



Board of Directors Meeting
July 16, 2020
via ZOOM
MINUTES

Directors Present

Director Kelly Long, Chair
Director Ed McFadden, Vice Chair/Secretary/Treasurer
Director Tim Holmgren (joined the meeting at 5:15pm)
Director Gordon Kimball
Director Glen Pace
Director Candice Meneghin

Staff Present

Anthony Emmert, executive director
Steve O'Neill, legal counsel
Kris Sofley, clerk of the board

Public Present

Lisa Ballin, CSUS/DBS&A
Bryan Bondy, Fillmore and Piru Pumpers Associations
Frank Brommschenkel
Matt Freeman
Debbie Jackson
Dr. Zachary Hanson, UWCD
Tim Moore, DBS&A
Tony Morgan, DBS&A
Dr. Jason Sun, UWCD
Richard Tate
Roy Thun
Jim Thurber
Steve Zimmer

Call to order 5:03p.m.

Chair Long called the meeting to order at 5:03p.m.

First Open Session

1A Pledge of Allegiance

Vice Chair McFadden led everyone in reciting the Pledge of Allegiance

1B Directors Roll Call

Clerk of the Board took roll, five Directors were in attendance (Kimball, Long, McFadden, Meneghin) and two were absent (Pace, who had stepped away from his computer during roll call, and Holmgren, who joined the meeting later at 5:15p.m.).

1C Public Comments

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

1D Approval of Agenda

Motion

Chair Long asked if there were any changes to the agenda. Vice Chair McFadden asked that the Minutes (Item 3A) be removed and addressed separately.

Motion to approve the agenda with the removal of Item 3A from the Consent Calendar, Vice Chair McFadden; Second, Director Kimball. Roll call vote: four ayes (Kimball, McFadden, Meneghin, Long); none opposed; two absent (Holmgren, Pace). Motion carries 4/0/2.

2. Updates

2A Director Announcements/Board Communications:

Oral Reports from the Board

Fillmore Pumpers Association Stakeholder Director Update

Director Kimball reported that the Fillmore Pumpers Association had held its monthly Board meeting. At that meeting, the Association's consultant, Bryan Bondy, had expressed a desire to see things sooner rather than later regarding the FPBGSA's GSP planning and preparation. Mr. Bondy understands that the consultants (DBS&A and UWCD) may not want to share work before it is finished and the membership had a robust discussion regarding the availability of information. Director Kimball said that he reminded members that the GSP is not set in stone and the GSP submitted initially will be the first of many drafts. He added that he wants to keep the dialogue open and remind consultants that the work can be evolutionary

Piru Pumpers Association Stakeholder Director Update

Director Pace echoed Director Kimball's comments and said he used that discussion to remind pumpers that it is important to attend the FPBGSA meetings and that the FPBGSA Board is very interested in getting feedback for its GSPs preparations

Environmental Stakeholder Director Update

Director Meneghin reported that she participated in the Greater Ventura County Groundwater Dependent Ecosystems (GDE) Webinar on June 19,

2020. She said there were 112 registrants and since it was added to the Watershed Protection District's website, the video has had over 100 views. Director Meneghin also participated in the FPBGSA Stakeholder workshop on June 25 and will be attending the first FPBGSA ad hoc Management Criteria Development Committee meeting tomorrow morning.

City of Fillmore Member Director Update

Director Holmgren was not in attendance yet to provide an update.

United Water Conservation District Director

Vice Chair McFadden said that he was sure everyone had heard of the tragedy at Lake Piru as it was all over the news and that he did not have anything more to report.

Update County of Ventura Director Update

Chair Long reported her participation in the County's Planning Committee meeting today, a meeting with APAC regarding industrial hemp; a seminar regarding grants for inactive wells; COVID-19 is still going strong and testing continues in Piru, Fillmore and Santa Paula, education efforts are also being made, reaching out to packers and agricultural workers. She added that it looks like many in the County will be continuing to work from home for a bit longer and that there is still a great deal of work to do in combatting COVID-19.

Vice Chair McFadden added that he would like to compliment the Ventura County Ag Commission for its efforts to keep the community safe. He said that the commission has provided surgical and N95 masks for pesticide use and has distributed many masks throughout the community which has been very helpful.

Chair Long agreed, adding that Santa Paula Hospital, the Ag Commission and Logrando Bienestar are getting personal protection equipment out to the communities, encouraging testing, providing physical and mental health services and economic assistance. They are really getting stuff done, she said.

Director Meneghin echoed this statement adding that these groups are distributing COVID-19 pamphlets, training and screening and more and doing a really great job.

Chair Long did add that 216 farmworkers in the County have tested positive for the corona virus and Vice Chair McFadden said that many are taking advantage of the doctors who have volunteered to provide training and/or hold classes for farmworkers. Chair Long said that they just did a press conference with Limoneira that went very well.

**2B Executive Director Update
Information Item**

Executive Director Emmert, seeing that Director Holmgren had joined the meeting, asked him to provide his update to the Board at this time.

Director Holmgren thanked him, but said he had no updates for the Board.

Executive Director Emmert reported that outstanding receivables had gone down slightly, from \$80,182 on July 8 to \$65,647. The Department of Fish and Wildlife (DFW) was still reviewing its outstanding invoice for the Fillmore Fish Hatchery. He stated that he had been unable to reach out to the Agency's contacts at DFW and would continue to follow-up. Executive Director Emmert suggested that at an agenda item to review outstanding invoices and collections may be agendized at a future Board meeting, as Vice Chair McFadden requested.

Executive Director Emmert said that the Agency had received grant reimbursement payments for its first three invoices and was expecting payment of invoice four within the next few weeks. He also stated that staff was preparing the next progress report and invoice which was due on August 15, 2020.

He reported that UWCD continues to work on the groundwater model and calibrations continue to improve and that Mr. Detmer would provide any answers to questions later in the agenda.

**2C Legal Counsel Update
Information Item**

OMLO's Steve O'Neill was in attendance as Legal Counsel for this evening's meeting and thanks Scott Nave for his assistance during Mr. O'Neill's absence. Mr. O'Neill said that now that he was "back in the neighborhood" he was looking forward to participating in the Agency's meetings on a more regular basis. Other than that, he had no updates for the Board.

**2D GSP Consultant Update
Information Item**

Tony Morgan, representing Daniel B Stephens & Associates, delivered a presentation to the Board (see attached powerpoint). Mr. Morgan confirmed that tonight's Board discussions would address a technical review of the County's well moratorium, the water budget and future conditions which contribute to the planning and development of the Agency's GSPs. He added that next month the Board will address annual reporting systems and that in September, the discussion will focus on data

gaps analysis and the role of monitoring wells as part of the GSPs. Mr. Morgan provided a list of reference or background materials for the Board's education in preparing for these discussions and asked if he could ask the Board a question. Mr. Morgan said at a past meeting, there had been discussion regarding the database system release and that the Board would advise constituents at the stakeholder workshop. Then Mr. Morgan asked if the Board is comfortable with this information being released now.

The Clerk of the Board and Legal Counsel both reminded Mr. Morgan that that discussion was not agendized for Board direction and the Clerk of the Board said that she would add it to the next Board meeting agenda as a motion item. Director Kimball asked if a motion item is needed for the Board to approve the release of the information and the Clerk responded yes, it is required.

3. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine by the Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board member pulls an item from the Calendar. Pulled items will be discussed and acted on separately by the Board. Members of the public who want to comment on a Consent Calendar item should do so under Public Comments. (ROLL CALL VOTE REQUIRED)

3A Approval of Minutes

As noted earlier, Vice Chair McFadden asked to pull the Minutes from the Consent Calendar for separate discussion. Director Kimball said he had changes to the last paragraph on page 8 and began looking through the Minutes. Vice Chair McFadden said that he would like to suggest the Minutes get rolled over to the next meeting thereby providing adequate time for Board members to review the Minutes fully and send their changes to the Clerk of the Board. Item 3A, the Minutes from the June 18, 2020 Board meeting and the Minutes from the July 2, 2020 Special Board meeting will be moved to the August Board meeting agenda.

3B Approval of Warrants

The Board will consider approving the following invoices for payment:

County of Ventura – IT Services	\$ 40.00
Daniel B. Stephens & Associates, Inc.	26,273.34
Olivarez Madrugal Lemieux O'Neill, LLP	1,051.00

3C Monthly Financial Report

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

3D Labor Rates Change for United Water Conservation District Service Agreement for Fiscal Year 2020-2021

The Board will receive an update on United Water Conservation District labor rates applicable to the professional services agreement with the Agency.

Motion to approve Consent Calendar items 3B, 3C and 3D, Vice Chair McFadden; Second, Director Pace. Roll call vote: six ayes (Holmgren, Kimball, Long, McFadden, Meneghin, Pace); none opposed. Motion carries 6/0.

4. MOTION ITEMS

4A Consider Potential Grant-Funded Regional Sustainable Groundwater Management Coordinator Staffed and Administered by Ventura County Resource Conservation District and Provide Direction to Staff

Motion

Executive Director Emmert explained that the Agency had received a solicitation or proposal package from the Ventura County Resource Conservation District which is looking to get input on a potential grant-funded regional sustainable groundwater management watershed coordinator. He explained that the grant is available to critical basins and the coordinator position would be shared between the GSAs and the Watersheds. He said that he, Director Meneghin and Mr. Bondy had been included in a discussion that determined the Resource Conservation District would administer the grant, if awarded, with a part time person reporting to Jaime Whiteford. He explained that the position would work to enhance GSAs' activities, such as stakeholder outreach and public education, and would be available in Spring or Summer of 2021 and would provide coordination between and support to the regional groundwater sustainability agencies over the period 2021 – 2024.

Mr. Morgan said that in 2021, the Agency would be writing GSP drafts for public comments, incorporating those comments into the GSPs in the fall and wrapping up everything in the GSPs in December for submission in January 2022.

Executive Director Emmert said that the grant is through March 2024 and that the position was envisioned as someone to help with coordination and implementation, shared with the Watershed Coalition, helping to do outreach to disadvantaged communities, inventorying the existing water resources projects and providing links to pertinent websites. He stated that the position's efforts could be focused in the period following the GSPs submissions. He continued, saying the position could monitor and implement programs, coordinate inter-basin meetings, support projects and programs and, as Director Meneghin has suggested in the past, assist

with identifying new grant opportunities and submissions. Executive Director Emmert said if the Board wished, he could draft a support letter and bring it back to the Board for approval at the August meeting.

Vice Chair McFadden said he had concerns about keeping the GSA as a grass roots effort and had concerns about giving stakeholder control to an outside agency. He also asked about hidden costs and if there needed to be budget adjustments to accommodate this position. He said that he did not believe in doing something because you can, but because it serves a useful purpose.

Director Kimball asked if there was a copy of the grant that he could review. Executive Director Emmert said he would send Director Kimball the package and on page two of the staff report he had outlined the role of the position. He added that there was no local match requirement, and the Department of Conservation was funding the grant from earlier voter propositions. He then asked if the Board thought it would be helpful to have assistance in grant applications and added that perhaps the agency needs to be further along in its plans, like in a year or a year and a half from now.

Director Meneghin said that another role for this coordinator among GSAs could be the ecological processes, gap analysis and that the position could write grant applications and pursue grants on behalf of the GSAs.

Bryan Bondy said that the Upper Ventura River GSA as well as the Mound Basin GSA, but primarily the Upper Ventura River, had been analyzing the grant opportunity and shares many of the concerns, especially that this person could be perceived as a spokesperson for the GSA during critical GSP public comment periods. He said that he welcomes support on grants, but requiring a coordinator to broker competing demands of the GSAs for grant money would be challenging.

Chair Long asked if there was a job description for this regional management coordinator and asked specifically what they would be doing and said she thought the Board needed more information before it could decide.

Executive Director Emmert said that the RCD is essentially asking for ideas from the GSAs as to what would be helpful. He said there seems to be more concerns than enthusiasm, and perhaps the Agency does not want help or would prefer to delay assistance until later.

Chair Long said the one opportunity – to educate people on SGMA, and stakeholder engagement, was already being handled by the consultants,

and she thought the Agency should be cautious in handing over the education of the community to another party.

Director Kimball said that with all the time and effort put into stakeholder outreach and engagement, he felt that effort needs to come from the Board itself and not someone speaking for the Board. He said Mr. Bondy makes a valid point about representation too. Does this person speak for Fillmore Piru Basin GSA or Fox Canyon GMA and if they work for all the GSAs isn't that pulling the focus from FPBGSA?

Director Pace said he thought it seems odd to get a grant to hire someone to look for more grants. He added that it may be more problematic and may cause more challenges as this person would not be under direct control by this Agency. He said he did not see the benefit in hiring someone.

Director Meneghin said the Department of Conservation is funding the position to work outside the GSAs but in areas of coordination. She suggested that Executive Director Emmert circulate the job description and get feedback as to what the Directors would like to have this person do, how they would see the position supporting the Agency's consultants, for example.

Vice Chair McFadden said he thought Daniel B. Stephens was on top of it and personally, he could not support this motion tonight.

Chair Long agreed saying that the Board needs to see a job description and more information and will not consider the motion at this time.

Executive Director Emmert said he would circle back with the group considering the application and that the Board's comments were helpful. He said he would let them know this Board's preferences and perhaps there may be a need in the future. RCD has received input from other GSAs, and he will get that input and bring it back to the Board at the next meeting.

5. INFORMATION ITEMS

5A Review of Ventura County Well Construction Moratorium Information Item

UWCD's Dan Detmer presented an overview of the language, guidelines and restrictions contained in the Ventura County Well Construction Moratorium (see attached powerpoint). Among the points he covered were that in Ventura County, staff of the Groundwater Section of the Watershed Protection District have the authority to issue well permits. Fees are paid for the well permit, and county staff issues the conditions

under which a permit will be granted. Conditions include provision such as sanitary seals and screening multiple aquifers in confined basin settings. In response to drought conditions in Ventura County, Ordinance 4468 was adopted in December 2014.

Ordinance 4468 was intended to prevent increased groundwater use during times of drought but allows for replacement wells or alternative sources of water for existing uses of water. Replacement wells, or alternative sources of water for existing water uses are allowed. When permit applications are received by the County, it is the County's practice to notify the GSA for the basin where the parcel is located and ask that GSA for comments. After the GSA has completed and submitted their GSP to DWR, the County moratorium for new water use is lifted for that basin.

Following GSP adoption, GSAs have the authority to place conditions on new wells and extractions. If FPBGSA chooses to place conditions on new wells, applicants will need approval from the GSA before the County will issue a well permit. If the GSA does not develop conditions following submittal of a GSP, the County will provide a copy of new well permits, but will not request comments from the GSA.

Vice Chair thanked Mr. Detmer for the clarification. Director Kimball said that recession of the moratorium is not automatic, the Board of Supervisors has approval. Mr. Detmer clarified that according to the 2014 provisions, a few minor changes new sections were made and that he will get clarification on well permits for construction in high and medium ranked basins.

Director Meneghin said that the County makes stipulations and that Board can add to that. [Director Meneghin request a change to her statement so that it reads: the county issues well permits, but the GSA can add additional conditions for the applicant to comply with.] Mr. Detmer said that after the GSA submits its GSP, it is automatically excused from the moratorium for that basin, but he will seek clarification from the County to be sure.

Chair Long asked when we need to know this information by, and Mr. Detmer said when the Agency submits its GSP. Mr. Morgan added that there is an element in the GSP that needs to be made by the GSA. Mr. O'Neill said that he will follow up with the County's legal counsel for clarification.

Executive Director Emmert asked if the Agency is going to have its own rules incorporated into the GSP, which is what he recommends as the authority over these two basins.

Director Meneghin said that the Agency wants to make sure it is not liable for impacts on groundwater dependent ecosystems if county permits are issued outside of the GSA's guidelines. Chair Long said that Legal Counsel will follow up on that and Mr. Detmer said he would send his information to Mr. O'Neill.

**5B Water Budget
Information Item**

UWCD's Dr. Zachary Hanson presented information regarding the basins' Water Budget (see attached powerpoint). At the conclusion of his presentation, Chair Long thanked Dr. Hanson for providing the Board with very good information. Vice Chair McFadden asked if the presentation would be posted on the Agency's website and Dr. Hanson said, yes it would.

Director Kimball said he thought the presentation was brilliant and really showed the differences of the flows and how different each of the basins are. He added that Dr. Hanson's presentation was very impressive. Dr. Hanson said he wanted to help give the Board a clearer picture.

Chair Long asked if there were any more questions. Director Holmgren said the presentation delivered an intense amount of information which was very helpful to him and thanked Dr. Hanson for the education.

Bryan Bondy said that he did not have any comments on the conclusion or the numbers presented by Dr. Hanson but he doesn't have anything to review. He explained that his job (as a consultant for the pumpers' associations) is to review technical aspects. He said given the timeframe, and the lack of documentation for the model, how can he review and understand how the numbers were arrived at that are being presented as results and conclusions. Chair Long said he has 30 days from receipt of information to comment.

Mr. Bondy continued saying that there is a tremendous amount of information to review and 30 days is not enough for technical people to review and the sooner he can see the model documentation the better the process will go. He added that the Agency should learn from the lessons of Fox Canyon GMA. Chair Long asked Dr. Hanson, Mr. Detmer and Mr. Morgan if they had any comments.

Mr. Detmer said he understands Mr. Bondy's comments, but that Dr. Hanson was not providing result, but rather preliminary output. He said that United staff is rushing to calibrate the model, doing their best, but that it takes time. He said initially the calibration was to be finished by the end of the month, and implement a four-year validation period. The earliest documentation will be available is three months from now, according to Mr. Detmer. He said that he understands Mr. Bondy's concerns, but he does not think he has an answer that will satisfy Mr. Bondy. He added that staff has been coordinating with Mr. Morgan and they are having workshops on the models specifically and that if the Board and Pumpers want staff to work with Mr. Bondy, they will do that.

Director Kimball said we need to look at this differently. He said staff need to do what is required to submit the draft GSP but as Mr. Detmer has said, the model isn't perfect, it needs review and comments from stakeholders, and the Agency doesn't quit listening to stakeholders with the GSP is submitted, but continues to improve the model over the next 40 years or more. Chair Long agreed and added that the model and GSP evolve. Mr. Detmer said that the evolution of the model, including periodic improvements, these are the timing elements that Mr. Bondy mentioned.

Mr. Morgan stated that staff is pushing the timeline to get the information into the GSP. When the model is where it needs to be, staff will come back to the board with that documentation. Tonight's presentation was a sneak peek, he said, to allow the Board to see what those numbers look like, to get the Board oriented to that type of presentation. Chair Long suggested that adding the word "preliminary" to the graphics in the presentation may help.

Director Pace said that this model informs all decision for the GSP for the next five years. If its good, good. Tonight's presentation was a "look under the hood," before the Board begins addressing concerns and that everyone needs to understand this is not final.

Director Meneghin asked what the grant schedule completion date for the groundwater model was. Mr. Morgan said now or 30 days ago, but we will catch up. Director Meneghin asked what happens when its three months. Mr. Detmer said that he hopes to come to the point in the very near future where calibration is good enough and expects that to be by the end of July. Then there is the validation period. If the Board prefers, staff will work with Mr. Bondy now, but documentation on the calibrated model will not be ready for a couple months.

Director Meneghin said that Mr. Bondy is not the only one that wants to review the model and the Board wants to give everyone enough time to

review the documentation. She said she has raised concerns with DBS&A in comparing the grant schedule and has asked if the Agency is on track but three months behind is concerning. Mr. Morgan clarified that he said 30 days behind schedule to have working version of the groundwater model, *not* the documentation. Written documentation comes later, he said.

Mr. Detmer said at the next workshop Director Meneghin will be able to review model demonstrations, but Mr. Bondy wants model files and UWCD staff need to allow people to have confidence in the model so they buy into results. He added that UWCD staff is sensitive to timing issues, but he is reluctant to publish documentation before the model is good to go.

Director Meneghin asked Mr. Detmer to report if the Agency is on track with the grant schedule and needs to be clear if it is lagging on critical issues. She said that the consultants need to adequately address concerns and not rush stakeholder input. Mr. Morgan said that Board would have heard from him if they were seriously behind.

Director Kimball said that we want to handle this differently from Fox Canyon GMA. Thirty to 60 days is not long enough for anyone to review. Fox Canyon GMA is still getting comments and reviews. This is important, this is complex, and maybe six months, maybe even a year is a more appropriate time span for review. The development of the GSP is continuous and review and discussion with stakeholders continues after the submission of the GSP. Mr. Detmer said he is focused on calibration and is not yet talking about the future.

Mr. Bondy said he is trying to avoid the same situation experienced by the Fox Canyon GMA. Addressing the tools before the Board decides about the GSP while technical advisors are still reviewing the tools. He said he is not criticizing; he just wants to learn from the GMA and make the process better. That is all. Chair Long said he asks the questions to understand how best to proceed. We want to make sure we do this right and that stakeholders are engaged, and we are doing are best to do that.

Director Kimball said that on the non-technical side, Fox Canyon GMA did outreach, workshops, presentations but did not have any interaction with stakeholders. With Fox Canyon, it felt like nobody was listening to the stakeholders and that its process was a good example of how NOT to do it. Chair Long added that is why we make sure we are communicating correctly. She thanked Mr. Bondy for speaking up and added "it's how we get there."

**5C Future Conditions
Information Item**

Daniel B. Stephens and Associates' Tony Morgan presented information regarding the basins' future conditions (see attached powerpoint). He said the presentation will help the Board understand what DWR means when it says, "future conditions," including a wide variety of elements such as stakeholder input, regulatory input and Directors input.

Mr. Morgan said the GSP lays out the implementation steps over the next 20 years to achieve sustainability as well as the maintenance of that sustainability over the 30 years following that. Basically, it is looking ahead for the next 50 years anticipating changes in hydrology, land use and population growth, changes in water usage, amounts of precipitation, potential drought conditions, availability of supplemental water and so on.

Director Meneghin mentioned Newhall Ranch and that groundwater was the primary source of water for all the new homes being constructed and there needs to be consideration of imported water and interbasin flows. [Director Meneghin requested a clarification to the language in her statement, saying, in reference to the releases from Pyramid to Piru, this was specifically in reference to the FERC relicensing for the south State Water project relicensing process, which is underway and that will stipulate flow releases for recreation and environmental interests on a 50 year timeframe.] Mr. Morgan said he was arranging a meeting with Santa Clarita Valley GSA and its consultants to discuss what is happening at the basin boundary. He also said it was important that Santa Clarita, FPBGSA and Mound Basin GSA are consistent in the set of future conditions and that several scenarios are run to assure agreement for a consistent set of elements for future conditions. Director Meneghin said tracking status of releases from Pyramid into Piru Lake. Mr. Morgan said that future conservation releases are a future consideration.

Chair Long asked if the Agency needs a technical committee or could these decisions be brought to the board. Mr. Morgan replied that technical team cannot make all the decision. It is most expedient, he said, for the technical team to bring a straw man proposal forward, for review by the Board and stakeholders. Chair Long asked that documentation be available in advance of review, so the Board has adequate time to prepare for a good discussion.

Chair Long asked if there were any more questions or comments. None were offered. Executive Director Emmer said he would work with consultant to flush out as much as possible. Chair Long said she agreed with Director Meneghin regarding the importance of the timeline and GSP process remaining on schedule.

FUTURE TOPICS FOR BOARD DISCUSSION

Chair Long asked if the Board had any suggested topics for discussion at future Board meetings.

Clerk asked if the previously mentioned outstanding accounts receivables discussion is a motion item, Chair Long said yes. There is also a motion item regarding the release of the database information to the public and a motion item regarding the grant for the GSAs coordinator and Legal Counsel will provide an update clarifying the issues on the County's well moratorium.

ADJOURNMENT 7:33p.m.

Chair Long adjourned the meeting at 7:33p.m. to the next Regular Board Meeting on Thursday, August 20, 2020 or call of the Chair

ATTEST:



Kelly Long, Chair, FPB GSA Board of Directors

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 July 16, 2020.

ATTEST:



Kris Sofley, Clerk of the Board