monitoring event. Groundwater levels in the OVGB are collected by multiple agencies, including Kear Groundwater, Ojai Valley Sanitation District, and the Ventura County Watershed

Protection District. Measurements collected by these entities include quarterly depth to water measurements, typically measured via an electric sounder, as well as high-frequency data collected via pressure transducers.

Activities anticipated under this task involve: (i) coordination between Dudek and the monitoring entities to compile seasonal groundwater level measurements, (ii) evaluation of measured water levels and submittal to DWR's SGMA Monitoring Network Module, and, if requested, (iii) semi-annual updates of the GSP groundwater level database to provide regular evaluation of groundwater conditions and sustainability in the OVGB. Dudek assumes that any and all activities requested to evaluate data gaps and the monitoring in the OVGB will be initiated via written request from the OBGMA.

Task 2 Ongoing Data Gap and Monitoring Network Evaluation

Section 354.38 of the GSP Regulations requires GSAs to evaluate the GSP monitoring network and its ability to adequately characterize groundwater conditions and their relation to undesirable results in the basin. Dudek prepared an initial assessment of data gaps and areas for monitoring network improvement in the GSP. While the GSP Regulations require data gap and monitoring network evaluations to occur at least every five years, Dudek also recognizes that additional analyses may be required to support implementation of projects prior to the first five-year GSP Periodic Evaluation/Update.

Activities under this task may include: (i) evaluation of depth-discrete groundwater level data and their relation to pumping, surface water conditions, and groundwater elevation data measured at long-screen production wells, (ii) evaluation of the spatial distribution of representative monitoring wells in the basin and their ability to adequately characterize groundwater conditions in the vicinity of new projects, and (iii) an evaluation of the timing and frequency of monitoring events in the OVGB in relation to their ability to adequately characterize seasonal high and low conditions. Dudek assumes that any and all activities requested to evaluate data gaps and the monitoring network in the OVGB will be initiated via written request from the OBGMA.

Task 3 Executive Order N-3-23

Governor Newsom's Executive Order N-7-22, which was modified by Governor Newsom on February 13, 2023 (EO N-3-23), requires GSAs to review and evaluate the impacts of a proposed new well or well modification prior to the well applicant receiving approval from the local well permitting agency for construction of the proposed well/well modification. On October 11, 2022, Dudek prepared a scope and fee to evaluate new well permit applications. The scope and fee presented an interim evaluation framework that relates the operation of a proposed new well and/or well modification to undesirable results in the OVGB, as defined in the GSP. Since providing this scope and fee, Dudek has performed one well permit review and OBGMA staff has reviewed an additional permit for a production well planned for construction outside the OVGB boundary, but within the OBGMA's jurisdiction.

Dudek anticipates that additional well permits may be submitted to the OBGMA for GSA review and evaluation during the duration of this contract. Activities that may support OBGMA's review of these applications may include: (i) technical review and evaluation of well permit applications, (ii) re-evaluation of the technical framework used to evaluate the relationship between proposed operations and undesirable results in the OVGB, and (iii) the development of a significance threshold that may be used to identify groundwater extraction rates

that may induce undesirable results in the OVGB. Dudek assumes that any and all activities requested to evaluate data gaps and the monitoring in the OVGB will be initiated via written request from the OBGMA.

Task 4 Response to DWR’s Comments on the OVGB GSP

Section 355.2 of the GSP Regulations establishes a two-year period for DWR to complete their review of the OVGB GSP. The OBGMA submitted the OVGB GSP to DWR on January 31, 2022, which requires DWR to provide comments on the OVGB GSP by January 31, 2024. In the event that DWR provides comments on GSP before January 31, 2024, and within the 2023 calendar year, Dudek will consult with OBGMA staff to evaluate the need to revise and update the GSP based on recommended or required corrective action. Dudek assumes that any and all activities requested to respond to DWR’s comments on the GSP will be initiated via written request from the OBGMA.

Task 5 Field Work

Dudek understands that groundwater conditions in the OVGB are currently monitored by Kear Groundwater, Ojai Valley Sanitation District, and the Ventura County Watershed Protection District. In the event that these entities need additional support to complete field and/or monitoring activities, Dudek can, based on staff availability, provide staff to support existing and new monitoring events within the basin. These monitoring activities may include groundwater level measurements, groundwater quality sampling, surface water flow measurements, and riparian health evaluations. Dudek assumes that any and all activities requested to provide field support will be initiated via written request from the OBGMA.

Task 6 Meetings and Project Management

Activities under this task may include preparation for, attendance at, and participation in monthly Board Meetings; coordination with OBGMA staff to identify and execute tasks that support GSP implementation; and project management activities, including the development of monthly status reports and invoices. During the 2022 calendar year, Dudek attended monthly OBGMA Regular Board Meetings and provided updates on GSP development and implementation progress. Dudek anticipates having at least one staff member attend the OBGMA Regular Board meetings when items on the board agenda pertain to activities covered under this contract. Dudek will seek approval from OBGMA staff in the event that more than one Dudek staff is required to attend a monthly Board meeting.

2 Fee Schedule

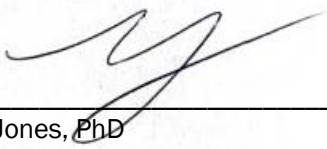
Dudek will bill on a time and materials basis in accordance with rates in the attached 2023 Dudek Standard Schedule of Charges (Attachment A). To ensure that the OBGMA Board and staff remain apprised of all activities and costs associated with projects performed under this task, Dudek will provide OBGMA staff with estimated scope and costs to perform any activity(s) requested by the OBGMA prior to initiating work. Dudek will initiate as-needed tasks following written approval of the scope and cost to perform the implementation activities.

TO: JOHN MUNDY
SUBJECT: PROPOSAL TO PROVIDE AS-NEEDED TECHNICAL SUPPORT DURING IMPLEMENTATION OF THE OJAI BASIN
GROUNDWATER SUSTAINABILITY PLAN

Dudek will negotiate the scope, fee, and schedule with OBGMA staff for each task requested by the OBGMA. Scope, fee, and schedule considerations will be based on task requirements, staff availability, and staffing workload.

Dudek appreciates this opportunity to assist the OBGMA. If you have any questions or require further discussion, please contact me at tjones@dudek.com or 760.407.4042.

Sincerely,



Trevor Jones, PhD
Senior Hydrogeologist

Att.: Attachment A, 2023 Standard Schedule of Charges
cc: Devin Pritchard-Peterson, Dudek

Attachment A

2023 Standard Schedule of Charges

DUDEK 2023 Standard Schedule of Charges

Engineering Services

Project Director	\$325.00/hr
Principal Engineer III	\$290.00/hr
Principal Engineer II	\$280.00/hr
Principal Engineer I	\$270.00/hr
Program Manager	\$260.00/hr
Senior Project Manager	\$260.00/hr
Project Manager	\$250.00/hr
Senior Engineer III	\$245.00/hr
Senior Engineer II	\$235.00/hr
Senior Engineer I	\$225.00/hr
Project Engineer IV/Technician IV	\$215.00/hr
Project Engineer III/Technician III	\$205.00/hr
Project Engineer II/Technician II	\$195.00/hr
Project Engineer I/Technician I	\$175.00/hr
Senior Designer II	\$195.00/hr
Senior Designer I	\$190.00/hr
Designer	\$180.00/hr
Assistant Designer	\$175.00/hr
CADD Operator III	\$170.00/hr
CADD Operator II	\$160.00/hr
CADD Operator I	\$145.00/hr
CADD Drafter	\$130.00/hr
CADD Technician	\$120.00/hr
Project Coordinator	\$150.00/hr
Engineering Assistant	\$125.00/hr

Environmental Services

Senior Project Director	\$300.00/hr
Project Director	\$265.00/hr
Senior Specialist V	\$250.00/hr
Senior Specialist IV	\$235.00/hr
Senior Specialist III	\$225.00/hr
Senior Specialist II	\$210.00/hr
Senior Specialist I	\$200.00/hr
Specialist V	\$185.00/hr
Specialist IV	\$175.00/hr
Specialist III	\$165.00/hr
Specialist II	\$155.00/hr
Specialist I	\$145.00/hr
Analyst V	\$135.00/hr
Analyst IV	\$125.00/hr
Analyst III	\$115.00/hr
Analyst II	\$105.00/hr
Analyst I	\$95.00/hr
Technician III	\$85.00/hr
Technician II	\$75.00/hr
Technician I	\$65.00/hr

Mapping and Surveying Services

Application Developer II	\$195.00/hr
Application Developer I	\$155.00/hr
GIS Analyst V	\$205.00/hr
GIS Analyst IV	\$165.00/hr
GIS Analyst III	\$145.00/hr
GIS Analyst II	\$130.00/hr
GIS Analyst I	\$115.00/hr
UAS Pilot	\$115.00/hr
Survey Lead	\$185.00/hr
Survey Manager	\$145.00/hr
Survey Crew Chief	\$120.00/hr
Survey Rod Person	\$95.00/hr
Survey Mapping Technician	\$95.00/hr

Construction Management Services

Principal/Manager	\$195.00/hr
Senior Construction Manager	\$185.00/hr
Senior Project Manager	\$175.00/hr
Construction Manager	\$170.00/hr
Project Manager	\$165.00/hr
Resident Engineer	\$160.00/hr
Construction Engineer	\$155.00/hr
On-site Owner's Representative	\$145.00/hr
Prevailing Wage Inspector	\$145.00/hr
Construction Inspector	\$140.00/hr
Administrator/Labor Compliance	\$100.00/hr

Hydrogeology/HazWaste Services

Project Director	\$325.00/hr
Principal Hydrogeologist/Engineer II	\$295.00/hr
Principal Hydrogeologist/Engineer I	\$275.00/hr
Senior Hydrogeologist V/Engineer V	\$260.00/hr
Senior Hydrogeologist IV/Engineer IV	\$250.00/hr
Senior Hydrogeologist III/Engineer III	\$240.00/hr
Senior Hydrogeologist II/Engineer II	\$230.00/hr
Senior Hydrogeologist I/Engineer I	\$220.00/hr
Project Hydrogeologist V/Engineer V	\$205.00/hr
Project Hydrogeologist IV/Engineer IV	\$195.00/hr
Project Hydrogeologist III/Engineer III	\$185.00/hr
Project Hydrogeologist II/Engineer II	\$175.00/hr
Project Hydrogeologist I/Engineer I	\$165.00/hr
Hydrogeologist/Engineering Assistant	\$130.00/hr

District Management & Operations

District General Manager	\$225.00/hr
District Engineer	\$215.00/hr
Operations Manager	\$165.00/hr
District Secretary/Accountant	\$140.00/hr
Collections System Manager	\$140.00/hr
Grade V Operator	\$130.00/hr
Grade IV Operator	\$115.00/hr
Grade III Operator	\$105.00/hr
Grade II Operator	\$85.00/hr
Grade I Operator	\$80.00/hr
Operator in Training	\$75.00/hr
Collection Maintenance Worker	\$75.00/hr

Creative Services

Creative Services IV	\$165.00/hr
Creative Services III	\$150.00/hr
Creative Services II	\$135.00/hr
Creative Services I	\$120.00/hr

Publications Services

Technical Editor IV	\$165.00/hr
Technical Editor III	\$150.00/hr
Technical Editor II	\$135.00/hr
Technical Editor I	\$120.00/hr
Publications Specialist IV	\$125.00/hr
Publications Specialist III	\$115.00/hr
Publications Specialist II	\$105.00/hr
Publications Specialist I	\$95.00/hr
Clerical Administration	\$90.00/hr

Expert Witness – Court appearances, depositions, and interrogatories as expert witness will be billed at 2.00 times normal rates.

Emergency and Holidays – Minimum charge of two hours will be billed at 1.75 times the normal rate.

Material and Outside Services – Subcontractors, rental of special equipment, special reproductions and blueprinting, outside data processing and computer services, etc., are charged at 1.15 times the direct cost.

Travel Expenses – Mileage at current IRS allowable rates. Per diem where overnight stay is involved is charged at cost.

Invoices, Late Charges – All fees will be billed to Client monthly and shall be due and payable upon receipt. Invoices are delinquent if not paid within 30 days from the date of the invoice. Client agrees to pay a monthly late charge equal to 1% per month of the outstanding balance until paid in full.

Annual Increases – Unless identified otherwise, these standard rates will increase in line with the CPI-U for the nearest urban area per the Department of Labor Statistics to where the work is being completed) or by 3% annually, whichever is higher.

The rates listed above assume prevailing wage rates does not apply. If this assumption is incorrect Dudek reserves the right to adjust its rates accordingly.

OBGMA Board Meeting 3/8/23
Agenda Item: 7c.

Draft

Ventura Local Agency Formation Commission

Ojai Basin Groundwater Management Agency

Municipal Service Review

Prepared By:
Ventura Local Agency Formation Commission
801 S. Victoria Avenue, Suite 301
Ventura, CA 93003

DRAFT Accepted by the Commission on [insert date]



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Introduction

Purpose of the Municipal Service Review

Local Agency Formation Commissions (LAFCo) exist in each county in California and were formed for the purpose of administering state law and local policies relating to the establishment and revision of local government boundaries. According to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code § 56000 et seq.), LAFCo's purposes are to:

- discourage urban sprawl;
- preserve open space and prime agricultural land;
- ensure efficient provision of government services; and
- encourage the orderly formation and development of local agencies.

To achieve these purposes, LAFCos are responsible for coordinating logical and timely changes in local government boundaries (such as annexations), conducting special studies that identify ways to reorganize and streamline governmental structure, and determining a sphere of influence for each city and special district over which they have authority.

A **sphere of influence** is a plan for the probable physical boundaries and service area of a local agency, as determined by LAFCo (Government Code § 56076). Beginning in 2001, each LAFCo was required to review, and as necessary, update the sphere of each city and special district on or before January 1, 2008, and every five years thereafter (Government Code § 56425(g)). Government Code § 56430(a) provides that in order to determine or update a sphere of influence, LAFCo shall prepare a **Municipal Service Review (MSR)** and make written determinations relating to the following seven factors:

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by Commission policy.

MSRs are not prepared for counties, but are prepared for special districts including those governed by a county Board of Supervisors. Additionally, while LAFCos are authorized to

prepare studies relating to their role as boundary agencies, they have no investigative authority.

LAFCo staff prepared this MSR for the Ojai Basin Groundwater Management Agency (OBGMA or District) using information obtained from multiple sources, including, but not limited to:

- **MSR Questionnaire:** A questionnaire supplied by LAFCo elicited general information about the District (e.g., contact information, governing body, financial information), as well as service-specific data;
- **Budget:** The adopted budget provided information regarding services and funding levels;
- **General Plans:** Ventura County and City of Ojai General Plans provided information regarding land use, populations, and service levels;
- **District Documents:** Various District documents provided supplementary information relating to service provision (primarily the draft final Groundwater Sustainability Plan prepared in compliance with the Sustainable Groundwater Management Act);
- **Historical MSR:** The 2004 MSR provided certain data that remain relevant and accurate for inclusion in the current MSR;
- **District Website:** The District's website provided supplementary and clarifying information; and
- **District Staff:** District staff provided supplementary and clarifying information.

Organization of the MSR

This report is organized into several sections, as follows:

- **Maps:** A general location map and the official LAFCo map of the District;
- **Profile:** Summary profile of information about the District, including contact information, governing body, summary financial information, and staffing levels;
- **Growth and Population Projections:** Details of past, current, and projected population for the District;
- **Review of Municipal Services:** Discussion of the municipal services that the District provides;
- **Sphere of Influence:** Discussion of the existing sphere of influence of the District and potential modifications to the sphere; and
- **Written Determinations:** Recommended determinations for each of the seven mandatory factors for the District.

The Commission's acceptance of the MSR and adoption of written determinations will be memorialized through the adoption of a resolution that addresses each of the seven mandatory factors based on the Written Determinations section of the MSR.

Maps

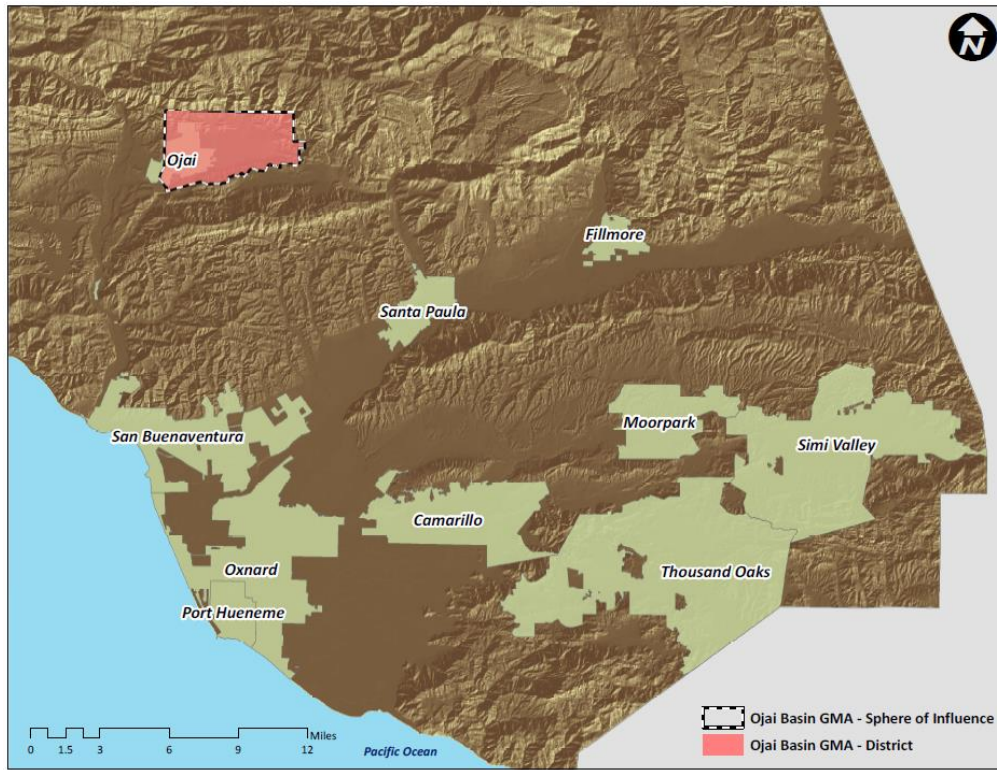


Figure 1: Location Map

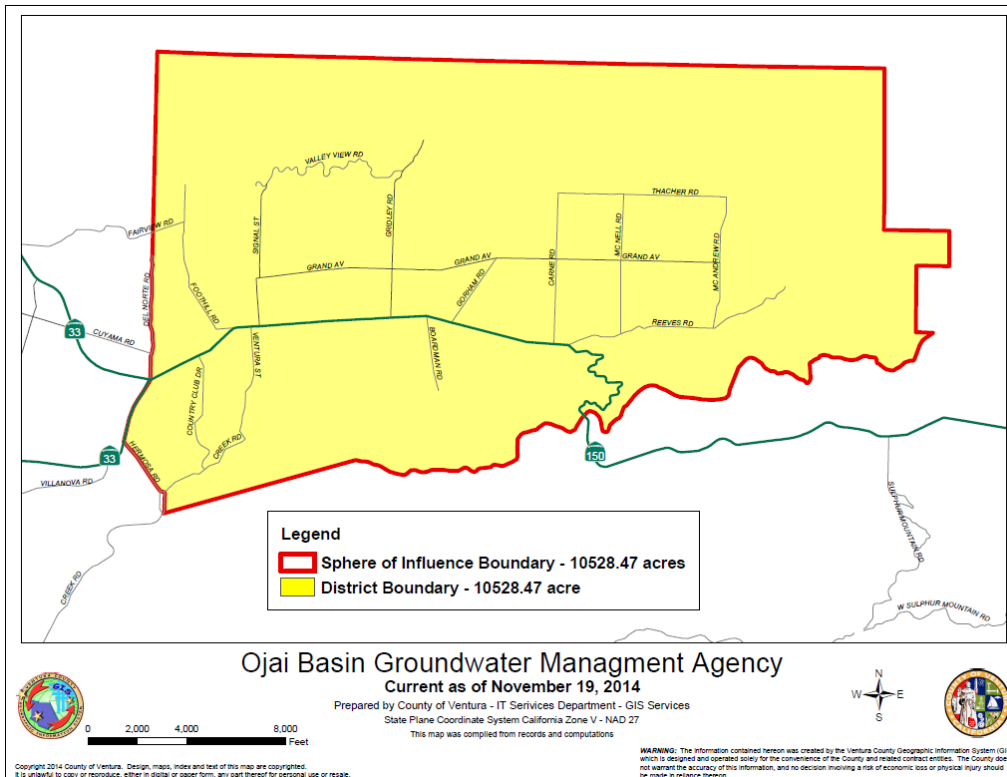


Figure 2: Official LAFCo Map

Profile

The OBGMA conducts groundwater management and planning, documents groundwater extraction compared with reported pumping, collects extraction charges from well owners, coordinates with the County and private entities to monitor basin conditions, supports the operation and maintenance of the San Antonio Spreading Grounds Rehabilitation Project, maintains a groundwater model of the basin, monitors water levels in the basin, preforms groundwater-related outreach and education activities, participates in watershed, county, and state meetings. The OBGMA does not provide direct water service.

The District's mission is provided as follows:

To preserve the quantity and quality of groundwater in the Ojai Basin in order to protect and maintain the long-term water supply for the common benefit of the water users in the basin.

Contact Information

District Manager	John Mundy
District Office	417 Bryant Circle, Suite 112, Ojai, CA 93023
Mailing Address	P.O. Box 1779, Ojai, CA 93023
Phone Number	(805) 640-1207
Website	obgma.com
E-mail Addresses	obgma@aol.com

Governance Information

Formation Date	October 8, 1991
Legal Authority	<u>Ojai Basin Groundwater Management Agency Act</u>
Type of District	Dependent
Board of Directors	Five members. One member appointed by each of the governing boards of the Ojai City Council, Casitas Municipal Water District, Ojai Water Conservation District, one member chosen by the OBGMA board as the community facilities district resident director, and one member chosen by the governing boards of the following mutual water companies: Senior Canyon Mutual Water Company, Siete Robles Mutual Water Company, and Hermitage Mutual Water Company.
Board Meetings	Last Thursday of most months, beginning at 5:00 p.m., located at the Ojai City Council Chambers, Ojai City Hall, 401 S. Ventura Street, Ojai, CA 93023. Recorded meetings are broadcast for viewing on the District's website upon conclusion of the meeting.

Services Provided

The OBGMA controls the extraction and use of groundwater and manages groundwater quality in the Ojai Valley Groundwater Basin.

Population and Area Information

	<i>Population</i> ¹	<i>Area (square miles)</i>
Jurisdictional Area	9,472	16.45
Sphere of Influence Area	9,472	16.45

Staffing – Full Time Equivalent Positions²			
Executive/Management	Professional/Support	Operational	Total
0	½	0	½

Revenues	Expenditures
Primary Revenue Sources	Primary Expenses
Groundwater Extraction Fees	Professional Fees
Grants	Payroll Expenses
Well Head Fees	Insurance
FY 2022-23 Revenues (Budget)	FY 2022-23 Expenditures (Budget)
Unknown (District did not provide)	Unknown (District did not provide)

Public Agencies with Overlapping Jurisdiction	
Casitas Municipal Water District	Ventura County Resource Conservation District
City of Ojai	Ventura County Service Area No. 14
Gold Coast Transit District	Ventura County Service Area No. 32
Ojai Water Conservation District	Ventura County Transportation Commission
Ojai Valley Sanitary District	Ventura County Watershed Protection District
Ventura County Air Pollution Control District	Ventura Regional Sanitation District
Ventura County Fire Protection District	Ventura River Water District

¹ Source: 2010 U.S. Census data

² Source: Current and historical City budget documents, and City staff.

Growth and Population Projections

LAFCo is required to project the growth and population for the affected area (Government Code § 56430(a)(1)).

Based on the *Draft Final Groundwater Sustainability Plan for the Ojai Valley Groundwater Basin (January 2022)*, population estimates for the OBGMA are derived from data supplied by the U.S. Census Bureau, the City of Ojai General Plan, the Ventura County General Plan, and the Southern California Association of Governments (SCAG). Population for the Ojai Basin was estimated in 2010 to be 7,749, and in 2020 to be 8,170. The population is projected to reach 8,705 by 2035 and 8,905 by 2040. While the population growth rate within the City of Ojai (i.e., the population center of the OBGMA) was negative during the span of 2000 to 2018, population within the Ojai Basin is anticipated to experience approximately 6.5 percent in growth between 2020 and 2035.

Review of Municipal Services

The review of the District's services is based on provisions of state law which require LAFCo to make determinations regarding the present and planned capacity of public facilities, the adequacy of public services, infrastructure needs and deficiencies, and the District's financial ability to provide these services (Government Code § 56430(a)(3)).

Water Services

OBGMA History and Ojai Valley Groundwater Basin Location

The OBGMA was formed in 1991, through special legislation known as the Ojai Basin Groundwater Management Agency Act (Senate Bill 534), during a drought and a time when local water agencies, water users, and well owners were greatly concerned about potential overdraft of the Ojai Valley Groundwater Basin (also known as Ojai Basin or OVGB). The OBGMA Act specifically prescribes that "the boundaries of the agency include that portion of the Ojai Basin watershed which lies within the boundaries of the Casitas Municipal Water District or the Ojai Water Conservation District, but do not include any land within the boundaries of the Ventura River County Water District." In general, this area covers the Ojai Valley east of Del Norte Road (e.g., most of the City of Ojai, the unincorporated east end of the Ojai Valley, the Dennison Grade, and portions of the Los Padres National Forest), and includes nearly all of the Ojai Valley Groundwater Basin. The northern and eastern boundaries of the OBGMA align with those of the Casitas Municipal Water District.

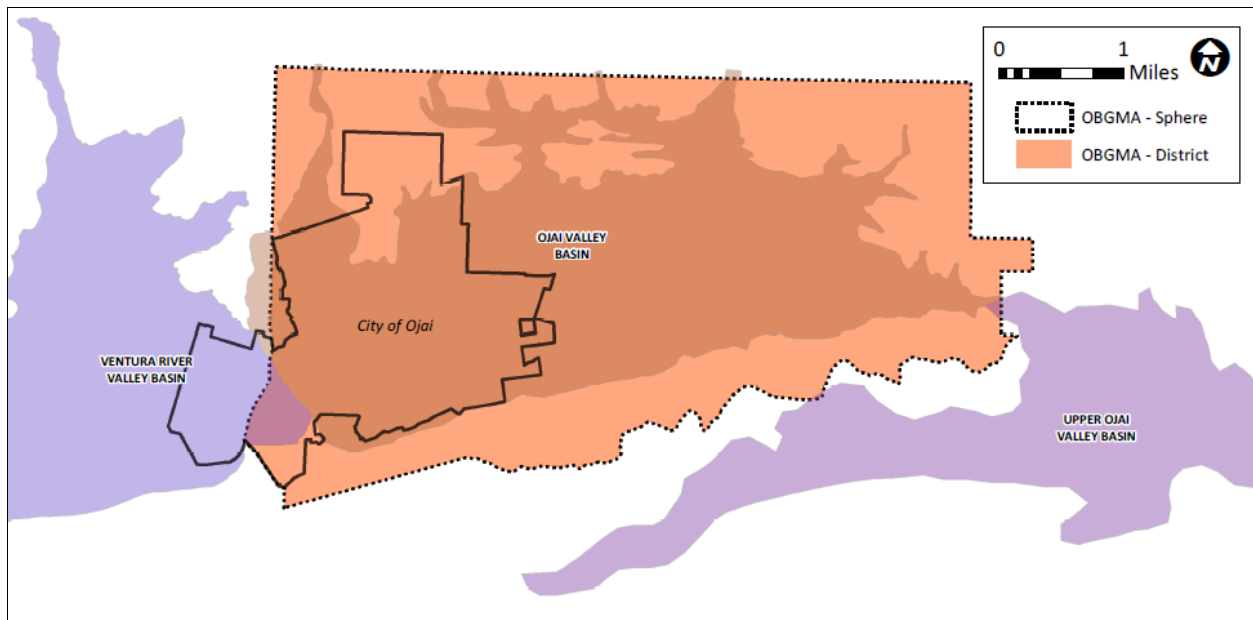
The Ojai Basin underlies the City of Ojai and the Ojai Valley's east end, and is a source of municipal and agricultural water. Approximately two-thirds of the OBGMA jurisdictional area is within the unincorporated County area, and the remaining approximately one-third is within the City of Ojai. The District estimates that approximately 45 percent of the land covered by the Ojai Basin is being used for agriculture, about 27 percent is used for single-family residential purposes, and the remaining land contains a range of uses including commercial, industrial, other residential, and open space.

According to the Groundwater Management Plan - 2018 Update Ojai Valley Groundwater Basin, the Ojai Basin is relatively deep and bowl-shaped, and is bounded on the west and east by rocks, on the south by the Santa Ana Fault and Black Mountain, and on the north by the Topatopa Mountains. Major drainages that recharge the basin include San Antonio Creek and tributary streams draining from the East End of the Ojai Valley into San Antonio Creek. According to the draft final GSP, recharge "occurs through percolation of surface waters through alluvial channels, infiltration of precipitation that falls directly on the valley floor, subsurface flow, and septic and irrigation return flow." Some water from the basin is also naturally discharged to San Antonio Creek, supporting native habitats and wildlife, as well as supplying downstream water users. There are 171 groundwater extraction wells within the Ojai

Basin, which supply water for residential, commercial, and agricultural use within the City of Ojai and surrounding communities.

The OBGMA controls the extraction and use of groundwater and manages groundwater quality in the Ojai Valley Groundwater Basin, in order to protect and maintain the long-term water supply for water users within its jurisdictional area. It conducts groundwater management and planning activities, documents groundwater extraction, collects extraction fees from well owners, coordinates with the County of Ventura and private entities to monitor basin conditions, supports the operation and maintenance of the San Antonio Creek Spreading Grounds, maintains a groundwater model of the basin, monitors water levels in the basin, and performs groundwater-related outreach and education activities. Of the 171 groundwater wells, 124 wells are metered. Owners of metered wells are subject to a \$50 annual fee, as well as a charge of \$37 per acre-foot of water extracted. Unmetered wells are not tracked and their owners pay no fees.

According to the OBGMA’s draft final Groundwater Sustainability Plan (GSP),³ the Ventura County Public Works Agency (VCPWA) is responsible for issuance of groundwater well permits within the Ojai Basin. The VCPWA implements regulations that address the construction, maintenance, operation, modification, and destruction of groundwater wells, and include requirements for flow meters and protections to guard against contamination and pollution. According to District staff, in 2021 the OBGMA’s records reflected 169 registered wells. Of those wells, 85 are metered, 99 pump less than 2 AFY, and 35 have no current recorded use.



Water Service within the OBGMA

³ The Groundwater Sustainability Plan prepared by the OBGMA is discussed in greater detail, below.

The OBGMA's role is limited to management of the Ojai Valley Groundwater Basin; it does not provide water service or own/operate any water-related infrastructure. Instead, several water purveyors provide water service within the OBGMA's jurisdictional area (including the Casitas Municipal Water District as the primary service provider and several private water companies (e.g., Siete Robles Mutual Water Company, Senior Canyon Mutual Water Company, Hermitage Mutual Water Company, Gridley Road Water Group, and the County of Ventura (managed by the General Services Agency Parks Department, which serves groundwater to Soule Park Golf Course)) supply water service within the Ojai Valley. These water supplies come from local groundwater and surface water.

OBGMA Groundwater Management Plan

The OBGMA Act states that the OBGMA shall generally "limit its activities to monitoring, planning, managing, controlling, preserving, and regulating the extraction and use of groundwater" within its boundaries. Further, it prescribes that the OBGMA, through the preparation of a Groundwater Management Plan, "develop, adopt, and implement a plan to protect the basin's groundwater quality and to balance long-term average annual water replenishment and extractions in the basin." The most recent Groundwater Management Plan update prepared by the OBGMA for the Ojai Valley Groundwater Basin was completed on August 30, 2018. In support of groundwater management, the OBGMA may require conservation practices and measures, commence and prosecute legal actions against parties who exhibit unreasonable uses or methods of use of water which adversely affect groundwater supply within the agency, conserve and reclaim water, regulate groundwater replenishment programs and the recapture of supplemental groundwater resulting from those programs, enter into contracts related to conservation and enhancement of conjunctive use and impose reasonable operating regulations on extraction facilities, and levy groundwater extraction charges, among other activities.

The OBGMA's Groundwater Management Plan guides the OBGMA's operations, through the implementation of its policies, rules, regulations, and ordinances. In support of the Groundwater Management Plan, the OBGMA prepares annual reports on groundwater supplies and conditions within the agency, with the goal of protecting the OVGB's groundwater quality and to balance the long-term average annual water replenishment and extractions in the basin, control groundwater extractions by regulating, limiting, or suspending extractions from extraction facilities. However, the most recently-available annual report was prepared during FY 2017-18. The Groundwater Management Plan explains that while the Ojai Basin can be rapidly depleted during periods of drought, it is reported to also quickly recharge during wet periods. Over the long-term, groundwater storage levels have generally remained stable.

According to the draft final GSP prepared for the OVGB, the Ojai Water Conservation District (OWCD), previously known as the San Antonio Water Conservation District, was formed in 1949 to divert flows from San Antonio Creek into settling ponds in order to recharge the groundwater. The spreading grounds allow for the artificial recharge of the Ojai Basin and are estimated to have provided an average of 126 AFY, up to a maximum of 914 AFY, of recharge to

the OVGB, depending on a variety of conditions. Except for the San Antonio Creek spreading grounds, recharge to the OVGB consists primarily of natural infiltration of precipitation.

An undated fact sheet published by the Watersheds Coalition of Ventura County explains that the San Antonio Creek Spreading Grounds Rehabilitation Project (SACSGRP) aims to increase groundwater storage and recharge in the Ojai Groundwater Basin by “rebuilding the abandoned diversion works, rehabilitating the spreading ground basins, and constructing passive percolation wells adjacent to San Antonio Creek” in an effort to address water supply concerns in the Ojai Valley and generally improve water supply reliability within the Ventura River Watershed. According to the draft final GSP, the SACSGRP was funded by means of grants that were secured through the Ventura County Integrated Regional Water Management Program (which encourages agencies to develop plans using regional water management strategies and projects to protect communities from drought, protect and improve water quality, and improve local water security by reducing dependence on imported water).

Groundwater Sustainability Plan

The Sustainable Groundwater Management Act (SGMA) of 2014 requires the formation of local groundwater sustainability agencies (GSAs) for high-priority or medium-priority water basins, as determined by the state. GSAs are required to evaluate local water basin conditions and develop groundwater sustainability plans (GSPs). The purpose of a GSP is to define sustainability for an individual basin and establish a path toward sustainability by 2040 for high-priority basins, and 2042 for medium-priority basins. The Ojai Basin is listed as a high-priority basin, pursuant to the State Department of Water Resources (DWR). The OBGMA is the GSA for the Ojai Basin.

The OBGMA originally submitted to the DWR a GSP alternative for evaluation, in compliance with the provisions of the SGMA. The alternative was based on an analysis of basin conditions that demonstrated the basin had operated within its sustainable yield during the preceding decade and that undesirable results related to sustainability indicators were not present and were not likely to occur. Specifically, the alternative explained that the combination of groundwater pumping and import of surface water from Lake Casitas had provided adequate water supply for at least 10 years and that it had the ability to maintain average groundwater elevations and groundwater in storage. Despite these arguments, DWR staff determined that the alternative did not satisfy the objectives of SGMA, and the OBGMA prepared a GSP which was submitted to the DWR in January 2022.

The draft final GSP documents that the Ojai Basin has a capacity of approximately 85,000 AF (although not all of this water is recoverable), and was measured at 48,000 AF (60 percent capacity) on January 31, 2019. OBGMA staff reports that over the course of water year 2021-2022, the basin at its highest level was 167.65 feet below the ground surface (April 7, 2022), at its lowest was 188.64 feet below the ground surface (December 7, 2021), and most currently was measured at 175 feet below the ground surface (May 24, 2022), which equates to

approximately 52,000 AF in storage, or two-thirds of basin capacity.⁴ Agricultural demand accounts for about 60 percent of the water drawn from the basin and urban demand accounts for about 40 percent. In general, pursuant to the draft final GSP, groundwater quality within the Ojai Basin meets drinking water standards without treatment.

Proposed projects and management actions (PMAs) in support of understanding of the groundwater basin are contained within the draft final GSP, which include: (1) monitoring of groundwater level, quality, and streamflow, (2) monitoring of groundwater extraction, (3) preparation of a sampling and analysis plan and quality assurance project plan, (4) preparation of a groundwater dependent ecosystems assessment, (5) development of a data management system, and (6) simulation of extreme climate scenarios. Furthermore, proposed PMAs in support of long-term sustainability of the Ojai Basin include: (1) development of a comprehensive conjunctive management plan, (2) development of a groundwater allocation, (3) development of a water conservation program, and (4) encouragement of voluntary pumping reductions. Finally, the draft final GSP includes PMAs related to encouraging cooperative efforts with other agencies, stakeholders, and water users; implementation of public outreach and engagement; and pursuit of grant funding opportunities to defray the cost of the described PMAs. The estimated cost to implement the GSP, as currently drafted, over a 20-year period is approximately \$8,114,000, which is anticipated to be covered through a combination of groundwater extraction fees and/or grants.

The draft final GSP acknowledges that a few areas of the OVGB are not located within the OBGMA boundary. These areas outside the OBGMA boundary total 143.7 acres and include “narrow, shallow alluvial filled stream channels along the southern flank of the Topatopa Mountains (northern boundary of OVGB),” and an approximately 134.5-acre area along the western margin of the OVGB. It appears that since the formation of the OBGMA, the DWR has revised its mapping of the OVGB, expanding it such that certain areas are slightly outside the boundaries of the OBGMA. However, the northern and eastern boundaries of the District remain consistent with the provisions of the OBGMA Act that provide for the District to be contained entirely within the boundaries of the Casitas Municipal Water District. The draft GSP states that “the areas outside the OBGMA boundary but within the OVGB are effectively managed under this GSP.”

The District reports that between 1985 and 2018, groundwater pumping averaged 4,926 AFY, ranging from a low of 3,420 AF in 1986 to a high of 5,377 AF in 2014. Between 1971 and 2014, total outflow from the Ojai Basin was estimated to average 8,400 AFY, consisting of extractions (about 49 percent, or 4,100 AFY) and discharges to streams (about 51 percent, or 4,300 AFY). During the same period, groundwater extraction from the OVGB averaged 3,500 AFY. Groundwater extraction throughout the OVGB is expected to be maintained at approximately 4,000 AFY for the foreseeable future, which is just under the conservatively estimated historical sustainable yield of 4,100 AFY (however, the draft final GSP states that actual sustainable yield may actually be as high as 5,000 AFY).

⁴ According to the draft GSP, the lowest recorded groundwater level for the Ojai Basin was 312 feet below the ground surface (September 1951).

The draft final GSP documents that between 1971 and 2014, the Ojai Basin recharged at an average rate of about 6,504 AFY, derived primarily from precipitation and irrigation return flows (about 73 percent) and alluvial flow (about 25 percent), with the remaining approximately 2 percent coming from septic systems, wastewater disposal, and surface water spreading. Actual groundwater storage volume by year fluctuates, sometimes dramatically, which the OBGMA attributes to the climatic dependence of groundwater conditions. Yet, even during dry water years, the OVGB has historically recharged at an average rate of about 3,300 AFY, and averages 5,400 AFY of recharge during wet years. Between 2015 and 2019, the Ojai Basin was recharged at an annual rate of approximately 7,100 AFY, with a cumulative increase in storage of approximately 8,100 AF. Between 2015 and 2019, CMWD imported an average of approximately 3,600 AF of surface water to the OVGB annually.

According to the draft final GSP, groundwater elevations are in decline as a result of below-average rainfall, following a reprieve starting in 2016 in which groundwater levels had trended upward (increases ranging from 40 feet on the fringes of the basin, to 130 feet in the central portion of the basin) to historical average levels by 2020. Based on the analysis contained in the draft final GSP, the volume of stored groundwater is anticipated to increase by approximately 140 AFY, with the expectation that groundwater storage would be depleted during dry years and replenished during wet years.

Sphere of Influence

There have been no changes to the District's service area that would require alterations to its sphere of influence boundary, and no changes are anticipated in the foreseeable future.

Written Determinations

The Commission is required to prepare a written statement of its determinations with respect to each of the subject areas provided below (Government Code § 56430(a)).

1. Growth and population projections for the affected area

Based on the *Draft Final Groundwater Sustainability Plan for the Ojai Valley Groundwater Basin (January 2022)*, population estimates for the OBGMA are derived from data supplied by the U.S. Census Bureau, the City of Ojai General Plan, the Ventura County General Plan, and the Southern California Association of Governments (SCAG). Population for the Ojai Basin was estimated in 2010 to be 7,749, and in 2020 to be 8,170. The population is projected to reach 8,705 by 2035 and 8,905 by 2040. While the population growth rate within the City of Ojai (i.e., the population center of the OBGMA) was negative during the span of 2000 to 2018, population within the Ojai Basin is anticipated to experience approximately 6.5 percent in growth between 2020 and 2035.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

A disadvantaged unincorporated community is defined as a community with an annual median household income that is less than 80 percent of the statewide annual median household income (Government Code § 56033.5). No disadvantaged unincorporated communities are located within or contiguous to the District's sphere of influence.

3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies

- The OBGMA conducts groundwater management and planning, documents groundwater extraction compared with reported pumping, collects extraction charges from well owners, coordinates with the County and private entities to monitor basin conditions, supports the operation and maintenance of the San Antonio Spreading Grounds Rehabilitation Project, maintains a groundwater model of the basin, monitors water levels in the basin, and performs groundwater-related outreach and education activities.
- Of the 171 groundwater extraction wells within the OBGMA's jurisdictional area, 124 are metered. Owners of metered wells are responsible for payment of annual fees as well as fees based on usage (per acre foot). The OBGMA should consider pursuing a program to identify and meter each of the unmetered wells within the Ojai Basin, in order to improve equity in responsibility for sustainability and to better track and predict demand patterns within the Ojai Basin.
- The OBGMA does not provide direct water service.

- The OBGMA Act specifically prescribes that “the boundaries of the agency include that portion of the Ojai Basin watershed which lies within the boundaries of the Casitas Municipal Water District or the Ojai Water Conservation District, but do not include any land within the boundaries of the Ventura River County Water District.” The Ojai Basin lies under the City of Ojai and the Ojai Valley’s east end, and is a source of municipal and agricultural water.

4. Financial ability of agencies to provide services

- It is unknown if the District has a balanced budget as its budget is not available.
- It is unknown if the District is regularly audited as an audit is not available.
- It is unclear whether the District has the ability to finance the services it currently provides.

5. Status of, and opportunities for, shared facilities

- None were identified.

6. Accountability for community service needs, including governmental structure and operational efficiencies

- The District is accountable to its constituents through its Board of Directors and open and accessible meetings. However, it does not appear that the District openly disseminates all publicly available information (e.g., adopted budgets and audits) or adheres to all applicable government code sections.
- The most recent independent audit of the District was prepared on March 6, 2020, for FY 2015-16 and FY 2016-17. According to District staff, it is in the process of coordinating audit preparation for FY 2017-18 and FY 2018-19. Therefore, it does not appear that the District is in compliance with the requirements to prepare and submit regular financial audits (i.e., for FY 2017-18, FY 2018-19, FY 19-20, and FY 20-21) and submit them to the State Controller’s Office within nine months after the conclusion of the audited period, as required by Government Code Section 12410 et seq. Furthermore, in addition to its contracted general manager, the District employs two part-time staff members for a total of x hours per week.
- The most recently approved budget for the District is for FY 2021-22⁵. The budget document is not identified as the District’s budget for FY 2021-22 and does not include its adoption date. The Board of Directors adopted a budget for FY 2022-23 on x.
- Audit and budget information was not available online and District staff did not have this information readily available for dissemination to the public upon request. The District should ensure that it is in compliance with State requirements for preparation and submittal of independent audits and budgets, and that these documents are

⁵ It appears that the District’s fiscal year begins in October, based on the most recently completed audit of the District for FY 2018 and 2019.

available to any interested party upon request (ideally by being posted on the District's website).

- The District has adapted to the changing needs of public access as a result of the disease caused by the novel coronavirus (COVID-19) pandemic, by providing live internet access and public participation opportunities for its meetings.
- Several years ago, the District launched a website that provides information about the District. It contains the District's history, enabling legislation, mission, description of the Ojai Basin, summary of services, boundary map, studies and reports, contact information and roster of Board members, historical meeting minutes and recorded meeting archives through July 2018, upcoming meeting information, library of ordinances and resolutions, news and announcements, and information related to SGMA. The District could improve its transparency by identifying Board member term expiration dates (if applicable) and updating its roster of Board members to reflect current information, and by posting links to the District's current budget and historical budgets, recent meeting agendas and adopted minutes since July 2018, most recent municipal service review completed by LAFCo, the State Controller's "By the Numbers" (agency financial reporting information) and "Public Pay" (employee salary) webpages, and adding a feature to allow the public to sign up for Board meeting agenda notification.
- The District appears to achieve operational efficiencies by sharing management and staffing resources with the OWCD. The functions and operation of the OWCD are closely tied to and coordinated with the OBGMA, and the OWCD is represented on the OBGMA Board of Directors. One person staffs both agencies. Except for Board meeting agendas and minutes, all of the information on the OWCD's website links directly to data managed by the OBGMA located on the OBGMA's website. According to the MSR prepared by LAFCo in 2003 for water and wastewater agencies within Ventura County, the OBGMA is authorized to "preserve the quantity and quality of groundwater in the Ojai Basin and to protect and maintain the long-term water supply for all the water users in the Basin" and the OWCD is authorized to "monitor the use of groundwater, acquire water rights, store/spread water, and construct dams or other water facilities." The MSR acknowledged that: (1) the OWCD's service area overlaps (i.e., is contained almost entirely within) that of the OBGMA, (2) these two agencies provide "apparently duplicative services," (3) a reorganization involving these two agencies (e.g., dissolution of one agency and assignment of the other as a successor agency) would be logical and would potentially reduce costs, and (4) a reorganization would involve challenges and complexities; however, it does not appear that efforts to further evaluate this issue have been made.
- The circumstances surrounding the opportunity for reorganization involving the OWCD and OBGMA do not appear to have changed since 2003, and the opportunity to explore reorganization of agencies continues to exist. Potential challenges for reorganization may include issues related to water rights, differences in principal acts, composition of the governing boards, and interest level of the districts' governing bodies. Facilitating aspects may include existing overlap of purpose, authority, jurisdictional area, governing board members, staff, and consultants. The two agencies should investigate

government restructuring options to address these overlaps, to potentially provide the advantage of pooling staff, facilities, technology, and other resources to achieve more streamlined service provision and improved economies of scale. Within five years, LAFCo should re-evaluate the readiness of the districts for reorganization, and initiate a proposal to reorganize the government structure of the districts if it deems appropriate and if none has been proposed by the agencies involved.

7. Any other matter related to effective or efficient service delivery, as required by Commission policy

- In 2014, the Santa Barbara ChannelKeeper, a nonprofit organization with the mission to protect and restore the Santa Barbara Channel and its watersheds, sued the State Water Resources Control Board (an agency responsible for preserving, enhancing, and restoring the quality of California’s water resources) and the City of San Buenaventura, in an effort to require that the State Water Resources Control Board conduct further study (a “Reasonable Use Analysis”) of the City of San Buenaventura’s use of water from the Ventura River (i.e., alleged overpumping of the river). According to the Santa Barbara ChannelKeeper, the City has currently and historically overpumped water from the river. In its response to the litigation, the City denied it has overpumped water from the Ventura River, and filed a cross-complaint against other surface water and groundwater users in the Ventura River Watershed, including the CMWD, MOWD, and VRWD. As of the date of this document, the issue remains unresolved and adjudication of the Ventura River Watershed is pending.
- Because the District does not qualify as an urban water supplier, it is not required to prepare and adopt an urban water management plan (UWMP) pursuant to the Urban Water Management Planning Act enacted by the California State Legislature in 1983. Therefore, a comprehensive and up-to-date discussion of current and expected water supply and demand, supply reliability, and water shortage contingency planning and conservation efforts is not regularly consolidated into a single report that is easily accessible to the public.

OBGMA Board Meeting 3/8/23
Agenda Item: 7c.

February 3, 2023

To: **LAFCO – Attention Andrea Ozdy**

From: **John R. Mundy, Acting General Manager- *JRM***

Subject: **Ojai Basin Groundwater Management Agency Response to Questions.**

1. Page 5 – FY 2022-23 Budget – This budget was approved by the Board of Directors on October 27, 2022 at its regularly scheduled meeting. (Copy Attached).
2. Page 6 – GSP Population Estimates – The population estimates for the Groundwater Sustainability Plan are within the Groundwater Sustainability Agency (GSA) Basin Boundary of the Ojai Basin, as managed by OBGMA, and as defined by the California Department of Water Resources. The Ojai Groundwater Management Agency also has a defined political boundary established through its legislative act of 1991. The two boundaries mostly overlap but some areas and water wells within the political boundary are not within the GSA boundary. Population estimates for the political boundary are unknown at this time. The political boundary is shaded in gray, the GSA boundary is the line in Teal (see attached map of both boundaries).
3. Page 8, Line 5 – Private Entities – OBGMA uses the services of Kear Groundwater for monitoring and reporting on basin conditions. OBGMA has also hired Dudek to prepare its Groundwater Sustainability Plan and provide for ongoing support for reporting to the Department of Water Resources and assistance with implementation of projects and programs in supporting sustainability of the Ojai Basin. OBGMA also uses outside legal counsel.
4. Page 8, line 6 – The San Antonio Spreading grounds and associated diversion facility are not owned or operated by OBGMA. The County of Ventura is responsible for these facilities.
5. Page 8 – LAFCO Comment – Why are not all the wells metered? Since the formation of OBGMA there have been numerous requirements for metering within the basin. Most wells installed in recent years have been metered. Older wells that extracted less than 2 acre-feet per year were exempt. Further, the Sustainable Groundwater Management Act of 2014, signed into law by the Governor, still allows for an exemption of meters with well extractions of less than 2 acre-feet per year. Moving forward OBGMA will require all wells to be metered. This is expected to be accomplished through grants from the State of

California as part of the implementation of sustainability programs and projects within the basin.

6. Page 8 - LAFCO Comment – 2 wells are not registered. – All wells should be registered in the basin. However, over the years there may have been times when a well permitted by Ventura County may have slipped by the agency for recordation. OBGMA will follow-up to determine what these wells are and correct any not recorded.
7. Page 9 – OBGMA Groundwater Management Plan – While this document is referenced by LAFCO we do not believe it is still relevant. The Groundwater Suitability Plan supersedes prior reports related to how the agency will operate in the future. It is still expected that OBGMA will continue to be a monitoring and reporting agency moving forward however, the agency will become more proactive in basin suitability through the implementation of programs and projects identified in the GSP and future GSP updates.
8. Page 10 – LAFCO Comment –What agreement/contract is in place for OBGMA to receive water from the lake? – There is no agreement currently in place and it is not expected that OBGMA would directly receive water from the lake. The current thinking is that there would be an agreement to operate the lake and basin through a conjunctive use program. This would entail a focus of coordinating water withdrawals from each water source. At times the basin would be more heavily drawn upon while reducing flows from the lake, and vice versa. This can be accomplished by having water users with connections to the basin and to Casitas to alternate their use based on direction from the Agency and Casitas. Further, now that Casitas operates the Community Services District within the City of Ojai they could reduce pumping from the basin as well and allowing more water withdrawal from the lake, and vice versa.
9. Page 10 – LAFCO Comment – What is the current estimate? Is there an annual estimate available for historical volume? – On Nov 4, 2022 the basin was at 60% capacity, water level at 196.4 feet and approximately 48,000 acre-feet in storage. As of Jan 26, 2023, due to the recent rains, the basin is rising approximately 500 acre-feet per day, 66% capacity, 171.55 water level and 52,800 acre-feet in storage. Annual extractions from the basin range between 3,500 to 5,500 acre-feet. Extraction amounts are dependent on weather conditions and basin levels. Because the basin is bowl shaped with prolonged extractions some wells lose the ability to pump from the basin do to their location is the upper reaches of the basin. Due to the loss of water in some wells the basin is somewhat self-regulating. Well owners who also have a connection to Casitas will then turn to using water from the lake. (A graph is attached showing historical water levels in the basin).
10. Page 12 – LAFCO Comment – Are these one and the same? (septic, wastewater disposal, groundwater spreading), – The 2 percent flows from septic systems, wastewater disposal and surface water spreading are all different activities. Sceptic system flows result from water leaching to the ground from septic system

disposal piping, or generally called leach fields. Wastewater disposal is generally considered the leaching of sewage from sewer lines providing service to residential and commercial properties. Sewer lines are not leak proof and some sewage can escape to the groundwater. Surface water spreading (yes this is the SA Creek Spreading Grounds) is diverted to a basin and allowed to seep into the soil. The San Antonio Spreading Grounds are an example of this. During the recent rains in mid-January 2023 Ventura County was able to test some spreading of San Antonio Creek water into the spreading basins. At this time it is unknown how much water was captured. However, this is the first real time the spreading grounds have operated since constructed.

11. Page 12 – LAFCO Comment – GSP states storage declines an average rate of 3,200 acre-feet. I believe this is correct when you take into account the pumping extractions and the seepage from septic's and sewers. I will need to review and clarify.
12. Page 12 – LAFCO Comment – GSP states between 1971 and 2019 storage declined 750 acre-feet/year. I will need to review this to clarify.
13. Page 12 – LAFCO Comment – GSP Population estimates – the Basin population estimates in the GSP are distinct from the political boundaries of OBGMA. Currently we do not have an estimate for the population with the political boundary.
14. Page 15 – LAFCO Comment – Audits – OBGMA is behind on audits. Not for a failure to attempt to prepare an audit. The issue is that OBGMA has had difficulty finding auditors to do the work. The auditor that completed the FY 2015-16 and FY 2016-17 audit choose not to offer their services for future audits. The Auditor hired to complete the FY 2017-18 and FY 2018-19 audits has not been responsive.
15. Page 16 – 1st paragraph – if this data requested has not been provided I will attempt to get this done. OBGMA does not have full-time staff. Only a part-time Clerk/Executive Assistant that has a lot of demand on her time. I am a consulting General Manager and do not work in the office. I will attempt to collect this information as soon as possible. Minutes are available up through mid-2022. Currently minutes have not been prepared since that time but recordings of the meeting are available.
16. Other comments –
 - Please revise your documents to reflect that OBGMA is an Agency, not a District. Its official name is Ojai Basin Groundwater Management Agency.
 - I will provide the agendas, which will include the minutes up to mid-2022. After that we can provide recordings of the meeting.



OJAI BASIN
GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY
428 Bryant Circle, Suite 100, Ojai CA 93023
P.O. Box 1779, Ojai, CA 93024
www.obgma.com

WATER WELL PERMIT APPLICATION
(NO-FEE REQUIRED)

GENERAL INFORMATION

Ojai Basin Groundwater Management Agency (OBGMA) requires all groundwater extraction facilities within the boundaries of the Agency to be registered with the Agency. All new extraction facilities constructed within the Agency Boundary shall obtain a no-fee permit from the Agency prior to the issuance of a Well Permit by the Ventura County Watershed Protection District. No extraction facility may be operated or otherwise utilized so as to extract groundwater within the boundaries of the Agency unless that facility is registered with the Agency, metered and permitted and all extractions reported to the Agency as required.

All wells are now required to have a meter installed. (OBGMA Ordinance # 8)

Copies of this ordinance and other pertinent information on the OBGMA can be obtained by visiting our website: www.obgma.com or by calling (805)640-1207.

INSTRUCTIONS

(Fill in the requested information and provide a map as described under item D.)

A. OWNERSHIP

Owner's Name: Gerda Maritz Trust
Operator's Name (if different from Owner):
Mailing Address: c/o RWC, Attn., Wade Lewis, P.O. Box 1025, Santa Paula, CA 93061
Phone No(s): 805-525-6400 Fax No: Cell No: 805-402-0533
Email: wadel.rwc@gmail.com APN:

B. TYPE OF USE

If use of water is for irrigation, check box at step 1 and describe proposed crops and acreage. If water is for domestic, municipal, industrial or uses, check the appropriate box at step 2 and complete. If a monitoring well go to step 2.

Step 1. Irrigation
List types of crops and corresponding acreage that will be irrigated:

<u>Crop Type</u>
Pasture Grass

<u>Acreage</u>
2

TYPE OF IRRIGATION

Step 2. **Domestic** **Municipal** **Industrial** **Monitoring**

List number of people and /or number of housing units served. If industrial use is proposed please describe.

C. PROPOSED EXTRACTION

Anticipated annual pumping in acre-feet per year (AF/yr): 2
Drilling contractors name: TBD Please notify OBGMA on drillers mobilization
Please note that the OBGMA staff may visit the site.

D. LOCATION OF PROPOSED USE

Please attach a map by using one of the following: Map Quest, Google Maps, Thomas Guide or Assessor Parcel Map.

Accurately plot and outline the location(s) of proposed groundwater use. Show location of proposed water well. Give dimensions of area(s) to be irrigated. Indicate crop type for each area. For M & I or other uses, show location of water distribution system, type of water and location of structures to be served. Attach the map to this application. *(No permit applications will be approved without an adequate attached map)*

See attached map for location of area, approximately 200' x 450'

E. APPLICANT'S SIGNATURE AND DATE

Sign, date and submit this application to the Ojai Basin Groundwater Management Agency, P.O. Box 1779, Ojai CA 93024.

Applicant's signature: Wade E. Lewis Date 08/08/2022

DISPOSITION OF OBGMA APPLICATION

(For office use only)

- Approved
- Approved with conditions
- Denied

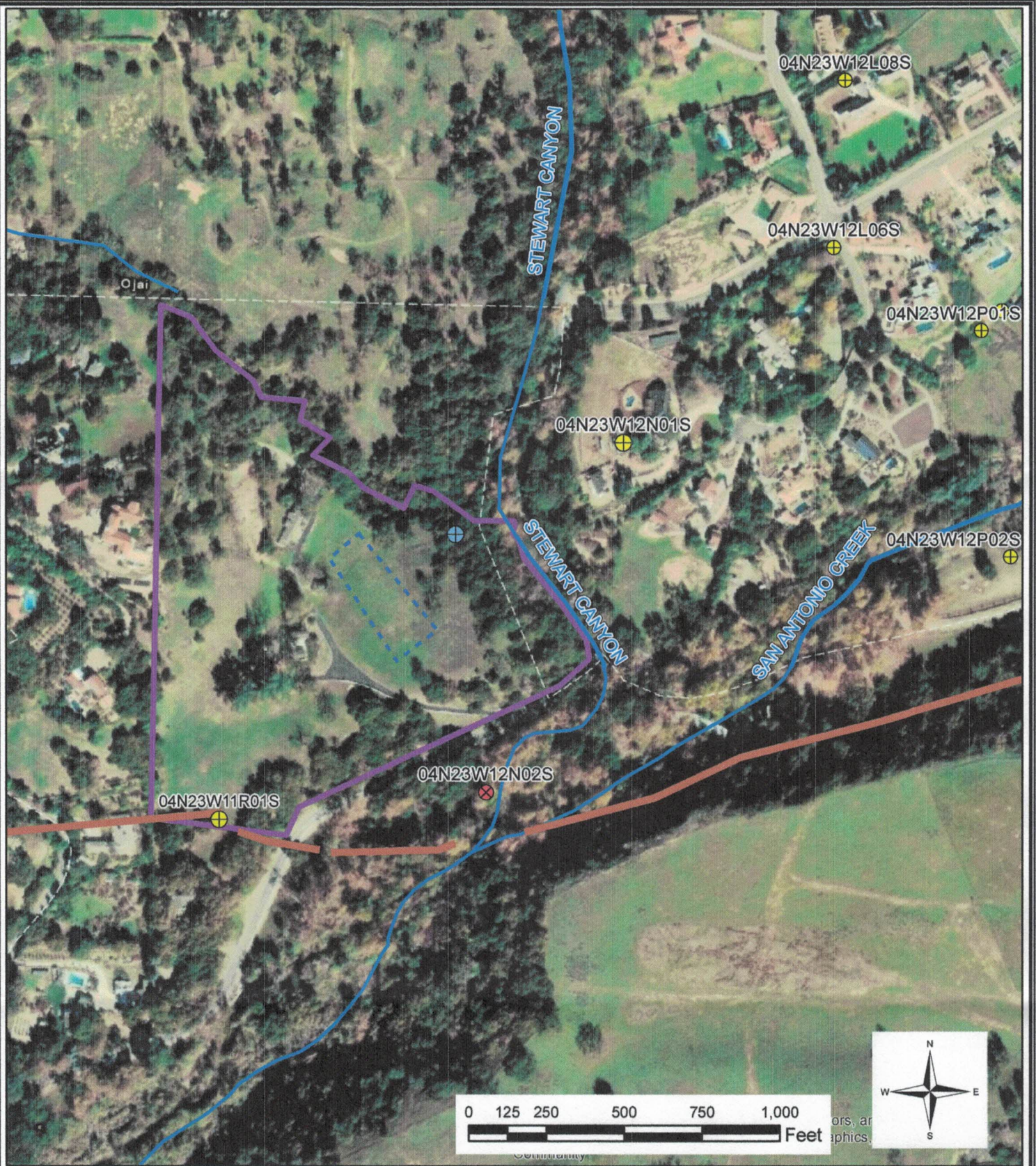
State well number _____
GMA permit number _____
County permit number _____

Owner will provide a copy of the well completion report within 30 days to OGBMA








Conditions/Reasons for Denial: _____

By: _____
This application is a permit when signed by the OBGMA Executive Officer or his/her designated appointee.

Cece VanDerMeer, Executive Secretary Date _____



GROUNDWATER SOLUTIONS, INC.

-  Proposed Well Location
-  Active Water Well
-  Destroyed Water Well
-  Fault Line Stream/
-  Waterway Parcel
-  Boundary
-  Pasture Grass Crop

PROPOSED WELL LOCATION MAP	
APN 024-0-042-015 904 Creek Road Ojai, California	
FIGURE 1	

OJAI BASIN
GROUNDWATER MANAGEMENT AGENCY



MEMBER AGENCIES

Ojai Water Conservation District
Casitas Municipal Water District
City of Ojai
Community Facilities District

Ojai Basin Mutual Water Companies
Senior Canyon MWC
Siete Robles MWC
Hermitage MWC

OBGMA Board Meeting 3/8/23
Agenda Item: 7d.

DRAFT

Attention: Owner
Address
Address

Date

**Subject: Verification or Denial of Water Well Application and OBGMA
General and Standard Conditions**

Reference: Well Permit for APN XXX_XX_XXX dated _____

Dear Property Owner,

California Governor, Gavin Newsom, signed Executive Order N-7-22 on March 28, 2022 and revised the order under N-3-23 dated February 13, 2023 as follows:

To protect health, safety, and the environment during this drought emergency, a county, city, or other public agency shall not:

4. Paragraph 9 of Executive Order N-7-22 is withdrawn and replaced with the following text:

To protect health, safety, and the environment during this drought emergency, a county, city, or other public agency shall not: a. Approve a permit for a new groundwater well or for alteration of an existing well in a basin subject to the Sustainable Groundwater Management Act and classified as medium- or high-priority without first obtaining written verification from a Groundwater Sustainability Agency managing the basin or area of the basin where the well is proposed to be located that groundwater extraction by the proposed well would not be inconsistent with any sustainable groundwater management program established in any applicable Groundwater Sustainability Plan adopted by that Groundwater Sustainability Agency and would not decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan; or b. Issue a permit for a new groundwater well or for alteration of an existing well without first determining that extraction of groundwater from the proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure. This Paragraph shall not apply to permits for wells (i) that will provide less than two acre-feet per year of groundwater for individual domestic users, (ii) that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the Health and Safety Code, or (iii) that are replacing existing, currently permitted wells with new wells that will produce an equivalent quantity of water as the well being replaced when the existing well is being replaced because it has been acquired by eminent domain or acquired while under threat of condemnation.

This Paragraph shall not apply to permits for wells (i) that will provide less than two acre-feet per year of groundwater for individual domestic users, (ii) that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the Health and Safety Code, or (iii) that are replacing existing, currently permitted wells with new wells that will produce an equivalent quantity of water as the well being replaced when the existing well is being replaced because it has been acquired by eminent domain or acquired while under threat of condemnation.

(Please note; a domestic water well user is considered using water for residential use not for agricultural or commercial use.)

The attached letter from the County of Ventura outlines how water well owners are to meet the requirements of Section 9a and 9b of the order. To comply with Section 9a water well applicants, not exempt under the order, are required to get a verification letter from the local Groundwater Sustainability Agency, in this case it is the Ojai Basin Groundwater Management Agency (OBGMA), for submittal to the County of Ventura. OBGMA uses the services of a consulting engineer to prepare this letter report. Prior to conducting this analysis the water well applicant will be required to submit a deposit to OBGMA in the amount of \$2,500. Should the analysis verify the proposed well is consistent with OBGMA's Groundwater Sustainability Plan and would not decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan, OBGMA, subject to approval by the Board of Directors, will issue a notice to proceed. Requirements under Section 9b are to be coordinated with the County of Ventura.

(Note:OBGMA Verification under Executive Order 7-N-22, Section 9a or
Denial of Water Well Application.

Your application is:

Approved: _____, based on;

1. _____Exemptions within the Executive Order that you intend to use the water for domestic use and the extraction will be under 2 acre-feet each water year (October through September of each year).
2. _____An verification analysis has been completed and the water well is consistent is OBGMA's Groundwater Sustainability Plan and would not decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan. This verification is approved by the OBGMA Board of Director and this is your authorization to proceed with application to the County of Ventura, subject to the General and Standard permit conditions contained herein. Requirements under Section 9b are to be coordinated with the County of Ventura.

(Note: Any approval shall be valid for one year from the date of this verification unless changes in law make this approval invalid.)

3.

Not Approved: _____, based on:

1. _____Needing the following additional information or clarification on you water well application (see attached); or,
2. _____Needing to meet the requirements under Section 9a, Executive Order N-7-22.

The following general conditions are to be followed for the proposed water well once a notice to proceed has been approved by OBGMA:

1. The proposed well will be constructed and operated pursuant to the standards of Ventura County Ordinance 4468, Section 4814, which incorporates California Well Standards, Bulletin 74-81; the draft supplemental, Bulletin 74-90; Ventura County Water Well Standards Bulletin No. 74-9 and compliance with all other County permitting requirements.
2. The proposed well will meet OBGMA's requirements of new wells including registration, monitoring, reporting, and any other special conditions of approval.

3. The proposed well is not located near a source of contamination or other environmental concern that would require the OBGMA or the County of Ventura to exercise their discretion in order to mitigate potential adverse environmental effects of the proposed well. (See *Protecting Our Water & Env'tl. Res. v. Stanislaus Cnty.*, S251709 (Cal. May 29, 2020).)
4. The following standard OBGMA permit conditions shall also be made a part of any the water well authorization to proceed:
 - a. OBGMA staff or consultants shall be provided an opportunity to confirm the drilling location prior to drilling;
 - b. OBGMA staff or consultants shall be provided an opportunity to observe drilling operations as they are occurring; and
 - c. OBGMA staff or consultants shall be provided an opportunity to review all drill cuttings, and any geophysical logs following drilling;
 - d. The well owner shall comply with all applicable OBGMA Ordinances and Resolutions requiring metering of the well, extraction reporting, and fee payment to OBGMA that are now in effect or as may hereafter be adopted.
 - e. Well contractor to provide OBGMA with the completion Report and State Well Number within 30 days of well completion.

Should you have any questions you may contact the OBGMA office by phone, 805.640.1207 or by email at obgma@aol.com.

Sincerely,

General Manager

Cc: via email:

EXECUTIVE ORDER N-3-23

WHEREAS on April 21, 2021, May 10, 2021, July 8, 2021, and October 19, 2021, I proclaimed States of Emergency due to drought conditions that continue today and exist across California; and

WHEREAS climate change continues to intensify the impacts of droughts on our communities, environment, and economy, and these impacts continue to affect groundwater basins, local water supplies, and ecosystems, resulting in continuing drought in the State; and

WHEREAS the ongoing drought continues to have significant, immediate impacts on communities with vulnerable water supplies, farms that rely on irrigation to grow food and fiber, and fish and wildlife that rely on stream flows and cool water; and

WHEREAS early, substantial rains in October and December 2021 gave way to the driest January-February-March period in over 100 years in California, leading the October 2021 to September 2022 water year to end with statewide precipitation at 76 percent of average, with statewide reservoir storage at 69 percent of average, and with Lake Oroville—the State Water Project's largest reservoir—at 64 percent of average; and

WHEREAS in January 2023, the State experienced one of the wettest three-week periods on record, yielding a snowpack that was at 205 percent of average on February 1, 2023, yet to date February has been drier than average; and

WHEREAS the current snowpack has not reduced stresses upon the State's water resources, including low storage levels, depleted aquifers, and diminished local water supplies; and

WHEREAS the State can expect continued swings between extreme wet and extreme dry periods that can present risks of severe flooding and extreme drought in the same year; and

WHEREAS California must adapt to a hotter, drier future in which a greater share of rain and snowfall during the wetter months will be absorbed by dry soils, consumed by plants, and evaporated into the air, leaving less water for communities, species, and agriculture; and

WHEREAS the frequency of hydrologic extremes experienced in the State is indicative of an overarching need to continually reexamine policies to promote resiliency in a changing climate; and

WHEREAS Californians continue to make progress conserving water, with urban water users conserving 17.1 percent statewide in December 2022 compared to December 2020 and agricultural producers continuing to invest in more efficient irrigation; and

WHEREAS despite this progress, the uncertainty of precipitation during the remainder of the winter and spring, and the potential of dry conditions next

winter and of drought conditions extending to a fifth year, make it necessary for the State to continue water-conservation measures and drought-resilience actions to extend available supplies, protect water reserves, and maintain critical flows for fish and wildlife; and

WHEREAS as directed in "California's Water Supply Strategy: Adapting to a Hotter, Drier Future," the State plans to stretch water supplies by storing, recycling, de-salting, and conserving the water it will need to keep up with the increasing pace of climate change; and

WHEREAS multiple regions of the State, such as the Klamath Basin and the Colorado River system, face severe water shortage conditions, and groundwater basins in the Central Valley continue to be depleted from years of drought and overdraft; and

WHEREAS groundwater use accounts for 41 percent of the State's total water supply on an average annual basis but as much as 58 percent in a critically dry year, and approximately 85 percent of public water systems rely on groundwater as their primary supply; and

WHEREAS capturing and storing storm and snowpack runoff underground to recharge aquifers is an important strategy to help regions stabilize water supplies in the face of hydrologic extremes; and

WHEREAS state agencies have created streamlined permitting pathways to enable groundwater recharge that augments natural aquifer recharge, while protecting the environment and other water users, but more opportunities exist to facilitate groundwater recharge; and

WHEREAS coordination between local entities that approve permits for new groundwater wells and local groundwater sustainability agencies is important to achieving sustainable levels of groundwater in critically overdrafted basins; and

WHEREAS to protect public health and safety, it is critical the State take certain immediate actions without undue delay to prepare for and mitigate the effects of the drought conditions, and under Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Order would prevent, hinder, or delay the mitigation of the effects of the drought conditions.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. The orders and provisions contained in my State of Emergency Proclamations dated April 21, 2021, May 10, 2021, July 8, 2021, and October 19, 2021, and Executive Orders N-10-21 (July 8, 2021) and N-7-22 (March 28, 2022), remain in full force and effect, except as modified by those proclamations and orders and herein. State agencies shall

continue to implement all directions from those proclamations and orders and accelerate implementation where feasible.

2. To maximize the extent to which winter precipitation recharges underground aquifers, the Department of Water Resources, the State Water Resources Control Board (Water Board), and the Department of Fish and Wildlife shall continue to collaborate on expediting permitting of recharge projects and shall work with local water districts to facilitate recharge projects.
3. Paragraph 4 of my State of Emergency Proclamation dated May 10, 2021 and Paragraph 4 of my State of Emergency Proclamation dated July 8, 2021 are withdrawn, and each is replaced with the following text:

To ensure adequate water supplies for purposes of health, safety, the environment, or drought resilient water supplies, the Water Board shall consider modifying requirements for reservoir releases or diversion limitations in Central Valley Project or State Water Project facilities to: (i) conserve water upstream later in the year in order to protect cold water pools for salmon and steelhead, (ii) enhance instream conditions for fish and wildlife, (iii) improve water quality, (iv) protect carry-over storage, (v) ensure minimum health and safety water supplies, or (vi) provide opportunities to maintain or to expand water supplies north and south of the Delta. The Water Board shall require monitoring and evaluation of any such changes to inform future actions. For any actions taken pursuant to this paragraph and any approvals granted in furtherance of this paragraph, Water Code Section 13247 and Public Resources Code, Division 13 (commencing with Section 21000) and regulations adopted pursuant to that Division are suspended. Nothing in this Paragraph affects or limits the validity of actions already taken or ongoing under Paragraph 4 of my May 10, 2021 Proclamation or Paragraph 4 of my July 8, 2021 Proclamation.

4. Paragraph 9 of Executive Order N-7-22 is withdrawn and replaced with the following text:

To protect health, safety, and the environment during this drought emergency, a county, city, or other public agency shall not:

- a. Approve a permit for a new groundwater well or for alteration of an existing well in a basin subject to the Sustainable Groundwater Management Act and classified as medium- or high-priority without first obtaining written verification from a Groundwater Sustainability Agency managing the basin or area of the basin where the well is proposed to be located that groundwater extraction by the proposed well would not be inconsistent with any sustainable groundwater management program established in any applicable Groundwater Sustainability Plan adopted by that Groundwater Sustainability Agency and would not decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan; or

- b. Issue a permit for a new groundwater well or for alteration of an existing well without first determining that extraction of groundwater from the proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

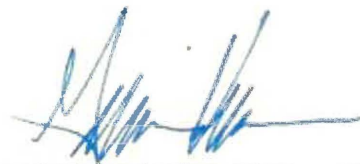
This Paragraph shall not apply to permits for wells (i) that will provide less than two acre-feet per year of groundwater for individual domestic users, (ii) that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the Health and Safety Code, or (iii) that are replacing existing, currently permitted wells with new wells that will produce an equivalent quantity of water as the well being replaced when the existing well is being replaced because it has been acquired by eminent domain or acquired while under threat of condemnation.

5. No later than April 28, 2023, state agencies shall send me their recommendations for what further actions, if any, are necessary for on-going emergency drought response, and their views on whether any existing provisions in my proclamations and executive orders related to the drought emergency are no longer needed to prepare for and mitigate the effects of the drought conditions.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have
hereunto set my hand and caused
the Great Seal of the State of
California to be affixed this 13th day
of February 2023.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY N. WEBER, PH.D.
Secretary of State

OBGMA Board Meeting 3/8/23
Agenda Item: 7e.

CONSULTING SERVICES AGREEMENT

1. IDENTIFICATION

This CONSULTING SERVICES AGREEMENT, hereinafter referred to as "Agreement," is made and entered into this 8rd day of March 2023, by and between the Ojai Basin Groundwater Management Agency, herein referred to as "OBGMA" and Michelle Gaston Bookkeeping, hereinafter referred to as the "Consultant".

2. RECITALS

- 2.1 OBGMA is in need of part time support for bookkeeping services. The Consultant shall assist with the responsibilities and support outlined in (Exhibit A), on an as-needed basis and as requested by OBGMA.
- 2.2 OBGMA and the Consultant desire to enter into a contract for these services, subject to the terms and conditions of this Agreement.

3. AGREEMENT

NOW THEREFORE, in consideration of the promises and covenants hereinafter contained, it is mutually agreed as follows:

- 3.1 OBGMA hereby retains Consultant to perform as-needed bookkeeping services as outlined in Exhibit A. Consultant agrees to perform such services in a timely and professional manner and with due diligence in accordance with applicable standards of care. The services are not subject to modification unless Consultant obtains written authorization from OBGMA.
- 3.2 OBGMA shall pay Consultant the compensation in the amount, time, and manner set forth on the attached Exhibit B. OBGMA shall pay Consultant's invoice within thirty (30) days.
- 3.3 Consultant shall start work hereunder on or before February 23, 2023. This agreement shall be for a term of 6 months after approval by the Board of Directors. This agreement may be extended 6 months, by authorization of the Board President, and upon mutual agreement by the parties.
- 3.4 Either party shall have the right to terminate this Agreement at any time upon five (5) days written notice to the other party. In the event of such termination, OBGMA shall compensate Consultant through the termination date stated in the notice for services actually performed hereunder in accordance with the rates set forth in Exhibit B.

March 8, 2023

Page 2 of 6

- 3.5 This Agreement shall not be assigned by Consultant without the written consent of OBGMA.
- 3.6 To the extent there is any conflict or inconsistency between the terms of this Agreement and the terms of Consultant's Bookkeeping Responsibilities and Support as set forth in Exhibit A, the terms of this Agreement shall govern.
- 3.7 Consultant shall not discriminate against any employee or applicant for employment because of race, sex (including pregnancy, childbirth or related medical condition), creed, national origin, color, disability as defined by law, disabled veteran status, Vietnam veteran status, religion, age, medical condition, marital status, ancestry, gender status or sexual orientation.
- 3.8 OBGMA will make available to Consultant such materials from its files as may be required by Consultant to perform the Services. Such materials shall remain the property of the OBGMA while in Consultant's possession. Upon termination of the Agreement or completion of work under the Agreement, Consultant shall turn over to OBGMA any OBGMA property or materials in its possession and any calculations, notes, reports, electronic files or other materials prepared by Consultant in the performance of these services. Consultant shall be entitled to keep a copy of such materials for its permanent project records subject to the terms herein.
- OBGMA may utilize any material prepared or work performed by Consultant in any manner, which OBGMA deems proper without additional compensation to Consultant. Consultant shall have no responsibility or liability for any revisions, changes or corrections made by OBGMA unless Consultant accepts such responsibility in writing.
- 3.9 Consultant shall not make public information releases or otherwise publish any information obtained from OBGMA, or produced by Consultant, as a result of, or in connection with, the performance of services under the Agreement without prior written consent of OBGMA.

March 8, 2023

Page 3 of 6

- 3.10 Consultant shall not publish or use any advertising, sales promotion or publicity in matters relating to services, equipment, products, reports, and material furnished by Consultant in which OBGMA name is used or its identity is implied without prior written approval by OBGMA.
- 3.11 Written notices shall be deemed to have been given when mailed by the United States mail, postage prepaid, addressed to the parties to this Agreement.
- 3.12 At all times during the term of this Agreement, Consultant shall be deemed to be an independent contractor and not an employee of OBGMA.
- 3.13 This Agreement contains the entire agreement between the parties hereto and supersedes any prior or concurrent written or oral agreement between said parties concerning the subject matter contained herein.
- 3.14 If any provision of this Agreement, or the application thereof under certain circumstances, is held invalid, the remainder of this Agreement, or the application of such provision under other circumstances, shall not be affected thereby and shall remain valid and enforceable.
- 3.15 The signatories to this Agreement represent that they have the authority to execute this Agreement.
- 3.16 This Agreement has been prepared jointly by the parties. Any uncertainty or ambiguity shall not be construed for or against any party based on attribution of drafting to any party.

Re: Michelle Gaston Bookkeeping Agreement

March 8, 2023

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Contact/Mailing Information:

1. Ojai Basin Groundwater Management Agency – Attention: Board President

417 Bryant Circle, Suite 100

Ojai, CA 93023

Mailing Address: P.O. Box 1779

Ojai, CA 92024

(Office) 805.640.1207 (Fax) 805.6401247

2. Michelle Gaston Bookkeeping

220 Oriole Street

Ojai, CA 93023

(Cell) 805.746.5018

The parties hereto have caused this Agreement to be duly executed by its authorized officers.

By: _____ By: _____

Richard Hajas, President of the Board

Michelle Gaston

Date _____ Date _____

EXHIBIT "A"

Consultant's Bookkeeping Responsibilities and Support Shall Include the Following:

- Review of OBGMA's QuickBooks files, reports, data entry processes, and Excel financial reports, as requested, to determine if revision of financial reporting is necessary.
- Review of OBGMA's data entry process into QuickBooks for extraction statements, as requested, to determine if this activity needs revision.
- Preparation of monthly financial statements and payment requests for presentation at regular Board Meetings, as requested.
- Preparation of appropriate tax forms for consultants and staff employed by the Agency, as requested.
- Preparation of vouchers/checks for payment of payroll, invoices and other bills submitted to OBGMA, as requested.
- Assist with the preparation of the Agency Audit, as requested. This may include the preparation of reports and information from QuickBooks and OBGMA files to provide to a contracted auditing firm.
- Provision of training to OBGMA staff in the use of QuickBooks and other areas, as identified by the Consultant or OBGMA, which are beneficial to OBGMA.

Re: Michelle Gaston Bookkeeping Agreement

March 8, 2023

Page 6 of 6

EXHIBIT "B"

Compensation and Other Cost

1. Compensation: Consultant shall be paid \$50 per hour for all hours of support requested by OBGMA. Consultant will be responsible for all Federal and State of California income taxes and payments to Social Security. OBGMA will issue a 1099 form to Consultant as required by law, for services rendered.
2. Other Cost: Consultant will be reimbursed for actual cost related to printing, copying and other reproduction services that may be necessary in carrying out any assigned duties and responsibilities.