



**Board of Directors Meeting**  
**Thursday, December 20, 2018**  
**City Council Chambers, Fillmore City Hall**  
**250 Central Avenue, Fillmore, CA 93015**

**MINUTES**

**Directors Present**

Director Kelly Long, Chair  
Director Ed McFadden, Vice Chair/Secretary/Treasurer  
Director Gordon Kimball  
Director Candice Meneghin  
Director Glen Pace

**Staff Present**

Anthony Emmert, Executive Director  
Lemieux, Legal Counsel  
John Lindquist, UWCD (substitute Clerk of the Board)

**Public Present**

Dan Detmer, United Water Conservation District  
Tony Morgan, Daniel B. Stephens & Associates, Inc.  
Tim Moore, Daniel B. Stephens & Associates, Inc.  
Kenneth Rogers, Amen Ranches LLC  
George Reid

**1. Call to Order 6:07 p.m.**

Chair Long called the meeting to order at 6:07p.m.

**2. Pledge of Allegiance**

The Board, Staff, and audience participated in the Pledge of Allegiance.

**3. Directors Roll Call**

Directors Pace, Kimball, Long, McFadden and Meneghin all answered the roll call.

**4. Public Comments**

Chair Long asked if there were any public comments for the Board. None were offered.

## **5. Approval of Agenda**

### **Motion**

Chair Long asked if any Board member would like to revise the agenda, or make a motion to approve it as written. Motion to approve the agenda: Director McFadden; Second, Director Pace. Voice vote: five ayes (Pace, Kimball, Long, McFadden, Meneghin); none opposed. Motion carries unanimously 5/0/0.

## **6. Director Announcements/Board Communications**

Director Pace noted that he had to leave tonight's Board meeting by 7:15p.m. due to a personal matter.

Director Meneghin informed the group that after this meeting, she would take maternity leave and anticipated returning to the Board in late April 2019. She asked if the Board thought another member of the Friends of the Santa Clara River should take her place on the Board during her absence. Chair Long stated that the Board would need to consider that proposal further. Director Meneghin stated that she had discussed her departure with E.J. Remson (of The Nature Conservancy), who felt that a Friends of the Santa Clara River representative would be a suitable replacement.

Director McFadden reported that United Water Conservation District (United) is considering a variety of interesting and exciting new projects to improve water supply throughout their service area.

Chair Long noted that the State of California is providing a number of grant opportunities that would be worth looking into.

## **7. Executive Director Update**

### **Information Item**

Mr. Emmert provided a brief update to the Board regarding his activities since the previous Board meeting of November 15, 2018. He reported that the Proposition 1 grant agreement to support preparation of the Fillmore and Piru basins Groundwater Sustainability Plans (GSPs) was close to being executed. He also reported that contract negotiations with the GSP consultant selected by the Board were proceeding and should be completed by the next Board meeting. Mr. Emmert said that staff is in the process of updating the cash-flow forecasts in light of the new budget and schedule, and the only concern noted so far (based on preliminary review) is that the forecasted FPBGSA account balance could potentially become negative during parts of fiscal years 2020 or 2021, depending on the cost and timing for construction of new monitoring wells included in the scope of work submitted with the Proposition 1 grant. Mr. Emmert said the cash-flow forecasting effort is still underway, and will continue early in the next year.

Mr. Emmert also reported that he attended the State Water Resources Control Board (SWRCB) and Department of Water Resources (DWR) meeting about surface water and

groundwater interactions. His take-away from the meeting was that GSAs must consider multiple issues, including groundwater dependent ecosystems (GDEs) and surface water diversions, but had little actual authority to affect them. The SWRCB would need to be asked for help in influencing surface water diverters. Director Meneghin noted that groundwater withdrawals can affect surface water flows, and that while a GSA has authority over groundwater withdrawals, they have little control over surface water diversions.

## **8. CONSENT CALENDAR**

Chair Long asked if the Board members had any questions or comments on the consent calendar. Regarding the Minutes from the November 15, 2018, Board meeting, Director Kimball noted that attendee Ann Ohlankum was listed as being affiliated with “CFRDG” rather than “CFROG” (Citizens for Responsible Oil and Gas). Chair Long proposed revising the minutes to reflect the change from “CFRDG” to “CFROG.” Voice vote to approve the consent calendar, with the one revision to the Minutes proposed by Chair Long: five ayes (Kimball, Long, McFadden, Meneghin, Pace); none opposed; one absent. Motion carries unanimously 5/0/0.

### **8A Approval of Minutes**

The Board will consider approving the Minutes from the Board Meeting of November 15, 2018.

### **8B Approval of Warrants**

The Board will consider approving invoices for the following payments:

OMLO October 2018 Legal Services \$625.00

OMLO November 2018 Legal Services \$960.00

insureCAL 2019 General Liability insurance \$2,077.67

### **8C Monthly Financial Report**

The Board will receive a monthly profit and loss statement and balance sheet for the FPBGSA from UWCD’s accounting staff.

## **9. ACTION ITEMS**

### **9A Update on Agency’s Past Due Receivables and Collection Strategy.**

#### **Motion**

Mr. Emmert summarized the status of past due receivables, as described in the Staff Report for this item. He also noted that there are a handful of pumpers with no additional contact information other than an address, and notices sent to them were returned to United as “undeliverable.” Potential options that might be pursued by United staff include outreach or “friendly reminders” that payment was required. Director Long noted that 28 of the past-due amounts are for bills of less than \$10. Mr. Emmert clarified that those past-due amounts of \$1 or \$0.01 represented

unreported pumping volumes. Therefore, the actual amount owed was unknown, but likely higher than \$1.

Director Meneghin questioned why, if groundwater pumpers had to report their pumpage to the State, couldn't the GSA obtain the information from DWR? Dan Detmer/United clarified that pumpers have an option to report pumping to the State for a fee of \$100, but that is not a requirement, and many pumpers choose not to do so. Mr. Emmert confirmed that self-reporting to the State is optional.

Director Kimball asked whether Ventura County or United have the authority to inspect wells. Mr. Emmert replied that United is developing procedures to do so, but has not finalized those procedures or exercised that new authority yet.

Director Long asked Director Kimball if any of the non-reporters were members of the Fillmore and Piru Basins Pumpers Association. Director Kimball was not sure, but was willing to check.

Director Long asked Mr. Emmert what authority United had to pursue non-reporters, and what the GSA's options were. Mr. Emmert stated that United is continuing to develop its authority to pursue non-pumpers and non-reporters. United staff could also continue its efforts to find contacts for notices to pumpers that were returned as "undeliverable." However, he said that he did not feel it would be appropriate for him to direct United staff to press pumpers further without consulting the Board first, which is why he brought the issue before the Board tonight.

Chair Long suggested that United provide the list of non-paying or non-reporting pumpers to Director Kimball, with any financial information required, so that he could work with the Pumpers Association to identify and contact the well owners. Counsel stated that there should be no legal issues with United providing such a list to Director Kimball and the Pumpers Association. Chair Long also suggested that United should follow up on its efforts to identify non-payers and non-reporters on behalf of the GSA.

A representative from the California Department of Fish and Wildlife (DFW) at the Fillmore Fish Hatchery spoke up and stated that they planned on paying their past-due and future extraction fees to the GSA. The reason they had not paid yet was that they needed to make budget changes. Chair Long thanked the DFW for their cooperation and attendance at this meeting.

Chair Long suggested that United staff should be allowed to proceed, using "reasonable judgment" in determining how much effort they should expend in pursuit of non-payer or non-reporter contact information. Director Pace felt that

United could spend as much time as necessary to track down non-payers if fees exceeded a certain dollar amount, but did not specify an amount.

Chair Long asked if there was a motion to:

1. Request that United provide a list of non-paying or non-reporting pumpers to Director Kimball, without any financial information, so that he could work with the Pumpers Association to try and identify and contact the well owners;
2. Request that United also provide that list to Supervisor Long to pursue through Ventura County staff;
3. Authorize United to follow up on its efforts to identify non-payers and non-reporters on behalf of the GSA, using reasonable judgment regarding time spent on this effort.

Motion to proceed with the three efforts to identify non-payers and non-pumpers, Director McFadden; Second, Director Kimball. Voice vote: five ayes (Kimball, Long, McFadden, Meneghin, Pace); none opposed. Motion carries unanimously 5/0/0.

## **9B Stakeholder Engagement Strategy**

### **Motion**

Mr. Emmert summarized the existing plan for stakeholder engagement during GSP development, together with the options and potential effects of a more robust stakeholder engagement effort, as described in the Staff Report for this item. Mr. Emmert suggested that an ad hoc committee could strategize on an approach for stakeholder engagement, noting that the State wants a “sincere” effort to engage all stakeholders, not just pumpers.

Chair Long stated that as a County Supervisor, she had a list of all organizations and potential stakeholders in the Santa Clara River Valley. She asked how much time the ad hoc committee should invest on this effort. Director Kimball asked if it was necessary that potential stakeholders actually attend meetings, or was it enough to inform potential stakeholders of the process that is occurring. Mr. Emmert said that a sincere effort to inform people of the process and their opportunities to engage was what the State expected. At this point, Mr. Emmert asked Tony Morgan/DBS&A to provide his thoughts. Mr. Morgan showed a slide (Attachment A) and described the process that the State expected.

Director Pace asked why it was necessary to talk about this today—couldn’t the Board just accept the GSA’s GSP consultant’s proposal, which included a stakeholder engagement component? Mr. Morgan replied that there was enough funding to implement a robust stakeholder engagement plan, and what he really hoped was for the engagement team to be adequately prepared for the upcoming effort as early as possible in the new year. He suggested a couple of meetings to brainstorm on the process and contacts. Director Meneghin asked if meetings were

really needed, or could Board members just share stakeholder information? Counsel suggested that to avoid Brown Act violations, it would be best to have an ad hoc committee discuss the issues and bring their thoughts back to the full Board.

Director Kimball suggested that Chair Long and Director McFadden comprise the ad hoc committee. Counsel stated that Chair Long could simply appoint an ad hoc committee, rather than the Board deciding as an action item.

Chair Long appointed herself and Director McFadden to an ad hoc committee to consider the methods and contacts that the Board should consider as part of its stakeholder engagement effort for the GSPs.

## **9C Soliciting Proposals for Auditors**

### **Motion**

Mr. Emmert summarized the need for the GSA to hire an auditor, as described in the Staff Report for this item. Director Pace noted that in the Request for Proposals, in the last paragraph of the first page (Section I, Subsection A), the second sentence referred to a “District Board.” Director Pace felt that should instead refer to “Agency Board.” Mr. Emmert agreed.

Motion to proceed with soliciting proposals from auditors, with the one revision of language noted above, Director McFadden; Second, Director Pace. Voice vote: five ayes (Kimball, Long, McFadden, Meneghin, Pace); none opposed. Motion carries unanimously 5/0/0.

## **9D Board Meeting Dates for 2019**

### **Motion**

Chair Long stated that she felt the dates were acceptable, but asked how the other Directors and Staff felt about starting the meetings at 5:00p.m., rather than the 6:00p.m. starting time of the past year’s meetings. The other Directors and Staff felt 5:00p.m. would be acceptable to them.

Motion to accept the proposed Board meeting dates and specifying a planned starting time of 5:00p.m., Director Pace; Second, Director Meneghin. Voice vote: five ayes (Kimball, Long, McFadden, Meneghin, Pace); none opposed. Motion carries unanimously 5/0/0.

## **10. INFORMATION ITEMS**

### **10A Basin Boundary Modification Update**

#### **Information Item**

UWCD's Supervising Hydrogeologist Dan Detmer provided a presentation (Attachment B) updating the Board on status of the proposed Basin Boundary Modifications for Fillmore and Piru basins submitted to DWR by United Staff in 2018. Chair Long asked if Staff were given any real choice by DWR other to accept DWR's recommended changes to the boundary modification request. Mr. Detmer replied that he did not get the impression that DWR was willing to entertain any other options. Chair Long also asked if owners of wells that were within the proposed new Fillmore and Piru basin boundaries had been notified. Mr. Detmer said he would like to discuss that later in the presentation. He noted that United did not have information about whether some wells outside of United's service area were active or not, and would ask Ventura County staff if they knew. Director McFadden stated that the County often had better information about well status than one might expect.

After the presentation, Mr. Detmer asked how the Board would like to proceed on notifying owners of wells that would be within the new Fillmore and Piru basin boundaries under the proposed modifications. Chair Long asked how would these owners know that the GSA exists, since they were not included in the initial GSA notification process? Director Kimball noted that public outreach to date has basically failed, due to DWR's input (their requirement to make further basin boundary modifications beyond those requested by the GSA). Chair Long agreed that the DWR is really responsible for the latest changes, therefore it was DWR's outreach that failed.

Chair Long then asked how can the GSA reach out to those owners, considering that the DWR's public comment period for this round of basin boundary modifications is closing in early January. Mr. Detmer replied that United could relatively easily send a mailer to those affected well owners. He estimated that the number of impacted wells is "a little more than a couple dozen." Chair Long suggested sending a letter to those well owners to the effect that due to DWR requirements, their wells were included within the proposed new boundaries of the Fillmore and Piru basins, and would therefore be within the planning area for the FPBGSA. Furthermore, the owners could comment on the proposed boundary modifications at the DWR web site by January 4, 2019.

**10B City of Fillmore Representative to FPBGA Board of Directors**

**Information Item**

Chair Long noted that a new representative from Fillmore's City Council has not been appointed yet, and that the City would select their representative at its January 8, 2019, Council meeting.

**FUTURE TOPICS FOR BOARD DISCUSSION**


No additional topics proposed.

**ADJOURNMENT 7:35 p.m.**

The Board will adjourn to the next **Regular Board Meeting** on Friday, **January 18, 2019, at 5:00 p.m.** or call of the Chair.

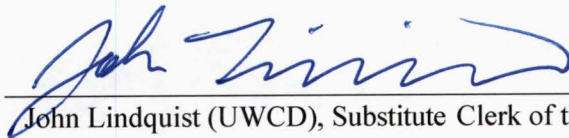
I certify that the above is a true and correct copy of the minutes of the Fillmore and Piru Basins Groundwater Sustainability Agency's Board of Directors meeting of December 20, 2018.

ATTEST: \_\_\_\_\_



Kelly Long, Chair, FPB GSA Board of Directors

ATTEST: \_\_\_\_\_



John Lindquist (UWCD), Substitute Clerk of the Board





## BOARD MEETING

December 20, 2018 @ 6:00pm

City Council Chambers, Fillmore City Hall

250 Central Avenue, Fillmore, CA 93015

Name: Don Delmer

Organization: UWCD

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Name: Tony Morgan

Organization: DBS&A

Phone: \_\_\_\_\_

E-mail: TMORGAN@GEO-LOGIC.COM

Name: KENNETH ROGERS

Organization: AMEN RANCHES LLC

Phone: 805-340-2363

E-mail: kb.rogers@hotmail.com

Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Name: TIM MOORE

Organization: DBS&A

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Name: George Reed

Organization: \_\_\_\_\_

Phone: 794-9737

E-mail: greed23@gmail.com

Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Name: \_\_\_\_\_

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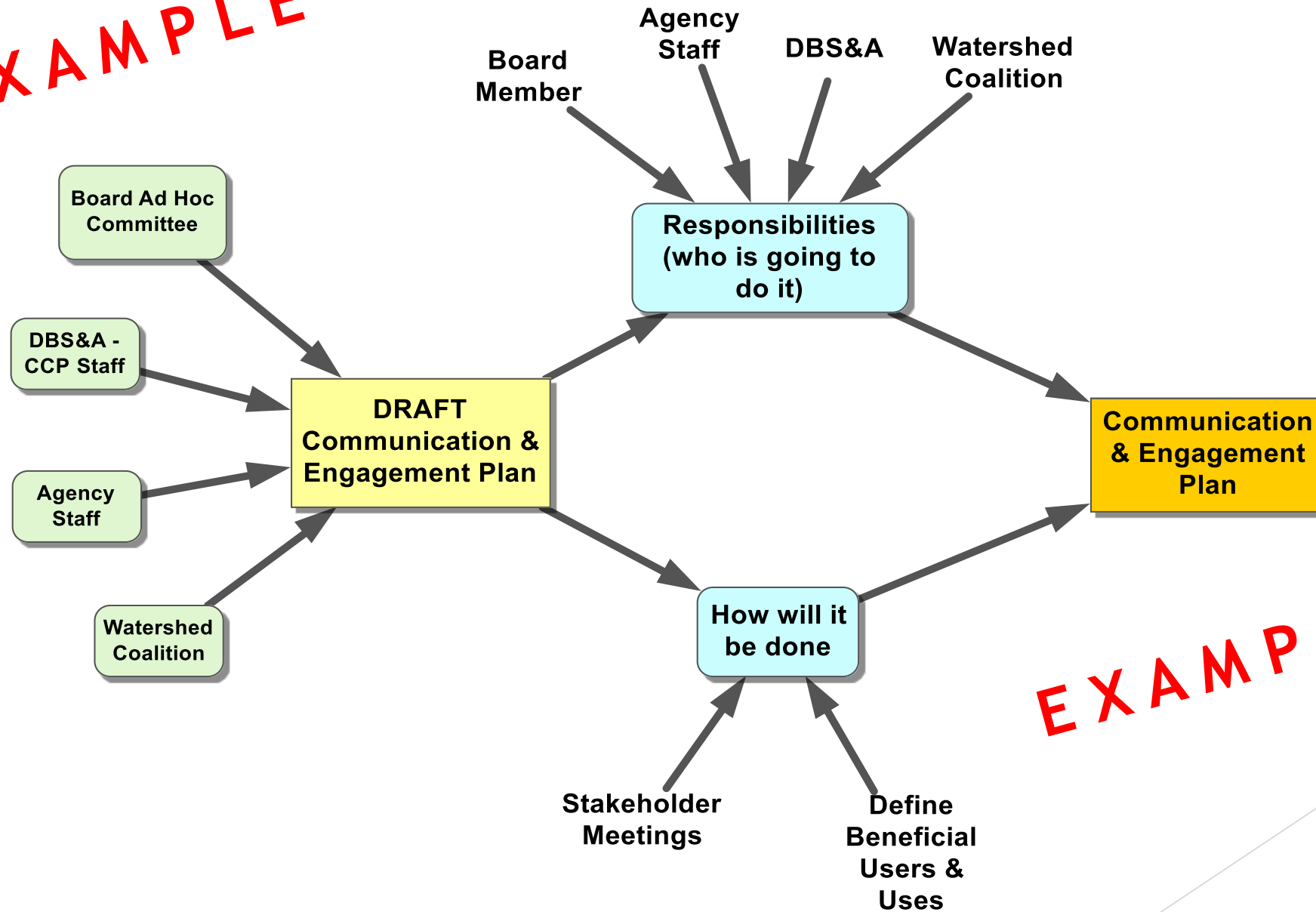
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**EXAMPLE**



**EXAMPLE**

# **Update on Proposed DWR Basin Boundary Modifications**

**December 20, 2018**

# DWR Basin Boundary Modifications

## Process to Date:

- ❑ United worked with DWR staff in early 2018 to redraw Piru and Fillmore boundaries, following original DWR criteria (but with improved accuracy)
- ❑ Most edits were technical in nature (following geologic contacts)
- ❑ Jurisdictional boundary for western Fillmore (snap to stipulated boundary for Santa Paula basin)

## **DWR Basin Boundary Modifications:**

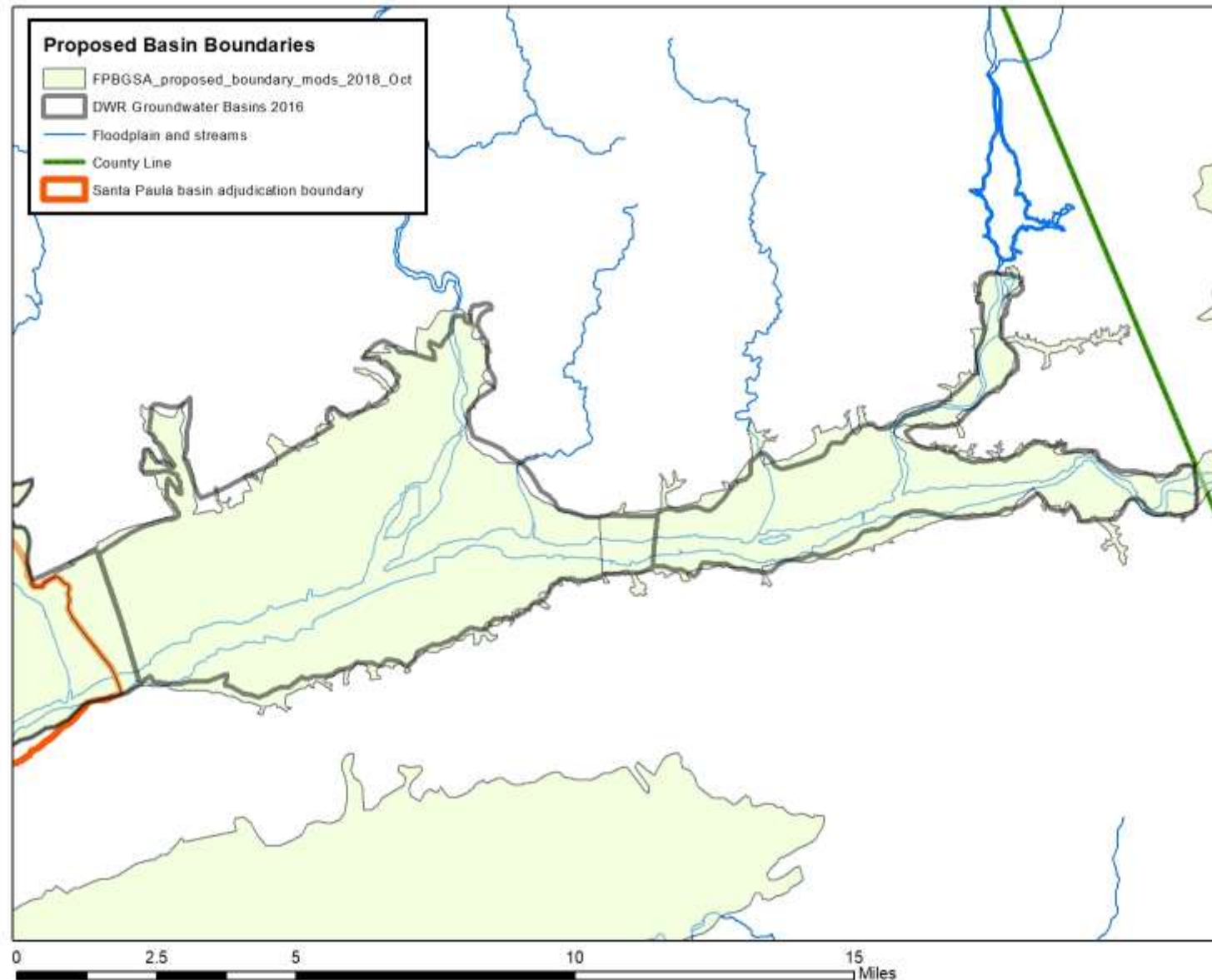
- ❑ On October 29 the DWR review panel expressed a strong preference for including alluvium around margins of the basin
- ❑ Mapped alluvium could be excluded if thought to be < 25 feet thick, unsaturated, non-water-bearing or structurally isolated from the basin
- ❑ UWCD edited the proposed basin boundaries and resubmitted to DWR on October 30
- ❑ DWR review panel recommended acceptance of proposed boundaries, DWR Director concurred: (draft decision to approve)

## **DWR Basin Boundary Modification Timeline:**

- ❑ Public comment period opened November 29
- ❑ Public hearing in Sacramento on December 11, webcast was also available
- ❑ Public comment period closes January 4, 2019
- ❑ California Water Commission meeting
- ❑ Boundary modifications expected to be finalized in late February 2019



# Proposed Basin Boundary Changes and Current DWR

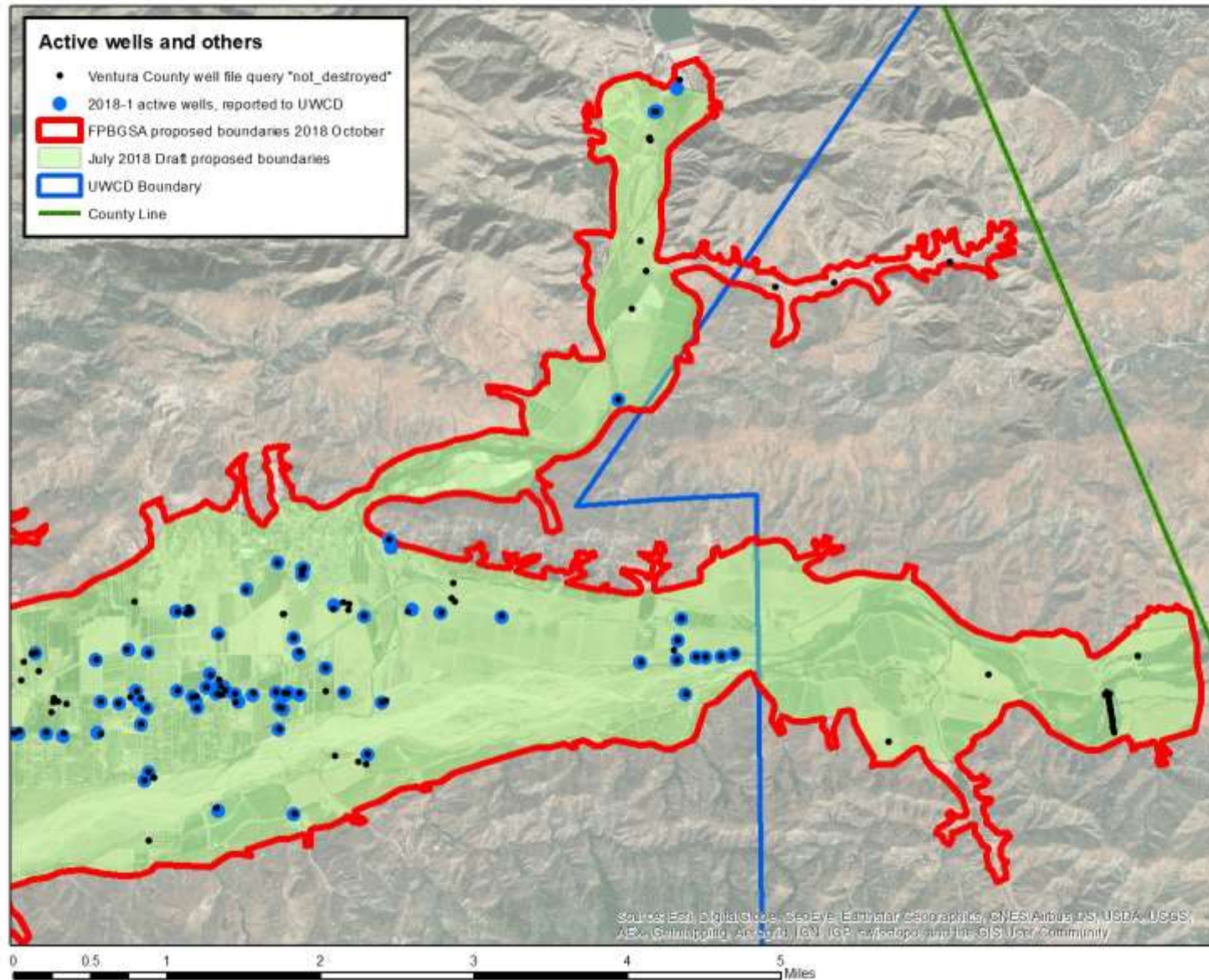


## Local Public Process:

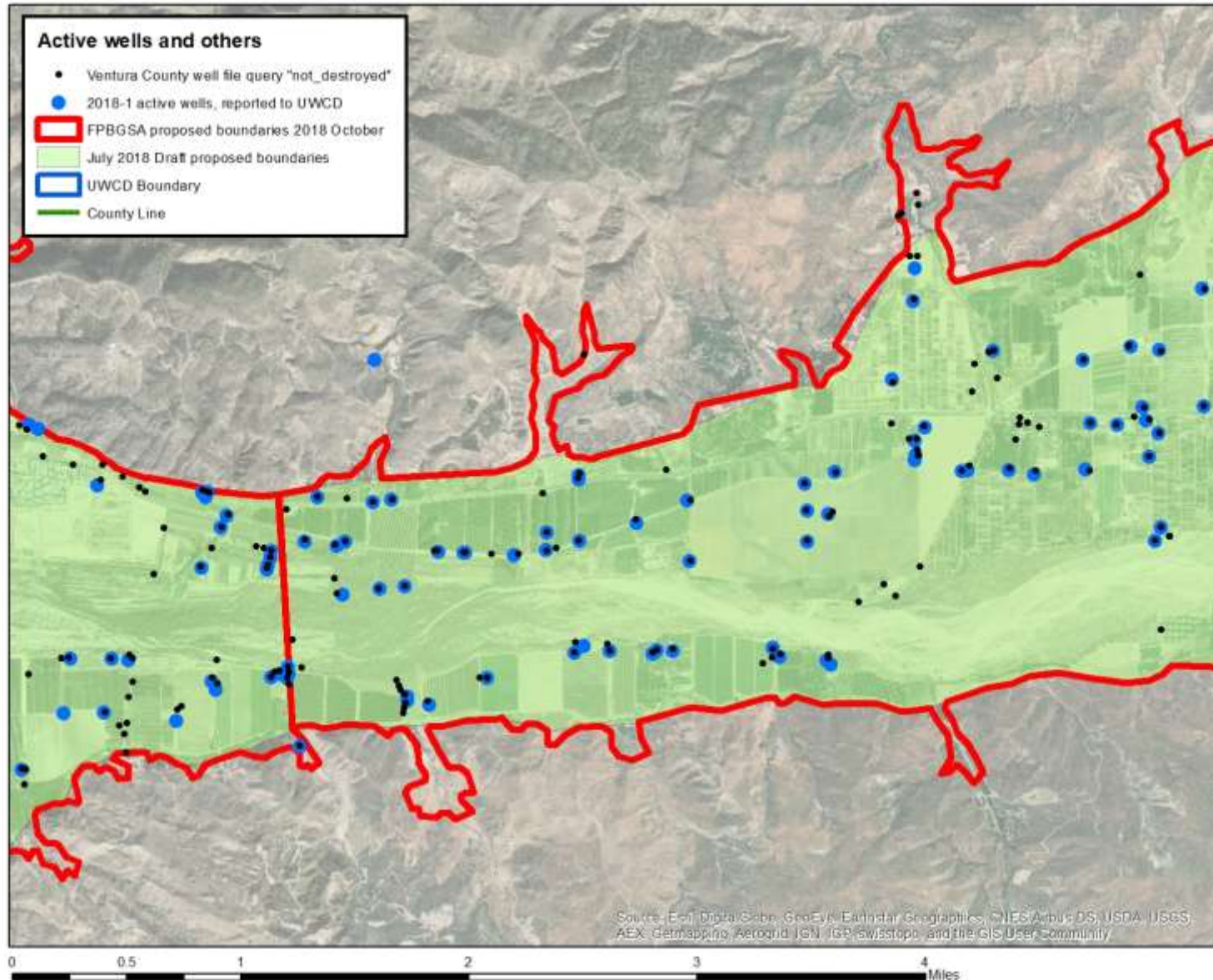
- ❑ FPBGSA basin boundary workshop considered the July version of proposed changes
- ❑ Subsequent changes to the proposed boundaries following DWR review and feedback in October
- ❑ Preliminary mapping done to evaluate how many wells were captured by the revision



# Basin Boundary Modification: Eastern Piru

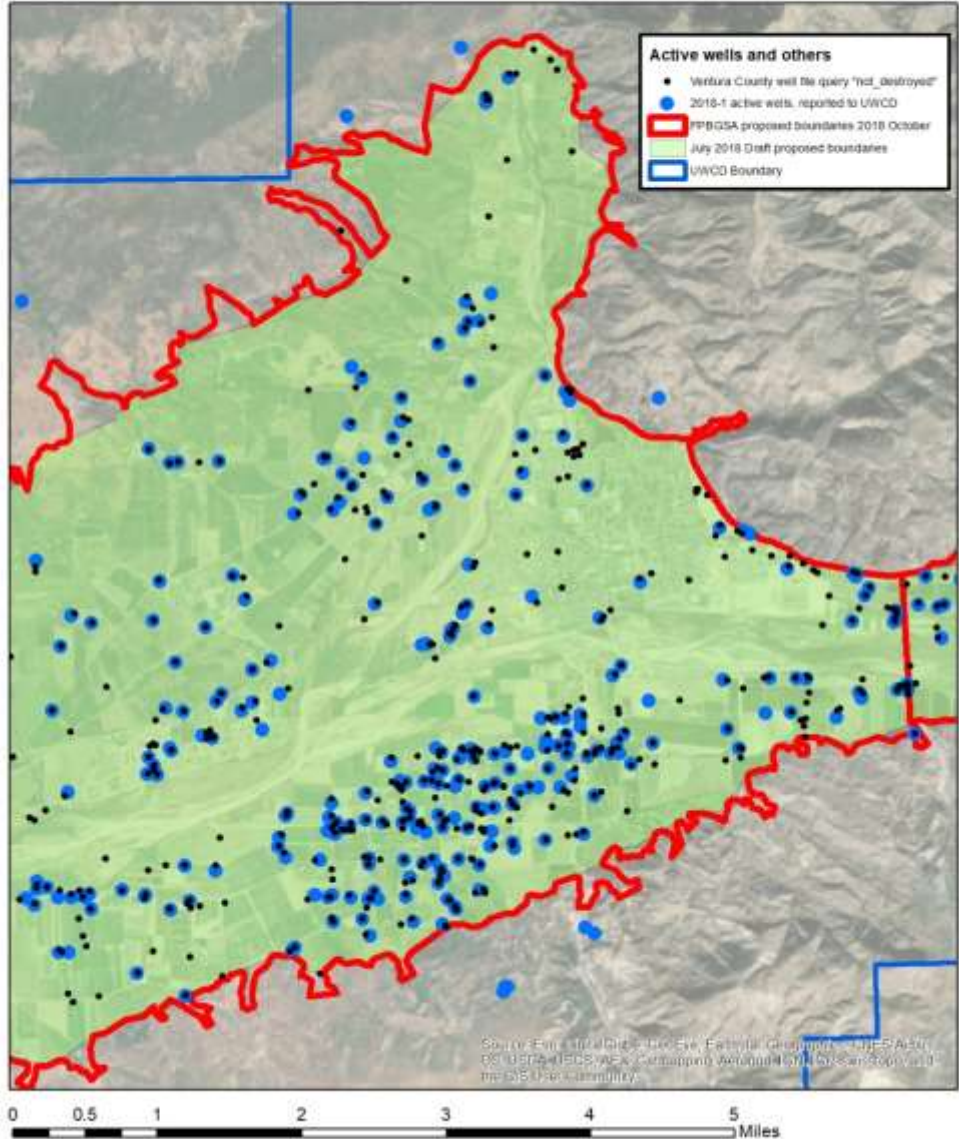


# Basin Boundary Modification: Western Piru

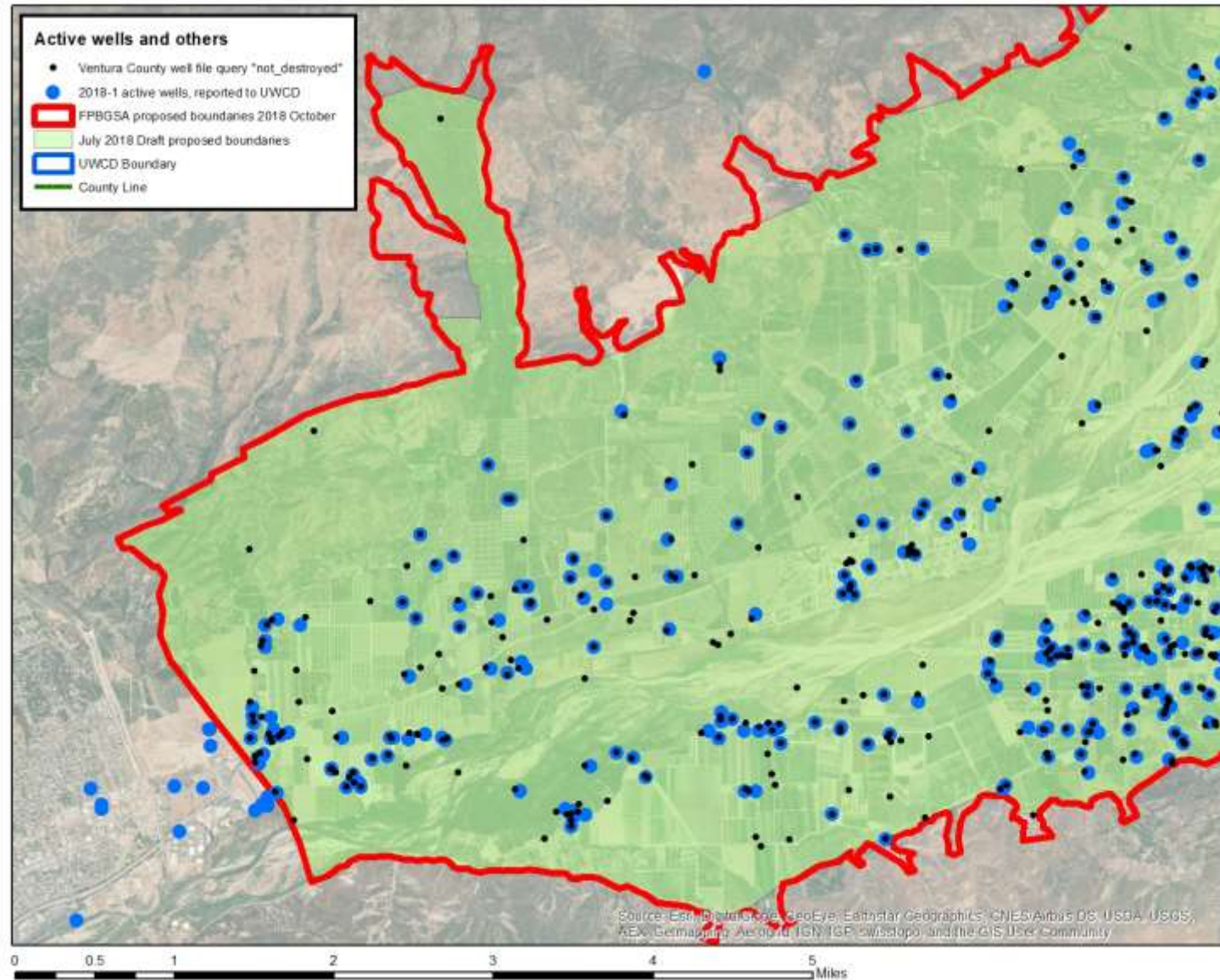




# Basin Boundary Modification: Eastern Fillmore



# Basin Boundary Modification: Western Fillmore



## Next Steps:

- ❑ Additional work required to determine status of certain wells
- ❑ Contact owners of active wells within FPBGSA boundaries