



**Special Board of Director Meeting**  
**Thursday, May 6, 2021**  
**Via Zoom**

**MINUTES**

**Directors Present**

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

**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  
Christian Braudrick, Stillwater Science  
Frank Brommenschenkel  
Katie Brokaw  
Dan Detmer, UWCD  
Eric Elliott, UWCD  
Matt Freeman  
Burt Handy  
Zachary Hanson, UWCD  
Logan Hardison  
Sander Hendrick  
Debbie Jackson  
Rachel Laenen, Fillmore Basin Pumpers Association  
Ari Larsen  
Tony Morgan, DBS&A  
Patrick O'Connell  
Eddie Pech, DWR  
Zachary Plummer, UWCD  
EJ Remson, TNC  
Kat Selm, The Nature Conservancy  
Steve Slack, CDFW  
Dr. Jason Sun, UWCD  
Richard Tate  
James Thurber

Gilead Wurman  
Steven Zimmer

## **1. Call to Order – First Open Session 5:03 pm**

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

### **1A. Pledge of Allegiance**

Director Villaseñor led the meeting participants in reciting the Pledge of Allegiance.

### **1B. Directors Roll Call**

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

### **1C. Public Comments**

Chair Long asked if there were any public comments; Kat Selm from The Nature Conservancy read out loud the comment letter submitted earlier in the day, which was posted on the FPBGSA website and shared with all Directors.

### **1D. Approval of Agenda**

#### **Motion**

Motion to approve the agenda, Vice Chair McFadden; Second Director Pace. Roll call vote: six ayes (Kimball, Chair Long, Vice Chair McFadden, Meneghin, Pace, Villaseñor); none opposed. Motion carries 6/0.

## **2. UPDATES**

### **2A. Legal Counsel Update Information Item**

Legal Counsel provided an informational update on Agency's legal issues and concerns and stated, "SGMA says we are required to make informed decisions when setting SMCs and he feels this board is well informed."

Chair Long asked if the letter sent by Mr. O'Neill would be posted on the website. Mr. O'Neill stated he would send out a letter that can be shared with the public and posted on the website.

## **3. MOTION ITEMS**

### **3A. Sustainable Management Criteria (SMC) Development**

#### **Motion**

The Board considered the adoption of the Agency's Sustainable Management Criteria (SMC) matrix and associated management actions and provided direction to Agency staff and consultant team toward development of the draft Groundwater Sustainability Plans.

Chair Long requested Directors share their Stakeholders input previously requested from Directors at last meeting.

Chair Long, Vice Chair McFadden, Executive Director Tony Emmert, Directors Kimball, Meneghin, Pace and Villasenor, all shared their Stakeholders thoughts and ideas.

Director Meneghin asked Mrs. Selm why the mention of the 12-foot minimum for GDE depth to water, where does that number come from.

Mrs. Selm replied that based on preliminary data from students at UCSB, which was included in a presentation to the FPBGSA from Christopher Kibler some time ago, the data shows that 12-foot minimum depth to water is the threshold where the riparian habitat has die off.

Mr. Bryan Bondy provided his input on the basins SMCs, and where he sees deficiencies, with the mention of data gaps.

Participant posted comment, "what is potential and actual habitat?" Director Meneghin, Director Kimball and Mr. Morgan discussed their views.

Participant posted comment, "can Tony Morgan recap the date at which we are required to measure the undesirable effects by SGMA and is it January 2015?" Mr. Morgan referred to a slide in his presentation and explained the time frame and said you do not have to go beyond January 2015, but you can if you want to.

Participant posted comment, "where did the critical water level of twenty feet come from?" Mr. Morgan replied it came from the study from Christopher Kibler's presentation from the 2011 value.

Participant posted question, "can you explain a trigger process?" Mr. Morgan said he did not find any mention of triggers in SGMA, but they can be used to allow you to say you are going to do specific mitigation actions as part of your process.

Participant posted question, "and the GDE's come back on their own after the drought is over, right?" Mr. Morgan said yes, they come back on their own and asked Christian Braudrick to weigh in on the explanation.

Participant posted question, "If we have not yet determined if there are significant and unreasonable effects related to pumping, why would we adopt mitigation actions?" Mr.

Morgan replied that staff and consultants are offering ideas, but not adopting any mitigation actions.

The Nature Conservancy's EJ Remson suggested there be a management action in the plan that says that after a big die off, the agency will help ensure the non-native invasive plants that come in so quickly are removed until the water levels recover and can support native riparian habitats by keeping the arundo out, which would reduce the evapotranspiration (ET) level and would be beneficial for the pumpers.

Chair Long asked how our GSA would go about removing arundo and would this be built into our GSA? Mr. Morgan said Arundo removal could be added as a potential project in the plan and showed a slide that supported that idea.

Director Kimball asked if tamarisk and arundo are here forever, or can it be removed permanently, as it is extensive throughout the Santa Clara River. Director Meneghin replied that there is a collective of stakeholders that are trying to develop a strategy for arundo removal and mentioned it will be a heavy lift as it is so extensive now, but after several rounds, you can get to a maintenance phase and you can also add an adaptive management plan.

Participant posted question, "Could the dams be used to replenish the surface water?" Mr. Emmert said the area has had three inches of rain and this is the water that can be used, without rain (in drought years) we have no water available to use, and this is why we would have to purchase water from an outside source.

Chair Long asked, for example, we are to feed water to a specific area for four months, where would we get that water, and if you purchase water, you cannot pick the time when you receive it, or how long it stays. Mr. Emmert explained the process of receiving water from other sources and what options are sometimes available.

Vice Chair McFadden asked if you have to take delivery of State Water when available, or can you bank it somewhere? Mr. Emmert explained what options are available, and that there are limitations on the delivery at our end.

Participant posted question, "we haven't identified undesirable results caused by pumping so why are we talking about mitigation actions?" Mr. Morgan said they are only proposed for talking points for the Board to consider and explained the scenarios of why they might use them.

Participant posted question, "but is it required by SGMA to have proposed mitigation actions, for as yet unidentified undesirable results?" Mr. Morgan said no, it is not required by SGMA.

Vice Chair McFadden asked Mr. Morgan if there is a process that would help us make the deadline, as he does not see us coming to a consensus tonight. Mr. Morgan provided a sample of what he feels is a way to possibly get there.

Chair Long asked if we could just use the wording, “if we go into drought”, instead of a specific number, would that work. Mr. Morgan said there needs to be a set measurement for the MT, if you go beyond that level.

Mr. Morgan asked Director Pace what are the data gaps he is seeing.

Director Pace explained the various areas he is seeing lack of information and stated he is more confused now.

Mr. Bryan Bondy commented that he keeps going back to the SGMA regulations that asks GSA to identify affects and beneficial uses and noted there is nothing specific regarding aquatic species. He said we do not know if we have undesirable results related to surface water flows, and premature to decide if we need mitigation actions without knowing what is going on in the rising groundwater areas with aquatic species and is pumping having an effect. If the data is available to answer these questions, then he feels the GSA can proceed, if not, then the GSA has a data gap that needs to be addressed.

Mr. Morgan stated we have part of that information and requested help from Stillwater’s Christopher Braudrick to make clarification. Mr. Braudrick said it is not that we have an entire data gap about the beneficial users, but there are parts of data that we do not have, because there is no data on fish. He stated there are some things they know more about and some things they know less about.

Vice Chair McFadden asked Mr. Bondy how the Upper Ventura River is moving forward with the GSP, with the data gaps as far as getting a plan in front of DWR. Mr. Bondy said they will have to explain to DWR all the aspects of their plan that are unknown at this time, which will require monitoring to set the correct settings by the five year update.

Motion to direct DBS&A to come back to the Board with SMC without the MTs and MOs, and to outline the process at the next meeting, Vice Chair McFadden; Second Director Pace. Roll call vote: six ayes (Kimball, Chair Long, Vice Chair McFadden, Meneghin, Pace, Villaseñor); none opposed. Motion carries 6/0.

## **4. INFORMATION ITEMS**

### **4A. Monitoring Wells Status Report Informational Item**

The Board received a report from staff regarding the status of the Agency's Monitoring Wells Project, including where new wells are proposed to fill data gaps and where existing wells can be modified for monitoring.

Chair Long asked if there is a need to go out for more grants to cover costs. Mr. Emmert replied by stating we intend to stay within budget of the grant, although we do have a cash flow problem and explained the issues related to that problem.

**ADJOURNED: 7:52pm**

Chair Long adjourned at 7:52 p.m. to the next **Regular Board Meeting** on **Thursday, May 20, 2021** 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 **May 6, 2021**.

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

ATTEST:   
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Eva Ibarra, Clerk of the Board