



Special Board of Directors Meeting
Thursday, December 14, 2023, 4:00 p.m.
City of Fillmore City Hall Council Chambers
250 Central Avenue, Fillmore, CA 93015

To participate in the Board of Directors meeting via Zoom, please access:
<https://us02web.zoom.us/j/85888547914?pwd=NU5tQ1JjWkFqdUI4REliTDlyUFZsQT09>
Meeting ID: 858 8854 7914 Password: SPECIAL

To hear just the audio portion of the meeting, phone into:
Toll-free number: 877 853 5247 Meeting ID: 858 8854 7914 Passcode: 7851711

AGENDA

1. CALL TO ORDER

1A Pledge of Allegiance

1B Directors Roll Call

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 of Directors meeting of October 19, 2023.

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 October 19, 2023.

2D GSP Consultant Update

Information Item

Representatives from Daniel B Stephens & Associates will provide an informational update on the Agency's groundwater sustainability planning and reporting activities since the previous Board of Directors meeting of October 19, 2023.

3. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine by the Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board member pulls an item from the Calendar. Pulled items will be discussed and acted on separately by the Board. Members of the public who want to comment on a Consent Calendar item should do so under Public Comments. (ROLL CALL VOTE REQUIRED)

3A Approval of Minutes

The Board will consider approving the Minutes from the Board Meeting of October 19.

3B Approval of Warrants

The Board will consider approving payment of outstanding vendor invoices:

Rogers Anderson Malody & Scott	\$4,600.00
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3C Monthly Financial Report

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

4. MOTION ITEMS

4A Waiver of Late Fees and Interest for JBS Capital LLC

The Board will consider waiving late fees and interest in the amount of \$1,729.11 for JBS Capital LLC.

4B Development of Well Permitting Review Process in Compliance with California Executive Orders N-7-22 and N-3-23

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

4C Meetings Calendar for 2024

Motion

The Board will consider setting its regular meetings for Calendar Year 2024.

5. FUTURE TOPICS FOR BOARD DISCUSSION


6. ADJOURNMENT

The Board will adjourn to the next **Regular Board Meeting** on Thursday, **January 18, 2024**, 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) December 11, 2023

(time) 3:45p.m.

(attest) Eva Ibarra

At: <https://www.FPBGSA.org>

Posted: (date) December 11, 2023

(time) 3:50p.m.

(attest) Eva Ibarra

At: <https://www.facebook.com/FPBGSA/>

Posted: (date) December 11, 2023

(time) 3:55p.m.

(attest) Eva Ibarra

At: UWCD, 1701 N. Lombard Street, Oxnard



Fillmore and Piru Basins
Groundwater Sustainability Agency

Board of Directors Meeting
Thursday, October 19, 2023, at 4:00p.m.
MINUTES

Directors in Attendance

Director Carole Fornoff
Director Debbie Jackson
Director Gordon Kimball
Director Kelly Long (arrived at 4:15)
Director Candice Meneghin

Directors Absent

Director Albert Mendez

Staff in Attendance

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

Public in Attendance

Zachary Hanson, UWCD
Heather Merenda (virtual)
Patrick O'Connell, UWCD
Tony Morgan, DBS&A (virtual)
Ed Reese, UWCD

1. CALL TO ORDER 4:15 p.m.

Chair Long called the meeting to order at 4:15 p.m.

1A Pledge of Allegiance

Director Long led everyone in reciting the Pledge of Allegiance.

1B Directors Roll Call

The clerk called the roll. Five directors were present: Fornoff, Jackson, Kimball, Long, and Meneghin. Director Mendez was absent. 5/0/1.

Director Meneghin requested she attend virtually under "good cause," under Bill 2449, as she was attending a conference out of town and requested a motion to allow her virtual attendance. Director Long called for a motion.

Motion to approve, Director Long; Second, Director Fornoff. Voice vote: four ayes (Fornoff, Jackson, Kimball, and Long), none opposed. Motion carries unanimously 4/1/1.

1C Public Comments

Chair Long asked if there were any comments or questions from the public. None were offered.

**1D Approval of Agenda
Motion**

Chair Long asked Executive Director Anthony Emmert if there were any changes to the agenda. Mr. Emmert responded that there had been no changes to the agenda. Chair Long then asked for a motion.

Motion to approve the agenda, Director Jackson; Second, Director Kimball. Voice vote: 5 ayes (Fornoff, Jackson, Kimball, Long, and Meneghin), none opposed. Motion carries unanimously 5/0/1.

2. UPDATES

2A Director Announcements/Board Communications:

Fillmore Pumpers Association Stakeholder Director Update

Director Jackson said the Pumpers Association met this past September and determined they are to keep the Association's rates steady.

Piru Pumpers Association Stakeholder Director Update

Director Fornoff said she echoed the Fillmore Pumpers update.

Environmental Stakeholder Director Update

Director Meneghin reported they had their 30th Anniversary celebration on October 7th and received a 2.1 million dollar grant from Wildlife Conservation Fund for fish passage. She also mentioned she has been working on developing a water temperatures monitoring plan and had attended the Environmental Law Conference.

City of Fillmore Member Director Update

Director Mendez was absent.

United Water Conservation District Member Director Update

Director Kimball said United Water continues to release water and said maintenance at the Freeman Diversion is planned for November. He said United is releasing 180,000 acre-feet of water to coastal basins recharge and finished his update announcing the retirement of Kris Sofley in October.

County of Ventura Member Director Update

Chair Long said she wanted to thank Kris Sofley for her years of service as she will be retiring in October, and said she visited the North Pleasant Valley Desalter in Camarillo and was pleasantly impressed. She said she enjoyed the United Water Ribbon Cutting Ceremony and felt United did a great job.

2B Executive Director Update

Information Item

The Executive Director provided an informational update on Agency activities since the previous Board of Directors meeting of August 17, 2023. Anthony Emmert stated the team has been working on the Groundwater Sustainability Planning Grant wrap-up, including amending past invoices, and resubmitting them to DWR for review and comment.

2C Legal Counsel Update

Information Item

Legal Counsel reported he has been working with United and DBS&A on legislative work.

2D GSP Consultant Update

Information Item

Tony Morgan from Daniel B Stephens & Associates provided slides and provided information on all activities for the agency. The Board discussed the activities to come.

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 August 17 and Special Board Meeting of August 31, 2023.

3B Approval of Warrants

The Board approved payment of outstanding vendor invoices:

Daniel B. Stephens & Associates, Inc.	\$6,092.50
Aleshire & Wynder LLP	\$1,972.00
Aleshire & Wynder LLP	\$ 606.03

3C Monthly Financial Report

The Board received the monthly financial report for the Fillmore and Piru Basin Groundwater Sustainability Agency.

3D United Water Conservation District Labor Rates

The Board received the United Water Conservation District labor rates for Fiscal Year 2023-2024.

Motion to approve Consent Calendar items, Director Fornoff; second, Director Kimball. Roll call vote: 5 ayes (Fornoff, Jackson, Kimball, Long, and Meneghin); none opposed. Motion carries unanimously 5/0/1.

4. MOTION ITEMS

4A Kimball Ranches – El Hogar Well No. 4 Permit Application Executive Order N-3-23 GSA Review

Motion

The Board found that the Kimball Ranches – El Hogar permit application for the construction of a replacement agricultural water supply well (Well No. 4) to be located within parcel number 041-0-270-080, approximately 1,200 feet north of State Route 126 and just west of Timber Canyon Road in the Fillmore basin, 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 Section 4a of Executive Order N-3-23.

Director Kimball was asked to leave council chambers prior to the discussion.

Motion to approve motion, Director Jackson; second, Director Fornoff. Roll call vote: 4 ayes (Fornoff, Jackson, Long, and Meneghin); none opposed, Motion carries unanimously 4/1/1.

4B Kimball Ranches – El Hogar Well No. 5 Permit Application Executive Order N-3-23 GSA Review

Motion

The Board found that the Kimball Ranches – El Hogar permit application for the construction of a new domestic (and potentially agricultural) water supply well (Well No. 5) to be located within parcel number 041-0-130-140, about 1.8 miles north of State Route 126 and west of Timber Canyon Road in the Fillmore basin, 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 Section 4a of Executive Order N-3-23

Director Kimball remained outside of council chambers prior to the discussion.

Motion to approve motion, Director Jackson; second, Director Fornoff. Roll call vote: 4 ayes (Fornoff, Jackson, Long, and Meneghin); none opposed, Motion carries unanimously 4/1/1.

5. FUTURE TOPICS FOR BOARD DISCUSSION

Sespe Cienega Presentation.

Anthony Emmert to provide schedule for 2024 meetings.

6. ADJOURNMENT 5:01 p.m.

Chair Long adjourned the meeting at 5:01 p.m. to the next **Regular Board Meeting** on Thursday, **November 16, 2023**, or call of the Chair.

I certify that the above is a true and correct copy of the minutes of the Fillmore and Piru Basins Groundwater Sustainability Agency's Board of Directors meeting of October 19, 2023.

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

ATTEST: _____
Eva Ibarra, Clerk of the Board

Fillmore and Piru Basins, GSA

Check Detail Report
November 2023

ACCOUNT NAME	TRANSACTION ID	TRANSACTION DATE	TRANSACTION TYPE	TRANSACTION NUMBER	NAME	DESCRIPTION	CLEARED	AMOUNT LINE
Bank of the Sierra								
	16751							
Bank of the Sierra	16751	11/07/2023	Bill Payment (Check)	11204	Rogers, Anderson, Malody & Scott, LLP	--	Uncleared	-\$4,600.00
Bank of the Sierra	16751	11/07/2023	Bill Payment (Check)	11204	Rogers, Anderson, Malody & Scott, LLP	--	--	-\$4,600.00



Fillmore and Piru Basins
Groundwater Sustainability Agency

Item No. **3C Consent**

DATE: November 09, 2023 (for December 14, 2023, meeting)

TO: Board of Directors

VIA: Anthony A. Emmert, Executive Director

FROM: United Water Conservation District Finance Staff

SUBJECT: Monthly Financial Report

SUMMARY

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

BACKGROUND

United Water Conservation District accounting staff has prepared financial reports based on the Agency revenue and expenses for the month of October 2023.

FISCAL IMPACT

None

Attachments: October 31, 2023, Profit and Loss Budget Performance
 October 31, 2023, Balance Sheet

Fillmore and Piru Basins, GSA
 Budget vs. Actuals: FY_2023_2024 - FY24 P&L
 July - October, 2023

	JUL 2023		AUG 2023		SEP 2023		OCT 2023		TOTAL	
	ACTUAL	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET
Income										
40001 Groundwater Extraction Charge	-1,646.40	0.00		0.00		0.00	-2,031.12	0.00	\$ -3,677.52	\$0.00
41000 Grant Revenue									\$0.00	\$0.00
41001 State Grants		0.00		0.00		23,750.00		0.00	\$0.00	\$23,750.00
Total 41000 Grant Revenue		0.00		0.00		23,750.00		0.00	\$0.00	\$23,750.00
47000 Other Revenue									\$0.00	\$0.00
47001 Late Fees		0.00	10,968.50	0.00		0.00	-273.85	0.00	\$10,694.65	\$0.00
47012 Returned Check Charges		0.00		0.00		0.00		0.00	\$0.00	\$0.00
Total 47000 Other Revenue		0.00	10,968.50	0.00		0.00	-273.85	0.00	\$10,694.65	\$0.00
Total Income	\$ -1,646.40	\$0.00	\$10,968.50	\$0.00	\$0.00	\$23,750.00	\$ -2,304.97	\$0.00	\$7,017.13	\$23,750.00
GROSS PROFIT	\$ -1,646.40	\$0.00	\$10,968.50	\$0.00	\$0.00	\$23,750.00	\$ -2,304.97	\$0.00	\$7,017.13	\$23,750.00
Expenses										
52200 Professional Services			0.00						\$0.00	\$0.00
52240 Prof Svcs - IT Consulting		148.75		148.75		148.75		148.75	\$0.00	\$595.00
52250 Prof Svcs - Groundwtr/GSP Prep									\$0.00	\$0.00
52251 Prof Svcs - UWCD GW Services		3,333.33		3,333.33		3,333.33		3,333.33	\$0.00	\$13,333.32
52252 Prof Svcs - GSP Consultant		41,250.00		41,250.00	6,092.50	41,250.00		41,250.00	\$6,092.50	\$165,000.00
Total 52250 Prof Svcs - Groundwtr/GSP Prep		44,583.33		44,583.33	6,092.50	44,583.33		44,583.33	\$6,092.50	\$178,333.32
52270 Prof Svcs - Accounting		2,117.50		2,117.50		2,117.50	4,600.00	2,117.50	\$4,600.00	\$8,470.00
52275 Prof Svcs - Admin/Clerk of Bd		2,187.50		2,187.50		2,187.50		2,187.50	\$0.00	\$8,750.00
52280 Prof Svcs - Executive Director		4,824.07		4,824.07		4,824.07		4,824.07	\$0.00	\$19,296.28
52290 Prof Svcs - Other		1,750.00		1,750.00		1,750.00		1,750.00	\$0.00	\$7,000.00
Total 52200 Professional Services		55,611.15	0.00	55,611.15	6,092.50	55,611.15	4,600.00	55,611.15	\$10,692.50	\$222,444.60
52500 Legal Fees									\$0.00	\$0.00
52501 Legal Counsel	603.20	3,333.33		3,333.33	2,578.03	3,333.33		3,333.33	\$3,181.23	\$13,333.32
Total 52500 Legal Fees	603.20	3,333.33		3,333.33	2,578.03	3,333.33		3,333.33	\$3,181.23	\$13,333.32
53000 Office Expenses		166.67		166.67		166.67		166.67	\$0.00	\$666.68
53010 Public Information		83.33		83.33		83.33		83.33	\$0.00	\$333.32
53020 Office Supplies		83.33		83.33		83.33		83.33	\$0.00	\$333.32
53026 Postage & Mailing		83.33		83.33		83.33		83.33	\$0.00	\$333.32
53040 Membership Dues	45.00		45.00		45.00		45.00		\$180.00	\$0.00
53110 Travel & Training		166.67		166.67		166.67		166.67	\$0.00	\$666.68
Total 53000 Office Expenses	45.00	583.33	45.00	583.33	45.00	583.33	45.00	583.33	\$180.00	\$2,333.32
53500 Insurance									\$0.00	\$0.00
53510 Liability Insurance		0.00		0.00		0.00		0.00	\$0.00	\$0.00
Total 53500 Insurance		0.00		0.00		0.00		0.00	\$0.00	\$0.00
70130 Bank Service Charges		0.00		0.00		0.00		0.00	\$0.00	\$0.00
Total Expenses	\$648.20	\$59,527.81	\$45.00	\$59,527.81	\$8,715.53	\$59,527.81	\$4,645.00	\$59,527.81	\$14,053.73	\$238,111.24
NET OPERATING INCOME	\$ -2,294.60	\$ -59,527.81	\$10,923.50	\$ -59,527.81	\$ -8,715.53	\$ -35,777.81	\$ -6,949.97	\$ -59,527.81	\$ -7,036.60	\$ -214,361.24
NET INCOME	\$ -2,294.60	\$ -59,527.81	\$10,923.50	\$ -59,527.81	\$ -8,715.53	\$ -35,777.81	\$ -6,949.97	\$ -59,527.81	\$ -7,036.60	\$ -214,361.24

Fillmore and Piru Basins, GSA

Balance Sheet

As of October 31, 2023

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
10000 Bank of the Sierra	1,148,440.75
Total Bank Accounts	\$1,148,440.75
Accounts Receivable	
11000 Accounts Receivable	379,336.59
Total Accounts Receivable	\$379,336.59
Other Current Assets	
12000 Undeposited Funds	0.00
12900 Clearing Account	0.00
Total Other Current Assets	\$0.00
Total Current Assets	\$1,527,777.34
TOTAL ASSETS	\$1,527,777.34
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
20000 Accounts Payable	4,600.00
Total Accounts Payable	\$4,600.00
Other Current Liabilities	
20001 Advance from County of Ventura	0.00
California Department of Tax and Fee Administration Payable	0.00
Out Of Scope Agency Payable	0.00
Total Other Current Liabilities	\$0.00
Total Current Liabilities	\$4,600.00
Total Liabilities	\$4,600.00
Equity	
32000 Retained Earnings	1,530,213.94
Net Income	-7,036.60
Total Equity	\$1,523,177.34
TOTAL LIABILITIES AND EQUITY	\$1,527,777.34



Item No. **4A Motion**

DATE: December 7, 2023 (for December 14, 2023, meeting)

TO: Board of Directors

VIA: Anthony A. Emmert, Executive Director

FROM: United Water Conservation District Finance Staff

SUBJECT: **Waiver of Late Fees and Interest for JBS Capital LLC**

RECOMMENDED ACTION

The Board will consider waiving late fees and interest in the amount of \$1,729.11 for JBS Capital LLC.

DISCUSSION

During the COVID-19 period, JBS Capital LLC's (JBS) tenant abandoned its land lease with JBS without paying rent, and JBS attempted to collect but was unable to do so. JBS subsequently paid the remaining open balance of extractions fees totaling \$4,092.24, under a payment plan. JBS has requested that the Agency waive late fees and interest in the amount of \$1,729.11.

As JBS is current with the Agency, staff recommends the Board approve JBS' request to waive its late fees and interest.

FISCAL IMPACT

Waiving late fees and interest will result in less revenue received by the Agency in the amount of \$1,729.11. However, late fees and interest are not budgeted by the Agency and waiving the fees will not materially negatively impact the Agency's financial position.

ATTACHMENTS

None

Proposed Motion:

Motion to waive late fees and interest totaling \$1,729.11 for JBS Capital LLC.

1st: Director _____

2nd: Director _____

Voice/Roll call vote:

Director Fornoff:

Director Jackson:

Director Kimball:

Director Long:

Director Mendez:

Director Meneghin:



Fillmore and Piru Basins
Groundwater Sustainability Agency

Item No. **4B Motion**

DATE: December 8, 2023 (for December 14, 2023, meeting)

TO: Board of Directors

FROM: Anthony A. Emmert, Executive Director

SUBJECT: **Development of Well Permitting Review Process in Compliance with California Executive Orders N-7-22 and N-3-23**

RECOMMENDED ACTION

The Board will receive a presentation from Daniel B. Stephens and Associates, legal counsel 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 Newsom issued Executive Order N-7-22 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.

On February 13, 2023, Governor Newsom, issued Executive Order N-3-23 that modified the requirements by including a third exemption category for replacement wells:

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 (i) that will provide less than two acre-feet per year of groundwater for individual domestic users, (ii) that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the Health and Safety Code, or (iii) that are replacing existing, currently permitted wells with new wells that will produce an equivalent quantity of water as the well being replaced when the existing well is being replaced because it has been acquired by eminent domain or acquired while under threat of condemnation.

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 and EO N-3-23 apply to how the two agencies interact regarding any well permit applications received. County Water Resources, the Agency and other groundwater sustainability agencies in the County have cooperated regarding GSA well permit application reviews.

In response to these Executive Orders, Daniel B. Stephens and Associates, legal counsel, and Agency staff developed a groundwater sustainability agency well permit review process. The Board directed that the process be straightforward, efficient, and easily understood. The Agency developed the *Guidelines for Water Well Permit Reviews* document (Guidelines) (copy attached),

to explain the process, clarify responsibilities of various parties, and provide useful references for well permittees.

Well permittees will first contact County Water Resources and complete a County well permit application and be directed to the Agency. Next, the well permittee will complete the Agency's supplemental form and submit a deposit to cover the cost of the Agency's review effort. The well permittee will then hire a registered hydrogeologist or registered engineer to perform the required technical analyses and submit the documents to the Agency. DBS&A, the Agency's consultant, will review the technical analyses, work with the well permittee to clarify any issues, and prepare a technical memo for Agency consideration. Once all requirements have been met, the Agency will prepare a groundwater sustainability review letter to County Water Resources for consideration. The Agency will return to the well permittee any unused balance of the deposit.

If the Board approves the proposed process and documents, then Agency staff and legal counsel will prepare a policy document for the Board to consider in early 2024.

FISCAL IMPACT

None.

ATTACHMENTS

Attachment 1 – Draft Agency Guidelines for Water Well Permit Reviews

Proposed Motion:

Provide comments and direction regarding the development of the Agency's Well Permitting Review Process in compliance with Executive Orders N-7-22 and N-3-23.

1st: Director _____ 2nd: Director _____

Voice/Roll call vote:

Director Fornoff:

Director Jackson:

Director Kimball:

Director Long:

Director Mendez:

Director Meneghin:

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Figure 1 Well Permit Review – Well Interference Evaluation Flowchart

Figure 2 Well Permit Review – Subsidence Evaluation Flowchart

List of Appendices

A FPGSA Supplemental Water Well Permit Application

DRAFT– INTERNAL REVIEW ONLY – DO NOT CITE OR REFERENCE

1. Introduction

On March 28, 2022 Governor Newsom issued Executive Order N-7-22 and, on February 13, 2023, Executive Order N-3-23 (the "EO's"), which included new well permitting requirements for local agencies to prepare for and lessen the effects of drought conditions. Pursuant to the EO's, counties, cities, or other public agencies must obtain written verification from the relevant Groundwater Sustainability Agency ("GSA") before approving a permit for a groundwater well or alteration of an existing well in a basin subject to the Sustainable Groundwater Management Act and classified as medium- or high-priority. Domestic and small wells are excluded from the order. The GSA must evaluate whether the proposed well would not be inconsistent with any Groundwater Sustainability Plan ("GSP") adopted by the GSA and would not decrease the likelihood of achieving a sustainability goal for the basin.

The Fillmore and Piru basins fall within the scope of the EO's, creating a new review requirement for the issuance of permits for wells in medium and high-priority groundwater basins. The County of Ventura ("County") is the permitting agency for well permits, and now cannot issue a permit for a new well without first consulting with the Fillmore and Piru Basin Groundwater Sustainability Agency ("FPBGSA"). The County cannot issue a new permit without first getting a determination from the FPBGSA that the proposed groundwater well is both: (1) not likely to interfere with the production and functioning of existing nearby wells; and (2) not likely to cause subsidence, i.e., the caving or sinking of land that lowers the ground surface elevation.

The FPBGSA's procedure flowchart regarding the EO can be found at the following URL: [\[REDACTED\]](#).

Consistent with the EO's and FPBGSA procedure flowchart, an applicant seeking approval for a permit for installation of a new groundwater well or alteration of an existing well in the Fillmore and Piru basins must submit a supplemental information form (copy attached) to the FPBGSA. A copy of the supplemental information form can also be found at the following URL: [\[REDACTED\]](#).

The FPBGSA's program to evaluate the potential impact of proposed new groundwater extractions from either basin has been designed to minimize the effect on new well applicants and provide the FPBGSA with the needed protocols to ensure that the FPBGSA complies with the requirements of the EOs - that the groundwater extractions proposed by the new well are consistent with the FPBGSA's efforts to maintain sustainable groundwater conditions in the Fillmore and Piru basins.

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The FPBGSA will rely on the evaluations of potential well interference or induced subsidence by the groundwater extractions from the new well in its evaluation of whether the proposed well is consistent with the Groundwater Sustainability Plan for each of the Fillmore and Piru basins.

The FPBGSA has developed a streamlined new well application process to maximize flexibility and minimize the time and cost of complying with the Executive Orders for well permit applicants. In order to facilitate this, the FPBGSA requires the initial technical analyses be performed by the well permit applicant. The technical analyses needed include an assessment of the potential for groundwater extractions from the proposed well to impact nearby existing wells and groundwater dependent ecosystems, or to initiate or exacerbate subsidence. To aid applicants, the FPBGSA has adopted a flowchart that outlines how an application for the construction of a new well is considered by the FPBGSA.

2. Responsibilities

The responsibilities for complying with the EOs and supplying the FPBGSA with information needed to evaluate the potential impacts to achieving or maintaining groundwater sustainability in the basins are as follows:

- Determination of new well groundwater extractions consistency with the GSPs – FPBGSA;
- Determination of the potential impact of the proposed new well on:
 - Existing nearby wells – Well Permit Applicant
 - Groundwater Dependent Ecosystems/Surface Water-Groundwater Interactions –Well Permit Applicant
 - Water quality – Well Permit Applicant
 - Subsidence conditions/exacerbation by groundwater extractions – Well Permit Applicant
- Likelihood for the new well to become inoperable during future droughts – Well Permit Applicant
- Review of Well Permit Applicant’s technical analyses – FPBGSA
- Providing written verification to County of Ventura of a new well’s consistency (or inconsistency) with the GSPs and the sustainability goals - FPBGSA
- Approval/Rejection of permit for new well – County of Ventura

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- Issuance of permit for new well – County of Ventura

3. Application Procedures

To aid the applicant with the application process, the FPBGSA has compiled the following list of items that must be submitted to the FPBGSA to enable the application review process to proceed, as well as further information on the expected contents of the technical report, and the applicant review process. The FPBGSA desires to minimize the cost of the permit review process to the new well applicants and has therefore included readily available resources that can assist the well applicant in supplying the FPBGSA with sufficient information to properly evaluate the well permit application.

3.1 Application Process

New well applicant should submit the following to FPBGSA:

- A completed **County of Ventura Application for Well Permit**
- A completed FPBGSA **Supplemental Water Well Permit Application** (Appendix A)
- If the new well is not a monitoring well, then the applicant will submit a **technical report** prepared by a CA Certified Hydrogeologist or CA Professional Engineer with expertise in water resources.

3.2 Technical Report

The new well applicant can select any qualified CA Certified Hydrogeologist or CA Professional Engineer with expertise in water resources to assist with the preparation of the technical report. If the well applicant selects a third party individual or entity to prepare the technical report, Daniel B. Stephens and Associates, Inc. (DBS&A) will review the technical report on behalf of the FPBGSA. Alternatively, the new well applicant can elect to use DBS&A to prepare the technical report. In this case, United Water Conservation District (UWCD) will perform the review of the technical report in support of the FPBGSA.

The technical report shall address:

1. The likelihood of well interference with nearby existing wells

Resources:

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- a. *FPBGSA Online Database - Well Locations, Depths, and Construction Details*
(<https://fillmore-piru.gladata.com/>)
 - b. *California Department of Water Resources, Well Completion Report Map Application*
<https://dwr.maps.arcgis.com/apps/webappviewer/index.html?id=181078580a214c0986e2da28f8623b37>
 - c. *Fillmore and Piru Basins Groundwater Sustainability Plans – Well Density*
(<https://sgma.water.ca.gov/portal/gsp/all>)
 - d. *Fillmore and Piru Basins Groundwater Sustainability Plans – Aquifer Properties used in Groundwater Model* (<https://sgma.water.ca.gov/portal/gsp/all>)
2. The likelihood of the groundwater extractions from the new well to induce or exacerbate land subsidence

Resources:

- a. *California Department of Water Resources, InSAR Subsidence Data*,
<https://data.cnra.ca.gov/dataset/tre-altamira-insar-subsidence>
 - b. *FPBGSA Online Database – Well Hydrographs* (<https://fillmore-piru.gladata.com/>)
 - c. *FPBGSA Online Database – Well Completion Reports/subsurface geology*
(<https://fillmore-piru.gladata.com/>)
 - d. *Fillmore and Piru Basins Groundwater Sustainability Plans – Geologic Setting*
(<https://sgma.water.ca.gov/portal/gsp/all>)
 - e. *2022 Subsidence Update Technical Memorandum* <https://s29420.pcdn.co/wp-content/uploads/2023/08/2023-02-10-FINAL-2022-Fillmore-and-Piru-Basins-Subsidence-Update.pdf>
3. The likelihood of water levels in the new well will reach levels making the well inoperable during a future prolonged drought

Resources:

- a. *FPBGSA Online Database - Future Drought Groundwater Levels – in development*
(<https://fillmore-piru.gladata.com/>)

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4. The likelihood that groundwater extractions from the new well will effect mapped groundwater dependent ecosystems (GDEs)

Resources:

- a. *FPBGSA Online Database – GDE maps* (<https://fillmore-piru.gladata.com/>)
- b. *FPBGSA Online Database - Well Locations, Depths, and Construction Details* (<https://fillmore-piru.gladata.com/>)
- c. *California Department of Water Resources, Well Completion Report Map Application* <https://dwr.maps.arcgis.com/apps/webappviewer/index.html?id=181078580a214c0986e2da28f8623b37>
- d. *Fillmore and Piru Basins Groundwater Sustainability Plans* (<https://sgma.water.ca.gov/portal/gsp/all>)

3.3 Application Review Procedures

Upon receipt of the items detailed in Section 3.2, the FPBGSA will commission Daniel B. Stephens and Associates, Inc. (DBS&A) to assist the Agency with the review of the technical report and other information supplied by the well permit applicant and conduct any additional evaluations (Figures 1 and 2) necessary to support a recommendation to the FPBGSA Board of Directors to supply the County of Ventura with a letter indicating that the new proposed groundwater extractions are (or are not) consistent with the GSP and the FPBGSA's efforts to maintain the sustainability of the basins. Alternatively, the new well applicant can elect to use DBS&A to prepare the technical report. In this case, United Water Conservation District (UWCD) will perform the review of the technical report in support of the FPBGSA.

4. Costs

The GSA will incur costs associated with the evaluation of the technical report, as well as evaluating the proposed groundwater water extractions potential effect on the GSA's ability to achieve or maintain groundwater sustainability in the Fillmore and Piru basins. In order to cover the costs to provide this support, the Agency will establish a *Well Permit Review* fee.

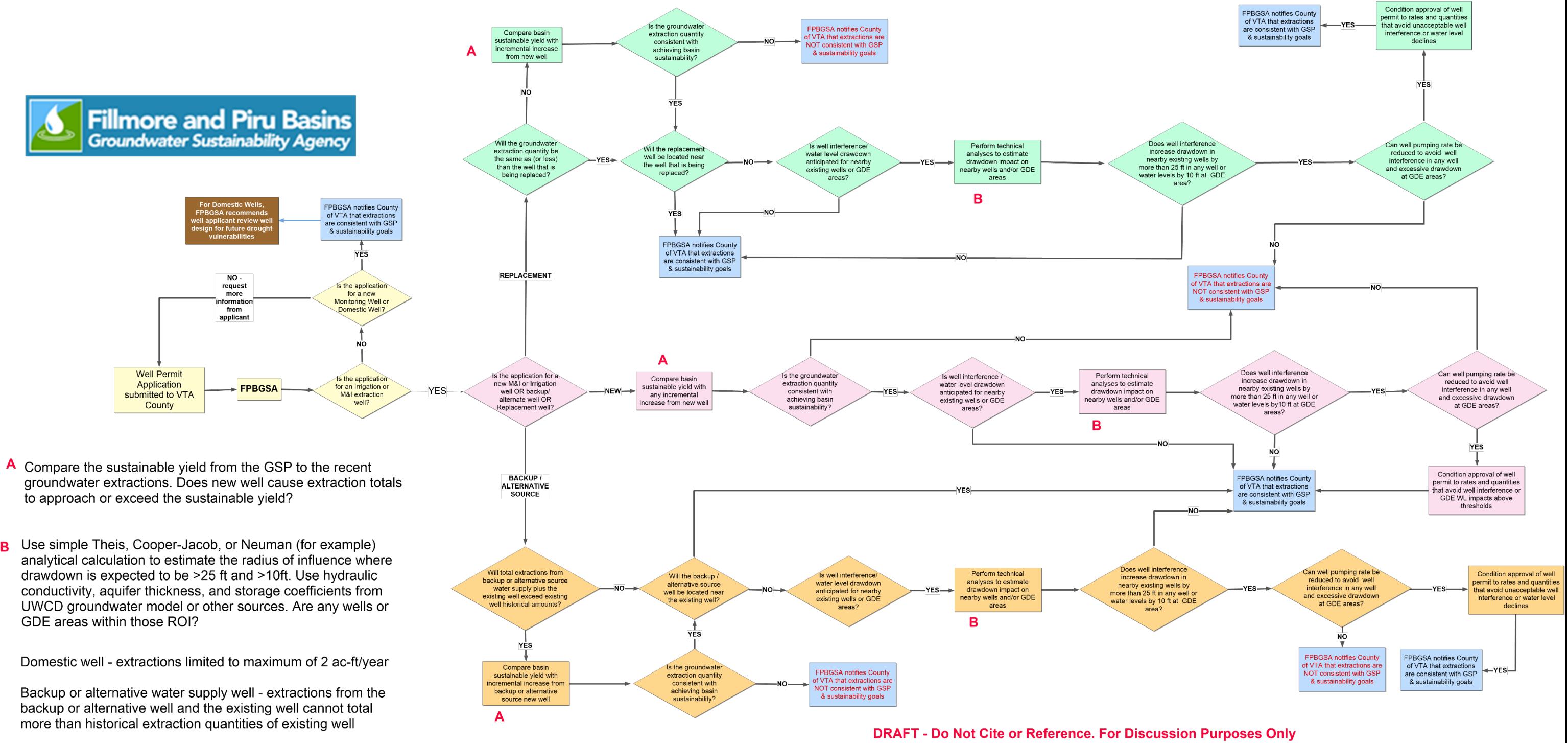
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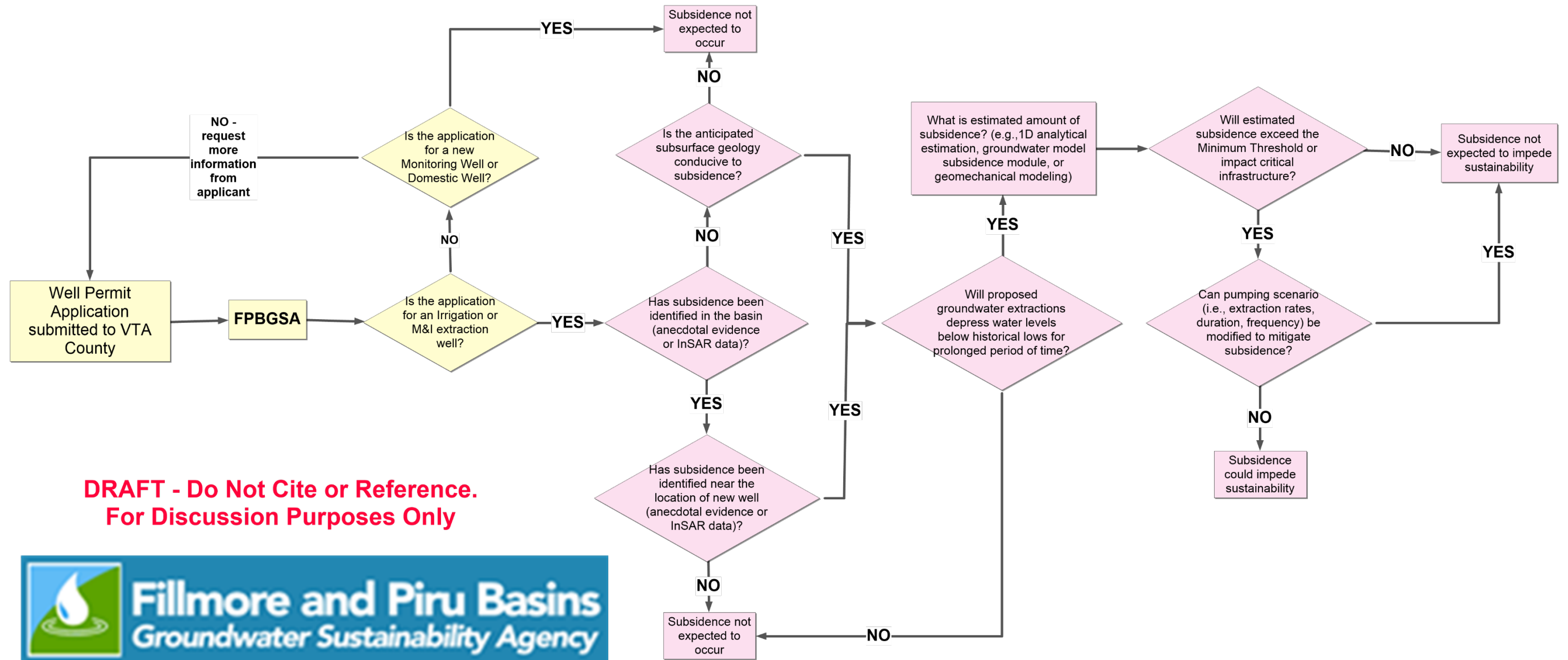
Well permit applicants will be required to post a \$5,000.00 deposit with the GSA to initiate the permit review process. The costs for performing the well permit review will be charged against the deposit. In instances where the actual costs are less than the deposit amount, the balance will be returned to the applicant after the Board of Director's makes its determination of the degree of impact the groundwater extractions may have on groundwater sustainability.

In complicated situations (e.g., multiple wells are impacted by the new well, subsidence is deemed to be a possibility, new well is proposed in an area where future extreme droughts may impair its ability to operate), the deposit amount may need to be augmented as Agency staff or consultants work with the applicant to develop mitigation measures (e.g., adjust location of well, modify the pumping frequency or rate, adjust the well depth).

The new well applicant will be responsible for all costs associated with preparing the technical report and its review, regardless if the report is prepared by DBS&A or others.

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Appendix A

Well Permit Supplemental
Information Form

SUPPLEMENTAL WATER WELL PERMIT APPLICATION



Fillmore and Piru Basins Groundwater Sustainability Agency

On March 28, 2022, Governor Newsom issued Executive Order N-7-22 and on February 13, 2023, issued Executive Order N-3-23, which require that groundwater sustainability agencies, such as the Fillmore and Piru Groundwater Sustainability Agency (FPBGSA) verify certain conditions to the agency responsible for issuing well permits, which is the County of Ventura. The FPBGSA must verify the new or altered well that is the subject of the permit request be consistent with the FPBGSA's Groundwater Sustainability Plan (GSP), or that the 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. Note this verification requirement does 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.

This form is a supplemental form developed by the 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 (copy attached). **Both forms are required.** This form requests information needed by the FPBGSA in its role as the agency responsible for the sustainability of the groundwater resources in the Fillmore and Piru basins. This supplemental application is required for New, Replacement, Backup or Standby wells. Cathodic Protection Wells, Monitoring Wells, or Engineering Test Holes that are not used for groundwater extraction, are not required to complete this application.

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

Proposed Well Use (circle one):	Agricultural / Domestic / Industrial
Proposed Groundwater Extraction Quantity (acre-feet/year):	
Proposed Maximum Groundwater Extraction Rate (gallons/minute):	
Proposed Groundwater Pumping Schedule (____ hours/day for ____ days/week OR ____ hours/day every day):	

COMMENTS / EXPLANATIONS – please include any information that would assist the FPBGSA in evaluating your well permit application

Property Owners Signature:	
Date Signed:	
Operator (if applicable):	
Date Signed:	
Please attach a property map showing the proposed new well location plus any other existing wells.	



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 _____ <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) _____	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. _____) <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 _____



Item No. 4C Motion

DATE: December 8, 2023 (for December 14, 2023, meeting)

TO: Board of Directors

FROM: Anthony A. Emmert, Executive Director

SUBJECT: Meetings Calendar for 2024

RECOMMENDED ACTION

The Board will consider setting its regular meetings for Calendar Year 2024.

BACKGROUND

The Agency's Board meets on the third Thursday of every month, with special meetings set as the need arises. As the Agency is still working to develop its projects and programs, in support of its groundwater sustainability plans, staff recommends that the Board continue to meet on a monthly basis for Calendar Year 2024. Due to the fall holidays, staff recommends scheduling only one meeting in the November - December 2024 time period, on December 12, 2024. If the amount of Agency business declines, staff recommends that the Board reduce the meeting schedule to every other month.

FISCAL IMPACT

None.

ATTACHMENTS

Attachment 1 – Calendar Year 2024 Meeting Schedule

Proposed Motion: Approve the meeting calendar for 2024.

1st: Director _____

2nd: Director _____

Voice/Roll call vote:

Director Fornoff:

Director Jackson:

Director Kimball:

Director Long:

Director Mendez:

Director Meneghin:



Fillmore and Piru Basins
Groundwater Sustainability Agency

Fillmore Piru Basin GSA Board Meeting Dates for 2024

January 18th

February 15th

March 21st

April 18th

May 16th

June 20th

July 18th

August 15th

September 19th

October 17th

December 12th