



Board of Directors Meeting
August 20, 2020
via ZOOM

MINUTES

Directors Present

Director Kelly Long, Chair
Director Ed McFadden, Vice Chair/Secretary/Treasurer
Director Tim Holmgren
Director Gordon Kimball
Director Candice Meneghin

Directors Absent:

Director Glen Pace

Staff Present

Anthony Emmert, executive director
Steve O'Neill, legal counsel
Eva Ibarra, clerk of the board

Public Present

Lisa Ballin, DBS&A team
Bryan Bondy, Fillmore and Piru Pumpers Associations
Matt Carpenter
Emilio Cervantes
Dan Detmer, UWCD
Dr. Zachary Hanson, UWCD
Rachael Laenen
Tim Moore, DBS&A
Tony Morgan, DBS&A
Patrick O'Connell, DBS&A
Stacie Ann Silva
Kris Sofley, UWCD
Jason Sun, UWCD
Jim Thurber
Gilead Wurman
Katherina Zecca
Steve Zimmer, FivePoint

Call to order 5:01p.m.

Chair Long called the meeting to order at 5:01p.m.

1A. Pledge of Allegiance

Chair Long asked everyone to join her in reciting the Pledge of Allegiance.

1B. Directors Roll Call

Chair Long asked the Clerk to call roll. Five Directors were present (Holmgren, Kimball, Long, McFadden, and Meneghin). Director Pace was absent.

1C. Public Comments

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

1D. Approval of Agenda

Motion

Chair Long asked if there were any changes to the agenda. None were mentioned.

Motion to approve the agenda, Vice Chair McFadden; Second, Director Kimball. Roll call vote: Five ayes (Holmgren, Kimball, Long, McFadden, Meneghin), none opposed. Motion carries unanimously 5/0.

2. Updates

2A Director Announcements/Board Communications:

Oral Reports from the Board

Fillmore Pumpers Association Stakeholder Director Update

Director Kimball reported that the pumpers association was dark this month and will not have a meeting until September. He said that, just for perspective, he wanted to let the Board know that the Indian Wells Valley is proposing a pump charge, called a replenishing fee, of \$2,150 per acre foot. He also asked if minutes were being prepared from the Stakeholders Workshop to be distributed to the Board for help in making policy decisions. The County has made a commitment to plant 2,000,000 trees throughout the county. Our representative on the County Board of Supervisors may want to keep an eye on how many trees will be planted in the Fillmore Piru Basin area as water will be needed for these trees. Director Kimball said that the GSA needs to be aware of this plan as the county will plant ten thousand trees a year.

Piru Pumpers Association Stakeholder Director Update

Director Pace was absent. Chair Long asked Director Kimball if Director Pace had passed along any information to him and Director Kimball stated, no, that they also were dark in August and most likely had nothing to report.

Environmental Stakeholder Director Update

Director Meneghin reported that the NGO Ground Water Collaborative met today and representatives from State Water Resources Control Board Water Rights division and Natural Resources Agency participated. The group reviewed the Governor's Water Resilience Portfolio, including all the commitments to local water

management on groundwater items in the Portfolio. Director Meneghin asked the Natural Resources Agency what status is of DWR's contract with Stillwater Sciences as they are assisting the State to develop guidelines for GSAs to use in addressing groundwater dependent ecosystems in their GSPs. She stated that she believes that the early GSPs inadequately address groundwater dependent ecosystems, and the hope to have it provided to the GSAs for the next round of GSPs. She said that she has also been participating in the Ad-Hoc Sustainability Management Criteria Committee meetings. ~~Director Meneghin said she has provided the update from DWR to Stillwater Sciences as they are assisting the State to develop guidelines for GSAs to use in addressing groundwater dependent ecosystems in their GSPs. She stated that she believes that the early GSPs inadequately address groundwater dependent ecosystems, primarily because that state has not provided enough guidance to the GSAs. She said that she has also been participating in the Ad-Hoc Sustainability Criteria Committee meetings.~~

City of Fillmore Member Director Update

Director Holmgren said he had nothing to report.

United Water Conservation District Director Update

Vice Chair McFadden reported that United Water has started the release from Santa Felicia Dam, although it was delayed a bit due to some complications, and that it should lead to recharge for the Piru and Fillmore basins. He stated that the Holser fire on the east end of Lake Piru burned with no reported structure damages.

County of Ventura Director Update

Chair Long urged everyone to continue to provide comments on the County's 2040 General Plan and said she is concerned as she is not hearing from constituents as everyone is focusing on COVID-19. She asked Director Kimball to please encourage the pumpers to send in a letter, or anyone else who is concerned about water impacts of implementing the General Plan. She also asked meeting participants to look at the Plan and provide feedback. Chair Long added that the State of California and Ventura County are experiencing an extreme heatwave and ramping up water releases to generate hydroelectricity to make sure people have the energy they need. She said her concern is whether the basins are getting that water to replenish the basins. She added that the fires are of concern too, as they will have an effect on the basins. Chair Long ended by saying that the County is still working hard on educating the public regarding COVID-19 and that Santa Paula had an earthquake yesterday.

2B Executive Director Update **Information Item**

Mr. Emmert reported the water release from Santa Felicia Dam/Lake Piru has been going on for several days at a release rate of 265 cubic feet per second, and that the Fillmore and Piru basins are benefitting, with an estimated 400 to 500 acre-

feet of groundwater recharge per day. He stated that staff expects some of the release water to reach the Freeman Diversion today for the benefit of the coastal groundwater basins. The Agency submitted its grant progress report on time to DWR and, once DWR reviews the report and invoice and makes its comments, a payment of the \$86,000 invoice should be received in about 60 days, which will keep the GSA's work going to develop the GSPs. Receivables have gone down some \$15,000 from this time last month and staff continues to work with the larger outstanding invoices. He stated that United staff has a meeting scheduled with legal counsel to determine the GSA's authority regarding receivables collection, as staff needs a better understanding of what authorities the GSA has, especially in the pre-GSP period. He stated that the GSA is headed in the right direction and staff hopes to have a more detailed report at the September board meeting. DWR is offering written translation services at their cost which is something staff is hoping to take advantage of for events such as our workshop preparation.

Vice Chair McFadden asked Chair Long if the board of Supervisors has considered extending the time period for public comments and stretching out the deadline for adopting the General Plan due to the problems discussed. Chair Long stated she has continued to ask, and mentioned that the issue will be looked at during the September 1 meeting.

2C Legal Counsel Update Information Item

Legal Counsel Steve O'Neill mentioned he had a brief report regarding County Ordinance 4468 that has to do with water wells, new well construction and related provisions.

The County requires the GSA to obtain a permit for monitoring wells. Mr. O'Neill explained the Ordinance and has discussed it with Mr. Emmert. They agreed to continue to work with the County. After completion of the GSP and once the GSA has established its own conditions, Mr. O'Neill and Mr. Emmert will coordinate with the County regarding the construction of the GSA's monitoring wells. Mr. Emmert stated staff wants to continue to work cooperatively with the County while the GSA finishes the GSPs. Director Meneghin said that whatever the GSA decides in its GSPs will likely be additional conditions on the County's permit for new well construction, as is the case with the Air Pollution Control District Conditions as an example. Director Meneghin asked Mr. O'Neill to clarify why the permit remains through the County. She said that whatever the GSA decides on its GSPs will be additional conditions on the County's permit. Mr. Steve O'Neill replied that at this time he does not know what the end play will be with regards to the GSPs and said the GSA needs to keep an eye on this issue. Chair Long asked Director Kimball if he had a question, as he requested the update at the last meeting. Director Kimball replied that he was more concerned about the language regarding the moratorium as it is a bit vague but believes it will be removed once the GSPs are submitted. Director Kimball said that clarification on how it will work once the GSPs are submitted is needed, as the GSA will be working on the wells before it submits the GSPs.

**2D GSP Consultant Update
Information Item**

Mr. Tony Morgan of Daniel B Stephens & Associates provided a presentation updating the Board on the Agency's GSP development activities and timelines since the July 16, 2020 meeting (see attached). He also mentioned that DBS&A has some staffing changes, replacing GSP staffer Tim Moore with Patrick O'Connell. Tim Moore addressed the board, detailed some of the work he has done in support of the GSA and thanked the board for the opportunity to work on the Fillmore and Piru basin GSPs.

Bryan Bondy asked when a technical memo on the basin setting and hydrogeological conceptual model will be released. He expressed a desire to review the technical memo as soon as possible, as it will serve as the foundation for setting sustainability criteria for the GSPs. Mr. Morgan said that a monitoring programs and data gaps technical memo will be released shortly for review, and it includes descriptions of the basin setting and hydrogeology, but that it is not complete at this time.

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

The Board will consider approving the Minutes from the Board Meeting of July 16, 2020; July 2, 2020 and the Board Meeting of June 18, 2020. Changes to June 18, 2020 minutes from Director Meneghin were made in two different sections as requested by Director Meneghin.

3B Approval of Warrants

The Board will consider approving the following invoices for payment:

Daniel B Stephens & Associates, Inc	\$33,250.43
Olivarez Madrugal Lemieux O'Neill, LLP	675.50
United Water Conservation District	20, 209.27

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.

Chair Long asked if there were any comments or questions from the Board or the public. Director Kimball asked if the changes requested by the Board were already made to the Minutes and Kris Sofley said that most of the Board's changes had been made to the appropriate Minutes, but that Director Meneghin requested changes after the posting of the Board packet, which is why her changes are being discussed at this time. Director Meneghin explained the changes she requested and accepted the modifications.

Motion to approve the Consent Calendar, with Director Meneghin's additional changes to the Minutes, Vice Chair McFadden; Second, Director Meneghin. Roll call vote: five ayes (Holmgren-(abstained from approving the July 2nd Minutes), Kimball, Long, McFadden, Meneghin (abstained from approving the July 2nd Minutes,); none opposed, one absent (Pace)

Legal Counsel was concerned about the vote for the July 2 Minutes, but Ms. Sofley said with 5 Board members present, 2 abstaining and 3 voting in favor of approval, the July 2 Minutes still have a majority vote – 3 of the 5 Directors present. Chair Long confirmed the July 2 Minutes were approved within the motion

4 MOTION ITEMS

4A Consider Letter of Support for Ventura County Resource Conservation District's Application for a California Department of Conservation Grant to Fund Regional Resiliency Coordinator

Motion

Mr. Emmert said staff is recommending support of the application and asks for Board approval of the letter of support for the grant application.

Chair Long asked if there were any comments or questions from the Board or the public.

Vice Chair McFadden stated he has the same concerns as expressed at the last meeting and still is not sure why the GSA needs this and said he does not support the motion.

Director Meneghin expressed her opinion in support of the grant.

Chair Long asked for clarification on how the grant would work for the GSA if awarded to the RCD. Mr. Emmert explained the pros and cons of the grant. Director Holmgren and Director Kimball agreed with Vice Chair McFadden voicing their position not to approve this motion.

Motion to approve letter of support for Ventura County Resource Conservation District's application for a California Department of Conversation Grant to fund a regional resiliency coordinator position, Chair Meneghin; Second, Chair Long. Roll

call vote: 2 ayes (Long, Meneghin); 3 nays (Holmgren, Kimball, McFadden) and one absent (Pace) Motion failed 2/3/1

4B Consider Releasing Agency's Database Information for the Development of the Groundwater Sustainability Plans to the Public

Mr. Morgan stated the GSA's database is a requirement of SGMA. The Agency will make the database accessible to the public if the motion is approved. Legal Counsel confirmed the information contained in the database is approved for public release. Director Kimball asked if there will be a log of people that access the database, Mr. Tony Morgan said there will not be a log. Chair Long asked if there were any questions or comments, none offered.

Motion to approve public access to the GSA's database, Director Kimball; Second, Director Holmgren. Roll call vote: five ayes (Holmgren, Kimball, Meneghin, McFadden, Long) none opposed, one absent (Pace). Motion approved unanimously.5/0/1.

4C Consider Date for next Stakeholder Workshop and approve revised Stakeholder Workshop Schedule

Motion

Lisa Ballin, working with DBS&A, provided the workshop schedule and explained the process of creating the schedule and the changes that were made. She said she also polled Directors for their availability for the Stakeholder meeting, and October 1, 2020 from 6-8pm was the consensus.

Motion to approve revised Stakeholder Workshop schedule, Vice Chair McFadden; Second, Director Meneghin. Roll call vote: 5 ayes (Holmgren, Kimball, Long, McFadden, Meneghin), none opposed, one absent (Pace). Motion carries 5/0/1.

5. INFORMATION ITEMS

5A Annual Reporting System
Information Item

Mr. Morgan presented slides for this SGMA required report that will need to be submitted in January. He said this simply serves as an alert of what is coming (see attachment).

Stacie Ann Silva, a member of the public, said that she tracks a number of GSAs and wanted to say that it's very encouraging to see that United is looking at this now, as it snuck up on a lot of the San Joaquin Valley Sub Basins.

United's Dan Detmer noted that DWR requires that water year reporting is required going forward. He said the District has some strategies, but it is going to be another thing everyone will have to grapple with before everyone is in sync.

Chair Long asked if this has to do with billing or United giving the data for water use. Mr. Detmer stated the District is hopeful that it can get the larger pumpers to report on a quarterly basis but that it would not change United's semi-annual billing periods for water use.

Director Kimball asked if this is going to be an ongoing line item for the GSA's budget. Mr. Morgan stated yes, this is an annual event, it does not go away.

Mr. Detmer stated United is already convinced it is necessary and it just needs to figure out how it can make the change, as the biennial reporting is established in the Water Code. Mr. Emmert stated that the GSA and United will work with DWR on how best to make the change.

Chair Long asked if there were any more questions or comments. None were offered.

5B Monitoring Wells Information Item

Daniel B. Stephens and Associates' Tim Moore stated the intent of this presentation (see attached) was to orient the Board on what management areas are and what DWR expects the GSA to do with them, how the GSP might use them, and under what conditions would they be potentially useful for application in the basins. DWR provides some definitions about management areas as they relate to groundwater sustainability plans.

Vice Chair McFadden asked if the GSA could stay within its grant budget by having the additional shallower wells and Mr. Moore said yes, he believes that it can stay within the grant budget.

Chair Long asked if the land for the monitoring well was to be purchased or leased. She said she would also like to know the negotiation plan and when the GSA should start talking to landowners. Mr. Moore stated this is the first step, and the GSA will need to see which lands to target and then contact the owners to see if they are amenable to some sort of arrangement. Mr. Emmert stated that it will be a time-consuming task. Once the properties or well locations are identified, the work will need to be done for the agreements and easements.

Mr. Detmer stated United has been successful in finding friendly landowners and most access agreements have had relatively easy to negotiate. He added that The Nature Conservancy cooperates with the District and has not charged United for well installations in the past.

[Director Meneghin said that Friends of the Santa Clara River owns and manages](#)

Hedrick Ranch Nature Area, just upstream of Lost Creek and the 12th Street bridge, and would likely be a supportive partner if access was needed for a monitoring well in that vicinity.

Mr. Bondy said that we all want to get the most from the monitoring wells and asked how these wells line up with all the requirements needed. He added that he hopes these factors are being considered and asked when the public can learn more on how the recommended priorities are being developed under SGMA. Mr. Morgan stated this is a summary presentation of information.

Director Kimball asked Mr. Morgan that when he brings these well locations to the Board for approval, the Board will need to see that information in an executive summary. Mr. Morgan stated that the Board may want to consider looking at existing wells near target areas to see if the GSA can get access to those existing wells for monitoring purposes, which will save money.

5C Future Conditions – Information Needs Information Item

Mr. Morgan said the intent of this presentation (see attached) is to assist the Board in anticipating future conditions which will impact the GSPs. He said we need information from the City of Fillmore and the County of Ventura as to what assumptions should be made for the Groundwater modeling of future basin conditions. Where is additional water going to come from? If there are new wells needed, where will those wells be placed. The Board also needs to consider population growth and development.

Mr. Morgan said Chair Long can assist with this need for information and that the Board needs help from the agricultural community and needs to help with outreach to gather ideas regarding future agricultural use of land and other future land use possibilities.

Director Meneghin suggested that Mr. Morgan reach out to LAFCO for service areas as the organization also has projections, and it can help with groundwater related questions.

Director Kimball also suggested that Mr. Morgan email the Board with the specific information he needs from Board members.

Director McFadden stated that between the pumpers, Directors, Ag Commissioner and Farm Bureau, Mr. Morgan has “as good as a crystal ball as you can get.”

Director Kimball asked for a time frame as to when the information is needed and Mr. Morgan replied within 60 days. Mr. Morgan said that all the information needs to be pulled together over the next couple of months so that it can be compiled and

given to United to run simulations with the groundwater model

**5D Sustainable Management Criteria
Information Item**

Mr. Morgan stated the intent of this presentation (see attached) is to orient the Board on what management areas are and what DWR expects the GSA to do with them, including how the GSP might use them, and under what conditions would they be potentially useful for application in the basins. DWR provides some definitions about management areas as they relate to groundwater sustainability plans.

Mr. Morgan stated that this is only a progress report and that he is talking about sustainable management criteria and the activities of the ad hoc committee, which has been working hard to help staff figure out the best path to sustainable management criteria. He said the committee has had four meetings with him and the Executive Director. Now he needs to get the Board's opinions and consensus before the stakeholders weigh in with their ideas. He added that there is more work to be done, but the GSA is getting there.

Chair Long asked for definitions of acronyms listed and Mr. Morgan said this is the matrix the ad hoc sees. Vice Chair McFadden added that these are just general ideas and not concrete. Chair Long asked Mr. Morgan if he was asking for direction and added that "it looks good." Chair Long added that she did not think the GSA had any land subsidence or sea water intrusion issues, which are two of the six SGMA concerns.

Mr. Bondy expressed his concerns about the progress report presented, saying that the Board needs to ask what it does not want to happen to its basins. Mr. Morgan thanked Mr. Bondy for his input.

Vice Chair McFadden stated the ad hoc committee has not made any recommendations to the Board and that the discussion is still in process.

Chair Long stated it is the Board's first time seeing the report. Chair Long asked that everyone please tune into the general plan discussion.

Chair Long asked if there were any more questions or comments. None were offered.

FUTURE TOPICS FOR BOARD DISCUSSION

Vice Chair McFadden mentioned the report on Agency receivables from United staff and legal counsel.

ADJOURNMENT 7:32 p.m.

Chair Long adjourned the meeting at 7:30p.m. to the next **Regular Board Meeting** on Thursday, **September 17, 2020** 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 August 20, 2020.

ATTEST: 
Kelly Long, Chair, FPB GSA Board of Directors

ATTEST: 
Eva Ibarra, Clerk of the Board