

**EXHIBIT 2**

**FY 2015-2016 GRAND JURY FINAL REPORT**

**RESPONSES TO FINDINGS (FI) AND RECOMMENDATIONS (R)**

Report Number (& Date)	Report Title	Respondents (With FI and R #)
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**REPORT NO. 02 May 3, 2016**

Title: **Riverbed Hazardous Invasive Vegetation**

Required Respondent: **Board of Supervisors**  
(for approval) (FI-01, FI-03, FI-04, plus R-01, R-02, and R-03)

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## Response to Grand Jury Report Form

Report Title: Riverbed Hazardous Invasive Vegetation

Report Date: May 3, 2016

Response by: Jeff Pratt Title: Director, Public Works Agency

### FINDINGS

- I (we) agree with the findings numbered: FI-01, FI-03, and FI-04
- I (we) disagree wholly or partially with the findings numbered: \_\_\_\_\_

### RECOMMENDATIONS

- Recommendations numbered R-01 have been implemented.  
*(Attach a summary describing the implemented actions.)*
- Recommendations numbered R-03 have not yet been implemented, but will be implemented in the future.  
*(Attach a timeframe for the implementation.)*
- Recommendations numbered R-02 require further analysis.  
*(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)*
- Recommendations numbered \_\_\_\_\_ will not be implemented because they are not warranted or are not reasonable.  
*(Attach an explanation.)*

Date: 7/19/16 Signed: Linda Parks  
Linda Parks – Chair, Board of Supervisors

Number of pages attached 5

## Response to Grand Jury Report Form

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### FINDINGS

**FI-01 Ventura County is severely limited in its ability to control the growth of Arundo. If left unchecked, Arundo will likely cause riverbank erosion, floodplain inundation, and major damage to infrastructure.**

**Response:** Agreed. Although Arundo is known to be resistant to erosion, it is likely that in a watershed filled with Arundo, areas without Arundo will be subject to greater erosion. It is understood that Arundo can choke the flood conveyance of rivers and even redirect flow causing an increase in flood stage and floodplain inundation which can lead to infrastructure damage.

There are many limitations to controlling the growth of Arundo including access to private properties, direct and indirect impacts to native plants and wildlife during removal, multi-year treatments required for elimination, propensity to resprout from cane and root fragments, adaptations to wet and dry soil environments, regulatory permitting, and waste hauling and disposal. These factors contribute to the high cost of Arundo control; funding is the primary limitation.

It is understood that although not the only vegetation that can be uprooted by floods, uprooted Arundo can get caught on bridge piers causing loads that can cause damage. Any vegetation can cause blockage at bridges and reduce construct flow in channels. Arundo is not more or less likely to cause damage to flood control structures than native species, though it does have less habitat value than native species and grows more quickly.

Arundo also provides shielded areas in the river bottoms that are attractive for homeless campers. Clearing these areas will discourage homeless camps in the river bottoms.

**FI-03 In the event of imminent flooding that endangers infrastructure and/or private property, the VCWPD can mitigate the danger by clearing only the dams that form from uprooted plants and other debris. However, this reaction to the problem is not as safe and effective as the proactive approach of removing the Arundo before it can be uprooted by flood waters.**

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**Response:** Agreed. Removing Arundo prior to floods is safer than removal from bridges during floods. The VCWPD is not permitted to remove vegetation in natural channels that do not have flood control improvements. All vegetation, even Arundo, is considered habitat.

VCWPD has a very proactive operations and maintenance program. Public Works Agency flood-fighting teams monitor bridges and other infrastructure and act to remove small debris dams as feasible before they jeopardize facility integrity.

**FI-04 The VCWPD faces four challenges in carrying out its responsibilities in flood prediction and control:**

- **There is a critical need for routine County access to the hydrology equipment in the Los Padres National Forest.**
- **The very steep gradient from the mountains to the coastal plain makes early detection of developing flood conditions of paramount importance to public safety.**
- **The current level of cooperation between the federal government (U.S. Forest Service) and the VCWPD is inadequate for protecting the downstream infrastructure and private property.**
- **Arundo removal efforts are hampered by coexistence with native vegetation that must be preserved. Arundo removal also presents difficulties in disposal. Both of these issues result in the high cost of control.**

**Response:** Agreed. The VCWPD can only address Arundo that lies within its easements or fee property. Much of the Arundo growing in the river bottoms is on private land for which the District has no jurisdiction, other than the prevention of owner-activities that could change water flow. The District cannot require private landowners to remove their Arundo and does not have jurisdiction to remove it either.

The most upstream portion of the Santa Clara River Watershed is in Los Angeles County. Efforts to exterminate Arundo in this watershed must also include LA County land owners. Removal of Arundo within native vegetation areas contributes to the high cost of removal.

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The current level of cooperation between the U.S. Forest Service and the VCWPD is hampered by a lack of willingness by the U.S. Forest Service to provide helicopter access to remote areas of the national forest. The VCWPD continues to reach out to gain access.

### RECOMMENDATIONS

**R-01 The Grand Jury recommends that the Ventura County Board of Supervisors, in conjunction with the VCWPD, develop a long-term plan and corresponding budget line item that leads to the eventual eradication of Arundo.**

**Response:** Partially Agree. The VCWPD Board of Supervisors and VCWPD staff should work together to develop prioritization of Arundo eradication within the limits of VCWPD funding as well as a long-term plan and corresponding budget line item taking advantage of available grant funding. Additionally, VCWPD should prioritize negotiation of Arundo removal to count toward project compensatory mitigation where acceptable to regulatory agencies. Projects will be identified through the annual budget process. A limitation to this approach is that the VCWPD is only responsible for Arundo on its property. A substantial amount of time and effort would be required to obtain the support, and funding, from private property owners.

There are many limitations to controlling the growth of Arundo including access to private properties, direct and indirect impacts to native plants and wildlife during removal, multi-year treatments required for elimination, propensity to resprout from cane and root fragments, adaptations to wet and dry soil environments, regulatory permitting, and waste hauling and disposal. These factors contribute to the high cost of Arundo control; funding is the primary limitation.

Arundo has been recognized as a problem in Ventura County for several decades and has been addressed by the Public Works Agency and a variety of public and private groups over the years. Currently, the Ventura River Watershed Council, the Santa Clara River Watershed Council, and the Calleguas Creek Watershed Council have task forces which address the need for Arundo and other non-native species removal. Entities in each watershed have used grants and other funding to map and remove Arundo. Universities have studied Arundo growth and its impacts to water quality, water quantity, and wildlife. The VCWPD has participated in many of these

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ventures, and continues to do so. Another option would be to form a weed abatement district, thereby, requiring all property owners to participate in the cost of removal of invasive species in the watersheds.

Within Fiscal Year 2016/2017, the VCWPD will work with each of the watershed councils to develop a long-term plan for control of Arundo county-wide and identify annual budgetary opportunities. While eradication may not be feasible, a high level of control may be achieved and sustained, which would greatly reduce flood damage risks to infrastructure. This Grand Jury Report will be instrumental in supporting future grant applications for Arundo removal.

**R-02 The Grand Jury recommends that the Ventura County Board of Supervisors direct the VCWPD to work with the Environmental Protection Agency for the responsible removal of Arundo in the County watershed, rivers, and tributaries.**

**Response:** Partially Agree. The VCWPD, within the limits of its authority, should work directly with the EPA, or indirectly with the U.S. Army Corps of Engineers and the Los Angeles Regional Water Quality Control Board through Clean Water Act permitting processes as appropriate. The VCWPD will work with the other agencies as projects are identified and scheduled.

Arundo removal, as well as the control of other noxious weeds in California, is subject to many rules and regulations regarding pesticides, endangered species, and water quality, among others. The VCWPD follows the rules and regulations promulgated by the EPA: we have certified applicators, follow Material Safety Data Sheets (MSDS) procedures, and apply in accordance with instructions from the product manufacturers.

We will continue to undertake our own research and follow that of others for ways to achieve the best control with the least amount of herbicides. The District will work with the EPA, and other regulatory agencies, to apply the best and most recent science to achieving the goal of Arundo control with the least potential environmental impacts.

**R-03 The Grand Jury recommends that the Ventura County Board of Supervisors direct the VCWPD to negotiate a formal agreement with the U.S. Forest Service for**

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**continued responsible access to the Los Padres National Forest for the purpose of installing and maintaining hydrology equipment.**

**Response:** Agreed. The VCWPD submitted an application to the U.S. Forest Service in November of 2015. The Forest Service responded on May 9, 2016 requesting additional information, a revised environmental study and an initial processing fee of \$25,000. The VCWPD is currently preparing a response to their request. This effort is ongoing. It is expected that the application will be approved prior to the next storm season, approximately November 2016.