



**Board of Directors Meeting**

**February 18, 2021**

**Via Zoom**

**MINUTES**

**Directors Present**

Director Kelly Long, Chair

Director Ed McFadden, Vice Chair/Secretary

Director Gordon Kimball

Director Glen Pace

Director Christina Villaseñor

**Directors Absent**

Director Candice Meneghin

**Staff Present**

Anthony Emmert, executive director

Steve O'Neill, legal counsel

Eva Ibarra, clerk of the board

**Public Present**

Lisa Ballin, CSUS/DBS&A

Bryan Bondy, Fillmore and Piru Pumpers Associations

Maryam Bral, UWCD

Christian Brodrick, Stillwater Science

Katie Brokaw

Frank Brommenschenkel

Dan Detmer, UWCD

Burt Handy

Carol Hardison

Dr. Zachary Hanson, UWCD

Rachel Laenen

Murray McEachron, UWCD

Tim Moore

Tony Morgan, DBS&A

Bob Morris

Patrick O'Connell, DBS&A

Eddie Pech, DWR

Zachary Plummer, UWCD

George Reid

Dr. Jason Sun, UWCD  
Jean Thirkettle  
James Thurber  
Gilead Wurman  
Steven Zimmer

**1. Call to Order – First Open Session 5:02 pm**

Chair Long called the meeting to order at 5:02 pm

**1A. Pledge of Allegiance**

Vice Chair McFadden lead the group in the reciting of the Pledge of Allegiance.

**1B. Directors Roll Call**

Roll call: (Kimball, Chair Long, Vice Chair McFadden, Pace, Villaseñor); five present. One absent (Meneghin).

**1C. Public Comments**

Chair Long asked if there were any public comments; none were offered.

**1D. Approval of Agenda**

**Motion**

Motion to approve the agenda, Vice Chair McFadden; Second, Director Pace. Roll call vote: five ayes (Kimball, Chair Long, Vice Chair McFadden, Pace, Villaseñor), none opposed; one absent (Meneghin). Motion carries 5/0/1.

**2. OATH OF OFFICE AND SELECTION OF OFFICERS**

**2A Board of Directors Oath of Office**

**Ceremonial**

The Clerk of the Board administered the oath of office to Director Villaseñor.

**2B Board of Directors Selection of Officers**

**Motion**

Motion to nominate current roster of Officers for calendar year 2021, Director Kimball; Second, Director Villaseñor. Roll call vote: five ayes (Kimball, Chair Long, Vice Chair McFadden, Pace, Villaseñor); none opposed; one absent (Meneghin). Motion carries 5/0/1.

### 3. UPDATES

#### 3A Director Announcements/Board Communications:

##### Oral Reports from the Board

##### **Fillmore Pumpers Association Stakeholder Director Update**

Director Kimball reported the Fillmore & Piru Pumpers Associations Board met for their monthly Board of Directors meeting on February 9. He stated that he and Director Pace will be splitting the report from the meeting, at which the pumpers discussed the Subsidence Technical Memo. Director Kimball stated the general consensus from the pumpers is that although the model predicts higher than historical water levels, and that using those predictions there is no chance of subsidence, the Pumpers Associations feel that the Groundwater Sustainability Plan still needs to have management criteria in place in the event that the modeling is not perfect, or if the groundwater levels go below historical levels. He also mentioned the Pumpers Association Board directed Mr. Bryan Bondy to prepare a comment paper that would address the Sustainable Management Criteria, including with minimum thresholds. He stated that the goal is to have the comment letter ready before the pumper's March Board meeting and submitted to the Agency for consideration during the March 18 Board of Directors meeting.

##### **Piru Pumpers Association Stakeholder Director Update**

Director Pace reported the Fillmore & Piru Pumpers Board of Directors Meeting was held on February 9 and stated the pumpers were notified that the sale of Warring Water is in process and a tentative date of September 2021 was provided for the final decision. Director Pace mentioned the pumpers had a discussion on Subsidence and other issues with Groundwater Dependent Ecosystems, as they feel they cannot lose focus on Surface Water Depletion, as it seems to be more critical than GDEs. He also wanted to reemphasize the importance of having the GDE Technical Memo for review as early as possible, in order to provide time for the Environmental groups to prepare comment letters, similar to what the Pumpers will be providing. He stated that the comment letters with specific recommendations will hopefully help the Agency come to some conclusion and then have a discussion as to implementation into the Management Criteria.

##### **Environmental Stakeholder Director Update**

Director Meneghin continues on leave.

**City of Fillmore Member Director Update**

Director Villaseñor reported the City of Fillmore water rates will remain the same with no increase, due to COVID. She also mentioned that she has been in contact with Public Works Director Dave Smallwood, as Director Villaseñor requested to learn more about the wells and the City's water system, which is scheduled to take place in March.

**United Water Conservation District Member Director Update**

Vice Chair McFadden stated he had nothing to report.

**County of Ventura Member Director Update**

Chair Long reported she has forwarded the Subsidence Technical Memo to County Water Resources Manager Kim Loeb and County Geologist Jim O'Tousa, and they are reviewing the memo and will be responding with a comment letter sometime next week. She stated that the fee schedule for the County is coming to the Board of Supervisors at the next Board Meeting. Chair Long also mentioned they are targeting the Farm Workers for vaccinations and noted that members of the public may go to [venturacountyrecovers.org](http://venturacountyrecovers.org) to obtain further information on the vaccine.

**3B Executive Director Update**

**Information Item**

Executive Director Anthony Emmert reported receivables are down for a third straight month. He stated that staff has submitted grant progress report number seven and the Agency is in compliance with the grant requirements. Mr. Emmert also mentioned the Groundwater Modeling staff is working to finish the documentation for the regional model expansion, as work on the documentation was stopped so that staff could complete the forward looking modeling, he stated that staff projecting completing the documentation by the end of the month. He also mentioned that staff are working on a presentation of the status on the Santa Clarita Valley Sanitation District's chloride removal project, which is under construction and hope to have that information for the Board soon. He also mentioned on the agenda tonight is proposed Bylaws change that would delegate the forgiveness of small late fees and interest to the Executive Director. He also stated that he and Legal Counsel are still working on language for a receivables and collection system.

**3C Legal Counsel Update**

**Information Item**

Mr. Steve O'Neill reported he is currently working with staff on a motion item for the wavier issue and on easement documentation related to the monitoring wells. Mr. O'Neill mentioned he worked with staff on the oath of office presented tonight, and on making changes to the bylaws related to election of officers to be moved to February of each year to make better sense with agency appointment schedules, and lastly stated as far as enforcement of non-payees, he is monitoring the Indian Wells Valley Groundwater Sustainability Agency on a filed complaint on a groundwater pumper who refuses to pay, and he will provide the Board information as it progresses.

**3D GSP Consultant Update**

**Information Item**

Consultant Mr. Tony Morgan started his update by saying he will provide information on the project schedule and mentioned he will discuss comments from Director Pace regarding the Groundwater Dependent Ecosystem Technical Memo. He also stated Stillwater is to release a draft by next week, and Groundwater Model documentation is to be released in mid-March. All other items to remain as scheduled. Mr. Morgan also mentioned Public Review draft of the Groundwater Sustainability Plans is still tentative for May.

He mentioned there was a Department of Water Resources webinar this morning and he wanted to share with the Board some information. He stated they had asked if DWR would extend the Groundwater Sustainability Plans due date past January 2022, due to difficulties with stakeholder outreach, and DWR replied that they do not have the statutory authority to change the GSP deadline, and it will have to go through the legislature to be changed.

Mr. Morgan stated there will be another set of inSAR data sets for Spring 2021, although it may not arrive in time to be incorporated into the public review draft. He also provided information about a program called Airborne Electromagnetics for basins in California, but the information is not available for the Fillmore and Piru basins.

Mr. Dan Detmer said he recently talked to Tim Ross and contactors from DWR, as they know the Agency has mapped the aquifers in detail in the Fillmore Piru Basins with geophysical digitized logs and they are interested in the Piru and Fillmore Basins as test basins or validation basins, although he is not sure how long before this will happen.

#### **4. 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.

##### **4A Approval of Minutes**

The Board considered and approved the Minutes from the Board Meeting of January 21, 2021.

##### **4B Approval of Warrants**

The Board considered and approved payments:

Daniel B. Stephens & Associates	\$40,720.63
United Water Conservation District	\$30,376.68
Olivarez Madruga Lemeiux O'Neill L	\$5,536.50
U.S. Postal Service	\$322.00
Somis Pacific Ag Mgt.	\$240.37
County of Ventura IT Services Dept.	\$219.60

##### **4C Monthly Financial Report**

The Board received the Agency's monthly profit and loss statement and balance sheet.

Motion approved Director Villasenor; Second, Director Kimball. Roll call vote: five ayes (Kimball, Chair Long, Vice Chair McFadden, Pace, Villaseñor); none opposed; one absent (Meneghin). Motion carries 5/0/1.

#### **5. MOTION ITEMS**

##### **5A Waiver of Late Fees and Interest on Groundwater Charges**

###### Motion

The Board considered a proposed amendment to the Agency's bylaws authorizing the Executive Director to approve waiver of certain late fees and interest charges associated with groundwater pumping fees and provided comments and direction to staff.

Motion to authorize the Executive Director to approve a waiver of late fees and interests on groundwater charges for a dollar amount not to exceed \$250, Vice Chair McFadden; Second, Director Villasenor. Roll call vote: five ayes (Kimball, Chair Long, Vice Chair McFadden, Pace, Villaseñor); none opposed; one absent (Meneghin) Motion carries 5/0/1.

## **5B Sustainable Management Criteria Development**

### Motion

The Board will consider a draft Sustainable Management Criteria matrix and provide comments and direction to the consultant team.

Mr. Tony Morgan presented (see slides).

Vice Chair McFadden asked if a rise in groundwater level will be interpreted as an undesirable result that the GSA has to worry about. Mr. Morgan answered by saying, theoretically, if it rises too much there may be a problem with infrastructure and mentioned these operations have been going on for decades and no one has reported any issues.

Mr. Bryan Bondy asked, “based on this analysis will the recommendation be to screen out subsidence or is the consultant team thinking there should be a criteria established with the indicators?” Mr. Morgan replied that later in his presentation he will show that it will be necessary to have a criteria for subsidence.

Chair Long asked what does a moderate chance of subsidence mean to Department of Water Resources? Are they wanting the GSA to dive in deeper. Mr. Morgan stated he does not have a specific gauge for measurement for moderate. Chair Long requested that when doing the GSP there be clarification of what the GSA’s moderate is to avoid DWR interpreting it differently.

Vice Chair McFadden agreed with Chair Long and stated moderate here is inconsequential and sees it as a red flag in the context of a DWR review, as looking at the state as a whole. Mr. Morgan stated they will try and be more precise.

Director Kimball asked if for the groundwater elevation associated with the minimum threshold, can you estimate groundwater levels compared to historic levels for 25 percent of the representative wells, and can you relate that number of wells going dry to historical levels. Mr. Morgan replied that no production wells have gone dry, to the team’s

knowledge. Director Kimball asked is it possible to do that. Mr. Morgan said he has not done that with his analysis. Director Kimball also asked about water storage reduction, why would the GSA not use the historical minimum levels as opposed to the model minimum levels. Mr. Morgan stated that doing so would take the GSA to a historical period in which the groundwater levels data was scarce and discussed with Director Kimball different scenarios. Director Kimball finished the conversation by stating he was looking for a margin of safety on the model prediction by using historical and the modeling stress test.

Director Pace, Vice Chair McFadden and Mr. Morgan had an extensive discussion regarding measurable objective and subsidence on minimum thresholds.

Participant chat asked, “some small volume wells are really shallow so would we fall below the minimum threshold if based on those shallow wells?” Mr. Morgan answered that the GSA is only monitoring on the represented wells and not on all wells and explained other scenarios.

Participant chat stated a preference for more aggressive modeling (the 2070CF that Mr. Morgan presented). Stress test pumping scenarios were run to determine whether more aggressive pumping could be done during drought conditions, if needed based on historical data. After five years from the State's approval, the GSP could be amended if needed, correct?” Mr. Morgan answered with saying yes, and you can amend the GSP as often as every year, if desired by the Agency.

Chair Long stated she understands the GSA will provide DWR with a yearly update to show where the GSA is and any modifications should be easy to do, although she expressed concerned about constraints, and asked if the GSA should make it as broad as possible, knowing DWR is going to tighten things up. How does the GSA approach it so that we are good in all areas to avoid issues. Mr. Morgan stated we need to forecast what they might think and what they want to see, we know they like to see a broader rather than narrower between the measurable objectives and minimum thresholds and we need to be technically defensible in what we put forward.

Mr. Bryan Bondy shared his thoughts on how he feels the GSA should be updating the GSP and the Sustainable Management Criteria and how it should have data driven reasons for any changes made and



suggested the GSA be more aggressive. He also stated the GSA needs to be careful how it sets up thresholds. Mr. Morgan and a chat participant continued the conversation with a continued discussion of their views.

Director Kimball stated we have had great discussion of everything but surface water depletion and without Director Meneghin we do not have the input from Environmental but need to get them engaged. Chair Long agreed and mentioned an item to have a special meeting where the GSA can hopefully get Environmental involved.

Vice Chair McFadden stated that on MTs, groundwater evaluation and groundwater storage reduction, he would like the GSA to use a more aggressive MT, as we have always historically recovered. Mr. Morgan replied asking if Vice Chair McFadden wanted it set to the lowest water level? Vice Chair McFadden replied yes, and Chair Long agreed to use the lowest water levels, as well.

Director Pace stated that the GSA needs to settle the MTs on the historic lows if anything above that is arbitrary and unreasonable. Mr. Morgan said he will need help from the Directors in deciding for the lower water levels and mentioned it is not a fatal flaw if the GSA moves out to another month, if needed.

Mr. Bondy, Chair Long, Vice Chair McFadden, the other Directors and Mr. Morgan had a long discussion regarding water levels and interpretation of water levels and where they think the MTs should be set. They all agreed to push it to lower than the 2070 low.

Mr. Morgan and the Directors reviewed all of the criteria listed on the SMCs and provided Mr. Morgan with guidance.

Motion to receive and file, Director McFadden; Second, Director Pace. Roll call vote five ayes (Kimball, Chair Long, Vice Chair McFadden, Pace, Villaseñor); none opposed; one absent (Meneghin). Motion carries 5/0/1.

**5C Special Board Meeting on Sustainable Management Criteria**  
**Motion**

The Board selected a date of March 3, 2021 at 5pm for a Special Board meeting to receive public comments on the draft Sustainable Management Criteria matrix.

Participant chat question, "is there a GDE technical report coming or is it just how people in the environmental groups feel?" Mr. Morgan stated the draft should be out by next week.

Motion to approve; Director Pace Second, Director Kimball. Roll call vote: five ayes (Kimball, Chair Long, Vice Chair McFadden, Pace, Villaseñor); none opposed; one absent (Meneghin) Motion carries 5/0/01.

#### **FUTURE TOPICS FOR BOARD DISCUSSION**

None mentioned.

#### **ADJOURNMENT: 8:23pm**

Chair Long adjourned the meeting at 8:23 p.m. to the next **Regular Board Meeting** on Thursday, **March 18, 2021** 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 February 18, 2021.

ATTEST:   
Eva Ibarra, Clerk of the Board