



**Board of Directors Meeting**  
**Thursday, February 16, 2023**  
**4:00 p.m.**  
**MINUTES**

**Directors in Attendance**

Director Carole Fornoff  
Director Debbie Jackson  
Director Gordon Kimball  
Director Albert Mendez  
Director Candice Meneghin (arrived at 4:07pm)

**Absent Directors**

Chair Kelly Long

**Staff in Attendance**

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

**Public in Attendance**

Dan Detmer, UWCD  
Eric Grainger, Grainger Farms  
Zachary Hanson, UWCD  
Murray McEachron, UWCD  
Heather Merenda  
Tony Morgan, DBS&A  
Phoebe Nicholls  
Daryl Smith, UWCD  
Gus Tolley, DBS&A

**1. Call to Order 4:01pm**

Director Kimball called the Board Meeting to order at 4:01p.m.

**1A Pledge of Allegiance**

Director Jackson led everyone in reciting the Pledge of Allegiance.

**1B Directors Roll Call**

The clerk called roll. Four Directors were present (Fornoff, Jackson, Kimball, Mendez). Director Long and Meneghin were absent.

**1C Public Comments**

Director Kimball asked if there were any public comments. None were offered.

**1D Approval of Agenda**

**Motion**

Motion to approve agenda, Director Jackson; Second, Director Mendez. Roll call vote: four ayes (Fornoff, Jackson, Kimball, Mendez); none opposed; motion carries unanimously 4/0/2.

**UPDATES**

**2A Director Announcements/Board Communications:**

Oral Reports from the Board

**Fillmore Pumpers Association Stakeholder Director Update**

Director Jackson had nothing to report.

**Piru Pumpers Association Stakeholder Director Update**

Director Fornoff had nothing to report.

**Environmental Stakeholder Director Update**

Director Meneghin reported the continuation of outreach events at the Fillmore Fish Hatchery and scheduled further outreach activities to explore the coast with the State Coastal Conservancy. Water Talks events have been rescheduled and will now take place on March 15 at the Hatchery site, with limited capacity. She requested Shaun Kelly reach out to the new City of Fillmore representative to ask him to be present at this event. There will be updates regarding restoration activities through various organizations. She also reported Friends of the Santa Clara River have also submitted a preapplication to the Fisheries Restoration grant program to support southern steelhead passage on Sisar Creek. Director Meneghin attended the California Water Loss Symposium in Sacramento regarding SGMA farmer incentives for farmers who improve water management practices. She said she would share that information with the Board members.

**City of Fillmore Member Director Update**

Director Mendez had nothing to report.

**United Water Conservation District Member Director Update**

Director Kimball reported United's staff have been working around the clock to capture as much water as possible and mentioned United's Principal Hydrogeologist Murray McEachron will be presenting later in the meeting regarding the rainfall numbers and damage from the storms. He said fortunately the Freeman Diversion suffered very little damage, although Lake Piru suffered major damage due to debris, mud, and damage to bridges and inundated sections to public access areas. Staff estimate the damage could be up to \$2 million dollars in damages. Staff are working closely with FEMA, as there will be help from FEMA to pay for damage clean-up and repairs from the storms. Director Kimball said the recreation area was reopened on February 14 with limited lake access.

## **County of Ventura Member Director Update**

Director Long was absent.

### **2B Executive Director Update**

#### **Information Item**

Executive Director Emmert provided an informational update on the Agency's activities since the previous Board meeting on January 19, 2022. Mr. Emmert reported staff prepared GSP grant progress report and invoice 15, and semi-annual billing for the period of July 1 through December 31 will be mailed out within the next few weeks. He mentioned the hydrological report will be discussed later in the meeting, and the groundwater conditions report will be available in May. He ended his report by reminding all that the March 16 Board meeting will take place at the City of Fillmore Council Chambers and will be an in-person meeting.

### **2C Legal Counsel Update**

#### **Information Item**

Legal Counsel Steve O'Neill explained how the Governor's Executive Order N-7-22 interplays with CEQA and provided an update.

Director Fornoff asked how long the CEQA process can take once the process is started. Mr. O'Neill said it depends on whether litigation is triggered, and said that in his experience he has seen two-to-five-year processes when there is a legal challenge and explained other scenarios.

Director Jackson asked what is the liability of a responsible agency? Mr. O'Neill explained the responsibility with various scenarios.

### **2D GSP Consultant Update**

#### **Information Item**

Representative from Daniel B Stephens & Associates provided an informational update on the Agency's Groundwater Sustainability Planning and reporting activities since the Board meeting of January 16, 2022. Mr. Tony Morgan presented slides and provided an update on round two of the SGMA grant activities.

## **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 Board Meeting of January 19, 2023.

### **3B Approval of Warrants**

The Board approved payment of outstanding vendor invoices:

County of Ventura (IT Services)	\$ 133.89
DBS&A	\$27,193.50
Aleshire & Wynder LLP	\$ 1,290.50

### **3C Monthly Financial Report**

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

Motion to approve consent items, Director Fornoff; Second, Director Mendez. Roll call vote: Five ayes (Fornoff, Jackson, Kimball, Mendez, Meneghin); none opposed; motion carries unanimously 5/0/1.

## **4. MOTION ITEMS**

### **4A Grainger Ranch Well Permit Application Executive Order N-7-22 Review**

#### **Motion**

The Board considered finding that the Grainger Ranch application for the construction of a new irrigation well located near 1081 Pasadena Avenue, Fillmore, California, is not inconsistent with the Agency's Fillmore Basin Groundwater Sustainability Plan and directing staff to provide a letter to the County of Ventura stating the Agency's findings as required by Executive Order N-7-22.

Director Fornoff said she was very happy to see such a thorough staff report that answered all her questions, and based on the information in the report, it sounds like the applicant is going to consume the same or less water than the previous well owner. United's Hydrogeologist Zachary Hanson said the applicant was receiving water from a mutual previously, and that data is not available to the agency; therefore, it is estimated based on the crop changes that determined they will be consuming less water.

Director Meneghin said if the Bardsdale area is being identified as impacted by groundwater management during drought conditions or impacts on the shallow wells in that area, will the agency be receiving more of these requests? DBS&A's Mr. Morgan said if the agency is looking at long term, it needs to ask United what its position was when preparing its review. He added that he was not sure if anything has been done on long term basis for a new well and explained the concept. Mr. Hanson explained the process of the review and said he tried to cover all basis.

Director Meneghin asked legal counsel if the county is considering this request as a ministerial application. Mr. O'Neill said yes.

Motion to approve, Director Jackson; Second, Director Mendez. Roll call vote: four ayes (Fornoff, Jackson, Kimball, Mendez); none opposed; one abstain (Director Meneghin). Motion carries 4/0/1/1.

### **4B Annual Reports to Department of Water Resources**

**Motion**

The Board received a presentation from Daniel B. Stephens & Associates summarizing the Water Year 2021-2022 Annual Reports to the California Department of Water Resources for the Fillmore Basin and Piru Basin and provide comments and direction.

Director Meneghin asked if DBS&A has an actual reading with regards to the cone of depression? DBS&A's Gus Tolley said yes that the change in water level is real, and it has been measured. He added that what is a simulation is the extent of the distance, as there are no closer datapoints. Director Meneghin also asked if there was a policy for notification for pumpers when they are nearing a minimum threshold? Mr. Morgan said the Agency does not have a Board policy, as this is not something looked at every month, but rather only periodically, or while preparing an annual report. Director Meneghin asked if the Agency needs to identify any that are nearing a minimum threshold? Mr. Morgan said if there are any identified, it will be up to the Board to decide if it would like to do anything. Mr. Tolley said the Agency agreed not to set up a tracker for monitoring near minimum threshold triggers. Director Meneghin said she would like the Board to discuss the idea of adding these triggers at its next meeting.

Director Fornoff asked if the Agency needs additional sites for measurement? Mr. Tolley said yes, as you can never have enough data.

No motion needed.

**4C Subsidence Annual Reports**

**Motion**

The Board received a presentation from Daniel B. Stephens & Associates summarizing the Water Year 2021-2022 subsidence reports for the Fillmore Basin and Piru Basin, based upon data provided by the California Department of Water Resources, and provide comments and direction.

Director Meneghin asked if the lidar data was available on the Agencies website? Mr. Morgan said no that data has not been uploaded. Mr. Tolley said it is uploaded in the image shape files and could be added if needed. Director Meneghin asked if the annual report goes into detail regarding GDEs and surface water infractions? Mr. Morgan said no, it is more of a summary, and explained what is provided in the report.

Chat comment by Eric Grainger: Since the rises appear to occur before the dam releases, I'd be curious how it lines up with rainfall amounts over the same period.

No motion needed.

**4. INFORMATION ITEMS**

**5A Water Resources Update**

**Information Item**

The Board received a presentation from United Water Conservation District staff on the hydrology of the Santa Clara River watershed following the January 2023 storms.

Director Meneghin asked Principal Hydrogeologist Murray McEachron if he has seen any steelhead come through the fish ladder? Mr. McEachron said no, and said the District has a

monitoring system and so far, none have been detected. Director Meneghin also said the last slide states Article 21 water is going to be available in 2023, and if so, is United prepared to purchase that water? Mr. McEachron said the District is estimating that water may be available in mid-March and said yes, United is prepared to purchase that water. Director Meneghin asked if Mound Basin will get any of that water? Mr. McEachron said the water is just reaching the Freeman Diversion and added that tomorrow staff will be increasing diversions from 300 cfs to 400 cfs.

Director Kimball closed the meeting with the mention of United's storm water recharge system that is recharging to the maximum allowed and said we should all be proud.

Director Fornoff asked if there is still arundo? Mr. McEachron said yes.

**FUTURE TOPICS FOR BOARD DISCUSSION**

None

**ADJOURNMENT 6:13 p.m.**

Director Kimball adjourned the Board meeting at 6:13 p.m. to the next **Board Meeting** on Thursday, **March 16, 2023**, or call of the Chair.

ATTEST:   
Director Kimball FPB GSA Board of Directors

I certify that the above is a true and correct copy of the minutes of the Fillmore and Piru Basins Groundwater Sustainability Agency's Board of Directors meeting of February 16, 2023.

ATTEST:   
Eva Ibarra, Clerk of the Board