



Fillmore and Piru Basins
Groundwater Sustainability Agency

Board of Directors Meeting
Thursday
August 18, 2022
5:00 p.m.

In accordance with the California Governor's Executive Stay at Home Order and the County of Ventura Health Officer Declared Local Health Emergency and Be Well at Home Order resulting from the novel coronavirus (COVID-19), the Fillmore City Hall is closed to the public. Therefore, the FPB GSA will be holding its Regular Board of Directors meeting virtually using the ZOOM video conferencing application.

To participate in the Board of Directors meeting via Zoom, please access:

<https://us02web.zoom.us/j/85480305580?pwd=ZnFBWGhtVU05dXd3REFkM255c0h6UT09>

Meeting ID: **854 8030 5580**

Password: **FPBGSA**

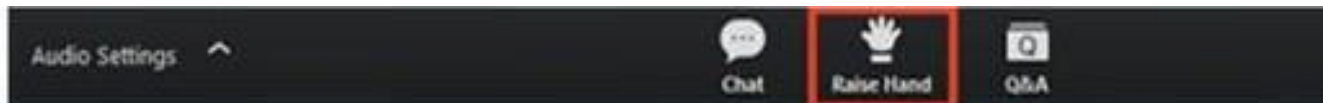
To hear just the audio portion of the meeting, phone into the toll-free number 877 853 5247

Meeting ID: **854 8030 5580**

All participants are asked to join the meeting at least five minutes in advance of the 5pm start time and be aware that all participants will be "muted" until recognized by the host. If your computer has a camera, please enable it so we can ensure better engagement between participants.

If you would like to address the Board with a question or offer a comment, please follow these simple instructions to engage the host (Clerk of the Board):

1. During a meeting, click on the icon labeled "Participants" at the bottom center of your computer screen.
2. At the bottom of the window on the right side of the screen, click the button labeled "Raise Hand."
3. Once you've been recognized by the Chair, please click on "Raise Hand" again to remove the signal.



Similarly, if you have a comment or question for the Board, you can use the "Chat" button to convey your question or comment to the HOST, who will put you in line to address the Board.

The Fillmore and Piru Basins GSA Board of Directors appreciates your participation and patience in using Zoom to conduct its public meeting.

AGENDA

1. CALL TO ORDER

1A Pledge of Allegiance

1B Directors Roll Cal

1C Public Comments

Fillmore and Piru Basins Groundwater Sustainability Agency (Agency) will accept public comment concerning agenda items at the time the item is considered and on any non-agenda item within the jurisdiction of the Board during the agendaized Public Comment period. No action will be taken by the Board on any non-agenda item. In accordance with Government Code § 54954.3(b)(1), public comment will be limited to three (3) minutes per speaker per issue.

**1D Approval of Agenda
Motion**

2. UPDATES

2A Director Announcements/Board Communications:
Oral Reports from the Board

Fillmore Pumpers Association Stakeholder Director Update

Piru Pumpers Association Stakeholder Director Update

Environmental Stakeholder Director Update

City of Fillmore Member Director Update

United Water Conservation District Member Director Update

County of Ventura Member Director Update

**2B Executive Director Update
Information Item**

The Executive Director will provide an informational update on Agency activities since the previous Board meeting of July 22, 2022.

**2C Legal Counsel Update
Information Item**

Legal Counsel will provide an informational update on Agency's legal issues and concerns since the previous Board of Directors meeting of July 22, 2022.

**2D GSP Consultant Update
Information Item**

Representatives from Daniel B Stephens & Associates will provide an informational update on Agency's groundwater sustainability planning and reporting activities since the previous Board meeting of July 22, 2022.

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 Special Board Meeting of July 22, 2022.

3B Approval of Warrants

The Board will consider approving payment of outstanding vendor invoices

Daniel B. Stephens & Associates	\$12,482.50
Aleshire & Wynder LLP Attorneys at Law	\$ 1,276.50

3C Monthly Financial Report

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

3D Subsequent Finding Regarding Continuation of AB 361 Exemptions to Brown Act Teleconferencing Requirements

The Board will consider adopting Resolution 2022-12 continuing findings that the requisite conditions exist for remote teleconference meetings of the Agency's legislative bodies without compliance with Government Code section 54953(b)(3), as authorized by Government Code section 54953(e).

4. MOTION ITEMS

4A Resolution 2022-13 Amending the List of Authorized Signers for the Agency's Bank of the Sierra Account

Motion

The Board will consider adoption of Resolution 2022-13 Amending the List of Authorized Signers for the Agency's Bank of the Sierra Account.

4B Task Order for Preparation of Technical Memorandum on Land Subsidence Conditions

Motion

The Board will consider approval of Task Order 2022-02 with Daniel B. Stephens and Associates for analysis of LiDAR data from the California Department of Water Resources and the preparation of a technical memorandum on land subsidence conditions.

4C Development of Well Permitting Review Process in Compliance with California Executive Order N-7-22

Motion

The Board will receive a presentation from Legal counsel, Daniel B. Stephens and Associates, and staff regarding the development of the Agency's Well Permitting Review Process and provide comments and direction.

4D Monitoring Well Project Change Orders Authorization

Motion

The Board will consider authorizing the Executive Director to approve change orders associated with the Monitoring Wells Project up to 14 percent of contract amount.

4E Projects and Management Actions

Motion

The Board will receive a presentation from Daniel B. Stephens and Associates reviewing the Projects and Management Actions included in the Fillmore and Piru Basins Groundwater Sustainability Plans and provide comments and direction.

FUTURE TOPICS FOR BOARD DISCUSSION

ADJOURNMENT

The Board will adjourn to the next **Regular Board Meeting** on Thursday, **September 15, 2022**, or call of the Chair.

Materials, which are non-exempt public records and are provided to the Board of Directors to be used in consideration of the above agenda items, including any documents provided subsequent to the publishing of this agenda, are available for inspection at UWCD's offices at 1701 N. Lombard Street in Oxnard during normal business hours.

The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied the benefits of, the District's services, programs or activities because of any disability. If you need special assistance to participate in this meeting, or if you require agenda materials in an alternative format, please contact the UWCD Office at (805) 525-4431 or the City of Fillmore at (805) 524- 1500. Notification of at least 48 hours prior to the meeting will enable the District to make appropriate arrangements.

Approved: 
Board Chair Kelly Long

Posted: (date) August 15, 2022
At: <https://www.FPBGSA.org>

(time) 4:40pm

(attest) Eva Ibarra

Posted: (date) August 15, 2022
At: <https://www.facebook.com/FPBGSA/>

(time) 4:45pm

(attest) Eva Ibarra

Posted: (date) August 15, 2022
At: UWCD, 1701 N. Lombard Street, Oxnard CA 93030

(time) 5:00 pm

(attest) Eva Ibarra



SPECIAL Board of Directors Meeting
Friday, July 22, 2022
5:00 p.m.
MINUTES

Directors in Attendance

Chair Kelly Long
Director Candice Meneghin
Director Christina Villaseñor
Director Gordon Kimball

Absent

Vacant – Fillmore Pumpers Association
Vacant – Piru Pumpers Association

Staff in Attendance

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

Public in Attendance

Eric Elliott, UWCD
Carole Fornoff
Debbie Jackson, Fillmore Pumpers Association
Rachel Laenen, Kimball Ranches
Tony Morgan, DBS&A
Glen Pace, Piru Pumpers Association
Daryl Smith, UWCD
Steve Zimmer, Five Points

1. Call to Order 5:05pm

Chair Long called the Special Board Meeting to order at 5:05 p.m.

1A Pledge of Allegiance

Director Villaseñor led everyone in reciting the Pledge of Allegiance.

1B Directors Roll Call

The clerk called roll. Four Directors were present (Kimball, Long, Meneghin, Villaseñor).

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.

Executive Director Anthony Emmert requested section three be moved to the end of the meeting, due to Director Long's time constraints.

Motion to approve agenda with the requested sequence change, Director Villaseñor; Second, Director Pace. Roll call vote: five ayes (Kimball, Long, Meneghin, Pace, Villaseñor); none opposed; motion carries unanimously 5/0.

2. SEATING OF NEW DIRECTORS AND SELECTION OF OFFICERS

2A Seating of New Member Director Appointed by United Water Conservation District

Information Item

The Board welcomed Gordon Kimball as the new Member Director appointed by the United Water Conservation District Board on July 13, 2022, as its representative on the Fillmore and Piru Basins Groundwater Sustainability Agency Board.

2B Appointment of Piru Basin Pumpers Stakeholder Director

Motion

The Member Directors confirmed Glen Pace as the Piru Basin Pumpers Stakeholder Director, as nominated by the Piru Basin Pumpers Association.

Motion to approve, Director Villaseñor; Second, Director Kimball. Roll call vote: four ayes (Kimball, Long, Meneghin, Villaseñor); none opposed; motion carries unanimously 4/0.

2C Appointment of Fillmore Basin Pumpers Stakeholder Director

Motion

The Member Directors confirmed Debbie Jackson as the Fillmore Basin Pumpers Stakeholder Director, as nominated by the Fillmore Basin Pumpers Association.

Director Long asked Ms. Jackson to provide her background for the Board. Ms. Jackson shared her background with the Board.

Motion to approve, Director Villaseñor; Second, Director Kimball. Roll call vote: five ayes (Kimball, Long, Meneghin, Pace, Villaseñor); none opposed; motion carries unanimously 5/0.

2D Selection of Officers
Motion

The Board confirmed Member Director Kelly Long as Chair, Member Director Gordon Kimball as Vice Chair and Treasurer, and Member Director Villaseñor as Secretary, comprising the Fillmore and Piru Basin GSA's Executive officers.

Motion to approve, Director Meneghin; Second, Director Pace. Roll call vote: five ayes (Kimball, Long, Meneghin, Pace, Villaseñor); none opposed; motion carries unanimously 5/0. Clerk accidentally omitted Director Jackson from the roll call vote.

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 regular Board Meeting of June 16, 2022.

3B Approval of Warrants

The Board will consider approving payment of outstanding vendor invoices:

United Water Conservation District	\$ 38,840.26
Aleshire & Wynder LLP Attorneys at Law	\$ 7,626.00
Olivarez Madruga Lemeiux O'Neill LLP	\$ 3,590.50
The Fillmore Gazette	\$ 126.00

3C Monthly Financial Report

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

3D Subsequent Finding Regarding Continuation of AB 361 Exemptions to Brown Act Teleconferencing Requirements

The Board will consider adopting Resolution 2022-11 continuing findings that the requisite conditions exist for remote teleconference meetings of the Agency's legislative bodies without compliance with Government Code section 54953(b)(3), as authorized by Government Code section 54953(e)

Motion to approve consent calendar, Director Pace; Second, Director Villaseñor.

Roll call vote: six ayes (Jackson, Kimball, Long, Meneghin, Pace, Villaseñor); none opposed; motion carries unanimously 6/0.

4. MOTION ITEMS

4A Waivers of Late Fees and Interest for Five Pumpers

Motion

The Board considered the waiving of late fees and interest in the total amount of \$5,671.43 for groundwater pumping during 2021-2 associated with Brownstone Mutual Water Company, Community Mutual Water Company, Elkins Ranch Company, Farmers Irrigation Company, and Goodenough Mutual Water Company, all of whom did not receive their statements in March 2022.

Director Meneghin said the GSA needs to waive the late fees for these five customers as the error was the Agency's.

Director Pace said all pumpers should have late fees waived, whether they request a waiver or not, as they are all entitled to a waiver due to the circumstances that generated the late fees. It should not be an issue as this cost does not affect any financials for the agency.

United Water's Controller Daryl Smith stated the statements for payment were sent out on time, although it appears the post office lost the mailing.

Director Meneghin asked if any pumpers have already paid the late fee? Mr. Emmert said yes, there are some pumpers that had already paid the late fee and added that it would be a good idea to have the Board approve the removal of late fees for all pumpers in good standing. Mr. Emmert asked Mr. Smith if this idea would work for staff? Mr. Smith stated as long as staff are given direction to remove the late fees in a blanket waiver, it can be done.

Mr. Steven O'Neill said he recommends an amendment to the original motion to cover the request for change and if Finance can provide an estimate of cost with the removal of late fees. Chair Long said the motion had not been approved.

Director Jackson said she would like to make a motion to waive all late fees from last billing for all pumpers in good standing.

Motion to approve the removal of late fees for all pumpers, Director Jackson; Second, Director Meneghin. Roll call vote: six ayes (Jackson, Kimball, Long, Meneghin, Pace, Villaseñor); none opposed; motion carries unanimously 6/0.

4B Kenter Canyon Farms Inc. Well Permit Application Review
Motion

The Board considered finding that the Kenter Canyon Farms Inc. application for the construction of a new irrigation well located at 1043 Santa Paula Street, Fillmore, California, is not inconsistent with the Agency's Fillmore Basin Groundwater Sustainability Plan and direct staff to provide a letter to the County of Ventura stating the Agency's findings.

Director Meneghin said the Bardsdale area is where the potential for wells going dry exists and where the Agency may have to consider potential litigation. She added that she is concerned with what the Agency submitted to the County at its last meeting regarding discretion on new wells, as counties' reviews are going beyond what may be allowed without CEQA analysis. Director Meneghin said she is also concerned the proposed new well is in an area that might have impacts to other wells. She asked if the existing wells that supply the parcel are in a boundary area, and if there will be a monitoring well nearby?

Mr. Emmert explained that, based on the information the Agency has, these concerns have been evaluated, with a finding that the well is not going to add to the groundwater pumping nor is it going to interfere with nearby wells. Mr. Emmert asked Associate Hydrogeologist Eric Elliott to address the concern over the wells that are nearby.

Mr. Elliott explained his research, assumptions, and findings. Director Jackson asked if it is assumed that the water coming from the Southside Improvement District will no longer be pumped? Mr. Elliott stated it can be safely assumed. Mr. Emmert also expressed his assumptions. Mr. Emmert stated that the Agency budget already includes a line item for United staff and DBS&A staff to identify the wells that are most vulnerable to dewatering during droughts. He said he intends to take a deeper dive and contact the well owners.

Director Meneghin said the Board doesn't have all the information, as this is an unprecedented request. She also asked how the Board can make an informed decision, and if there is a time frame as to when the Agency has to concur with the County, or to make a better-informed decision?

Mr. Emmert said he did not clearly understand Director Meneghin's question. Director Meneghin reiterated that the Board has not identified the most vulnerable wells within the Bardsdale area and asked that further analysis be done. She then asked if there is a timeframe as to when the Agency has to reply back to the County about this? Mr. Emmert said the best time to look at these most vulnerable wells in these two basins would be during the next two to three months, as the Agency has an opportunity for grant applications and that he hopes the Agency does this soon.

Director Long read the information in the report provided and said she would be in support of the well, as the report shows no issues with the well. Mr. Emmert said the well is not inconsistent with the Agency's GSPs and it is not a new demand and said the only concern would be the nearby wells, adding that in Mr. Elliott's report no issues with nearby wells were found and staff's recommendation is to approve this request. He added that to Director Meneghin's point, to drill down and identify the most vulnerable wells should be an urgent activity.

Tony Morgan with DBS&A said with the information that we have today, the analysis shows that no wells go dry during a multiple year drought, although the model run does not guarantee they will not go dry, and said it would be a good idea to do a more in-depth analysis of the domestic wells and shallow wells in that area. He added that is a good thing to do, although based on modeling results, staff does not see any issues.

Director Meneghin asked Mr. Morgan to clarify his remark, asking "when you say modeling efforts are you referring to the middle modeling projection?" Mr. Morgan explained that he was referring to the modeling that was done for the GSPs. Director Meneghin said she was told that the State will be coming out with new climate change guidance due to the recent drought that will be more cautious in regard to the modeling and said she doesn't feel she has sufficient information to make a decision on this well. Mr. Morgan explained the strategy used to consider this request for approval. Director Jackson, Director Meneghin, Director Long, Mr. Elliott, and Mr. Morgan continued the discussion.

Motion to approve, Director Jackson; Second, Director Kimball. Roll call vote: five ayes (Jackson, Kimball, Long, Pace, Villaseñor); none opposed, one abstains (Meneghin); motion carries unanimously 5/0/1.

4C Groundwater Monitoring Wells Project Construction Award

Motion

The Board considered awarding the Groundwater Monitoring Wells Project construction to BC2 Environmental, LLC, for a total of \$441,485, and authorized the Chair to execute the construction agreement.

Motion to approve, Director Meneghin; Second, Director Pace. Roll call vote: six ayes (Jackson, Kimball, Long, Meneghin, Pace, Villaseñor); none opposed; motion carries unanimously 6/0.

5. UPDATES

5A Director Announcements/Board Communications:

Oral Reports from the Board

Fillmore Pumpers Association Stakeholder Director Update

Director Jackson stated the only update she had was the Fillmore Pumpers Association have had a leadership shuffle and is happy to be representing the Fillmore Pumpers on the GSA Board.

Piru Pumpers Association Stakeholder Director Update

Director Pace also said the leadership shakeup has yet to be resolved and he's hoping to make adjustments with his replacement by next month and will be coming back with his replacement soon. He also said the date for the water company change is set for September 14, and that is his target date for fulfilling his current position, which he will hold for another month or two.

Environmental Stakeholder Director Update

Director Meneghin said restoration activities continue at the Fillmore Hatchery Nature Trail and Hedrick Farms Nature area. Friends of the Santa Clara River received a grant for training of field workers and restoration staff, across the English and Spanish language nexus, which will help them to work together on restoration projects. She also mentioned there is a plan on doing a coastal cleanup day in September and planting trees in the flood plain, and that the group is pursuing a grant for the Integrated Regional Water Management program to assess the resilient water portfolio in Ventura County and Los Angeles, for water conservation efforts, with an attempt to hire a resources specialist to do a cross benefit analysis to help guide Projects. She added that there are other funding opportunities being explored. She also mentioned she had a conversation with Paul Gosselin from DWR regarding the lack of guidance on GDEs in the first round of GSP development and he is to get back to her as to when a revised technical document will come out with additional guidance. As for now, other areas are being looked at. Director Long asked where did these conversations take place? Director Meneghin said at the GRA conference, and she also shared her discussion with Paul Gosselin.

City of Fillmore Member Director Update

Director Villaseñor had no update.

United Water Conservation District Member Director Update

Director Kimball had no update.

County of Ventura Member Director Update

Director Long said she is in Colorado for National Association of Counties meeting for understanding of funding for more grants, for water infrastructure and will share more at a later time.

5B Executive Director Update
Information Item

The Executive Director said Groundwater Sustainability Planning Grant was completed for Grant Period 13 at end of June, and staff is currently preparing Progress Report 13 and Invoice 13, due on August 15th. He also mentioned AB 2201 passed Senate Committee on Governance and Finance with amendments in June, and said it was referred to Senate Committee on Appropriations and was not on agenda for August 1st meeting. He also said the Agency needs to add the new Treasurer to the Bank of Sierra signature card and suggested a brief Special Board meeting before the next regular Board meeting on August 18. Mr. Emmert added that Santa Clarita Valley Sanitation District is scheduled to present at the August 18 Board meeting, regarding the Chloride Removal Project at the Valencia Water Reclamation Plant.

Director Long mentioned the Treasurer was approved today, which should allow him to sign checks. Mr. Emmert said he will look into this with the bank and will need Director Long's signature on a letter directed to the Bank of the Sierra to add our new Treasurer, as was suggested by the bank.

5C Legal Counsel Update
Information Item

Legal Counsel Steve O'Neill said he worked on the resolution presented tonight for remote meetings, finalized the well drilling agreement, and continues to track Assembly Bill 2201 for groundwater wells and explained the new bill.

5D GSP Consultant Update
Information Item

Daniel B Stephens & Associates Tony Morgan said they have been working on the online database, making improvements and have requested their programmer to turn these new improvements on soon. He said he has provided the Executive Director with a new tech memo proposal in doing the subsidence update for the Board, and what that means to both basins. He mentioned AB 2201 and what he thinks about the new requirements and wants to help simplify the process for the applicants.

Director Long asked if we need to submit a report to DWR? Mr. Morgan said yes, every year we need to submit one, due on April 1st

Mr. Morgan told Director Jackson he would provide her with a flash drive with the GSPs with years of information that she can use if she needs more information on the agency.

Director Jackson asked about timeline for comments back for the draft GSPs. Mr. Morgan said he is anticipating DWR to provide an answer to the GSPs to be about two years from date submitted.

Director Meneghin asked if the Agency has been able to set a date to meet with the County? Mr. Emmert said they did meet with them but did not receive much feedback and he then explained what had been discussed.

Director Long thanked the new Directors for filling the open positions for the Board.

Mr. Morgan stated the implementation grant from DWR is coming out in September and said the Board needs to think of what projects can be submitted for grant funding. He said there is about one million in funds per basin and the paperwork is due in February to assemble a document, so the Board may want to put that as an item for a future agenda.

Director Long stated she was renominated to be the Chair for the agency and will continue to be the Chair.

FUTURE TOPICS FOR BOARD DISCUSSION

None mentioned

ADJOURNMENT 5:24p.m.

Director Long adjourned the Board meeting at 5:24p.m. to the next **Regular Board Meeting** on Thursday, **August 18, 2022**, or call of the Chair.

ATTEST: _____
Kelle 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 22, 2022.

ATTEST: _____
Eva Ibarra, Clerk of the Board

Fillmore and Piru Basins GSA
Check Detail
August 11, 2022

Type	Num	Date	Name	Account	Original Amount
Bill Pmt -Check	11164	08/11/2022	Aleshire & Wynder LLP	10000 · Bank of the Sierra	-1,276.50
Bill Pmt -Check	11165	08/11/2022	Daniel B Stephens & Associates, Inc.	10000 · Bank of the Sierra	-12,482.50
					-13,759.00



Fillmore and Piru Basins
Groundwater Sustainability Agency

Item No. **3C Consent Calendar**

DATE: **August 10, 2022**

TO: **Board of Directors**

SUBJECT: Monthly Financial Report

SUMMARY

The Board will receive the monthly financial report for the Fillmore and Piru Basins Groundwater Sustainability Agency (Agency).

BACKGROUND

UWCD accounting staff has prepared financial reports based on the Agency revenue and expenses for the month of July 2022.

FISCAL IMPACT

None

Attachments: July 31, 2022 P/L Budget Performance
 July 31, 2022 Balance Sheet

Fillmore and Piru Basins GSA
Profit & Loss Budget Performance
July 2022

	July 2022	Annual Budget	Budget
Income			
40001 · Groundwater Extraction Charge	0.00	638,031.42	0.00%
41000 · Grant Revenue			
41001 · State Grants	0.00	400,057.68	0.00%
Total 41000 · Grant Revenue	0.00	400,057.68	0.00%
47000 · Other Revenue			
47001 · Late Fees	-1,157.84	0.00	
47012 · Returned Check Charges	0.00	0.00	
Total 47000 · Other Revenue	-1,157.84	0.00	
Total Income	-1,157.84	1,038,089.10	-0.11%
Gross Profit	-1,157.84	1,038,089.10	-0.11%
Expense			
52200 · Professional Services			
52240 · Prof Svcs - IT Consulting	0.00	1,700.00	0.00%
52250 · Prof Svcs - Groundwtr/GSP Prep			
52251 · Prof Svcs - UWCD GW Services	0.00	0.00	
52252 · Prof Svcs - GSP Consultant	12,482.50	165,000.00	7.57%
Total 52250 · Prof Svcs - Groundwtr/GSP Prep	12,482.50	165,000.00	7.57%
52270 · Prof Svcs - Accounting	0.00	24,200.00	0.00%
52275 · Prof Svcs - Admin/Clerk of Bd	0.00	25,000.00	0.00%
52280 · Prof Svcs - Executive Director	0.00	50,000.00	0.00%
52290 · Prof Svcs - Other	0.00	20,000.00	0.00%
Total 52200 · Professional Services	12,482.50	285,900.00	4.37%
52500 · Legal Fees			
52501 · Legal Counsel	1,276.50	60,000.00	2.13%
Total 52500 · Legal Fees	1,276.50	60,000.00	2.13%
53000 · Office Expenses			
53010 · Public Information	0.00	1,000.00	0.00%
53020 · Office Supplies	0.00	500.00	0.00%
53026 · Postage & Mailing	0.00	2,000.00	0.00%
53110 · Travel & Training	0.00	4,000.00	0.00%
Total 53000 · Office Expenses	0.00	7,500.00	0.00%
53500 · Insurance			
53510 · Liability Insurance	0.00	2,500.00	0.00%
Total 53500 · Insurance	0.00	2,500.00	0.00%
70130 · Bank Service Charges	0.00	0.00	
81000 · Capital Expenditures			
81001 · Design & Cons - Monitoring Well	0.00	600,000.00	0.00%
81000 · Capital Expenditures - Other	0.00	0.00	
Total 81000 · Capital Expenditures	0.00	600,000.00	0.00%
Total Expense	13,759.00	955,900.00	1.44%
Net Income	-14,916.84	82,189.10	-18.15%

Fillmore and Piru Basins GSA
Balance Sheet
As of July 31, 2022

	<u>July 2022</u>
ASSETS	
Current Assets	
Checking/Savings	
10000 - Bank of the Sierra	1,235,426.02
Total Checking/Savings	<u>1,235,426.02</u>
Accounts Receivable	
11000 - Accounts Receivable	251,103.29
Total Accounts Receivable	<u>251,103.29</u>
Total Current Assets	<u>1,486,529.31</u>
TOTAL ASSETS	<u>1,486,529.31</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
20000 - Accounts Payable	13,759.00
Total Accounts Payable	<u>13,759.00</u>
Total Current Liabilities	<u>13,759.00</u>
Total Liabilities	13,759.00
Equity	
32000 - Retained Earnings	1,487,687.15
Net Income	<u>-14,916.84</u>
Total Equity	<u>1,472,770.31</u>
TOTAL LIABILITIES & EQUITY	<u>1,486,529.31</u>



Item No. 3D Motion

DATE: August 4, 2022 (for August 18, 2022 meeting)

TO: Board of Directors

FROM: Anthony A. Emmert, Executive Director

SUBJECT: **Subsequent Finding Regarding Continuation of AB 361 Exemptions to Brown Act
Teleconferencing Requirements**

SUMMARY

In response to the COVID-19 pandemic, the California Governor signed Assembly Bill 361 (AB 361) on September 16, 2021, that temporarily exempts agencies from certain requirements of the Brown Act and adds additional requirements for public meetings held by teleconference. This staff report provides an analysis of the changes to the Brown Act per AB 361. During its October 21, 2021, meeting, the Agency's Board adopted Resolution 2021-06 authorizing the use of the AB 361 provisions for its meetings. Adoption of Resolution 2022-11 continues the authorization of the use of AB 361 provisions for the coming 30 days.

RECOMMENDED ACTION

The Board will consider adopting Resolution 2022-12 continuing findings that the requisite conditions exist for remote teleconference meetings of the Agency's legislative bodies without compliance with Government Code section 54953(b)(3), as authorized by Government Code section 54953(e).

BACKGROUND

In March of 2020, the Governor of California issued Executive Order N-29-20, which waived Brown Act requirements found in Gov. Code § 54953(b)(3) for teleconference participation in public meetings. In particular, this Order waived:

- a) The requirement that state and local bodies notice each teleconference location from which a member will be participating in a public meeting;
- b) The requirement that each teleconference location be accessible to the public;
- c) The requirement that members of the public may address the body at each teleconference location;
- d) The requirement that state and local bodies post agendas at all teleconference locations; and
- e) The requirement that, during teleconference meetings, at least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction.

Executive Order N-29-20 expired on September 30, 2021. However, AB 361 was signed by the Governor to extend the provisions of N-29-20, subject to certain conditions to be met by the local legislative body utilizing its exemptions. AB 361 also imposes certain new requirements, detailed below.

Item No: 3D: Subsequent Finding Regarding Continuation of AB 361 Exemptions to Brown Act Teleconferencing Requirements

ANALYSIS

AB 361 exempts local legislative bodies from certain Brown Act requirements currently governing teleconferencing. These exemptions may be used only in one of the following circumstances:

- a) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
- b) The legislative body holds a meeting during a proclaimed state of emergency for purposes of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health and safety of attendees.
- c) The legislative body holds a meeting during a proclaimed state of emergency and has determined by majority vote pursuant to b) above that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

Currently, the Governor's state of emergency regarding COVID-19 is still in effect, and the Ventura County Health Officer has recommended that legislative bodies in the County continue to follow social distancing measures to prevent the spread of COVID.

Further, AB 361 requires the Agency to reconsider the state of emergency and make such determination every 30 days after commencing use of its exemptions. However, if during the 30-day period the Agency wishes to meet in person, they may choose to do so despite adopting the proposed Resolution. The intent of the Resolution is merely to allow the Board members to avail themselves of the AB 361 teleconferencing conveniences if they so choose.

Finally, in addition to allowing for the above exemptions, AB 361 adds the following requirements:

- a) The legislative body must give notice of the meeting and post agendas as otherwise required by the Brown Act.
- b) The legislative body must allow members of the public to access the meeting, and the agenda must provide an opportunity for members of the public to address the legislative body directly pursuant to Brown Act requirements. In each instance where notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body must also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda must identify and include an opportunity for all persons to attend via call-in option or an internet-based service option. The legislative body need not provide a physical location from which the public may attend or comment.
- c) The legislative body must conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body.
- d) In the event of a disruption that prevents the public agency from broadcasting the meeting to members of the public using the call-in or internet-based service options, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in or internet-based service options, the legislative body must take no further action on items appearing on the meeting agenda until public access to the meeting is restored. Actions taken on agenda items during a disruption preventing the broadcast of the meeting may be challenged as provided in the Brown Act.
- e) The legislative body may not require public comments to be submitted in advance of the meeting, and it must provide an opportunity for the public to address the legislative body and offer comment in real time.

Item No: 3D: Subsequent Finding Regarding Continuation of AB 361 Exemptions to Brown Act Teleconferencing Requirements

- f) The legislative body may use an online third-party system for individuals to provide public comment that requires an individual to register with the system prior to providing comment.
- g) If a legislative body provides a timed public comment period, it may not close the comment period or the time to register to provide comment under f) until the timed period has elapsed. If the legislative body does not provide a time-limited comment period, it must allow a reasonable time for the public to comment on each agenda item and to register as necessary under f).

Accordingly, staff recommends that the Board adopt Resolution 2022-12. Doing so will enable the Agency's continued use of the AB 361 exemptions to Brown Act teleconferencing requirements, while allowing the Board to hold in person meetings at its discretion.

FISCAL IMPACT

No fiscal impacts.

ATTACHMENTS

Resolution 2022-12

Proposed Motion:

Adopt Resolution 2022-12.

1st: Director _____

2nd: Director _____

Voice/Roll call vote:

Director Jackson:

Director Kimball:

Director Long:

Director Meneghin:

Director Pace:

Director Villasenor:

RESOLUTION NO. 2022-12

A RESOLUTION OF THE BOARD OF DIRECTORS OF FILLMORE & PIRU BASINS GROUNDWATER SUSTAINABILITY AGENCY AUTHORIZING THE USE OF TELECONFERENCING FOR PUBLIC MEETINGS

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF FILLMORE & PIRU BASINS GROUNDWATER SUSTAINABILITY AGENCY as follows:

WHEREAS, the Governor of the State of California (“Governor”) proclaimed a State of Emergency to exist as a result of the threat of COVID-19. (Governor’s Proclamation of a State of Emergency (Mar. 4, 2020).)

WHEREAS, the Governor’s Exec. Order No. N-25-20 (Mar. 12, 2020); Governor’s Exec. Order No. N-29-20 (Mar. 17, 2020); and Governor’s Exec. Order No. N-08-21 (Jun. 11, 2021) provided that local legislative bodies may hold public meetings via teleconferencing and make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body and waived the Brown Act provisions found in Govt. Code section 54953(b)(3) which require the physical presence of the members, the clerk, or other personnel of the body, or the public, as a condition of participation in, or quorum for, a public meeting, including:

- a) The requirement that state and local bodies notice each teleconference location from which a member will be participating in a public meeting.
- b) The requirement that each teleconference location be accessible to the public.
- c) The requirement that members of the public may address the body at each teleconference location.
- d) The requirement that state and local bodies post agendas at all teleconference locations.
- e) The requirement that, during teleconference meetings, at least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction.

WHEREAS, the provisions of Governor’s Exec. Order No. N-25-20 (Mar. 12, 2020); Governor’s Exec. Order No. N-29-20 (Mar. 17, 2020); and Governor’s Exec. Order No. N-08-21 (Jun. 11, 2021) expired on September 30, 2021 and are no longer in effect thereafter;

WHEREAS, the Center for Disease Control is currently contending with the Delta Variant of the COVID-19 virus and anticipates the development of potential other strains which may further impede public agency operations and prolong the need for social distancing requirements; and

WHEREAS, recent legislation (A.B. 361) authorizes a local legislative body to use teleconferencing for a public meeting without complying with the Brown Act’s teleconferencing quorum, meeting notice, and agenda requirements set forth in Government Code section 54953(b)(3), in any of the following circumstances:

- a) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

- b) The legislative body holds a meeting during a proclaimed state of emergency for purposes of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health and safety of attendees.
- c) The legislative body holds a meeting during a proclaimed state of emergency and has determined by majority vote pursuant to b) above that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Fillmore & Piru Basins Groundwater Sustainability Agency as follows:

Section 1. Incorporation of Recitals. All of the foregoing Recitals are true and correct, and the Board so finds and determines. The Recitals set forth above are incorporated herein and made an operative part of this Resolution.

Section 2. Adoption of AB 361. The Board has determined by majority vote that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

Section 3. Continued Implementation of AB-361. If the state of emergency remains active, or state or local officials have imposed measures to promote social distancing, the Board of Directors of the Fillmore & Piru Basins Groundwater Sustainability Agency shall, in order to continue meeting subject to this exemption to the Brown Act, no later than 30 days after it commences using the exemption, and every 30 days thereafter, make the following findings by majority vote:

- a) The legislative body has reconsidered the circumstances of the state of emergency; *and*
- b) Either (1) the state of emergency continues to directly impact the ability of the members to meet safely in person; or (2) state or local officials continue to impose or recommend measures to promote social distancing.

Section 4. Applicability. The health and safety findings and determination that teleconference meetings are appropriate applies to all District committees and legislative bodies subject to the Brown Act.

PASSED, APPROVED AND ADOPTED on August 18, 2022.

Chair

ATTEST:

Secretary

APPROVED AS TO FORM:

General Counsel



Item No. **4A Motion Item**

DATE: **August 4, 2022 (for August 18, 2022 meeting)**

TO: **Board of Directors**

FROM: **Anthony A. Emmert, Executive Director**

SUBJECT: **Resolution 2022-13 Amending the List of Authorized Signers for the Agency's Bank of the Sierra Account**

RECCOMENDATION:

The Board will consider adoption of Resolution 2022-13 Amending the List of Authorized Signers for the Agency's Bank of the Sierra Account.

BACKGROUND

The Fillmore and Piru Basins Groundwater Sustainability Agency (Agency) has an account with Bank of the Sierra, and the Agency currently has two authorized signatories for the account: Kelly Long, Chair, and Edwin T. McFadden III, former Vice-Chair/Secretary/Treasurer. Mr. McFadden is no longer a member of the Agency Board and should therefore be removed from the list of authorized signatories for the Agency's account. Gordon Kimball, the Agency's Vice-Chair/Treasurer, should be added to the list.

Following Board adoption of Resolution 2022-13, the Agency will forward the signed Resolution and the minutes of the meeting to the Bank of the Sierra as proof of the Agency's removal of Mr. McFadden and the addition of Mr. Kimball to the list of authorized signatories for its account number: xxxxxx5870.

FISCAL IMPACT

There are not fiscal impacts.

ATTACHMENTS

Attachment 1 – Resolution 2022-13

Proposed Motion:

Adopt Resolution 2022-13 Amending the List of Authorized Signers for the Agency's Bank of the Sierra Account.

1st: Director _____

2nd: Director _____

Voice/Roll call vote:

Director Jackson:

Director Kimball:

Director Long:

Director Meneghin:

Director Pace:

Director Villaseñor:

RESOLUTION NO. 2022-13

**A RESOLUTION OF THE BOARD OF DIRECTORS OF FILLMORE AND PIRU
BASINS GROUNDWATER SUSTAINABILITY AGENCY AMENDING THE LIST
OF AUTHORIZED SIGNERS FOR THE AGENCY'S BANK OF THE SIERRA
ACCOUNT**

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF FILLMORE AND PIRU
BASINS GROUNDWATER SUSTAINABILITY AGENCY** as follows:

WHEREAS, the Fillmore and Piru Basins Groundwater Sustainability Agency (Agency) maintains an account with Bank of the Sierra, Account Number XXXXXX5870, and the current list of individuals authorized as signatories for the account are: Kelly Long, Chair, and Edwin T. McFadden III, Vice-Chair/Secretary/Treasurer; and

WHEREAS, Edwin T. McFadden III is no longer a member of the Agency's Board of Directors, and the Agency desires to remove Edwin McFadden III as an authorized signatory for its Bank of the Sierra account; and

WHEREAS, the Agency desires to retain Kelly Long, Chair, as an authorized signatory for its Bank of the Sierra account; and

WHEREAS, the Agency desires to add Gordon E. Kimball, Vice-Chair/Treasurer, as an authorized signatory for its Bank of the Sierra account; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Fillmore & Piru Basins Groundwater Sustainability Agency that:

1. Edwin T. McFadden III shall be removed as an authorized signatory for the Agency's Bank of the Sierra account; and
2. Kelly Long shall remain as an authorized signatory for the Agency's Bank of the Sierra account; and
3. Gordon E. Kimball shall be added as an authorized signatory for the Agency's Bank of the Sierra account.

PASSED, APPROVED AND ADOPTED on August 18, 2022.

Chair

ATTEST:

Secretary

APPROVED AS TO FORM:

General Counsel



Fillmore and Piru Basins
Groundwater Sustainability Agency

Item No. 4B Motion Item

DATE: August 3, 2022 (for August 18, 2022 meeting)

TO: Board of Directors

FROM: Anthony A. Emmert, Executive Director

SUBJECT: Task Order for Preparation of Technical Memorandum on Land Subsidence Conditions

SUMMARY:

Groundwater sustainability agencies must monitor and manage their groundwater basins to avoid significant and unreasonable conditions such as land subsidence that substantially interferes with surface land uses. The proposed Task Order 2022-02 with Daniel B. Stephens & Associates (DBS&A) will provide the Fillmore and Piru Basins Groundwater Sustainability Agency (Agency) with updated 2022 information on land subsidence collected by the California Department of Water Resources (CDWR) that will allow the Agency to make any amendments needed to its groundwater management strategies.

RECCOMENDATION:

The Board will consider approval of Task Order 2022-02 with Daniel B. Stephens and Associates for analysis of LiDAR data from the California Department of Water Resources and the preparation of a technical memorandum on land subsidence conditions.

BACKGROUND

The Sustainable Groundwater Management Act (SGMA) requires groundwater sustainability agencies to monitor and manage their groundwater basins in a sustainable manner over the long term and to avoid significant and unreasonable conditions, such as land subsidence that substantially interferes with surface land uses. Although the Agency's recent groundwater sustainability plans (GSPs) did not find that land subsidence was a significant problem in the basins, it is important for the Agency to regularly monitor for land subsidence and make any amendments needed to the groundwater management strategies contained in its GSPs.

The CDWR has recently collected subsidence data for the Fillmore basin and Piru basin via interferometric synthetic aperture radar (InSAR) and has made that data available to the Agency. The proposed scope of work in Task Order 2022-02 is for DBS&A to acquire, review and evaluate the 2022 InSAR data from CDWR and compare that data with the *Fillmore and Piru Basins Land Subsidence Evaluation Technical Memorandum (DBS&A, 2021)*; to construct ground-elevation time series plots for representative areas in each basin and near any critical infrastructure; and to prepare a summary Land Subsidence Update Technical Memorandum that recaps the findings from the acquisition, review and analysis of the InSAR data. The cost of Task Order 2022-02 is \$24,522.

FISCAL IMPACT

The Agency's Fiscal Year 2021-2022 budget includes sufficient funds to cover the proposed \$24,522 cost for Task Order Number 2022-02. The activities associated with Task Order Number 2022-02 are not associated with the Agency's groundwater sustainability planning grant.

ATTACHMENTS

Attachment 1 – Task Order Number 2022-02

Proposed Motion:

Authorize Task Order Number 2022-02 with Daniel B. Stephens & Associates, Inc. for analysis of LiDAR data from the California Department of Water Resources and the preparation of a technical memorandum on land subsidence conditions.

1st: Director _____

2nd: Director _____

Voice/Roll call vote:

Director Jackson:

Director Kimball:

Director Long:

Director Meneghin:

Director Pace:

Director Villasenor:



Fillmore and Piru Basins Groundwater Sustainability Agency

PROFESSIONAL AS-NEEDED CONSULTING SERVICES TASK ORDER

TASK ORDER NO. 2022-02

Consultant's Name:	Daniel B. Stephens & Associates, Inc.	Prev. Approved Task Orders:	NA
Agreement Date:	01 Jul 2022	FY 2021-22 Authorizations:	NA
1st Amendment Date:	NA	FY 2022-23 Authorizations:	NA
2nd Amendment Date:	NA	This Task Order:	\$24,522.00
3rd Amendment Date:	NA	Total Amount to Date:	\$26,022.00
Project No.:	NA		
Project Name:	Subsidence Update Technical Memorandum		

SCOPE OF SERVICES FOR THIS TASK ORDER:

General Description: Provide update on the land subsidence conditions in the Fillmore and Piru groundwater basins as revealed in the InSAR data collected by the California Department of Water Resources.

SEE ATTACHED SCOPE OF WORK

NOT-TO-EXCEED FEE AMOUNT FOR TASK ORDER: \$24,522.00

TIME FOR COMPLETION OF ALL SERVICES
UNDER THIS TASK ORDER:

NA

Calendar Days

NA

From this Date

Accepted By:

Daniel B. Stephens & Associates

Date: 01 July 2022

Approved By:

Executive Director

Date: 01 Jul 2022

Date:

Approved By:

Board Chair



Anthony Emmert, Executive Director
Fillmore and Piru Basins Groundwater Sustainability Agency
PO Box 1110
Fillmore, CA 93016

Proposal No.: DB22.1107.PR
June 23, 2022

Sent via email

**RE: PROPOSAL FOR PREPARING A LAND SUBSIDENCE UPDATE TECHNICAL
MEMORANDUM FOR FILLMORE AND PIRU BASINS**

Dear Mr. Emmert:

Daniel B. Stephens & Associates, Inc. (DBS&A), a Geo-Logic Associates company, is pleased to provide this proposal for providing an update on the land subsidence conditions in the Fillmore and Piru groundwater basins as revealed in the interferometric synthetic aperture radar (InSAR) data collected by the California Department of Water Resources (DWR). This update will support the Fillmore and Piru Basins Groundwater Sustainability Agency (FPBGSA) as it monitors the impact, if any, of their groundwater management strategies on land subsidence. The scope of work and general framework for this project were developed during our previous conversations and is the basis for this document.

SCOPE OF WORK

The scope of work for this project includes the following items:

1. Acquisition of InSAR subsidence data recently published by DWR.
2. Review of the InSAR subsidence data set(s) and compare with the *Fillmore and Piru Basins Land Subsidence Evaluation Technical Memorandum (DBS&A, 2021)*.
3. Construction of ground-elevation time series plots for representative areas in each basin and near any critical infrastructure (e.g., major bridges).
4. Preparation of a summary Land Subsidence Update Technical Memorandum that recaps the findings from the acquisition, review and analyses of the InSAR data.

Daniel B. Stephens & Associates, Inc.
a Geo-Logic Company

3916 State Street, Garden Suite 805-683-2409
Santa Barbara, CA 93105

COST ESTIMATE

A detailed budget for the proposed tasks is shown in Table 1. We are offering to conduct this project on a time-and materials basis and we assume the scope-of-work is as described above. The attached cost proposal is an estimated budget based on present knowledge of the assignment that is believed sufficient to cover the services described, but no guarantee is made or implied.

Changes to the scope-of-work may require additional budget authorization. Only actual costs incurred will be charged if costs are less than estimated; estimated costs will not be exceeded without a cost amendment and prior approval by FPBGSA Board of Directors or its appointee.

TERMS AND CONDITIONS

This project will be completed in accordance with the Professional Services Agreement between the FPBGSA and DBS&A ("Professional Services Agreement No. 2022-04-21-DBSA dated April 21, 2022 for As-Needed Consulting Services").

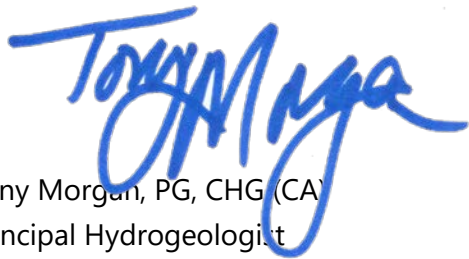
ESTIMATED SCHEDULE

The draft Technical Memorandum is anticipated to be available about eight weeks after receiving authorization to proceed. The final Technical Memorandum will be available about four weeks after receiving review comments from the FPBGSA Board of Directors and/or the Executive Director.

Please contact Mr. Tony Morgan (805-290-3862 cell / tmorgan@geo-logic.com) with any questions you have regarding this proposal. Thank you for the opportunity to support you on this project.

Sincerely,

Daniel B. Stephens & Associates, Inc.



Tony Morgan, PG, CHG (CA)
Principal Hydrogeologist
Market Leader – Water Planning and Development

Anthony Emmert, Executive Director
Fillmore and Piru Basins GSA
Page 3

Proposal No.: DB22.1107.PR
June 23, 2022

Authorized by:

Signature

Firm/Entity

Printed Name

Date

TABLE 1 COST ESTIMATE

23-Jun-22 Fillmore and Piru Basins Groundwater Sustainability Agency
Subsidence Update Technical Memorandum
DB22.1107.PR

Task		Total Labor	Total ODCs	Total Equipment	Task SubTotal	Labor-Hours
Task 1	Acquisition of InSAR Data Sets from DWR	\$ 2,804	\$ -	\$ -	\$ 2,804	12
Task 2	Review of InSAR Data	\$ 5,108	\$ -	\$ -	\$ 5,108	24
Task 3	Data Analysis (e.g., time series plots)	\$ 7,028	\$ -	\$ -	\$ 7,028	34
Task 4	Prepare Technical Memorandum	\$ 9,582	\$ -	\$ -	\$ 9,582	46
Subtotals		\$ 24,522	\$ -	\$ -	\$ 24,522	
Estimated Project Total					\$ 24,522	
Project Labor-Hours						116
Average \$/Labor-Hour					\$ 211	



Daniel B. Stephens & Associates, Inc.

California Schedule of Fees
(Effective January 1, 2022 through December 31, 2022)
Confidential

Professional Services

Principal Professional II	\$317.00/hour
Principal Professional I	\$276.00/hour
Senior Professional II	\$254.00/hour
Senior Professional I	\$227.00/hour
Project Professional III	\$206.00/hour
Project Professional II	\$187.00/hour
Project Professional I	\$177.00/hour
Staff Professional III	\$154.00/hour
Staff Professional II	\$142.00/hour
Staff Professional I	\$132.00/hour
Managing Technician	\$160.00/hour
Principal Technician	\$142.00/hour
Technician IV	\$129.00/hour
Technician III	\$121.00/hour
Technician II	\$112.00/hour
Technician I	\$104.00/hour
GIS Specialist	\$134.00/hour
CADD Specialist	\$134.00/hour
CADD/GIS/Database II	\$132.00/hour
CADD/GIS/Database I	\$120.00/hour
Senior Technical Editor	\$140.00/hour
Technical Editor	\$115.00/hour
Project Assistant II	\$110.00/hour
Project Assistant I	\$99.00/hour
Biologist II	\$118.00/hour
Biologist I	\$110.00/hour

Expenses

Travel	
Airfare, car rental, cab, bus, parking	Actual cost
Lodging, meals, phone	Actual cost or negotiated per diem rates
Mileage	
Personal vehicle	Prevailing IRS rates
Company vehicle	
Daily rate	\$102/day + actual gas cost
Half day rate	\$52/half day + actual gas cost
Mileage	Prevailing IRS rates
Subcontractors/temporary service personnel	Actual cost plus 10%
Computers and communications	Special services at additional charge
Equipment	
Rentals (e.g., environmental monitors)	Actual cost plus 10%
Fabrication in our shop	Labor plus materials
Misc. field equipment and supplies	Actual cost plus 10%
Meters, gauges, and monitors	Separate schedule available upon request

TERMS

Payment terms for professional services and expenses are net 30 days. Unpaid balance will be assessed a service fee of 1.5% per month.

NOTES

- All fees are subject to local/state sales or gross receipts tax, as applicable.*
- Delivery of depositions or expert testimony will be billed at 1.5 times Fee Schedule rates.*
- Work requiring Health & Safety Level C or Level B protection will be billed as a surcharge, \$25 or \$50 per hour, respectively, to the Fee Schedule rates.*
- A service fee of 3% will be charged for credit card payments.*



Fillmore and Piru Basins
Groundwater Sustainability Agency

Item No. **4C Motion**

DATE: August 12, 2022 (for August 18, 2022 meeting)

TO: Board of Directors

FROM: Anthony A. Emmert, Executive Director

SUBJECT: **Development of Well Permitting Review Process in Compliance with California Executive Order N-7-22**

RECOMMENDED ACTION

The Board will receive a presentation from legal counsel, Daniel B. Stephens and Associates, and staff regarding the development of the Agency's Well Permitting Review Process and provide comments and direction.

DISCUSSION

On March 28, 2022, Governor Gavin Newsome issued Executive Order N-7-22 (see Attachment 1) mandating certain actions in response to California's worsening drought conditions. Item 9 establishes actions that must be undertaken by the local well permitting agencies and the applicable groundwater sustainability agency:

To protect health, safety, and the environment during this drought emergency, a county, city, or other public agency shall not:

- A. Approve a permit for a new groundwater well or for alteration of an existing well in a basin subject to the Sustainable Groundwater Management Act and classified as medium-or high-priority without first obtaining written verification from a Groundwater Sustainability Agency managing the basin or area of the basin where the well is proposed to be located that groundwater extraction by the proposed well would not be inconsistent with any sustainable groundwater management program established in any applicable Groundwater Sustainability Plan adopted by that Groundwater Sustainability Agency and would not decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan; or
- B. Issue a permit for a new groundwater well or for alteration of an existing well without first determining that extraction of groundwater from the proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

This paragraph shall not apply to permits for wells that will provide less than two acre-feet per year of groundwater for individual domestic users, or that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the Health and Safety Code.

For the Fillmore basin and the Piru basin, both designated by the state as high priority basins, the local agency that issues well permits is the County of Ventura Public Works Agency Watershed Protection District Water Resources Division (County Water Resources), and the Fillmore and Piru Basins Groundwater Sustainability Agency (Agency) is the responsible groundwater sustainability agency. EO N-7-22 applies to how the two agencies interact regarding any well permits received after the March 28, 2022, Executive Order. Fortunately, the Agency and County Water Resources already have a good working relationship and have been coordinating on well permits over the past several years. Staff has been coordinating with representatives from the County Water Resources on this issue and both agencies are committed to developing a well permitting review process that meets the requirements of EO N-7-22, is consistent with the Agency's groundwater sustainability plans, is understandable to well project proponents, and is as efficient as possible.

Daniel B. Stephens and Associates, legal counsel, and staff subsequently prepared a draft well permitting flowchart (see Attachment 2), as a tool for the Board and stakeholders to develop the Agency's process. After discussion and several edits to the draft flowchart, the Agency Board approved the draft flowchart during its 16 Jun 2022 meeting and directed staff to develop a policy document and information needed sheet for pumpers.

FISCAL IMPACT

None.

ATTACHMENTS

Attachment 1 – Executive Order N-7-22

Attachment 2 – Draft Agency Well Permitting Review Process Flowchart

Attachment 3 – Draft Supplemental Water Well Permit Application

Proposed Motion:

Provide comments and direction regarding the development of the Agency's Well Permitting Review Process in compliance with Executive Order N-7-22.

1st: Director _____

2nd: Director _____

Voice/Roll call vote:

Director Jackson:

Director Kimball:

Director Long:

Director Meneghin:

Director Pace:

Director Villasenor:

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-7-22

WHEREAS on April 12, 2021, May 10, 2021, July 8, 2021, and October 19, 2021, I proclaimed states of emergency that continue today and exist across all the counties of California, due to extreme and expanding drought conditions; and

WHEREAS climate change continues to intensify the impacts of droughts on our communities, environment, and economy, and California is in a third consecutive year of dry conditions, resulting in continuing drought in all parts of the State; and

WHEREAS the 21st century to date has been characterized by record warmth and predominantly dry conditions, and the 2021 meteorological summer in California and the rest of the western United States was the hottest on record; and

WHEREAS since my October 19, 2021 Proclamation, early rains in October and December 2021 gave way to the driest January and February in recorded history for the watersheds that provide much of California's water supply; and

WHEREAS the ongoing drought will have significant, immediate impacts on communities with vulnerable water supplies, farms that rely on irrigation to grow food and fiber, and fish and wildlife that rely on stream flows and cool water; and

WHEREAS the two largest reservoirs of the Central Valley Project, which supplies water to farms and communities in the Central Valley and the Santa Clara Valley and provides critical cold-water habitat for salmon and other anadromous fish, have water storage levels that are approximately 1.1 million acre-feet below last year's low levels on this date; and

WHEREAS the record-breaking dry period in January and February and the absence of significant rains in March have required the Department of Water Resources to reduce anticipated deliveries from the State Water Project to 5 percent of requested supplies; and

WHEREAS delivery of water by bottle or truck is necessary to protect human safety and public health in those places where water supplies are disrupted; and

WHEREAS groundwater use accounts for 41 percent of the State's total water supply on an average annual basis but as much as 58 percent in a critically dry year, and approximately 85 percent of public water systems rely on groundwater as their primary supply; and

WHEREAS coordination between local entities that approve permits for new groundwater wells and local groundwater sustainability agencies is important to achieving sustainable levels of groundwater in critically overdrafted basins; and

WHEREAS the duration of the drought, especially following a multiyear drought that abated only five years ago, underscores the need for California to redouble near-, medium-, and long-term efforts to adapt its water management and delivery systems to a changing climate, shifting precipitation patterns, and water scarcity; and

WHEREAS the most consequential, immediate action Californians can take to extend available supplies is to voluntarily reduce their water use by 15 percent from their 2020 levels by implementing the commonsense measures identified in operative paragraph 1 of Executive Order N-10-21 (July 8, 2021); and

WHEREAS to protect public health and safety, it is critical the State take certain immediate actions without undue delay to prepare for and mitigate the effects of the drought conditions, and under Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Proclamation would prevent, hinder, or delay the mitigation of the effects of the drought conditions.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. The orders and provisions contained in my April 21, 2021, May 10, 2021, July 8, 2021, and October 19, 2021 Proclamations remain in full force and effect, except as modified by those Proclamations and herein. State agencies shall continue to implement all directions from those Proclamations and accelerate implementation where feasible.
2. To help the State achieve its conservation goals and ensure sufficient water for essential indoor and outdoor use, I call on all Californians to strive to limit summertime water use and to use water more efficiently indoors and out. The statewide Save Our Water conservation campaign at [SaveOurWater.com](https://www.SaveOurWater.com) provides simple ways for Californians to reduce water use in their everyday lives. Furthermore, I encourage Californians to understand and track the amount of water they use and measure their progress toward their conservation goals.
3. By May 25, 2022, the State Water Resources Control Board (Water Board) shall consider adopting emergency regulations that include all of the following:
 - a. A requirement that each urban water supplier, as defined in section 10617 of the Water Code, shall submit to the Department of Water Resources a preliminary annual water supply and demand assessment consistent with section 10632.1 of the Water Code no later than June 1, 2022, and submit a final annual water

supply and demand assessment to the Department of Water Resources no later than the deadline set by section 10632.1 of the Water Code;

- b. A requirement that each urban water supplier that has submitted a water shortage contingency plan to the Department of Water Resources implement, at a minimum, the shortage response actions adopted under section 10632 of the Water Code for a shortage level of up to twenty percent (Level 2), by a date to be set by the Water Board; and
- c. A requirement that each urban water supplier that has not submitted a water shortage contingency plan to the Department of Water Resources implement, at a minimum, shortage response actions established by the Water Board, which shall take into consideration model actions that the Department of Water Resources shall develop for urban water supplier water shortage contingency planning for Level 2, by a date to be set by the Water Board.

To further conserve water and improve drought resiliency if the drought lasts beyond this year, I encourage urban water suppliers to conserve more than required by the emergency regulations described in this paragraph and to voluntarily activate more stringent local requirements based on a shortage level of up to thirty percent (Level 3).

- 4. To promote water conservation, the Department of Water Resources shall consult with leaders in the commercial, industrial, and institutional sectors to develop strategies for improving water conservation, including direct technical assistance, financial assistance, and other approaches. By May 25, 2022, the Water Board shall consider adopting emergency regulations defining “non-functional turf” (that is, a definition of turf that is ornamental and not otherwise used for human recreation purposes such as school fields, sports fields, and parks) and banning irrigation of non-functional turf in the commercial, industrial, and institutional sectors except as it may be required to ensure the health of trees and other perennial non-turf plantings.
- 5. In order to maximize the efficient use of water and to preserve water supplies critical to human health and safety and the environment, Public Resources Code, Division 13 (commencing with section 21000) and regulations adopted pursuant to that Division are hereby suspended, with respect to the directives in paragraphs 3 and 4 of this Order and any other projects and activities for the purpose of water conservation to the extent necessary to address the impacts of the drought, and any permits necessary to carry out such projects or activities. Entities that desire to conduct activities under this suspension, other than the directives in paragraphs 3 and 4 of this Order, shall first request that the Secretary of the Natural Resources Agency make a determination that the proposed activities are eligible to be conducted under this suspension. The Secretary shall use sound discretion in applying this Executive Order to ensure that the suspension serves the purpose of accelerating conservation projects that are necessary to address impacts of the drought, while at the same time

protecting public health and the environment. The entities implementing these directives or conducting activities under this suspension shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.

6. To support voluntary approaches to improve fish habitat that would require change petitions under Water Code section 1707 and either Water Code sections 1425 through 1432 or Water Code sections 1725 through 1732, and where the primary purpose is to improve conditions for fish, the Water Board shall expeditiously consider petitions that add a fish and wildlife beneficial use or point of diversion and place of storage to improve conditions for anadromous fish. California Code of Regulations, title 23, section 1064, subdivisions (a)(1)(A)(i)-(ii) are suspended with respect to any petition that is subject to this paragraph.
7. To facilitate the hauling of water for domestic use by local communities and domestic water users threatened with the loss of water supply or degraded water quality resulting from drought, any ordinance, regulation, prohibition, policy, or requirement of any kind adopted by a public agency that prohibits the hauling of water out of the water's basin of origin or a public agency's jurisdiction is hereby suspended. The suspension authorized pursuant to this paragraph shall be limited to the hauling of water by truck or bottle to be used for human consumption, cooking, or sanitation in communities or residences threatened with the loss of affordable safe drinking water. Nothing in this paragraph limits any public health or safety requirement to ensure the safety of hauled water.
8. The Water Board shall expand inspections to determine whether illegal diversions or wasteful or unreasonable use of water are occurring and bring enforcement actions against illegal diverters and those engaging in the wasteful and unreasonable use of water. When access is not granted by a property owner, the Water Board may obtain an inspection warrant pursuant to the procedures set forth in Title 13 (commencing with section 1822.50) of Part 3 of the Code of Civil Procedure for the purposes of conducting an inspection pursuant to this directive.
9. To protect health, safety, and the environment during this drought emergency, a county, city, or other public agency shall not:
 - a. Approve a permit for a new groundwater well or for alteration of an existing well in a basin subject to the Sustainable Groundwater Management Act and classified as medium- or high-priority without first obtaining written verification from a Groundwater Sustainability Agency managing the basin or area of the basin where the well is proposed to be located that groundwater extraction by the proposed well would not be inconsistent with any sustainable groundwater management program established in any applicable Groundwater Sustainability Plan adopted by that Groundwater Sustainability

Agency and would not decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan; or

- b. Issue a permit for a new groundwater well or for alteration of an existing well without first determining that extraction of groundwater from the proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

This paragraph shall not apply to permits for wells that will provide less than two acre-feet per year of groundwater for individual domestic users, or that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the Health and Safety Code.

10. To address household or small community drinking water shortages dependent upon groundwater wells that have failed due to drought conditions, the Department of Water Resources shall work with other state agencies to investigate expedited regulatory pathways to modify, repair, or reconstruct failed household or small community or public supply wells, while recognizing the need to ensure the sustainability of such wells as provided for in paragraph 9.
11. State agencies shall collaborate with tribes and federal, regional, and local agencies on actions related to promoting groundwater recharge and increasing storage.
12. To help advance groundwater recharge projects, and to demonstrate the feasibility of projects that can use available high water flows to recharge local groundwater while minimizing flood risks, the Water Board and Regional Water Quality Control Boards shall prioritize water right permits, water quality certifications, waste discharge requirements, and conditional waivers of waste discharge requirements to accelerate approvals for projects that enhance the ability of a local or state agency to capture high precipitation events for local storage or recharge, consistent with water right priorities and protections for fish and wildlife. For the purposes of carrying out this paragraph, Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division, and Chapter 3 (commencing with section 85225) of Part 3 of Division 35 of the Water Code and regulations adopted pursuant thereto are hereby suspended to the extent necessary to address the impacts of the drought. This suspension applies to (a) any actions taken by state agencies, (b) any actions taken by local agencies where the state agency with primary responsibility for the implementation of the directives concurs that local action is required, and (c) permits necessary to carry out actions under (a) or (b). The entities implementing these directives shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.
13. With respect to recharge projects under either Flood-Managed Aquifer Recharge or the Department of Water Resources Sustainable

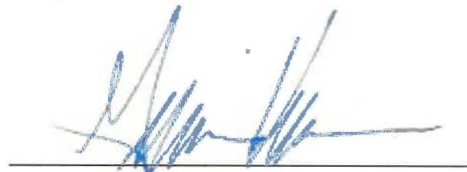
Groundwater Management Grant Program occurring on open and working lands to replenish and store water in groundwater basins that will help mitigate groundwater conditions impacted by drought, for any (a) actions taken by state agencies, (b) actions taken by a local agency where the Department of Water Resources concurs that local action is required, and (c) permits necessary to carry out actions under (a) or (b), Public Resources Code, Division 13 (commencing with section 21000) and regulations adopted pursuant to that Division are hereby suspended to the extent necessary to address the impacts of the drought. The entities implementing these directives shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.

14. To increase resilience of state water supplies during prolonged drought conditions, the Department of Water Resources shall prepare for the potential creation and implementation of a multi-year transfer program pilot project for the purpose of acquiring water from willing partners and storing and conveying water to areas of need.
15. By April 15, 2022, state agencies shall submit to the Department of Finance for my consideration proposals to mitigate the worsening effects of severe drought, including emergency assistance to communities and households and others facing water shortages as a result of the drought, facilitation of groundwater recharge and wastewater recycling, improvements in water use efficiency, protection of fish and wildlife, mitigation of drought-related economic or water-supply disruption, and other potential investments to support short- and long-term drought response.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

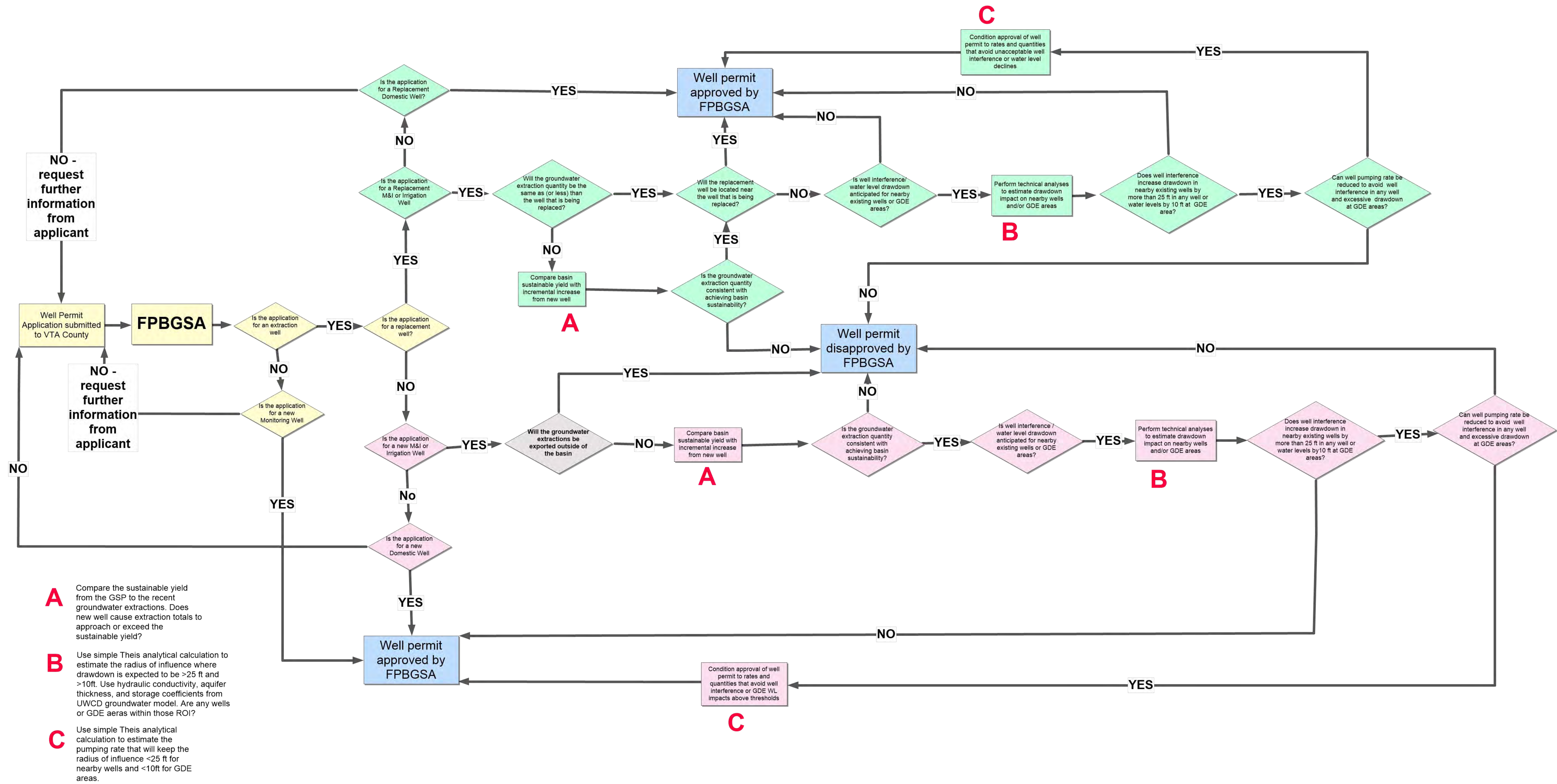
IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 28th day of March 2022.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY N. WEBER, PH.D.
Secretary of State



SUPPLEMENTAL WATER WELL PERMIT APPLICATION

Fillmore and Piru Basins

Groundwater Sustainability Agency

This form is a supplemental form developed by the Fillmore and Piru Groundwater Sustainability Agency (FPBGSA) to be used in conjunction with the *County of Ventura Application for Well Permit*. This form is NOT a substitute for the *County of Ventura Application for Well Permit* form. **Both forms are required.**

This form requests information needed by the FPBGSA in their role as the agency responsible for the sustainability of the groundwater resources in the Fillmore and Piru basins.

Cathodic Protection Wells, Monitoring Wells, or Engineering Test Holes are not used for groundwater extraction, therefore this Supplemental Permit is NOT required. This supplemental permit is required for **New, Replacement, Backup or Standby wells.**

	Property Owner	Operator (if applicable)
Name		
Address		
Telephone		
APN where new well will be located		
Application Date		

Proposed Well Use (circle one):	Agricultural / Domestic / Industrial / Municipal
Proposed Groundwater Extraction Quantity (acre-feet/year):	
Proposed Maximum Groundwater Extraction Rate (gallons/minute):	
Proposed Groundwater Pumping Schedule (# of hours/day over # days in a week):	

Property Owners Signature:	
Date Signed:	
Operator (if applicable):	
Date Signed:	

COMMENTS / EXPLANATIONS
<p>DRAFT</p>



County of Ventura
APPLICATION FOR WELL PERMIT
 800 South Victoria Avenue; Ventura, CA 93009-1610

	Property Owner*	Driller	Registered Inspector
Name			
Address			
Telephone			
License No.			
Lic. Exp. Date			
APN(s)			

<u>Type of Work</u>	<u>Use</u>	<u>Proposed Construction</u>
<input type="checkbox"/> <u>Water Supply Well</u> <input type="checkbox"/> New (No._____) <input type="checkbox"/> Replacement Well SWN of well to be replaced _____ <input type="checkbox"/> Backup or Standby Well SWN of well to be backed up _____ <input type="checkbox"/> Destruction (No._____) SWN _____ <input type="checkbox"/> Repair/Modify (No._____) SWN _____	<input type="checkbox"/> Agricultural <input type="checkbox"/> Cathodic <input type="checkbox"/> Domestic <input type="checkbox"/> Industrial <input type="checkbox"/> Monitoring <input type="checkbox"/> Municipal Estimate of anticipated annual pumping in acre feet per year _____	Well Depth _____ Bore Diameter _____ Casing <input type="checkbox"/> Steel Diameter (in.) _____ <input type="checkbox"/> PVC Wall Gauge (in) _____ <input type="checkbox"/> Other (Describe) _____ Perforations From _____ to _____ ft From _____ to _____ ft From _____ to _____ ft Estimated Start Date: _____
<input type="checkbox"/> <u>Monitoring Well</u> <input type="checkbox"/> New (No._____) <input type="checkbox"/> Destruction (No._____)	<div style="text-align: center;"><u>Equipment</u></div> <input type="checkbox"/> Rotary <input type="checkbox"/> Hollow Stem <input type="checkbox"/> Geoprobe <input type="checkbox"/> Other (Describe) _____	
<input type="checkbox"/> <u>Engineering Test Hole</u> (No._____)		
<input type="checkbox"/> <u>Cathodic Protection Well</u> <input type="checkbox"/> New (No._____) <input type="checkbox"/> Destruction (No. _____)		

*NOTE: If proposed water supply well is within the area referenced in the Ventura County Well Ordinance No. 4468 Sec 4826.1-Water Well and Water Well Prohibition, your permit application must be accompanied by documentation that explains the reason for requesting a variance. If the proposed water supply well is in an area that is exempted from the moratorium, e.g. cities, FCGMA, etc., your permit application must be accompanied by the proper agency permit/approval.

I hereby agree to comply with all provisions of Ventura County Well Ordinance No. 4468, and all applicable State of California and local regulations pertaining to well construction, repair, modification and destruction. I also agree to comply with all conditions of the issued permit to include the submittal of post requirement documents and reports. I understand that any modification of the issued permit requires approval by the Manager, Water Resources Division and that the information contained herein becomes a part of the permit when issued.

Property Owner's Signature		Date	
Driller's Signature		Date	
Registered Inspector's Signature (Applies to monitoring wells and borehole work)		Date	



County of Ventura
APPLICATION FOR WELL PERMIT
800 South Victoria Avenue; Ventura, CA 93009-1610

Well Location Map / Site Plan: Indicate exact location of proposed well, showing existing wells, water courses, roads, property lines, septic tanks and leach fields, sanitary, industrial, and storm sewers, barnyard and stable areas, feedlots, and solid waste disposal sites. Setbacks from potential sources of contamination shall comply with the California Department of Water Resources *California Well Standards Bulletin 74-90* available at the below website address:
http://www.water.ca.gov/groundwater/well_info_and_other/california_well_standards/well_standards_content.html

Map should be drawn to scale or show distances of the above items from the proposed well. Map extent should be a minimum radius of 500 feet from the proposed well.



Thomas Brothers Guide Page No. & Grid _____ APN _____



Fillmore and Piru Basins

Groundwater Sustainability Agency

Item No. **4D Motion**

DATE: August 14, 2022 (for August 18, 2022 meeting)

TO: Board of Directors

VIA: Anthony A. Emmert, Executive Director

FROM: United Water Conservation District Water Resources

SUBJECT: **Monitoring Wells Project Change Orders Authorization**

SUMMARY:

The Agency awarded the Monitoring Wells Project construction to BC2 Environmental, LLC. Construction is scheduled to commence after the mid-September 2022 end of bird nesting season. During well construction, it is relatively common for the owner to request the driller to deviate from the original specifications, due to geologic information learned during the drilling process or for other unforeseen issues. Providing timely direction to the driller is important. For this reason, Agency staff recommends that the Board authorize the Executive Director to approve change orders up to 14 percent of the contract amount, and to report any change orders to the Board at the next regularly scheduled meeting.

RECOMMENDED ACTION

The Board will consider authorizing the Executive Director to approve change orders associated with the Monitoring Wells Project up to 14 percent of contract amount.

DISCUSSION

At its July 21, 2022, meeting, the Board of Directors awarded the Monitoring Wells Project construction to BC2 Environmental, LLC (BC2), for a total of \$441,485 and authorized the Chair of the Board to execute the construction agreement. BC2 and staff have subsequently completed the required documents and execution of the documents should occur this week. Construction is being scheduled to commence after September 15, following bird nesting season. The East Grove monitoring well will be constructed to an approximate depth of 800 feet, and the three Cienega monitoring wells will be constructed to approximate depths of 100 feet. Construction will be overseen by hydrogeologists from United Water Conservation District, on behalf of the Agency.

During well construction, it is relatively common for the well drilling contractor to seek input from the owner's representative on deviations from the original specifications due to unforeseen conditions. It is also relatively common for the owner's representative to direct the driller to deviate from the original specifications due to geological information discovered during the drilling process or for other reasons. If any of these deviations from the specifications result in costs that are not included in the original bid from BC2, it will be necessary for the Agency to issue a change order. Especially during the drilling of deeper wells, it is important for the owner's representative to make timely decisions regarding deviations from the specifications and provide direction to the drilling contractor. For this reason,

Monitoring Wells Project Change Order Authorization

August 14, 2022

Page 2 of 2

Agency staff recommends that the Board authorize the Executive Director to approve change orders during the construction of the monitoring wells, with a total of change orders not to exceed 14% of BC2's bid. The project budget is \$505,000. If any change orders are authorized, staff will bring the change orders to the Board at the next regularly scheduled meeting for review.

FISCAL IMPACT

There are sufficient funds included in the Fiscal Year 2022-2023 budget for the proposed maximum of 14% of bid amount change orders.

ATTACHMENTS

None

Proposed Motion:

Motion to authorize the Executive Director to approve change orders associated with the Monitoring Wells Project up to 14 percent of contract amount.

1st: Director _____

2nd: Director _____

Voice/Roll call vote:

Director Jackson:

Director Kimball:

Director Long:

Director Meneghin:

Director Pace:

Director Villasenor:



Fillmore and Piru Basins
Groundwater Sustainability Agency

Item No. **4D Motion**

DATE: August 14, 2022 (for August 18, 2022 meeting)

TO: Board of Directors

FROM: Anthony A. Emmert, Executive Director

SUBJECT: **Projects and Management Actions**

RECOMMENDED ACTION

The Board will receive a presentation from Daniel B. Stephens and Associates reviewing the Projects and Management Actions included in the Fillmore and Piru Basins Groundwater Sustainability Plans and provide comments and direction.

DISCUSSION

The Agency's groundwater sustainability plans (GSPs), under Section 4, *Projects and Management Actions to Achieve Sustainability Goal*, include several projects, programs and studies that warrant further development, evaluation and consideration. These include:

- Supporting Cienega Springs Restoration project as a drought refuge
- Construction of monitoring wells at the Cienega Springs Restoration project site
- Installation of shallow monitoring wells across the basins
- Purchase of supplemental water, when available
- Additional water quality sampling and analysis
- Removal of non-native species, such as *Arrundo donax*
- Studies of subsidence and associated impacts.

In addition to the actions listed above, the Board and stakeholders have also discussed:

- Study to better identify and gather information on shallow domestic wells
- Developing a grant program to fund the replacement of the most vulnerable shallow domestic wells
- Study to better identify disadvantaged communities that rely upon shallow domestic wells.

Some projects are already being implemented, while others require much more development and consideration. The Monitoring Wells project phase 1 is in progress and includes a multiple-completion well adjacent to the East Grove and three shallow wells around the Cienega Springs Restoration project. Agency representatives have met with Cienega Springs Restoration project management on several occasions and have gained general support for the Cienega Springs drought refuge concept to enhancing the project during multiple-year drought periods; however, more development is needed. Agency staff is working with the owners of several wells to bring them into the monitoring network and fill recognized data gaps, but the Agency may wish to construct additional monitoring wells, with a focus on gathering data on shallow water levels. Discussing each of the concepts will help the Agency focus its attention on the top priority initiatives and potentially identify a project or projects that could be a

candidate for grant funding under the upcoming Round 2 of the Sustainable Groundwater Management Grant Program.

FISCAL IMPACT

None.

ATTACHMENTS

Proposed Motion:

Provide comments and direction regarding the development of the Agency's Projects and Management Actions.

1st: Director _____

2nd: Director _____

Voice/Roll call vote:

Director Jackson:

Director Kimball:

Director Long:

Director Meneghin:

Director Pace:

Director Villasenor: