

VENTURA RIVER WATERSHED ADJUDICATION:

Establishing a Framework Now and for the Future

FREQUENTLY ASKED QUESTIONS

The Ventura River Watershed supplies water to the many agricultural users, businesses, individuals, water districts and cities that depend on it. Today, however, the watershed is at risk.

As a result of changing climate conditions and prolonged periods of drought the watershed's resources are consistently being stretched to capacity. It's a serious challenge that requires timely action.

In order to safeguard this valuable water supply, the City of Ventura's objective is to establish a collaborative, court-approved agreement (called a "physical solution") that takes into account all the watershed's interests. As part of this process, the City has been in discussion with the region's largest agricultural and municipal water users, who are all in agreement that a new approach is needed to manage the Ventura River Watershed.

As part of this process, there are several required legal steps that the City must take, including notifying all potentially impacted users of the Ventura River Watershed of their involvement in this process. These steps, as required by the court, are an essential part of achieving a solution to safeguard the Watershed and its resources.



Learn more about the process by reading the frequently asked questions outlined below.

1) WHY HAVE I RECEIVED A NOTICE OR SUMMONS?

You received a Notice or Summons because you were identified as either the owner of property in one of the Watershed's four groundwater basins (see map below) or an owner of property abutting (next to) the Ventura River or its tributaries, or both.



FREQUENTLY ASKED QUESTIONS (CONTINUED)

2) WILL I STILL RECEIVE WATER SERVICE FROM MY SERVICE PROVIDER?

Yes. If you currently receive water service from a service provider, such as Ventura Water (City of Ventura), this lawsuit does not directly impact your water service. You will continue to receive water service from your service provider.

3) WHAT IS THE DIFFERENCE BETWEEN RECEIVING A NOTIFICATION OR A SUMMONS?

If you received a Notice, you have been identified as owning real property overlying one of the watershed's four groundwater basins. If you claim rights to pump or store groundwater within one of the basins, you may become a party to this lawsuit by filing an answer on or before the deadline specified in the Notice.

If you received a Summons, it is because you have been identified as an owner of real property abutting the Ventura River or its tributaries. Your property's proximity to the Ventura River or its tributaries may give you certain rights to take water from these resources. It is important to note that no one who received a summons will be subject to a monetary judgment.

4) AM I A PARTY TO THIS LAWSUIT?

If you have received a Notice, then you are not a party in this lawsuit. You will only become a party if you file an answer. Owners who receive the Notice and claim rights to pump or store groundwater, either now or in the future, may protect their rights by filing the Form Answer provided with the Notice within 60 days of receiving the Notice.

If you have received a Summons, then you are a party in this lawsuit. Because of your property's proximity to the Ventura River or its tributaries, the City named you as a cross-defendant. Owners who receive the Summons and claim rights to divert, pump or store surface water or groundwater, either now or in the future, may protect their rights by filing an answer or other pleading within 30 days of receiving the Summons.



FREQUENTLY ASKED QUESTIONS (CONTINUED)

5) SHOULD I HIRE AN ATTORNEY?

Each individual must make this decision. You do not need to hire an attorney to file an answer. You also do not need to hire an attorney to participate in the lawsuit, but the City cannot provide legal advice on any matters pertaining to this lawsuit.

6) WHAT HAPPENS IF I FILE AN ANSWER OR OTHER PLEADING?

If you decide to participate, the court will decide the next steps, which may limit the need for you to be involved in this case. However, we do not yet know what the court will decide. You will be updated as part of the court process as soon as more information is available.

7) WHAT HAPPENS IF I DON'T FILE AN ANSWER OR OTHER PLEADING?

If you do not file an answer or other pleading, you will not be entitled to participate in the case, and the outcome could impact your right to divert, pump or store surface water or groundwater, either now or in the future.

8) HOW DO I FILE AN ANSWER OR OTHER PLEADING?

Filing an answer or other pleading in this case must be done in one of three ways at the Stanley Mosk Courthouse, located at 111 North Hill Street, Los Angeles, CA 90012, <http://www.lacourt.org/courthouse/info/address/la>

1. **Deliver in person to:** Stanley Mosk Courthouse, Complex Civil Filing Window, First Floor, Room 102, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, except for Court Holidays;
2. **Mail to:** Stanley Mosk Courthouse, 111 North Hill Street, Los Angeles, CA 90012; or
3. **Fax filing:** Stanley Mosk Courthouse, General Jurisdiction-Complex (Room 102), Facsimile Telephone Number: (442) 247-3769



FREQUENTLY ASKED QUESTIONS (CONTINUED)

All service shall be made by electronic service through the provider File & ServeXpress. To register, visit their website, <https://os.fileandservexpress.com/web/ui/welcomepage.aspx>, or call 1-888-529-7587.

Important case information: 19STCP01176, Los Angeles County Superior Court, Complex Civil Litigation Division, Department No. 010, Judge William F. Highberger presiding, located at 312 North Spring Street, Los Angeles, California 90012

Please note that you will need to pay an appearance fee of \$435 when you file your answer.

9) WHEN IS THE NEXT HEARING IN THIS CASE?

A case management conference (CMC) is scheduled for June 1, 2020, at 1:30 p.m. If you intend to participate in the litigation process, it is recommended you attend the CMC or have an attorney represent you at the CMC.

10) WILL THERE BE ANY PUBLIC MEETINGS I CAN ATTEND TO GET MORE INFORMATION AND ASK QUESTIONS?

Yes, the City will hold three public meetings where City staff and its attorneys will be available to answer additional questions. See below for the locations and times of meetings:

**Thurs., January 30, 2020
from 6-8PM**

Matilija Junior High School,
Auditorium
703 El Paseo Road
Ojai, CA 93023

**Wed., February 12, 2020,
from 6-8PM**

Bell Arts Factory,
Community Room
432 N. Ventura Ave
Ventura, CA 93001

**Thurs., February 13, 2020,
from 6-8PM**

Oak View Community
Center, Kunkle Room
18 Valley Road
Oak View, CA 93022



FREQUENTLY ASKED QUESTIONS (CONTINUED)

11) WHAT IS THIS LAWSUIT ABOUT? WHAT IS IT TRYING TO ACCOMPLISH?

This lawsuit is about creating a long-term, local solution to protect the Ventura River Watershed and its resources – a vital water supply to many parties that include agricultural, businesses, individuals, water districts and cities. The watershed is currently at risk due to changing climate conditions and prolonged periods of drought. By collaborating with all stakeholders, the City desires to develop a holistic, locally-driven solution to protect the watershed that takes into consideration all water users' needs and safeguards this supply for users and the environment.

12) WHY IS THE CITY SEEKING TO ADJUDICATE WATER RIGHTS IN THE VENTURA RIVER WATERSHED?

Taking notice of the challenges facing the watershed, Santa Barbara Channelkeeper took initial legal action against the City of Ventura in 2014 to limit the City's use of the Ventura River. The City recognized and continues to recognize Channelkeeper's concerns and agrees action must be taken to protect the region's local water resources and all who depend on them. However, this cannot be accomplished by only one local water user, as the City only accounts for a portion of the total water used by hundreds of users in the watershed. As a result, the City made the difficult decision to file a cross-complaint to bring all water users to the table and develop a clear, effective framework for the future.

13) HOW DOES THE CITY USE WATER FROM THE VENTURA RIVER?

As one of Ventura's primary water suppliers, the City has exercised its Ventura River water rights to serve residents and other customers for generations. Today, the river makes up approximately 20% of the City's total water supply. Ventura Water, a department of the City, and the City's municipal water supplier, provides integrated water and wastewater services to approximately 113,000 people through more than 32,000 service connections.



FREQUENTLY ASKED QUESTIONS (CONTINUED)

14) SINCE CHANNELKEEPER FILED THE INITIAL LAWSUIT, WHY DID I RECEIVE THE NOTICE?

Please see response to number 12. In addition, by law, the court requires that all affected interests have the chance to participate in the litigation process that, as an owner of property in the Ventura River Watershed, may have an impact on any rights you have to pump groundwater or divert surface water.

15) WHAT IS THE CITY'S GOAL IN RESOLVING THIS LITIGATION?

The City is committed to resolving this litigation through a negotiated settlement known as a "physical solution" and has already been in discussion with many of the region's largest agricultural and municipal water users, who are all in agreement that we need a new approach to managing the Ventura River Watershed for the future.

The City's goal is to work collaboratively with all local water interests to develop a locally-driven solution – one that protects the Watershed and preserves its water supply through:

- Establishing a framework that determines the appropriate use of groundwater and surface water for users' needs and the environment;
- Making the most of the watershed's limited resources through watershed-level planning;
- Maintaining the steelhead fishery in good condition; and,
- Sharing the responsibility of protecting this finite water supply among all users.

The City's desired outcome will not have any "winners" or "losers," but rather, a commitment by everyone to safeguard this water resource for future generations.

Map on following page from Ventura River Watershed Management Plan (2015).

Last updated: December 11, 2019.

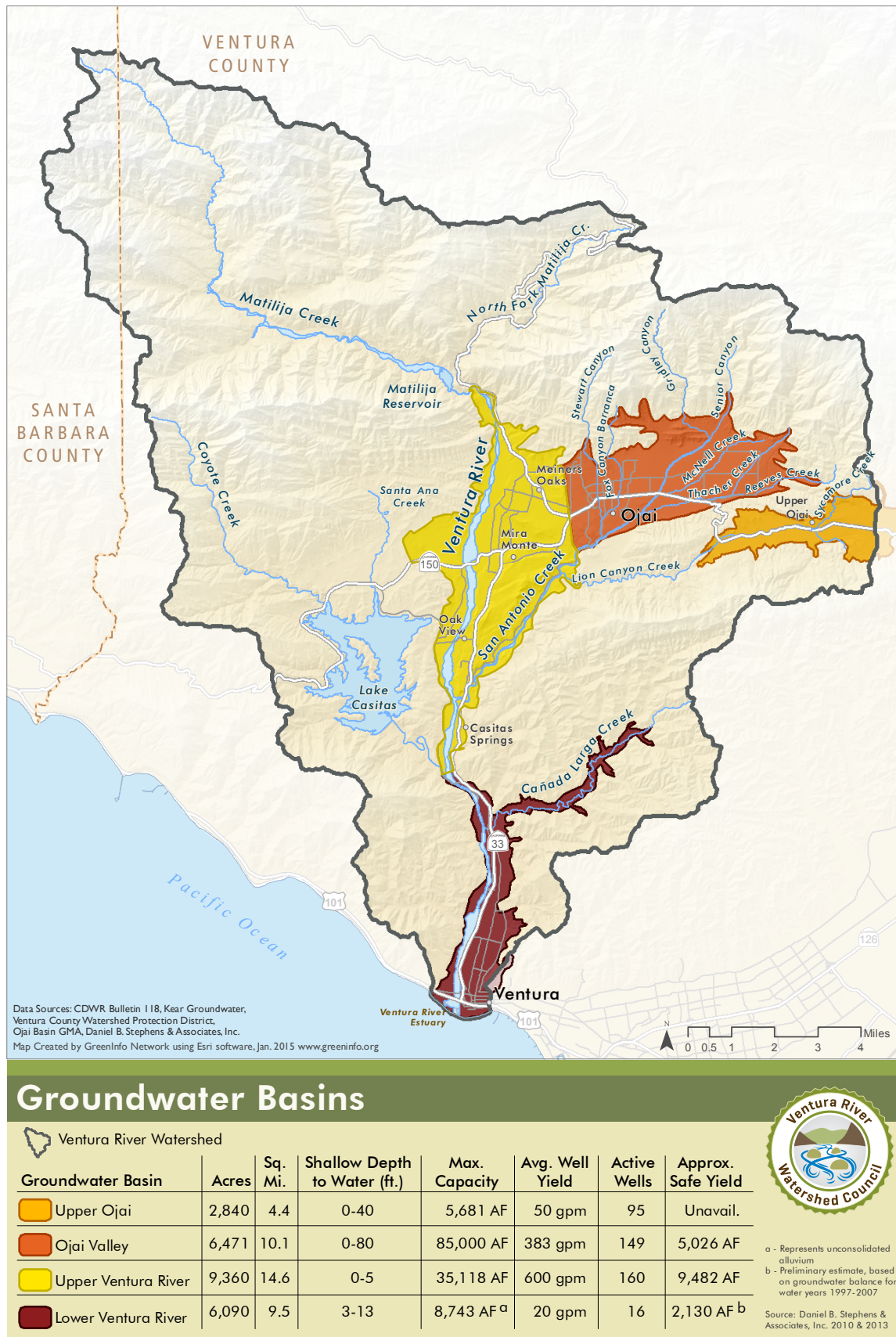


Figure 3.3.3.2 Groundwater Basins Map

Data sources: See Table 3.4.2.1.3 Groundwater Basins Map Data Sources in "3.4.2 Water Supplies" for an explanation of the various data in the table.