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CASITAS MUNICIPAL WATER DISTRICT, a California
7 special district

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES, DISTRICT

10 SANTA BARBARA CHANNELKEEPER, a
California non-profit corporation,
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Petitioner,
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vs.
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14 STATE WATER RESOURCES CONTROL
BOARD, et. al.,
15
Respondents.

Case No. 19STCP01176

Judge: *Hon. William F. Highberger*
Dept: 10

**DECLARATION OF CASITAS
MUNICIPAL WATER DISTRICT
GENERAL MANAGER MICHAEL FLOOD
IN SUPPORT OF EXTENSION OF STAY**

Date: May 3, 2024
Time: 9:00 A.M.
Dept.: 10

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17 CITY OF SAN BUENA VENTURA, et. al.,
Cross-Complainant,
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vs.
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20 DUNCAN ABBOTT, an individual, et al.,
Cross-Defendants.
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Date Action Filed: September 19, 2014
Trial Date: Not Set

DECLARATION OF MICHAEL FLOOD

I, Michael Flood, declare:

1. I am the General Manager of Casitas Municipal Water District (“Casitas”). I have personal knowledge of the facts set forth in this declaration, and if called as a witness, could competently testify to all matters set forth herein.

2. I make this declaration in support of the joint request by nine watershed parties, including Casitas, and the State Water Resources Control Board/California Department of Fish and Wildlife (collectively the “State”) to extend the current stay in this action, the Ventura River Adjudication Litigation (“Litigation”), until January 31, 2025.

3. I have been appointed by the Casitas Board to serve on the Casitas Negotiating Team in connection with the mediation in this matter.

4. In this role, I have attended all mediation sessions held with the mediator, David Ceppos, and representatives of the cities of Ojai and Ventura and the East Ojai Group as well as representatives of the Ventura River Water District (VRWD), Meiners Oaks Water District (MOWD), the Wood-Clyaessens Foundation (Foundation), Rancho Matilija Mutual Water Company (Rancho Matilija) and the Ventura County Watershed Protection District (Watershed Protection District). I have also participated in meetings with other watershed stakeholders outside of formal mediation sessions regarding issues associated with a possible physical solution and settlement in the ongoing Litigation, and I anticipate those productive meetings will continue.

5. Since the last extension of the stay in September of 2023, and the Court’s continuation of the hearing requesting a stay on March 27, 2024, I and Casitas’ Board President Richard Hajas have attended Mediation Session 9 on December 5, 2023, Mediation Session 10 on March 4, 2024, and Mediation Session 11 on April 16, 2024 (which included participation by Santa Barbara Channelkeeper, or “SBCK”). I also attended a half-day virtual mediation session with the mediation parties on March 18, 2024. In my role on the Casitas Negotiating Team, and in my capacity as General Manager of Casitas, I also participated in other meetings with the mediator as requested, initiated and oversaw numerous meetings with technical experts related to the

1 components of a possible physical solution, and participated with other Ventura Watershed
2 stakeholders to discuss a possible governance structure for future implementation of a physical
3 solution, and the development of a management plan envisioned to benefit Steelhead and their
4 habitat in the Ventura River Watershed (“Watershed”).

5 6. I echo the declaration of Mayor Schroeder of Ventura and believe that the parties
6 over the last three months have made significant progress towards developing a physical solution
7 for the Court’s consideration, and the Watershed Parties are now engaging directly with the State
8 and SBCK

9 7. While significant progress has been made towards settlement, Mediation Session
10 11 reinforced by belief that more time is needed—with court oversight as suggested by the City of
11 Ventura in the Joint Statement submitted to the Court—in order to allow the Watershed Parties
12 and the State to determine if a technical solution can be developed and implemented that balances
13 the various competing interests in the watershed. More work—particularly work of a scientific
14 and technical nature, with dialog between watershed and fisheries experts retained by the
15 mediation parties and the State—remains more important than ever in order to determine whether
16 consensus can be reached on a physical solution to submit for the Court’s consideration.

17 8. Obtaining an extension through January 31, 2025, as requested in the Joint
18 Statement, will, I believe, provide the mediation parties with sufficient time to finalize a proposed
19 physical solution and settlement for the Court’s consideration. Casitas acknowledges that this
20 mediation process is moving slower than some parties in the watershed desire. This is a complex
21 case, and there are many competing demands on the water resources of the Ventura River
22 Watershed. However, with regard to difficult scientific issues like those presented in this case,
23 Casitas believes it is best to develop the best science and consensus management and governance
24 approaches before coming to the Court with a proposed stipulated judgment for approval.

25 9. Much work remains, but I am optimistic that the extensive mediation process, and
26 the relationships developed and strengthened by the mediating parties through same, will benefit
27 the Watershed and the flora/fauna that rely upon it.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 26 day of April, 2024 at Oak View, California.

Michael Flood

Michael Flood
General Manager, Casitas MWD