



Board of Directors Meeting
Thursday, October 20, 2022
5:00 p.m.
MINUTES

Directors in Attendance

Chair Kelly Long
Director Carole Fornoff
Director Debbie Jackson
Director Gordon Kimball
Director Candice Meneghin
Director Christina Villaseñor

Staff in Attendance

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

Public in Attendance

Bryan Bondy, Bondy Groundwater Consultants
Kiernan Brtalik, Rincon Consultants
Eric Elliott, UWCD
Dan Detmer, UWCD
Jennifer Haddow, Rincon Consultants
Rachel Laenen, Kimball Ranches
Tony Morgan, DBS&A
Gus Tolley DBS&A
James Thuber

1. Call to Order 5:00pm

Chair Long called the Board Meeting to order at 5:00 p.m.

1A Pledge of Allegiance

Director Jackson led everyone in reciting the Pledge of Allegiance.

1B Directors Roll Call

The clerk called roll. Six Directors were present (Fornoff, Jackson, Kimball, Long, Meneghin, Villaseñor).

1C Public Comments

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

**1D Approval of Agenda
Motion**

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

UPDATES

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

Fillmore Pumpers Association Stakeholder Director Update

Director Jackson reported the Fillmore Pumpers Association Stakeholders have not meet since the last GSA meeting, although she mentioned they had discussions on the well permitting guidelines and mentioned the result of the discussion that is part of the Board packet.

Piru Pumpers Association Stakeholder Director Update

Director Fornoff reported the Piru Pumpers Association Stakeholders update is the same as the Fillmore Pumpers Association Stakeholders update.

Environmental Stakeholder Director Update

Director Meneghin reported she met with the Pacific Institute regarding the cost benefit analysis regionally for Ventura County for water infrastructure and capital investment projects and is anticipating something back this week, and to then seek funding. She also mentioned she attended the California Lawyers Association Environmental Conference in Yosemite where they provided a CEQA update, and she asked questions regarding the GSA well permitting and potential bill that she will discuss later in the meeting. She said the Valencia and Saugus Water Treatment Works' extension did come through as they mentioned in their update from our last Board meeting. She also mentioned Friends of the Santa Clara River will have its stewardship meeting at Hedrick Ranch Nature area on October 21 and she attended United Water's Water Sustainability Summit on October 19.

City of Fillmore Member Director Update

Director Villaseñor reported the City of Fillmore has approved the adding of two to three monitoring wells where there once was a Shell gas station on Highway 126. She also mentioned the City of Fillmore will be sponsoring Trunk or Treat, Dia de Los Muertos and upcoming elections.

United Water Conservation District Member Director Update

Director Kimball reported United Water held their third annual Water Sustainability Summit on October 19. He felt the information was well

received, especially the final presentation of the Summit with the cost of the anticipated projects, and how those costs impact water rates to customers and continuing to manage and conserve water. Director Kimball suggested all should attend these water summits, as they are very informative and beneficial [presentations from the Summit are available online].

County of Ventura Member Director Update

Director Long reported that on October 11, the Ventura County Board of Supervisors voted and approved a five-million-dollar project for a tertiary treatment facility at the Piru Wastewater Treatment Plant that will remove high salt content from wastewater to meet the State water quality requirements, an investment for the disadvantaged community from ARPA funds, and that the Board also approved a \$1.2 million upgrade for the Piru wastewater treatment plant for the installation of solar photovoltaic facility for Water District 16 that will provide carbon-free power and reduce operation costs.

2B Executive Director Update Information Item

The Executive Director provided an informational update on Agency activities since the previous Special Board meeting of September 29.

Mr. Emmert reported the monitoring wells project is well underway with drilling in progress at both sites; groundwater payments were due on October 15; and groundwater sustainability planning grant 14th quarter of GSP grant report concluded on September 30, 2022. Staff to begin preparation of progress report and invoice 14. He also mentioned the Sustainable Groundwater Management Grant program (SGMA) to implement Round 2 of 230,000,000 with the proposal solicitation package released in early October, and applications due November 30, 2022. RFQ has been released for a consultant to assist with groundwater application assistance and consultant for groundwater charges back-up (Proposition 26, 218). He ended his report by providing the location and date for the celebration for Glen Pace's five years of service on the Board.

2C Legal Counsel Update Information Item

Legal Counsel provided an informational update on Agency's legal issues and concerns since the Special Board meeting of September 29.

Steve O'Neill, with Aleshire and Wynder, reported the Governor is set to repeal the state of emergency in February of 2023. That will require the GSA to revert to in-person meetings per the Brown Act and explained the provisions. He mentioned he has been working with Mr. Emmert and Tony Morgan from Daniel B Stephens & Associates on the GSP that will be later discussed in this meeting.

Director Long said she would like Mr. O'Neill to come back to the discussion of the meeting requirements. Mr. Emmert and Director Kimball joined that conversation and shared what information they had regarding the new meeting process as of February 2023. Mr. Emmert said he will work with legal to hopefully add an agenda item in next month's agenda to discuss this item further.

2D GSP Consultant Update
Information Item

Representatives from Daniel B Stephens & Associates provided an informational update on Agency's Groundwater Sustainability Planning and reporting activities since the Special Board meeting of September 29, 2022.

Mr. Morgan provided slides on his update regarding current activities and said there will be further discussion later in the meeting on his items.

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 approved the Minutes from the Special Board Meeting of September 29.

3B Approval of Warrants

The Board approved payment of outstanding vendor invoice

County of Ventura IT Services	\$ 89.26
Aleshire & Wynder LLP	\$ 530.50
Traffic Technologies LLC	\$ 1,922.80
United Water Conservation District	\$22,087.08

3C Monthly Financial Report

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

3D FY 21-22 Final Financial Reports

The Board received the Agency's FY 21-22 final financial report.

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

The Board adopted Resolution 2022-14 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 the minutes, with changes per Director Meneghin's email forwarded to the Clerk of the Board, Director Villaseñor; Second, Director Fornoff. Roll call vote: six ayes (Fornoff, Jackson, Kimball, Long, Meneghin, Villaseñor); none opposed; motion carries unanimously 6/0.

4. MOTION ITEMS

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

Motion

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

Director Meneghin asked if Mr. Emmert would be speaking to Ventura County Public Works or County Council? Mr. Emmert said they have not spoken to County Council but have been speaking with Public Works, and the subject will be part of the conversation tomorrow with Public Works Watershed Protection leadership when at the County's office. Director Meneghin asked Mr. O'Neill to clarify if there is some sort of mechanism that could be used to have the County assume responsibility, and wondered if there is a way to do this? Mr. O'Neill said they have been looking at the issue of discretionary act versus ministerial act, to the extent that the Agency can make it a ministerial act that would give the Agency more protection from liability. Director Meneghin asked is there is anything other than a flowchart that he could provide the County as the well permitting agency? Mr. O'Neill said the County is the permitting agency and the executive order puts the GSA in a box by requiring the GSA to state that a proposed well is not inconsistent with the GSP, and that is why a flow chart was used. Director Meneghin asked if the agency could provide guidance to the County, and see if the County would approve? Mr. O'Neill said he will ask that when he speaks with County Counsel.

Director Fornoff asked if there is a designation on the flowchart that designates where the responsibilities stop and can that be handed to the County, or is this all the agencies responsibility? Mr. Emmert said if she was referring to the well interference, as that, the County is making that permitting decision.

Director Kimball asked Mr. O'Neill if the executive order is discretionary, and is the County responsible for conducting a CEQA process for every well permit? Mr. O'Neill said it does not change the status quo, the County will be the one issuing the permit, and that action could be subject to CEQA, as someone can bring an action saying that constitutes an action for purpose of CEQA.

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

4B Projects and Management Actions

Motion

The Board received a presentation from Daniel B. Stephens and Associates on the Agency's proposed Projects and Management Actions from the Fillmore and Piru Basins Groundwater Sustainability Plans and on the proposed projects, studies, and programs for inclusion in a Sustainable Groundwater Management Grant Program grant application and provide comments and direction.

Director Meneghin asked Mr. Morgan to please explain fiber optic distributed temperature sensing? Mr. Morgan explained the process and gave examples. Director Meneghin also asked if it would give a flow as well as temperature reading? Mr. Morgan said it would give both as this is what is needed. Director Meneghin suggested a few be purchased and suggested to add hobos to the shallow wells area. Director Meneghin asked Mr. Morgan what did DWR say about sustainable management criteria for steelhead at Fox Canyon? Mr. Morgan said he did not recall and noted to get back with an answer.

Director Jackson asked is there is a reason the removal of non-native species is not on the list? Mr. Morgan said yes, the Board made the decision at an earlier meeting not to add that item at this time.

Director Kimball asked Mr. Morgan if the Agency can get reimbursable cost through April 2026, and if so, can the Agency add the 2025 and 2026 report to the annual reports? He also asked if in fact he felt the agency would spend a million dollars on GSP updates? Mr. Morgan said we can add 2025 report to the list and said the total for GSP updates was just a go big or go home amount to meet dollar amount criteria.

Director Long asked Mr. Morgan about the grant funding third round, and asked if in the meeting with DWR, did DWR mention anything about a third round? Mr. Morgan said they have that option if they have money left over. Director Long asked how much was the Agency granted for round one? Mr. Morgan said the Agency was not eligible for round one, as it was only for critically over drafted basins. Director Long asked in the next round how much on average will go to each basin? Mr. Morgan said they have a pot of \$231,000,000.

Director Fornoff asked if the GSA must fund these projects prior to receiving the funding? Mr. Morgan said yes, as it is a reimbursement funding.

Director Long asked if the GSA were to approve this draft what is the next step? Mr. Morgan said the GSA would need to fill out submittals for each one of the projects online with all the details and he has a couple of grant knowledgeable employees that can help with the process. Mr. Emmert also voiced his view on what the Agency needs to do to get the process started.

Motion to receive and file and to direct staff to come back on November 17, Board meeting with draft application and draft resolution, Director Kimball; Second, Director Fornoff. Roll call vote: six ayes (Fornoff, Jackson, Kimball, Long,


Meneghin, Villaseñor); none opposed; motion carries unanimously 6/0.

FUTURE TOPICS FOR BOARD DISCUSSION


Hybrid meeting location
Calendar of Meetings
Details to Glens Celebration
Letter to DWR on Guidance for the Five-Year Update

ADJOURNMENT 6:53 p.m.

Director Long adjourned the Board meeting at 6:53p.m. to the next **Regular Board Meeting** on Thursday, **November 16, 2022**, or call of the Chair.

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

I certify that the above is a true and correct copy of the minutes of the Fillmore and Piru Basins Groundwater Sustainability Agency's Board of Directors meeting of October 20, 2022.

ATTEST: 
Eva Ibarra, Clerk of the Board