



**Board of Directors Meeting**  
**Monday**  
**March 26, 2018 - 6:00 p.m.**

**City of Fillmore City Hall, City Council Chambers**  
**250 Central Avenue, Fillmore, CA 93015**

## **REVISED AGENDA**

**1. Call to Order**

**2. Pledge of Allegiance**

**3. 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.

**4. Approval of Agenda**

**Motion**

**5. Director Announcements/Board Communications**

**6. Interim Executive Director Update**

**Information Item**

The Interim Executive Director will provide an informational update on Agency activities since the previous Board meeting of February 20, 2018.

**7. CONSENT CALENDAR**

**7A Approval of Minutes**

Approval of the minutes from the Regular Board Meeting of February 20, 2018 and the Special Board Meeting of March 16, 2018.

## 8. ACTION ITEMS

- 8A Adoption of Resolution 2018-01 Whereas the Board of Directors of the Fillmore and Piru Basins Groundwater Sustainability Agency Approve and Adopt the Proposed Budget for the First Half of Calendar 2018**

**Motion**

The Board shall consider adoption of Resolution 2018-01, approving and adopting the proposed Budget as presented at the Special Board Meeting on March 16, 2016, for the first half of Calendar Year 2018.

- 8B Adoption of Resolution 2018-02 Whereas the Board of Directors of the Fillmore and Piru Basins Groundwater Sustainability Agency Determine and Establish Groundwater Extraction Charges Against All Persons Operating Groundwater Producing Facilities within the Fillmore and Piru Basins During the 2017-2018 Water Year**

**Motion**

The Board shall consider adoption of Resolution 2018-02, establishing a groundwater extraction rate of \$8.50 per acre foot, for the period of July 31 through December 31, 2017. The Board shall also consider adoption of semiannual billing for the periods of January 1 through June 30 and July 1 through December 31.

- 8C Approval of Cost Reimbursement Agreement with United Water Conservation District**

**Motion**

The Board shall consider approving and entering into a Cost Reimbursement Agreement with United Water Conservation District for services including preparation of the GSA's Groundwater Sustainability Plan, administrative and financial.

- 8D Approval of Basin Boundary Modification and Adoption of Resolution 2018-03**

**Motion**

The Board shall consider adopting Resolution 2018-03, approving and authorizing the submission of basin boundary modifications to the Department of Water Resources as presented to constituents and the general public at the Basin Boundary Workshop held on March 16, 2018.

**8E Adoption of Proposed FPB GSA Bylaws**

**Motion**

The Board shall review and discuss the proposed FPB GSA Bylaws and offer revisions and/or approval as appropriate.

**9. INFORMATION ITEMS**

**9A Groundwater Extraction Reporting Periods in Compliance with the Department of Water Resources Reporting Requirements**

**Information Item**

Board will discuss options on how the GSA will conform its groundwater extraction reporting with the Department of Water Resources requirement of reporting based on a Water Year (October 1 through September 30), and the various methods available to the GSA for collecting and reporting usage data to fit this timetable.

**9B United Water Conservation District's Conceptual Water Projects**

**Information Item**

UWCD's Tony Morgan will present UWCD's proposed projects for "new water" resources, including the possible acquisition of State "Table A" and "Article 21" water and conceptual plans for a Fillmore and Piru Basins Water Banking Program, among other projects.

**9C Groundwater Sustainability Plan - Overview of the Scope of Work, Timetable and Determination of the Needs of the Ecosystem**

**Information Item**

Board will review details of the GSP, including the scope of work, timetable for completion of elements and discussion of the short term, medium term and long term needs of the ecosystem.

**ADJOURNMENT**

The Board will adjourn to the next **Regular Board Meeting** on Monday, **April 30, 2018** 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 106 North 8<sup>th</sup> Street in Santa Paula 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*

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*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: *Kelly Long*

**Posted: (date) March 23, 2018 (time) 11:30a.m. (attest) Kris Sofley**  
**At: <https://fpbgsa.org>**

**Posted: (date) March 23, 2018 (time) 11:45a.m. (attest) Kris Sofley**  
**At: <https://www.facebook.com/FPBGSA/>**

**Posted: (date) March 23, 2018 (time) 12:00noon (attest) Kris Sofley**  
**At: United Water Conservation District Headquarters, 106 No. 8<sup>th</sup> St., Santa Paula, CA**

**Posted: (date) March 23, 2018 (time) 12:00noon (attest) Kris Sofley**  
**At: Fillmore City Hall, 250 Central Avenue, Fillmore, CA**





**Fillmore and Piru Basins**  
Groundwater Sustainability Agency

**Board of Directors Meeting**  
**Tuesday, February 20, 2018 - 6:00 p.m.**  
**City of Fillmore City Hall, City Council Chambers**  
**250 Central Avenue, Fillmore, CA 93015**

**MINUTES**

**Directors Present**

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

**Directors Absent**

Director Carrie Broggie

**Staff Present**

Kris Sofley, interim executive director

**Public Present**

Rebecca August, Los Padres Forest Watch  
Chris Collier, WSPA/Seneca Resources  
Alasdair Coyne, Keep Sespe Wild  
Lynn Edmonds  
Kate English, One Step & La Vez  
Barb Filkins, Fillmore Irrigation Company  
Lois Freeman-Fox  
Dr. Gosta Iwasivk, Steiger Farms  
Cynthia King, King & King Ranch  
Tim Moore, UWCD  
Tony Morgan, UWCD  
John Nelson  
Ann Ohlenkamp  
Kris Ohlenkamp  
Steve O'Neill, OMLO  
Helen Perri  
Kimberly Rivers  
Jean Thirkettle, KETL KOI

Sarah Walker

**1. Call to Order**

Chair Long called the meeting to order at 6:06p.m. and asked that everyone stand and join her in the Pledge of Allegiance.

**2. Pledge of Allegiance**

**3. Public Comments**

Chair Long explained that, due to the number of public comment cards received by the Board, each individual would have an opportunity to address the Board, but comments would be subject to a three-minute time limit.

**4. Approval of Agenda**

**Motion**

Motion to approve the agenda, Director Meneghin; Second, Director McFadden. Voice vote: five ayes (Kimball, Long, McFadden, Meneghin, Pace), none opposed, one absent (Broggie). Motion carries 5/0/1

**5. Director Announcements/Board Communications**

Director Pace reported that the Piru Pumpers Association met last week.

**6. Interim Executive Director Update**

**Information Item**

The Interim Executive Director reported that the Agency's website is live and fully functioning, that the contract with Olivarez, Madruga, Lemieux and O'Neill for legal services and performing as the Agency's Legal Counsel, had been executed, and that all of the Directors need to file new Form 700s with the County Clerk by April 1. Ms. Sofley also reported that there was an audio recording from the February 7 Budget workshop that was available through Dropbox and that she was working on transcribing the highlights of the Workshop before the next Board meeting (March 26, 2018).

**7. CONSENT CALENDAR**

**7A Approval of Minutes**

Motion to approve the minutes from the Board Meeting of January 29, 2018, Director Meneghin; Second, Director McFadden. Voice vote: five ayes (Kimball, Long, McFadden, Meneghin, Pace), none opposed, one absent (Broggie). Motion carries 5/0/1

## 8. ACTION ITEMS

### 8A Request for Waiver of Water Well Permit Prohibition, Steiger Farms LP, APNs 050-0-060-015 and 050-0-010-125

#### Motion

Tony Morgan of UWCD received correspondence from the County regarding a well permit waiver request as the County was inquiring as to whether or not the GSA wanted to be involved, as a matter of policy, so the County could request input regarding direction, facilitating well registration, et cetera. Now that legal counsel has been retained, perhaps they could be tasked with drafting policy for future meetings/issues, but the question before the Board today was whether or not the Board wanted to provide a letter to the County weighing in on Dr. Gosta Iwasivk's (of Steiger Farms) request for a waiver on water well permit prohibition.

Dr. Gosta Iwasivk then addressed the Board explaining that he had water through Fillmore Irrigation, but because of the company's old infrastructure, the company informed him that it would not be able to provide water to his property much longer. Apparently, some of the old pipes run under the Sespe and others run under city streets, which makes it very costly to repair or replace the pipes. The property doesn't have access to other water sources, and the City of Fillmore's water is too costly for agricultural use. He is requesting a waiver for a small amount of water and if he can't irrigate the 20 acres of property in North Fillmore, his farm is worthless.

Director McFadden asked Mr. Morgan to confirm that the Agency cannot grant a permit, but can only provide a letter supporting Dr. Iwasivk's request for a waiver.

Mr. O'Neill, new legal counsel for the Agency, confirmed that the GSA does not have authority to grant the waiver, and that while SGMA encourages the registration of wells, the only thing the GSA can do at this point is provide a letter supporting Dr. Iwasivk's request for a waiver of the well permit prohibition.

Chair Long asked if there were any other comments from the public regarding the request for the GSA to submit a letter in support of Dr. Iwasivk to the Ventura County Watershed Protection District.

Barb Filkins of Fillmore Irrigation asked to address the Board. She stated that there was a bigger problem at hand and that, except for some sporadic outages, originally Fillmore Irrigation served both sides of Sespe, but now only three properties on the east side of the Sespe were serviceable. She said Fillmore Irrigation was trying to find a work around and that she wanted to clarify that, while the company has not responded to the County, there are risk that would keep them from stopping service while they are trying to find an equitable resolution. If they stop serving Dr. Iwasivk, it would impact the pumping allocation. Fillmore Irrigation is not trying to avoid fulfilling its requirements to customers.

Director Pace asked if the City of Fillmore could supply to the east side, and Ms. Filkins responded that they have been reticent to involve the City while they are on hold trying to find a solution.

Director Kimball asked if Dr. Iwasiuk built his own well to supply his water, would he sell water if he has enough? Dr. Iwasiuk said he wasn't interested in becoming a water company, but if it was something that could be done on a month by month basis, maybe he'd be interested.

Director McFadden said that he supports the waiver and the registration of wells and sees this as a net zero and if the line across the creek goes out, it'll be a big mess.

Director Pace thought that the Watershed Protection District and the GSA should both be reviewing these types of requests.

Director McFadden reminded him that while the GSA can review and recommend, the County has the final say in these matters.

Chair Long added that Kim Loeb has oversight of well issues at the County level.

Mr. Morgan said he thought it was a good idea to have the ability to have these types of issues on the GSA's radar, and that ultimately, people will register wells with the organization and UWCD.

Director Kimball said that control of the permitting of wells doesn't control the use in the basin and that anyone who drills is required to get a permit from the County.

Mr. Morgan added that United is typically notified after the fact, but perhaps the GSA could facilitate registration in advance.

Director Pace asked that if there is no allocation; where does the GSA fits it.

Chair Long said that well moratorium is the County and the GSA was contacted because this was a request for an exemption of that policy.

Director Kimball said that the policy is in place unless the request is for an exemption or a replacement well.

Chair Long tasked Mr. O'Neill will drafting a letter to the Ventura County Watershed Protection District and to consider this when drafting policy for the GSA.

Director McFadden said he'd like to hear requests and that sometime in the future, perhaps after the GSP is completed, the Board needs to clarify that more holes in the ground isn't the same as an allocation.

Director Meneghin asked if, in identifying projects, there was room for discussion to refer to a project identification number within the GSA, or identifying who was working with someone on exemptions.

Director Pace said it makes sense to see who has been given exemptions because at some point, when prohibitions or moratoriums on wells goes away, the GSP will have to address the wells and locations. Director Pace also thought the GSA should look at the options available under GSA authorities.

Mr. Morgan added that the GSA should consider future policy regarding its authority in well spacing, review of permit applications and other issues that will impact sustainability in the future.

Director Long suggested that the Board come back with suggested policy language for review in the future.

Motion to support Dr. Gosta Iwasiuk's request for a waiver of the Water Well Permit Prohibition for two parcels (APN 050-0-060-015 and APN 050-0-010-125) in the Fillmore Basin, Director McFadden; Second, Director Kimball. Voice vote: five ayes (Kimball, Long, McFadden, Meneghin, Pace), none opposed, one absent (Broggie). Motion carries 5/0/1

## **8B Public Hearing - FPB GSA FY 2018 Budget**

### **Motion**

Chair Long opened the Public Hearing of the GSA's 2018 Budget at 6:30 p.m. as a continuation of the 2018 Budget Workshop. Mr. Morgan reported that the February 7 Budget Workshop yielded a good discussion and that the participants were engaged and asked good questions and that the spreadsheets that were made available were picked up by several people in attendance.

Chair Long asked if there were any public comments or questions.

Jean Thirkettle addressed the Board with several questions. First, she asked if the \$1.5 million grant had happened.

Mr. Morgan said that the GSA is awaiting the final outcome, but received preliminary notice that it was very likely it would receive its entire grant request of \$1.5 million.

Ms. Thirkettle then asked if the grant was like some of the school grants she was familiar with, where you had to reimburse the grant funder for about 50 percent of the grant award.

Chair Long explained that usually that's correct with matching funds, but the GSA requested a 27% match because the area is disadvantaged and DWR has agreed to that so the GSA's match is only \$375,000 to the DWR's \$1.5 million.

Director Kimball further explained that the scope of work in the grant proposal was nearly \$2 million in expenditures in preparation of the Groundwater Sustainability Plan and the GSA's administrative duties during that time period. Of that, the DWR says it will cover \$1.5 million and the GSA makes up the difference, which initially showed \$750,000.

Ms. Thirkettle asked if the difference between what is actually spent and what has to be paid back would be raised from fees charged to pumpers.

Director Meneghin said a portion of it would be paid by pumpers, but that the Board was also seeking out additional grant awards to defray costs.

Chair Long added that the budget is reflective of estimated costs but if the GSA costs are lower, it will return that portion of the grant award.

Ms. Thirkettle asked for clarification on the \$28,000 administrative cost included in the budget. Director McFadden responded that the cost was for hiring someone to prepare the grant application. Tony Morgan added that the actual expense was closer to \$18,000. Ms. Thirkettle then asked what goes into preparing a Groundwater Sustainability Plan.

Chair Long explained that the document would include extensive data regarding water usage, presented both in narrative form and in graphs. There would be professional analysis of that data, the possibility of creating additional monitoring wells at various depths to ensure the viability of the basin as well as methods for ensuring the sustainability of the groundwater basin over time.

Ms. Thirkettle asked why two monitoring wells were so expensive – some \$400,000 each – and asked if that was just the cost of drilling the wells and wasn't there existing wells that could be used for monitoring.

Chair Long explained that there were no existing monitoring wells at the edge of each of the basins, so they included the possibility of drilling new monitoring wells in the GSP grant application, however, the costs associated with drilling those new wells were estimates, not necessarily the true costs, and if the Board decides to go ahead with those new monitoring wells, it would bit out the project and get the best rate available. Chair Long further explained that the wells would be drilled to various depths to provide comprehensive analysis of the basins.

Ms. Thirkettle asked if it was possible to space the drilling on new monitoring wells out over a number of years, but Director Kimball explained that by drilling them back to back the Board may be able to get a better or discounted rate. Director Kimball went on to explain that the fee to pumpers should go down as the GSP is completed and the work moves from creation and development and analysis to consisting monitoring and reporting.

Chair Long addressed the possibility of the GSA building a cash reserve to pay for some of the more expensive elements in the GSP as well as to take advantage of opportunities like piggybacking with United Water on State Water purchases for basin recharge.

Ms. Thirkettle asked if a bill would be sent out this month for the previous six months of water usage, would rates be around \$9 per acre foot and would there be different rates for agriculture and domestic use. Chair Long said it would be a flat fee per acre foot. Mr. Morgan added that monitoring wells come into the plan later because the GSA is looking for more grant money to defray costs and the plan must be submitted by 2022.

Chair Long declared the Public Hearing closed at 6:47p.m.

Mr. Morgan was asked if he had factored in the 27% matching grant funding cost into the budget and he said he hadn't amended the budget as he didn't want to confuse the public as the published version of the Budget was made available prior to the grand award notification.

Director Kimball suggested that an ad hoc committee review the budget and incorporate public comments and update the grant funding portion for a more refined budget which the Board can then review.

Chair Long suggested a Special Board meeting be held to finalize the Board's approval of the 2018 Budget and rate setting.

Motion to receive and file comments from the Public Hearing on the Fillmore Piru Basins Groundwater Sustainability Agency's FY 2018 DRAFT Budget and close the Public Hearing, Director Meneghin; Second, Director McFadden. Voice vote: five ayes (Kimball, Long, McFadden, Meneghin, Pace); none opposed; one absent (Broggie). Motion carries 5/0/1.

## **8C Positioning Letter regarding the Sespe Aquifer Exemption Proposal**

### **Motion**

Chair Long explained that at a previous Board meeting, Director Meneghin and Director Broggie had expressed an interest in readdressing the Board's ability to send a positioning letter to the State Water Resources Control Board (SWRCB) and its Division of Oil, Gas and Geothermal Resources (DOGGR) regarding the requested exemption proposal from Seneca Resources regarding the Sespe Aquifer.

Director Meneghin said that previously, public comments expressed concerns about the safety of the proposed exemption and that both Cal Trout and the City of Fillmore had submitted letters of opposition. Both Director McFadden and Chair Long questioned the value of submitting a letter after the public comment period had ended, but Director Meneghin explained that although the first DOGGR meeting had closed its public comment period, there was still an opportunity for the GSA to go on the record to the SWRCB.

Director Kimball asked if the SWRCB has authority regarding the Seneca application. Mr. Morgan stated that the SWRCB passes its recommendations on to the Environmental Protection Agency (EPA). Chair Long added that it was her understanding that the comment period was closed, but that the Board would listen to public comments and make a decision regarding whether or not to send a letter to SWRCB at the conclusion of those public comments.

Ann Ohlenkamp of Fillmore asked the Board to support a positioning letter opposing the application, stating that the expansion of the exemption area was much closer to water sources than initially presented at the public hearing. She also said there was a letter writing campaign scheduled for the Fillmore Adult Center on March 6 from 6:30pm to 8:30pm and provided all interested parties with an opportunity to express their concerns to SWRCB.

Lynn Edmonds of Fillmore said that she was very active in previous years and that translated into getting the SuperFund site cleaned up. She also said that oil companies spread the wealth around, giving donations to organizations which makes her suspicious of how people vote and that people who accept donations from oil companies should recuse themselves of voting on this issue.

Kris Ohlenkamp read quotes directly from the exemption application, calling attention to the fact that the permeable sandstone of the Sespe could allow for mingling with the Fillmore aquifer. He said the DOGGR meeting misrepresented facts and that the



geography is a conduit not a barrier. He also said that the DOGGR application didn't even mention surface fun off or contamination. The size of the field will double, which doubles the operation and increases runoff. He called it a no brainer in realizing that the sub-basin will eventually be contaminated and strongly urged the Board to submit a letter of opposition.

Helen Perri encouraged the use of simple language in the GSA's agendas so everyone can understand the issues at hand. She wanted to be on the record that she is against the exemption expansion request.

Rebecca August thanked the Board for the opportunity to address them and was there on behalf of Forest Watch and in support of residents of Fillmore. She said DOGGR continues to consider letters and public comment until it goes to the EPA. As the GSA for the area, she believes the Board's position on the issue matters. Forest Watch has hired hydrologist and no one can guarantee the exemption expansion is risk free. Hydrology says there is a connection to Sespe Creek. The technical information submitted regarding the area's geology was not complete. Of all the public comments received to date, 97 percent are opposed to the exemption and 11 of the 18 who expressed approval of the exemption expansion are employees of the oil company. The map provided in the application is also misleading and the 2016 SWQCB documentation also causes concerns regarding earthquake risks. While this is not a permit for fracking, it does increase storage of wastewater which means increased risk.

Kate English said the everyone has been misled by DOGGR and that the Board's influence will impact the State Water Board's approval or disapproval until that is given to the EPA. Michelle Bremmer of the EPA oversees the application and until it is final, representatives, agencies, cities, everyone needs to continue to make noise. She encouraged the Board to submit a letter of opposition to the Water Board, remind them of the beneficial uses of the local land area, DOGGR's mistakes and that rushing situations is why SWRCB was put in charge.

Sarah Walker said it was very important to set a precedent for how the water supply is managed forever. She said the GSA is a very powerful agency as stewards of the water supply and aquifers and that while people say the water is not drinkable, that's not true because wild animals rely on it as a water source. She said if the aquifer is taken out of that protection, there is no guarantee that it will not be negatively impacted. She said that even if there is only one hair of a chance of contamination, if the Board wants to be of service, if they are the kind of people she hopes they are, they will write a letter of opposition. There is no downside to that position.

Kimberly Rivers, who identified herself as representing CFROG, said that even though the DOGGR public comment period is closed, the Agency has a duty and ability to comment to any state agency. The EPA is the ultimate decision maker, but the GSA should join with the City of Fillmore in presenting a united voice of opposition. The Board should show that the basins are permeable and that injection can effect earthquakes. No one can guarantee that the basin would be protected from risk from these injection wells, so she encouraged the Board to send a letter of opposition.

Chris Collier, a consultant with Seneca Resources, said that state and federal agencies are updating boundaries, that the aquifer is properly charted and that it would not be contaminating water. He said that the aquifer holds water that currently has oil in it, the water is not drinkable and that the water injected back into the ground does not present a risk of run off as there are huge regulatory guidelines regarding that very issue. He said the Sespe Field produced a third of the oil and gas we use and that CA has very strong oil production regulations to protect the environment.

Alasdair Coyne of Keep Sespe Wild addressed the Board saying that over the years there have been spills, oil well leaks and other accidents and a letter of opposition to the exemption expansion will prevent contamination. DOGGR, in 2015, allowed injections into federally protected aquifers 2,500 times. Seneca's three injection wells are outside the area in violation of Federal law, and DOGGR didn't pay attention to analysis, didn't alter incorrect information and just sent it up the chain. The Board's job is to protect the basin and a letter of opposition will do that.

John Nelson addressed the board stating that he opposed the exemption and encouraged the Board to write a strong letter of opposition. Fillmore's City Council voted unanimously to oppose the exemption expansion. Seneca didn't ask permission in advance and DOGGR let it slide on through.

Cynthia King of King & King Ranch said that she pays into the Basin Pumpers Association and is pleased with the job they are tasked with. Her family has been farming for 100 years and rely on water for both agriculture and domestic use. An exemption expansion could open the area up for hundreds of new wells. She said we all depend on water and if not today, think of future generations, your families and don't be another Flint, Michigan. Please write the letter, she said.

Director McFadden asked Barb Filkins of Fillmore Irrigation for her thoughts on the matter. She said that she would be opposed, but she's not sure if all the facts are in yet. She said cross contamination would be devastating and she's witnessed similar situations on the East coast, where she grew up. Director McFadden then asked Chris Collier, the consultant with Seneca, how deep do they go with the injections. Mr. Collier said typically 5-6,000 feet, same as oil, but cautioned that he is not a geologist. Director McFadden asked how long the Sespe Oil Field had been in production. Mr. Collier said 60 years.

Chair Long then had a conversation with the GSA's legal counsel regarding which Directors were eligible to vote on the matter, as it didn't really involve the Piru Basin. Mr. O'Neill said that Piru was not germane to the discussion.

Director Meneghin then reminded the Board that Cal Trout and the Fillmore City Council had already submitted letters of opposition and that the GSA's role is to ensure the sustainability and quality of water resources. She also mentioned the lack of process with DOGGR made her think it was a risk and that the GSA should follow the necessary steps to ensure the process of risk analysis is fully examined.

Director Pace said that even though he doesn't get to vote on the issue, that he thinks there has been inaccurate information from both sides of the discussion and that when passions are high, which he completely understands, it's hard to see the other side's logic or science. He said that Seneca has already been injecting into wells for years, however, the City of Fillmore provides his home with drinking water and that causes him concern, enough so that he would not support the exemption.

Director McFadden said he agreed with Director Pace but said of the 63 letters the Board received prior to the meeting, only eight were from the basin area. He said he felt strong-armed by outside interests. He also said that he depends on clean water, drinking water, from Fillmore Irrigation, and its doubts cause him concern. He said he would support a letter opposing the expansion of the exemption, but wanted legal counsel to be careful with the wording.

Director Meneghin asked that the letter be kept general and addressed the areas that the GSA has jurisdiction over as an agency, to which Director McFadden agreed.

Chair Long stated that the Board appreciated the letters as well as the opinions of those who spoke to the Board today. She then instructed legal counsel to send a letter of opposition citing water sustainability issues in compliance with SGMA and the Board's role in protection the water quality of the aquifer for future agricultural and domestic use.

Motion to draft a positioning letter from the FPB GSA Board of Directors to the State Water Resources Control Board and its Division of Oil, Gas and Geothermal Resources opposing the Sespe Aquifer exemption expansion proposal, Director Meneghin; Second, Director McFadden. Voice vote: four ayes (Kimball, Long, McFadden, Meneghin), none opposed, one abstain (Pace) and one absent (Broggie). Motion carries 4/0/1/1.

Director McFadden added that he would like to review the draft of the opposition letter before it is signed and distributed.

## **8D Basins Boundary Modification Workshop – Tim Moore, UWCD**

### **Motion**

UWCD's Tim Moore reviewed the current basin boundaries as recognized by the Department of Water Resources and reviewed the proposed modifications that UWCD was recommending to the Board. He mentioned that there are 67 acres on the east end between the UWCD boundary and the county line and although no wells currently exists in that area, the entity that currently oversees the area, Santa Clarita Valley Water, does not wish to give up the acreage to make a boundary delineation at the county line. Mr. Moore also reported that the DWR boundaries were based on old technology that didn't provide the detail which we have today. Mr. Moore said the boundary modifications are based on

geology, which doesn't change, rather than land use. Moving the Piru basin boundary to the west would bring in an additional 16 wells that had been included in the Fillmore basin previously, and that 18 wells on Piru's east end are outside the UWCD boundary. Mr. Moore said that DWR is receiving boundary modification submissions until June 30, 2018. That submission deadline will be followed by a 30 day public comment period. The draft basin boundary modifications would be finalized in the fall with final approval and notification from DWR expected by the end of the year.

Tony Morgan added that there are 19 wells outside the Fillmore/Santa Paula boundary on the west and 18 wells inside the Piru/Santa Clarita Valley Water boundary on the east.

Legal counsel was asked if the GSA could bill pumpers outside the current boundaries and responded that if pumpers voluntarily paid, that would be fine, but stated that boundaries are determined at the State level and changes require 30 days public comment, three public meetings and the involvement of the California Water Commission as well. Mr. Morgan said that the way the JPA was written, DWR is the agency that decides the boundary.

Chair Long asked if the GSA could collect fees if the boundaries are not yet approved. Director Kimball said during the upcoming Boundary Modification workshop, it needed to be carefully explained and well owners need to be fully aware of the current boundaries as well as the proposed modifications. Chair Long reminded the Board that 10 days public notice in advance of the meeting was required and suggested that the workshop be preceded by a Special Board meeting to address the budget updates. She proposed the board meeting be held at 8am followed immediately by the Boundary workshop at 9am

Motion to secure Veteran's Memorial Building on March 16 for the purpose of holding a Special Board Meeting for review of the proposed 2018 budget at 8am, and a public outreach Basin Boundary Modification Workshop immediately following at 9am; and to promote the events to stakeholders and the public in advance of the meeting date, Director McFadden; Second, Director Kimball. Voice vote: five ayes (Kimball, Long, McFadden, Meneghin, Pace); none opposed, one absent (Broggie). Motion carries 5/0/1.

## 9 INFORMATION ITEMS

### 9A **FPB GSA Proposed By Laws - Steve O'Neill, OMLO**

#### **Information Item**

Mr. O'Neill said that he had some questions for the Board before preparing a draft of the Agency's By Laws and reminded the Board that the GSA had one year from its formation to prepare and approve By Laws. Mr. O'Neill said that the Joint Powers of Authority (JPA) agreement was pretty comprehensive and that voting and other issues could be carried over from the JPA to the By Laws. He asked if there was to be any compensation for the Board members, and the directors agreed there would be none.

Chair Long asked if the By Laws could defer to the JPA so both documents are considered. Mr. O'Neill said he could include cross referential material in the By Laws and would prepare a draft for the next board meeting. Chair Long asked if the County needed to approve the By Laws and Mr. O'Neill stated that County approval was not needed.

Director Kimball said that he would like the By Laws to be complete so that the public could refer to only one document, even if the By Laws are driven by the language in the JPA. Director Pace asked if the JPA changes, do the By Laws change so there are no contradictions between the two documents. Mr. O'Neill said the documents should mirror one another and that the JPA originates the GSA and the By Laws are adopted by the GSA. He said the By Laws are separate from the County and the City and as long as they do not go beyond the scope of the agreement or exceed the scope of authority. Chair Long said she wanted to be sensitive to how long it took to get approval of the JPA language and Mr. Morgan suggested that the JPA articles be cited in the By Laws.

**9B Cost Reimbursement Update – Tony Morgan, UWCD**

**Information Item**

Mr. Morgan said that he was still working with UWCD on drafting an agreement for cost reimbursement include the time of District staff, accounting services, groundwater research data, the Clerk of the Board position and other means of financial support. Director Kimball said he wanted collection to be handled by GSA not UWCD. Chair Long asked if the Board could receive a monthly update regarding accounting, expenses versus budget. Director McFadden said Mr. Morgan could provide that information to him as the Board's treasurer prior to the Board meeting and that he would report back to the Board.

**9C DWR Groundwater Extraction Reporting Requirements – Tony Morgan, UWCD**

**Information Item**

Mr. Morgan said he just wanted the Board to be aware of DWR's groundwater extraction reporting requirements. SGMA requires groundwater reporting on a water year basis, with the water year occurring from October 1 through September 30. Since UWCD typically reports semi-annually – January through June and July through December – does the GSA want to report monthly and package data accordingly? He said he just wanted it on the Board's radar.

Director Kimball asked if that meant submitting meter reads 12 times a year and Mr. Morgan said that it will require more effort to comply with the DWR reporting requirement as July 1 starts the fiscal year and UWCD reports to coincide with that. The GSA could elect to report on a Water Year, reporting annually to DWR. Director Kimball said pumpers could also submit a meter read in July, October and December, with July and December coinciding with UWCD's reporting and billing structure and just add the additional read in October to comply with DWR. Of course, he added that if you have automatic meters, the issue goes away. Mr. Morgan said there are 480 pumpers reporting to the GSA, plus the additional 19 when boundary modifications are approved, just shy of 500 reports.

**ADJOURNMENT 8:46p.m.**

The Board will adjourn to the next **Regular Board Meeting** on Monday, **March 26, 2018** 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 February 20, 2018.

ATTEST: \_\_\_\_\_  
Kris Sofley, Clerk of the Board

FILLMORE AND PIRU BASINS  
GROUNDWATER SUSTAINABILITY AGENCY

250 Central Avenue, Fillmore, CA 93015  
(805) 525-4431

Regular Board of Directors Meeting  
February 20, 2018 @ 6pm

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FILLMORE AND PIRU BASINS  
GROUNDWATER SUSTAINABILITY AGENCY

250 Central Avenue, Fillmore, CA 93015

(805) 525-4431

Regular Board of Directors Meeting

February 20, 2018 @ 6pm

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FILLMORE AND PIRU BASINS  
GROUNDWATER SUSTAINABILITY AGENCY

250 Central Avenue, Fillmore, CA 93015

(805) 525-4431

Regular Board of Directors Meeting  
February 20, 2018 @ 6pm

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## Kris Sofley

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**From:** THERESE HARTMANN <world.family@yahoo.com>  
**Sent:** Tuesday, February 20, 2018 11:00 AM  
**To:** Kris Sofley  
**Subject:** Sespe Basal Aquifer Exemption

Dear Chair Long and Fillmore/Piru GSA Board

As you know, the City of Fillmore submitted a strong letter to the Division of Oil, Gas and Geothermal Resources (DOGGR) opposing the exemption of the Sespe Basal Formation from the federal Safe Drinking Water Act, because Fillmore's water will be put in jeopardy if the exemption is approved.

I am writing to ask the GSA Board to join with the City of Fillmore to help protect Fillmore's water by letting the State Water Board, and DOGGR know that the Fillmore/Piru GSA Board opposes the Sespe Aquifer Exemption.

The Fillmore/Piru Subbasin – the only source of water for Fillmore - is located only ½ mile from the boundary of the Sespe Basal Formation – a fact that was NOT part of the public review process because DOGGR was using a map that was two years out of date.

DOGGR allowed the oil company to dump toxic wastewater into the Sespe Basal Formation behind the City of Fillmore and beneath the Los Padres National Forest, without proper review as required by the EPA. The aquifer is currently protected under the federal Safe Drinking Water Act and is located next to the Sespe Condor Sanctuary, where the California Condor is making a tenuous recovery from the brink of extinction.

The EPA found DOGGR in violation of their duty to protect California's drinking water, and now the oil company has been forced to submit this application in order to fully comply with the law.

A hydrogeologist report (Sent separately) states that the aquifers are permeable – and there is potential for interaction. The report also finds that the Basal Sespe Formation, proposed for Aquifer Exemption, may contribute flow to Sespe Creek, an important source of recharge to the Fillmore groundwater subbasin. Therefore, DOGGR cannot guarantee that Fillmore's water will be protected from contamination from the oil field waste and fracking chemicals that will be injected. Earthquake faults in the area can also be a conduit between the groundwater basins – providing another means of contamination. Waste injection has been shown to induce earthquakes in oil fields, which presents another problem should oil well casings rupture during an earthquake – induced or natural.

Since DOGGR cannot guarantee Fillmore's water will be protected from contamination, the exemption should not be approved. Please help protect Fillmore's water.

Regards,  
THERESE HARTMANN  
312 W Matilija St  
Ojai, CA 93023

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# Protect Fillmore's Water

Letter Writing Party

&

Informational Meeting

Tues. March 6

6:30 pm - 8:30 pm

Fillmore Active Adult Center

533 Santa Clara Street

Gather with your neighbors  
to submit comments opposing  
the expansion of oil waste  
injection in the Sespe Oil Field

Interpretation Services will be  
available

<http://www.cfrog.org/calendar>





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## CHAPTER 2: BENEFICIAL USES

State policy for water quality control in California is directed toward achieving the highest water quality consistent with maximum benefit to the people of the state. Aquatic ecosystems and underground aquifers provide many different benefits to the people of the state. The beneficial uses described in detail in this chapter define the resources, services, and qualities of these aquatic systems that are the ultimate goals of protecting and achieving high water quality. The Water Board is charged with protecting all these uses from pollution and nuisance that may occur as a result of waste discharges in the region. Beneficial uses of surface waters, groundwaters, marshes, and wetlands presented here serve as a basis for establishing water quality objectives and discharge prohibitions to attain these goals.

Beneficial use designations for any given water body do not rule out the possibility that other beneficial uses exist or have the potential to exist. Existing beneficial uses that have not been formally designated in this Basin Plan are protected whether or not they are identified. While the tables in this Chapter list a large, representative portion of the water bodies in our region, it is not practical to list each and every water body.

### 2.1 DEFINITIONS OF BENEFICIAL USES

The following definitions (in *italic*) for beneficial uses are applicable throughout the entire state. A brief description of the most important water quality requirements for each beneficial use follows each definition (in alphabetical order by abbreviation).

#### 2.1.1 AGRICULTURAL SUPPLY (AGR)

*Uses of water for farming, horticulture, or ranching, including, but not limited to, irrigation, stock watering, or support of vegetation for range grazing.*



## Beneficial Uses

### 2.2.1 Surface Waters

### 2.2.2 Groundwater

### 2.2.3 Wetlands

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of California Cooperative Extension has developed threshold and limiting concentrations for livestock and irrigation water. Continued irrigation often leads to one or more of four types of hazards related to water quality and the nature of soils and crops. These hazards are (1) soluble salt accumulations, (2) chemical changes in the soil, (3) toxicity to crops, and (4) potential disease transmission to humans through reclaimed water use. Irrigation water classification systems, arable soil classification systems, and public health criteria related to reuse of wastewater have been developed with consideration given to these hazards.

#### 2.1.2 AREAS OF SPECIAL BIOLOGICAL SIGNIFICANCE (ASBS)

*Areas designated by the State Water Board.*

These include marine life refuges, ecological reserves, and designated areas where the preservation and enhancement of natural resources requires special protection. In these areas, alteration of natural water quality is undesirable. The areas that have been designated as ASBS in this Region are Bird Rock, Point Reyes Headland Reserve and Extension, Double Point, Duxbury Reef Reserve and Extension, Farallon Islands, and James V. Fitzgerald Marine Reserve, depicted in [Figure 2-1](#). The [California Ocean Plan](#) prohibits waste discharges into, and requires wastes to be discharged at a sufficient distance from, these areas to assure maintenance of natural water quality conditions. These areas have been designated as a subset of State Water Quality Protection Areas as per the [Public Resources Code](#).

#### 2.1.3 COLD FRESHWATER HABITAT (COLD)

*Uses of water that support cold water ecosystems, including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.*

Cold freshwater habitats generally support trout and may support anadromous salmon and steelhead fisheries as well. Cold water habitats are commonly well-oxygenated. Life within these waters is relatively intolerant to environmental stresses. Often, soft waters feed cold water habitats. These waters render fish more susceptible to toxic metals, such as copper, because of their lower buffering capacity.

#### 2.1.4 COMMERCIAL, AND SPORT FISHING (COMM)

beneficial uses.

### 2.1.5 ESTUARINE HABITAT (EST)

*Uses of water that support estuarine ecosystems, including, but not limited to, preservation or enhancement of estuarine habitats, vegetation, fish, shellfish, or wildlife (e.g., estuarine mammals, waterfowl, shorebirds), and the propagation, sustenance, and migration of estuarine organisms.*

Estuarine habitat provides an essential and unique habitat that serves to acclimate anadromous fishes (e.g., salmon, striped bass) migrating into fresh or marine water conditions. The protection of estuarine habitat is contingent upon (1) the maintenance of adequate Delta outflow to provide mixing and salinity control; and (2) provisions to protect wildlife habitat associated with marshlands and the Bay periphery (i.e., prevention of fill activities). Estuarine habitat is generally associated with moderate seasonal fluctuations in dissolved oxygen, pH, and temperature and with a wide range in turbidity.

### 2.1.6 FRESHWATER REPLENISHMENT (FRSH)

*Uses of water for natural or artificial maintenance of surface water quantity or quality.*

### 2.1.7 GROUNDWATER RECHARGE (GWR)

*Uses of water for natural or artificial recharge of groundwater for purposes of future extraction, maintenance of water quality, or halting saltwater intrusion into freshwater aquifers.*

The requirements for groundwater recharge operations generally reflect the future use to be made of the water stored underground. In some cases, recharge operations may be conducted to prevent seawater intrusion. In these cases, the quality of recharged waters may not directly affect quality at the wellfield being protected. Recharge operations are often limited by excessive suspended sediment or turbidity that can clog the surface of recharge pits, basins, or wells.

Under the state [Antidegradation Policy](#), the quality of some of the waters of the state is higher than established by adopted policies. It is the intent of this



maximum benefit to the people of the state. Additionally, it must be recognized that groundwater recharge occurs naturally in many areas from streams and reservoirs. This recharge may have little impact on the quality of groundwaters under normal circumstances, but it may act to transport pollutants from the recharging water body to the groundwater. Therefore, groundwater recharge must be considered when requirements are established.

#### 2.1.8 INDUSTRIAL SERVICE SUPPLY (IND)

*Uses of water for industrial activities that do not depend primarily on water quality, including, but not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, and oil well repressurization.*

Most industrial service supplies have essentially no water quality limitations except for gross constraints, such as freedom from unusual debris.

#### 2.1.9 MARINE HABITAT (MAR)

*Uses of water that support marine ecosystems, including, but not limited to, preservation or enhancement of marine habitats, vegetation such as kelp, fish, shellfish, or wildlife (e.g., marine mammals, shorebirds).*

In many cases, the protection of marine habitat will be accomplished by measures that protect wildlife habitat generally, but more stringent criteria may be necessary for waterfowl marshes and other habitats, such as those for shellfish and marine fishes. Some marine habitats, such as important intertidal zones and kelp beds, may require special protection.

#### 2.1.10 FISH MIGRATION (MIGR)

*Uses of water that support habitats necessary for migration, acclimatization between fresh water and salt water, and protection of aquatic organisms that are temporary inhabitants of waters within the region.*

The water quality provisions acceptable to cold water fish generally protect anadromous fish as well. However, particular attention must be paid to maintaining zones of passage. Any barrier to migration or free movement of migratory fish is harmful. Natural tidal movement in estuaries and unimpeded river flows are necessary to sustain migratory fish and their offspring. A water quality barrier, whether thermal, physical, or chemical, can destroy the

differences related to water temperature, salinity, or suspended matter.

### 2.1.11 MUNICIPAL AND DOMESTIC SUPPLY (MUN)

*Uses of water for community, military, or individual water supply systems, including, but not limited to, drinking water supply.*

The principal issues involving municipal water supply quality are (1) protection of public health; (2) aesthetic acceptability of the water; and (3) the economic impacts associated with treatment- or quality-related damages.

The health aspects broadly relate to: direct disease transmission, such as the possibility of contracting typhoid fever or cholera from contaminated water; toxic effects, such as links between nitrate and methemoglobinemia (blue babies); and increased susceptibility to disease, such as links between halogenated organic compounds and cancer.

Aesthetic acceptance varies widely depending on the nature of the supply source to which people have become accustomed. However, the parameters of general concern are excessive hardness, unpleasant odor or taste, turbidity, and color. In each case, treatment can improve acceptability although its cost may not be economically justified when alternative water supply sources of suitable quality are available.

Published water quality objectives give limits for known health-related constituents and most properties affecting public acceptance. These objectives for drinking water include the [U.S. Environmental Protection Agency Drinking Water Standards](#) and the [California State Department of Health Services](#) criteria.

### 2.1.12 NAVIGATION (NAV)

*Uses of water for shipping, travel, or other transportation by private, military, or commercial vessels.*

### 2.1.13 INDUSTRIAL PROCESS SUPPLY (PRO)

*Uses of water for industrial activities that depend primarily on water quality.*

Water quality requirements differ widely for the many industrial processes in use today. So many specific industrial processes exist with differing water



#### 2.1.14 PRESERVATION OF RARE AND ENDANGERED SPECIES (RARE)

*Uses of waters that support habitats necessary for the survival and successful maintenance of plant or animal species established under state and/or federal law as rare, threatened, or endangered.*

The water quality criteria to be achieved that would encourage development and protection of rare and endangered species should be the same as those for protection of fish and wildlife habitats generally. However, where rare or endangered species exist, special control requirements may be necessary to assure attainment and maintenance of particular quality criteria, which may vary slightly with the environmental needs of each particular species. Criteria for species using areas of special biological significance should likewise be derived from the general criteria for the habitat types involved, with special management diligence given where required.

#### 2.1.15 WATER CONTACT RECREATION (REC1)

*Uses of water for recreational activities involving body contact with water where ingestion of water is reasonably possible. These uses include, but are not limited to, swimming, wading, water-skiing, skin and scuba diving, surfing, whitewater activities, fishing, and uses of natural hot springs.*

Water contact implies a risk of waterborne disease transmission and involves human health; accordingly, criteria required to protect this use are more stringent than those for more casual water-oriented recreation.

Excessive algal growth has reduced the value of shoreline recreation areas in some cases, particularly for swimming. Where algal growths exist in nuisance proportions, particularly bluegreen algae, all recreational water uses, including fishing, tend to suffer.

One criterion to protect the aesthetic quality of waters used for recreation from excessive algal growth is based on chlorophyll a.

Public access to drinking water reservoirs is limited or prohibited by reservoir owner/operators for purposes of protecting drinking water quality and public health. In some cases, access to reservoir tributaries is also prohibited. For these water bodies, REC-1 is designated as E\*, for the purpose of protecting water quality. No right to public access is intended by this designation.

#### 2.1.16 NONCONTACT WATER RECREATION (REC2)

#### *activities.*

Water quality considerations relevant to noncontact water recreation, such as hiking, camping, or boating, and those activities related to tide pool or other nature studies require protection of habitats and aesthetic features. In some cases, preservation of a natural wilderness condition is justified, particularly when nature study is a major dedicated use.

One criterion to protect the aesthetic quality of waters used for recreation from excessive algal growth is based on chlorophyll a.

#### 2.1.17 SHELLFISH HARVESTING (SHELL)

*Uses of water that support habitats suitable for the collection of crustaceans and filter-feeding shellfish (e.g., clams, oysters, and mussels) for human consumption, commercial, or sport purposes.*

Shellfish harvesting areas require protection and management to preserve the resource and protect public health. The potential for disease transmission and direct poisoning of humans is of considerable concern in shellfish regulation. The bacteriological criteria for the open ocean, bays, and estuarine waters where shellfish cultivation and harvesting occur should conform with the standards described in the National Shellfish Sanitation Program, Manual of Operation.

Toxic metals can accumulate in shellfish. Mercury and cadmium are two metals known to have caused extremely disabling effects in humans who consumed shellfish that concentrated these elements from industrial waste discharges. Other elements, radioactive isotopes, and certain toxins produced by particular plankton species also concentrate in shellfish tissue. Documented cases of paralytic shellfish poisoning are not uncommon in California.

#### 2.1.18 FISH SPAWNING (SPWN)

*Uses of water that support high quality aquatic habitats suitable for reproduction and early development of fish.*

Dissolved oxygen levels in spawning areas should ideally approach saturation levels. Free movement of water is essential to maintain well-oxygenated conditions around eggs deposited in sediments. Water temperature, size



*uses of water that support warm water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.*

The warm freshwater habitats supporting bass, bluegill, perch, and other fish are generally lakes and reservoirs, although some minor streams will serve this purpose where stream flow is sufficient to sustain the fishery. The habitat is also important to a variety of nonfish species, such as frogs, crayfish, and insects, which provide food for fish and small mammals. This habitat is less sensitive to environmental changes, but more diverse than the cold freshwater habitat, and natural fluctuations in temperature, dissolved oxygen, pH, and turbidity are usually greater.

#### 2.1.20 WILDLIFE HABITAT (WILD)

*Uses of waters that support wildlife habitats, including, but not limited to, the preservation and enhancement of vegetation and prey species used by wildlife, such as waterfowl.*

The two most important types of wildlife habitat are riparian and wetland habitats. These habitats can be threatened by development, erosion, and sedimentation, as well as by poor water quality.

The water quality requirements of wildlife pertain to the water directly ingested, the aquatic habitat itself, and the effect of water quality on the production of food materials. Waterfowl habitat is particularly sensitive to changes in water quality. Dissolved oxygen, pH, alkalinity, salinity, turbidity, settleable matter, oil, toxicants, and specific disease organisms are water quality characteristics particularly important to waterfowl habitat. Dissolved oxygen is needed in waterfowl habitats to suppress development of botulism organisms; botulism has killed millions of waterfowl. It is particularly important to maintain adequate circulation and aerobic conditions in shallow fringe areas of ponds or reservoirs where botulism has caused problems.

## 2.2 EXISTING AND POTENTIAL BENEFICIAL USES

### 2.2.1 SURFACE WATERS

Surface waters in the Region consist of non-tidal wetlands, rivers, streams, and lakes (collectively described as inland surface waters), estuarine wetlands

#### CREEKS IN THE SOUTH.

Inland surface waters support or could support most of the beneficial uses described above. The specific beneficial uses for inland streams include municipal and domestic supply (MUN), agricultural supply (AGR), commercial and sport fishing (COMM), freshwater replenishment (FRESH), industrial process supply (PRO), groundwater recharge (GWR), preservation of rare and endangered species (RARE), water contact recreation (REC1), noncontact water recreation (REC2), wildlife habitat (WILD), cold freshwater habitat (COLD), warm freshwater habitat (WARM), fish migration (MIGR), and fish spawning (SPWN). The San Francisco Bay Estuary supports estuarine habitat (EST), industrial service supply (IND), and navigation (NAV) in addition to COMM, RARE, REC1, REC2, WILD, MIGR, and SPWN.

Coastal waters' beneficial uses include water contact recreation (REC1); noncontact water recreation (REC2); industrial service supply (IND); navigation (NAV); marine habitat (MAR); shellfish harvesting (SHELL); commercial and sport fishing (COMM); wildlife habitat (WILD), fish migration (MIGR), fish spawning (SPWN), and preservation of rare and endangered species (RARE). In addition, the California coastline within the Region is endowed with exceptional scenic beauty.

The beneficial uses of any specifically identified water body generally apply to all its tributaries. In some cases a beneficial use may not be applicable to the entire body of water, such as navigation in Richardson Bay or shellfish harvesting in the Pacific Ocean. In these cases, the Water Board's judgment regarding water quality control measures necessary to protect beneficial uses will be applied.

Beneficial uses of streams that have intermittent flows, as is typical of many streams in the region, must be protected throughout the year and are designated as "existing."

Beneficial uses of each significant water body have been identified and are organized according to the seven major Hydrologic Planning Areas within the Region (Figure 2-2). The maps locating each water body (Figures 2.3 through 2.9) were produced using a geographical information system (GIS) at the Water Board. The maps use the hydrologic basin information compiled by the California Interagency Watershed map, with supplemental information from the Oakland Museum of California Creek and Watershed Map series, the Contra Costa County Watershed Atlas, and the San Francisco Estuary Institute



geographically, with tributaries indented below their receiving water body. In cases where a water body shares the same name with another water body (e.g., Redwood Creek), the location of the water body (county and/or other identifier) is given in parentheses. An alternative name for a water body, where known, is also shown in parentheses. In Table 2-1, beneficial uses are indicated as follows:

E – indicates the beneficial use exists in the water body.

E\* – indicates public access to the water body is limited or prohibited for purposes of protecting drinking water quality and public health. REC-1 is designated as E\* for the purpose of protecting water quality. No right to public access is intended by this designation.

P – indicates the water body could potentially support the beneficial use.

### 2.2.2 GROUNDWATER

Groundwater is defined as subsurface water that occurs beneath the water table in soils and geologic formations that are fully saturated. Where groundwater occurs in a saturated geologic unit that contains sufficient permeable thickness to yield significant quantities of water to wells and springs, it can be defined as an aquifer. A groundwater basin is defined as a hydrogeologic unit containing one large aquifer or several connected and interrelated aquifers.

Water-bearing geologic units occur within groundwater basins in the Region that do not meet the definition of an aquifer. For instance, there are shallow, low permeability zones throughout the Region that have extremely low water yields. Groundwater may also occur outside of currently identified basins. Therefore, for basin planning purposes, the term "groundwater" includes all subsurface waters, whether or not these waters meet the classic definition of an aquifer or occur within identified groundwater basins.

The [California Department of Water Resources \(DWR\)](#) evaluated the characteristics of groundwater basins in the Region and throughout the state and summarized the results in [California's Groundwater, Bulletin 118 \(2003\)](#). Of special importance to the Region are the 28 groundwater basins and seven sub-basins classified by DWR that produce, or potentially could produce, significant amounts of groundwater ([Figures 2-10 and 2-10A-D](#)). The Water Board maintains a GIS for all water bodies in the Region and has the capacity to

groundwater recharge (GWR), and freshwater replenishment to surface waters (FRESH). Table 2-2 lists the 28 identified groundwater basins and seven sub-basins located in the Region and their existing and potential beneficial uses.

Unless otherwise designated by the Water Board, all groundwater is considered suitable, or potentially suitable, for municipal or domestic water supply (MUN). In making any exceptions, the Water Board will consider the criteria referenced in State Water Board Resolution No. 88-63 and Water Board Resolution No. 89-39, "Sources of Drinking Water," where:

- The total dissolved solids exceed 3,000 milligrams per liter (mg/L) (5,000 microSiemens per centimeter,  $\mu\text{S}/\text{cm}$ , electrical conductivity), and it is not reasonably expected by the Water Board that the groundwater could supply a public water system; or
- There is contamination, either by natural processes or by human activity (unrelated to a specific pollution incident), that cannot reasonably be treated for domestic use using either Best Management Practices (BMPs) or best economically achievable treatment practices; or
- The water source does not provide sufficient water to supply a single well capable of producing an average, sustained yield of 200 gallons per day; or
- The aquifer is regulated as a geothermal energy-producing source or has been exempted administratively pursuant to 40 Code of Federal Regulations (CFR) Part 146.4 for the purpose of underground injection of fluids associated with the production of hydrocarbon or geothermal energy, provided that these fluids do not constitute a hazardous waste under 40 CFR Part 261.3.

### 2.2.3 WETLANDS

Federal administrative law (e.g., 40 CFR Part 122.2, revised December 22, 1993) defines wetlands as waters of the United States. National waters include waters of the State of California, defined by the Porter-Cologne Act as "any water, surface or underground, including saline waters, within the boundaries of the State" (California Water Code §13050[e]). Wetland water quality control is therefore clearly within the jurisdiction of the State Water Board and Regional Water Boards.

Wetlands are further defined in 40 CFR 122.2 as "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient



water marshes, mudflats, sandflats, unvegetated seasonally ponded areas, vegetated shallows, sloughs, wet meadows, playa lakes, natural ponds, vernal pools, diked baylands, seasonal wetlands, floodplains, and riparian woodlands.

Mudflats make up one of the largest and most important habitat types in the Estuary. Snails, clams, worms, and other animals convert the rich organic matter in the mud bottom to food for fish, crabs, and birds.

Mudflats generally support a variety of edible shellfish, and many species of fish rely heavily on the mudflats during at least a part of their life cycle. Additionally, San Francisco Bay mudflats are one of the most important habitats on the coast of California for millions of migrating shorebirds.

Another important characteristic of the Estuary is the fresh, brackish, and salt water marshes around the Bay's margins. These highly complex communities are recognized as vital components of the Bay system's ecology. Most marshes around the Bay have been destroyed through filling and development. The protection, preservation, and restoration of the remaining marsh communities are essential for maintaining the ecological integrity of the Estuary.

Identifying wetlands may be complicated by such factors as the seasonality of rainfall in the Region. Therefore, in identifying wetlands considered waters of the United States, the Water Board will consider such indicators as hydrology, hydrophytic plants, and/or hydric soils for the purpose of mapping and inventorying wetlands. The Water Board will, in general, rely on the federal manual for wetland delineation in the Region when issuing Clean Water Act Section 401 water quality certifications ([U.S. Army Corps of Engineers \(Corps\) Wetlands Delineation Manual, 1987](#)). In the rare cases where the U.S. EPA and Corps guidelines disagree on the boundaries for federal jurisdictional wetlands, the Water Board will rely on the wetlands delineation made by the U.S. EPA or the California Department of Fish and Game (CDFG). For the purpose of mapping and inventorying wetlands, the Water Board will rely on the protocols and naming conventions of the [National Wetlands Inventory \(NWI\)](#) prepared by the [U.S. Fish and Wildlife Service \(USFWS\)](#).

Many individual wetlands provide multiple benefits depending on the wetland type and location. There are many potential beneficial uses of wetlands, including [Wildlife Habitat \(WILD\)](#); [Preservation of Rare and Endangered Species \(RARE\)](#); [Shellfish Harvesting \(SHELL\)](#); [Water Contact Recreation \(REC1\)](#); [Noncontact Water Recreation \(REC2\)](#); [Commercial, and Sport Fishing \(COMM\)](#);

Table 2-3 shows how beneficial uses are associated with different wetland types. Table 2-4 lists and specifies beneficial uses for 34 significant wetland areas within the Region; generalized locations of these wetlands are shown in Figure 2-11. It should be noted that most of the wetlands listed in Table 2-4 are saltwater marshes, and that the list is not comprehensive.

The Water Board has participated in completing the Baylands Ecosystem Habitat Goals Report (1999) and the Baylands Ecosystem Species and Community Profiles (2000), which were written by scientists and managers in the Region in order to recommend sound wetland restoration strategies. Other efforts around the Bay to locate wetland sites include San Francisco Estuary Institute's (SFEI) EcoAtlas Baylands Maps (Baylands Maps) and Bay Area Wetlands Project Tracker (Wetlands Tracker), and the Wetland Tracker managed by the San Francisco Bay Joint Venture. Because of the large number of small and non-contiguous wetlands, it is not practical to delineate and specify beneficial uses of every wetland area. Therefore, beneficial uses may be determined site specifically, as needed. Chapter 4 of this Plan contains additional information on the process used to determine beneficial uses for specific wetland sites.

## FIGURES

Figure 2-1: Areas of Special Biological Significance

Figure 2-2: Hydrologic Planning Areas

Legend for Figures 2-3 through 2-9b

Figures 2-3 through 2-3b: Marin Coastal Basin (legend)

Figures 2-4 through 2-4b: San Mateo Coastal Basin (legend)

Figure 2-5: Central Basin (legend)

Figures 2-6 through 2-6b: South Bay Basin (legend)

Figures 2-7 through 2-7b: Santa Clara Basin (legend)

Figures 2-8 through 2-8b: San Pablo Basin (legend)

Figures 2-9 through 2-9b: Suisun Basin (legend)

Figure 2-10: Significant Groundwater Basins

Figure 2-10A: Groundwater Basins: Marin / Sonoma / Napa



## TABLES

Table 2-1: Existing and Potential Beneficial Uses of Water Bodies in the San Francisco Bay Region

Table 2-2: Existing and Potential Beneficial Uses of Groundwater in Identified Basins

Table 2-3: Examples of Existing and Potential Beneficial Uses of Selected Wetlands

Table 2-4: Beneficial Uses of Wetland Areas



<<< Previous - Ch.1:  
Introduction

Next - Ch.3: Water Quality Objectives >>>

**(Page last updated 12/18/17)**

*Water is a precious resource in California, and maintaining its quality is of utmost importance to safeguard the health of the public and the environment.*

## Statewide Campaigns

-  EPA Water Sense
-  Report an Environmental Concern
-  Save Our Water
-  Flex Alert
-  Register to Vote

## Quick Links

-  Ex Parte Communications
-  Permits We Issue
-  Fees / Make a Payment
-  Help / Business Help

## Resources



**SPECIAL Board of Directors Meeting  
Friday, March 16, 2018 - 8:00 a.m.**

**Veterans Memorial Building  
511 Second Street, Fillmore, CA 93015**

**MINUTES**

**Directors Present**

Director Kelly Long, Chair  
Director Ed McFadden, Vice Chair/Secretary/Treasurer  
Director Carrie Broggie  
Director Gordon Kimball  
Director Candice Meneghin

**Directors Absent**

Director Glen Pace

**Staff Present**

Keith Lemieux, Legal Counsel  
Kris Sofley, interim executive director

**Public Present**

Manual Minjares, Supervisor Kelly Long's office  
Tim Moore, UWCD  
Tony Morgan, UWCD

**Call to Order**

Chair Long called the Special Board Meeting to Order at 8:15a.m.

**1. Pledge of Allegiance**

Chair Long led the meeting participants in the Pledge of Allegiance.

**2. Public Comments**

None were offered.

**3. Public Hearing - CY 2018 Budget**

**Motion**

Chair Long reopened the Public Hearing on the amended FPB GSA CY 2018 budget. She reminded the Board that the ad hoc finance committee met two weeks ago and made adjustments to a six year projection based on feedback from the previous Budget Workshop held on February 7, 2018 as well as at subsequent Board meetings. First, the budget was adjusted to factor in the grant award of \$1.5 million, which allowed a shorter leveling off period.

Based on public comments wherein stakeholders conveyed that they would rather pay a consistent, modestly increased rate across the time period and then get a reduction after the Groundwater Sustainability Plan (GSP) is completed rather than having fluctuating rates every billing period, an adjustment to the extraction rate was changed to \$8.50 per acre foot.

Mr. Morgan said that the paperwork for the grant, once signed and submitted, would allow the GSA to submit requests for reimbursement, which typically takes about six months to receive.

Chair Long asked if the GSA submitted a request for reimbursement of expenses incurred from January to June in June, would the GSA receive a check in December?

Legal Counsel, Mr. Keith Lemieux, said that the State says it expedites reimbursement, but the time frame isn't clearly defined.

Mr. Morgan said it could be a 12 month lag time and that the revised budget reflects that lag time. Mr. Morgan also suggested that the GSA expedite invoicing for the June through December 2017 period at \$8.50 per acre foot so it could begin collecting fees and have a bit of separation between that and the next billing cycle for January through June 2018.

Chair Long asked if there was a need to build a cash reserve for future and possibly unforeseen expenses, recalling that constituents did say they would be willing to contribute to the purchase of State Water, should it become available.

Mr. Morgan said that the conservative assumption included a \$25,000 cash reserve for each six month billing cycle, but also assumed that the reserved would be exhausted by the subsequent six month period, assuming big expenses would pop up.

Chair Long asked if the GSA could make a special assessment to pay \$1 million for State Water, for example. Mr. Morgan said that the GSA does have the authority to do that if the Board wants. Chair Long then clarified that the current fee of \$8.50 per acre foot does not include a reserve for buying State water, but the Board could bring that option back to the rate payers if and when it were available.

Mr. Morgan said the budget could be adjusted each year but DWR notification typically requires a quick turnaround decision. Chair Long said that Ventura had decided to sell its State water for \$1million and the GSA could have had that opportunity. Mr. Morgan said that the GSA is not a party to Table A State Water Contractors allocations, but could partner with UWCD, for example. Mr. Lemieux that that SGMA allowed for two types of fees: a fee for pre-GSP preparation and administrative expenses once the GSP was completed; and another fee to pay for projects. Mr. Morgan asked if rate payers would be amenable to an additional fee for water purchases. Mr. Lemieux said if it were a voluntary payment and not an imposed fee that could work. Director

Broggie said that during the workshops a lot of the agricultural interests expressed doing just that. Mr. Morgan reminded everyone that the timeline for the purchase of Article 21 water from the State is exceedingly short, like within a week of two of notification of the opportunity, and that payment has to be before delivery.

Chair Long said that the agency was too slow for that, but perhaps there was a big brother who could pay the bill, aka UWCD and then the GSA pays them back; or maybe a farmer has \$1 million and the GSA sets up a memo of understanding to pay back an advance. Mr. Morgan said that, theoretically, that was all possible. Director Broggie said it would be best to know which stakeholders are amendable to that situation.

Mr. Morgan said the release would come through Pyramid, Piru releases are restricted, and there was an option to go through Castaic and come down the Santa Clara River, but that the GSA would lose a lot of water because the percolation rate on the Los Angeles County side. He continued saying that preliminary conversations with Castaic indicated that they may be able to offset costs of loses to a degree because it benefits their basin. He said it needs to be discussed in greater detail, but they were receptive to the initial conversation. Mr. Morgan also said that a turnout on a pipeline could be an efficient method, but that was way out in the future. Castaic does benefit and could also store water in the basin, forging an agreement with the GSA that would arrange for repayment of water at a later date.

Chair Long said the GSA needs to know what options are available for buying water and also storing water for other entities. Director McFadden agreed and said that its important to understand all the options, and mentioned UWCD's water banking and other projects independent of the Fillmore and Piru basins' needs. Mr. Morgan said UWCD is looking at ways to effectively use storage in the basins to benefit stakeholders, including selling storage to other basins and that when water is moved using the riverbed it recharges the Fillmore and Piru Basins. Director Kimball said that since the GSA has authority over water moving in and out of the basins and UWCD has these plans, there needs to be more discussion. Director Kimball also said that storing water for other entities would improve the water quality and could also generate a system for dry years to prevent dry wells, too.

Chair Long closed the second public hearing at 8:45a.m.

Motion to close the Public Hearing on the Fillmore Piru Basins Groundwater Sustainability Agency's CY 2018 Draft Budget and, having collected and considered public comments regarding the Draft Budget as presented, establish a water extraction rate of \$8.50 per acre foot for all groundwater extractions from July 1 through December 31, 2017 and from January 1 through June 30, 2018, Director Broggie; Second, Director McFadden. Voice vote: five ayes (Broggie, Kimball, Long, McFadden, Meneghin), none opposed, one absent (Pace). Motion carries 5/0/1.

Motion to approve and adopt the CY 2018 budget as presented, Director Kimball; Second, Director McFadden. Voice vote: five ayes (Broggie, Kimball, Long, McFadden, Meneghin), none opposed, one absent (Pace). Motion carries 5/0/1.

Director Meneghin asked, before closing the meeting, that the Board "unpack" GSP scope of work and allocation of costs to have a discussion of tasks and the high and low range of estimated costs for those tasks. Chair Long suggested it as an agenda item regarding the GSP. Mr. Morgan said that once things get going on the GSP, it will be easier to layout a timeline and create line items for

each of the tasks contained in the plan. Director Meneghin said that the breakdown of GSP information will be required to create requests for proposals.

**4. ADJOURNMENT 9:00a.m.**

The Board will adjourn to the next **Regular Board Meeting** on Monday, **March 26, 2018** 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 February 20, 2018.

ATTEST: \_\_\_\_\_  
Kris Sofley, Clerk of the Board



**SPECIAL BOARD MEETING**

**March 16, 2018 @ 8am**  
**Veterans Memorial Building**  
**511 Second, Fillmore, CA 93015**

Name: Manuel Minjares

Organization: Kelly Long's Office

Phone: (805) 921-5890

E-mail: Manuel.Minjares@ventura.org

Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

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E-mail: \_\_\_\_\_



**Item No.**        **8A**  
**DATE:**         **March 26, 2018**  
**TO:**             **Board of Directors**  
**SUBJECT:**      **Adoption of Resolution 2018-01**

**SUMMARY**

Adoption of Resolution 2018-01, approving and adopting the proposed CY 2018 Budget as presented at the Special Board Meeting of March 16, 2018

**RECOMMENDED ACTION**

Board to consider adopting Resolution 2018-01 accepting and approving the CY 2018 budget for the period of January through June 2018, at the recommendation of legal counsel.

**BACKGROUND**

The GSA held a public outreach Budget Workshop on February 7, 2018. This was followed by a Public Hearing on the GSA’s CY 2018 Budget on February 20, 2018, which was continued at the Special Board Meeting on March 16, 2018. During the Special Board Meeting on March 16, the Board confirmed that the ad hoc finance committee incorporated public and stakeholder comments into the revised and amended CY 2018 budget. The Board also voted to adopt the CY 2018 budget for the first half of Calendar Year 2018 (January through June 2018). GSA’s legal counsel recommended the Board adopt a resolution reiterating the approval and adoption of the CY 2018 Budget for the first half of the year as a formality.

**FISCAL IMPACT**

There is no fiscal impact on this item at this time.

Proposed Motion:

“Motion to approve and adopt <u>Resolution 2018-01</u> , approving and adopting the proposed CY 2018 Budget for the period of six months from January 2018 through June 2018,”			
1 <sup>st</sup> : Director _____		2 <sup>nd</sup> : Director _____	
Voice/Roll call vote:			
Director Broggie:	Director Kimball:	Director Long:	Director McFadden:
Director Meneghin:	Director Pace		

**RESOLUTION NO. 2018-01**

**A RESOLUTION OF THE  
BOARD OF DIRECTORS OF THE  
FILLMORE AND PIRU BASINS  
GROUNDWATER SUSTAINABILITY AGENCY  
ADOPTING THE PROPOSED BUDGET FOR  
THE FIRST HALF OF CALENDAR YEAR 2018**

**WHEREAS**, the Board of Directors, on March 16, 2018, approved the Proposed Budget for the Fillmore and Piru Basins Groundwater Sustainability Agency for the first half of Calendar Year 2018, commencing January 1, 2018 and ending June 30, 2018; and

**WHEREAS**, as recommended by the Sustainable Groundwater Management Act, the following activities were undertaken by the Agency:

1. A preliminary draft of the Agency's Calendar Year ("CY") 2018 Budget Plan and forward looking budget forecast through CY 2023 were shared with pumpers within the two basins (Fillmore and Piru) and the general public at a Public Budget Workshop on February 7, 2018;
2. The preliminary draft of the budget included a summary of fixed and variable costs and projected fixed, variable and marginal rates;
3. The Agency held a Public Hearing regarding the CY 2018 Budget during its February 20, 2018 Regular Board Meeting; and

**WHEREAS**, an Ad Hoc Finance Committee meeting was held on February 28, 2018, and reviewed and discussed:

1. The budget preparation process; and
2. The CY 2018 portion of the Budget Plan, including recommended revisions to the proposed CY 2018 Budget Plan and forward looking forecast since its initial February 7, 2018 submission; and

**WHEREAS**, the Board of Directors conducted a Special Board Meeting on March 16, 2018, to discuss and consider the proposed Calendar Year 2018 Budget Plan as originally submitted, along with the recommended revisions referenced above.



**RESOLUTION No. 2018-01**  
**(continued)**

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Fillmore and Piru Basins Groundwater Sustainability Agency, hereby approves and adopts the Calendar Year 2018 Budget Plan for the period of January 1, 2018 through June 30, 2018, as proposed to the Board of Directors on March 16, 2018.

**ADOPTED AND PASSED** this 26<sup>th</sup> day of March 2018.

ATTEST: \_\_\_\_\_  
Kelly Long, Chair

ATTEST: \_\_\_\_\_  
Edwin T. McFadden III, Vice Chair/Secretary/Treasurer



**Item No.** 8B  
**DATE:** March 26, 2018  
**TO:** Board of Directors  
**SUBJECT:** Adoption of Resolution 2018-02

**SUMMARY**

Adoption of Resolution 2018-02, establishing a groundwater extraction rate of \$8.50 per acre foot, for the period of July 1 through December 31, 2017 and approving and adopting a semiannual billing cycle for the periods of January 1 through June 30, and July 1 through December 31.

**RECOMMENDED ACTION**

Board to consider adopting Resolution 2018-02 establishing a groundwater extraction rate of \$8.50 per acre foot, for the period of July 1 through December 31, 2017 and approving and adopting a semiannual billing cycle for the periods of January 1 through June 30, and July 1 through December 31.

**BACKGROUND**

The GSA held a public outreach Budget Workshop on February 7, 2018. This was followed by a Public Hearing on the GSA’s CY 2018 Budget on February 20, 2018, which was continued at the Special Board Meeting on March 16, 2018. During the Special Board Meeting on March 16, the Board confirmed that the ad hoc finance committee incorporated public and stakeholder comments into the revised and amended CY 2018 budget. That budget was based on a groundwater extraction fee of \$8.50 per acre foot. The Board also voted to adopt the CY 2018 budget for the first half of Calendar Year 2018 (January through June 2018). GSA’s legal counsel recommended the Board adopt a resolution reiterating the approval and adoption of the groundwater extraction rate and billing cycle as a formality.

**FISCAL IMPACT**

There is no fiscal impact on this item at this time.

Proposed Motion:

“Motion to approve and adopt Resolution 2018-01, establishing the groundwater extraction rate of \$8.50 per acre foot for the period of July 1 through December 31, 2018 and approving and adopting a semiannual billing cycle for the periods of January 1 through June 30 and July 1 through December 31,”

1<sup>st</sup>: Director \_\_\_\_\_ 2<sup>nd</sup>: Director \_\_\_\_\_

Voice/Roll call vote:

Director Broggie:      Director Kimball:      Director Long:      Director McFadden:

Director Meneghin:      Director Pace

**RESOLUTION NO. 2018-02**

**A RESOLUTION OF  
THE BOARD OF DIRECTORS OF  
THE FILLMORE AND PIRU BASINS  
GROUNDWATER SUSTAINABILITY AGENCY  
DETERMINING AND ESTABLISHING  
GROUNDWATER EXTRACTION CHARGES AGAINST ALL PERSONS  
OPERATING GROUNDWATER PRODUCING FACILITIES WITHIN  
THE FILLMORE AND PIRU BASINS**

**WHEREAS**, pursuant to the Sustainable Groundwater Management Act (SGMA), Groundwater Sustainability Agencies (GSA) are authorized to collect Regulatory Fees (Water Code Section 10730) and Extraction Fees (Water Code Section 10730.2); and

**WHEREAS**, SGMA gives a GSA the authority to impose fees to fund the cost of preparing its Groundwater Sustainability Plan (GSP), including the preparation and amendment of a sustainability plan, investigation of groundwater conditions, compliance assistance, enforcement and program administration; and

**WHEREAS**, the type of fees that can be imposed to fund the cost of preparing a GSP include permit fees, fees on groundwater extraction, and fees on other regulated activity; and

**WHEREAS**, any action to impose such fees must be taken by ordinance or resolution; and

**WHEREAS**, the GSA complied with all applicable notice requirements by noticing a public meeting concerning these fees as follows:

1. By publication pursuant to Cal. Gov. Code Section 6066 (Public Notice of FPB GSA Budget Workshop on February 7, 2018 published in the Fillmore Gazette on January 25, 2018 and again on February 1, 2018; and Public Notice of FPB GSA Public Hearing regarding CY 2018 Budget published in the Ventura County Star on February 19, 2018);

2. By posting on the Internet Website of the GSA (<https://fpbgsa.org>); and

3. By mail to any interested party who files a written request with the GSA or mailed notice of the public fee meeting (286 notices were mailed on January 30, 2018). The Notice included:

- The time and place of the meeting,

**RESOLUTION No. 2018-02**  
**(continued)**

- A general explanation of the fee under consideration; and
- A statement that the data required under SGMA is publicly available.

4. At least 20 days prior to the public meeting, the GSA made the data upon which the fee is based available to the public.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Fillmore and Piru Basins Groundwater Sustainability Agency that groundwater extraction charges should be levied as follows:

1. A groundwater extraction charge of \$8.50 per acre foot shall be levied on all groundwater extracted from within the GSA boundary. The GSA does hereby ratify and affirm its levy and assessment of this groundwater extraction charges in compliance with law against all persons operating groundwater producing facilities within the GSA boundary commencing July 1, 2017.

2. These groundwater extraction charges shall be billed semiannually with billing periods covering January through June and July through December.

3. Based on the testimony and evidence (including exhibits) presented at the above-described meetings and public hearing, for purposes of calculating the groundwater extraction charge, the Board of Directors of Fillmore and Piru Basins Groundwater Sustainability Agency hereby establishes the following methods to be used in computing with reasonable accuracy the amount of water produced from a water-producing facility: (a) a permitted water flow meter; or (b) Edison electrical meter with such calculations made pursuant to the United Water Conservation District's Groundwater Extraction Reporting Policy adopted by its Board on May 15, 2013;

4. The Board of Directors of Fillmore and Piru Basins Groundwater Sustainability Agency, makes the following findings, based upon the testimony and evidence (including exhibits) presented at said meetings and public hearing:

(a) Revenues derived from the groundwater extraction charges will not exceed the funds required to provide the GSA's Groundwater Sustainability Plan and related administrative services.

(b) Revenues derived from the groundwater extraction charges shall not be used for any purpose other than that for which the groundwater charges are imposed.



**RESOLUTION No. 2018-02**  
**(continued)**

We, the undersigned, being the duly qualified and current Chair and Secretary, respectively, of the Board of Directors of Fillmore and Piru Basins Groundwater Sustainability Agency, do hereby certify that the above and foregoing resolution was duly and regularly adopted and passed by resolution of the Board of Directors of said groundwater sustainability agency at a meeting thereof held on the 26<sup>th</sup> day of March 2018, by the following vote:

In favor thereof, Directors:

Abstain, Directors:

Not in favor, Directors:

Absent, Directors:

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

ATTEST: \_\_\_\_\_  
Edwin T. McFadden III, Vice Chair/Secretary/Treasurer, FPB GSA Board  
of Directors



**Item No.            8C**  
**Motion**

**DATE:                March 26, 2018**

**TO:                    Board of Directors**

**SUBJECT:            Approval of Cost Reimbursement Agreement with United Water Conservation District**

**SUMMARY**        The Board of Directors will review and consider approving the agreement for Administrative and Technical Support Services with United Water Conservation District (UWCD).

**RECOMMENDED ACTION**    Staff recommends that the Board of Directors approve the draft agreement from UWCD to provide both administrative and technical support services to the Agency. The agreement has the following primary elements: *Terms and Conditions, Scope of Work, Estimated Schedule, and Estimated Cost.*

**BACKGROUND**    The Board of Directors has previously expressed its desire to have UWCD support the Agency with administrative and technical support services. The services would be provided on a cost reimbursable basis. The draft agreement is attached to this staff report contains further details.

**FISCAL IMPACT:** The fiscal impact associated with this application, and associated coordination with the County of Ventura is expected to be within the approved budget amounts for GSA Administration. No supplemental appropriation request is needed.

Proposed Motion:

“Motion to approve the Support Services Agreement with United Water Conservation District (subject to any modifications by the Board of Directors or legal counsel) to provide administrative and technical support services to the Agency.”

1<sup>st</sup>: Director \_\_\_\_\_

2<sup>nd</sup>: Director \_\_\_\_\_

Voice/Roll call vote:

Director Broggie:

Director Kimball:

Director Long:

Director McFadden:

Director Meneghin:

Director Pace:

Attachments: Draft Consulting Agreement for Support Services to FPBGSA

# CONSULTING AGREEMENT

This Consulting Agreement ("Agreement") is entered into as of \_\_\_\_\_, by and between United Water Conservation District ("Consultant" or "District") and Fillmore and Piru Basin Groundwater Sustainability Agency ("Client" or "Agency"). Consultant and Client may individually be referred to as a "Party" and collectively as "Parties." The above Parties agree as follows:

Client retains the Consultant to provide the services ("Services") described in Attachment B in connection with the following Project:

Project Title:	Administrative and Technical Support Services
UWCD Project No:	TBD
Client Project Contact:	Kelly Long, Chair
Billing and Notice Address:	P.O. Box 1110, Fillmore, CA 93016
Telephone & FAX Number:	805-525-4431 / 805-525-2661 fax
Estimated Start Date:	April 2, 2018
Estimated Completion Date:	Ongoing, with annual renewals

***The attachments listed below are incorporated herein and made a part of this Agreement by reference:***

***Attachment A – Terms and Conditions***

***Attachment B – Scope of Work***

***Attachment C – Estimated Schedule***

***Attachment D - Estimated Cost***

United Water Conservation District:

Fillmore and Piru Basin Groundwater Sustainability Agency:

**By:**

**By:**

**Title:**

**Title:**

**Date:**

**Date:**

## **ATTACHMENT A - TERMS AND CONDITIONS**

**1. INVOICES:** Invoices will be submitted to Client once a month with payment due within thirty (30) days of the date of the invoice. A late charge at the rate of one and one-half percent (1 ½%) per month, or the highest rate allowed by applicable law, whichever is lowest, will be added to all amounts outstanding after said thirty (30) days. Client shall continue to be responsible for payment of Consultant's charges, along with Client's other obligations hereunder, even if Client requests the invoices to be sent to a third party. Client agrees to pay any and all attorney's fees and court costs should attorneys be utilized or court proceedings initiated to collect any past due amounts arising out of this Agreement.

**2. PERFORMANCE.** Consultant will exercise reasonable skill and judgment in providing the Services. No other warranties (express or implied) or representations of performance are given. Consultant does not warrant any specific results of any kind. Consultant does not warrant that the Services (or any reports or data based thereon, hereinafter referred to as "Work Product") will be sufficient in form or substance to satisfy any required or desired regulatory agency approval. All Services and resulting Work Product are provided as-is.

**3. REQUIRED COURT PROCEEDINGS.** Client is responsible for payment of all costs and expenses resulting from Consultant's required attendance at any depositions, judicial or administrative proceedings, meetings, and/or response to subpoenas issued by any Party, third party or court orders in connection with Consultant's provision of the Services hereunder. Charges will be determined in the manner set forth in Attachment D, at the rates in effect at the time the subpoena is served. This Section shall survive the expiration or termination of this Agreement.

**4. CLIENT OBLIGATIONS; DISCLAIMER.** It is recognized that Client has superior knowledge of the Project and Client is obligated to advise Consultant of all or any of the conditions that may affect Consultant's performance hereunder. Client agrees to provide Consultant with such specifications, plans, studies, documents or other information on surface and subsurface conditions as will be reasonably required by Consultant for proper and timely performance of the Services. Consultant may rely upon information supplied by Client or its contractors or consultants, or information available from generally accepted reputable sources, without independent verification, and assumes no responsibility for the accuracy thereof. Client understands that any geophysical findings provided hereunder will not replace in-situ measurements, and that the identification of subsurface features is contingent on geophysical data being acquired directly over a feature and reasonable assumptions as to depth and site geology, and the interpretation of geophysical data may be to some degree subjective. Consultant shall not be held responsible for any determinations of the structural integrity of the soil or underlying strata or, because of dynamic geologic conditions and construction/development, for any change in subsurface conditions.

**5. CONFIDENTIALITY.** Client shall not provide Consultant with any confidential information, unless such information is clearly marked. Consultant may disclose confidential information when required by law after giving reasonable notice to the Client, such notice to be reasonably sufficient under the circumstances to give the Client the opportunity to seek confidential treatment, a protective order or similar remedies or relief prior to disclosure. It is understood that Consultant is subject to the California Public Records Act (Gov. Code § 6250 *et seq.*). If Client fails to obtain a court order enjoining disclosure, Consultant will release the requested information on the date required under the California Public Records Act.

**6. INDEMNIFICATION AND LIMITATION OF LIABILITY.** Client shall indemnify, defend and hold Consultant harmless from all damage, liability, cost, expense, liens, personal injury, property damage, loss or other claim ("Claims") that may arise from or in connection with the Services and/or the Work Product, except to the extent such Claims arise out of the sole negligence or willful misconduct of Consultant. Consultant shall not be liable for any special, incidental or consequential damages, such as loss of use, loss of profits or revenue, claims of customers of Client, etc., whether based on contract or tort, including negligence or strict liability. This Section shall survive the expiration or termination of this Agreement.



**7. DELAYS.** Consultant shall have no liability towards Client, or its contractors or consultants, for delays in the performance of the Services, or any part of the Services, caused by actions or occurrences beyond Consultant's reasonable control. The time of Consultant's performance under this Agreement shall be extended to reflect such delays.

**8. USE OF WORK PRODUCT.** Client may use any final reports, or other work performed or prepared by Consultant under this Agreement only in connection with the Project. Client shall obtain prior written consent from Consultant for any other use of such Work Product.

**9. TERMINATION.** Either Party may terminate this Agreement upon thirty (30) days advance written notice. All outstanding fees shall be due within thirty (30) days of termination. After thirty (30) days from the date of termination or expiration of this Agreement, Consultant will dispose of any client data unless prior to that date the Client requests in writing that the data be returned.

**10. MISCELLANEOUS.** The Agreement constitutes the entire understanding of the Parties relating to the Services. Previous proposals, offers, and other communications relative to the Services, oral or written, are hereby superseded, except to the extent that they have been expressly incorporated herein. Any modifications or revision of any provisions hereof or any additional provisions contained in any purchase order, acknowledgement, or other form of the Client is hereby expressly objected to by Consultant and shall not operate to modify this Agreement. This Agreement may not be changed except in writing executed by both Parties. Client may not assign this Agreement without the written consent of the Consultant. This Agreement shall be governed by and the rights, duties and obligations of the Parties shall be determined and enforced in accordance with the laws of the State of California, with venue in Ventura County, California. If any legal action is necessary to enforce any of the terms or conditions of this Agreement, each Party shall bear their own attorneys' fees. This Agreement and all amendments and supplements to it may be executed in counterparts, and all counterparts together shall be construed as one document. This Agreement may be executed and transmitted to any other Party by PDF, which PDF shall be deemed to be, and utilized in all respects as, an original, wet-inked document.

## ATTACHMENT B – SCOPE OF WORK

The Agency requested that the District explore how it could use its existing resources to:

- (1) Function as **administrative support** staff (i.e., Clerk of the Board) to the Agency;
- (2) Provide **accounting/billing services** to the Agency;
- (3) Provide **technical staff** to assist the Agency with key issues (e.g., Basin Boundary Modifications, grant applications);
- (4) Lead the **development of the Groundwater Sustainability Plans (GSP)** for the Fillmore and Piru basins.

### Administrative Support Services

The primary role for the administrative support services is to function as the Clerk of the Board (COB). The COB will be responsible for the activities identified in the attached Job Description adopted by the Board of Directors on January 29, 2018. It is envisioned that this would be a part-time commitment of existing District personnel. The District will propose a person or persons for the Agency to consider for the Clerk of the Board position. If the Agency does not accept any of the proposed persons, then the Agency is free to directly hire or contract for this position or explore other partnership options with the District. Kris Sofley is currently serving as the Clerk of the Board.

### Accounting/Billing Services

The services desired by the Agency include the following:

- 1) District staff will print and mail biannual (2X/year) invoices to groundwater extractors (“pumpers”). The FPBGSA will provide the District staff with the required information (e.g., groundwater extraction fee[s], list of groundwater extractors subject to those fees). The first invoice is expected to be generated in April 2018 (subject to change)].
- 2) District staff will function as Treasurer to provide accounting controls.
- 3) District will establish an accounting system using readily available, off-the-shelf software (e.g., Quickbooks). All accounting functions for the Agency will be separate from the District’s accounting system.
- 4) The Agency will establish a commercial checking account for the agency.
- 5) District staff will make periodic deposits of the payments received from extractors to the commercial checking account.
- 6) District staff will provide the Clerk of the Board with lists of payments received, bank deposits, bank statements, and outstanding invoices for transmittal to the Agency Treasurer. Bank statements will be provided to the Clerk of the Board, as well. The

Agency Treasurer (or their designee) will oversee the reconciliation of the bank statements and preparation of checks to satisfy Agency accounts payable obligations.

- 7) At no time will District staff or legal counsel be responsible for any collection activities deemed necessary for delinquent accounts.

### Technical Staff

The services desired by the Agency include the following:

- 1) Grant writing assistance for California Department of Water Resources (DWR) Prop 1 Grant to support Groundwater Sustainability Plan preparation. The District supported the Agency by contracting with a grant writer (on a cost reimbursable basis) to prepare the grant application on behalf of the Agency.
- 2) District staff will continue to function as staff to the Agency (e.g., prepare staff reports) and provide guidance to the Agency on technical aspects (e.g., requirements of Sustainable Groundwater Management Act, impact DWR SGMA guidance documents have on Agency operations, DWR reporting requirements relevant to the Agency) associated with its groundwater management mission. Tony Morgan and Tim Moore are currently functioning in this role.
- 3) District staff will have a lead role in the preparation the GSPs for the Fillmore and Piru basins. This is envisioned to be a multi-year effort that culminates in a finalization and adoption by the Agency of GSPs for both basins.

# JOB DESCRIPTION: CLERK OF THE BOARD

## **The Fillmore and Piru Basins Groundwater Sustainability Agency**

The Clerk of the Board shall be the primary administrative staff of the Fillmore and Piru Basins Groundwater Sustainability Agency (Agency). The Clerk of the Board shall serve at the pleasure of the Board of Directors and shall be responsible to the Board for the proper and efficient administration of the Agency. The Clerk of the Board shall have the powers designated by the Board, or otherwise set forth in the Bylaws.

### ***ANTICIPATED ACTIVITIES***

It is expected that the Clerk of the Board will support the Agency in accomplishing the following:

1. Making arrangements for the Regular Board meetings approximately once a month.
2. Making arrangements for the Special Board meetings and workshops as needed.
3. Monthly tracking and reporting on agency activities and budget.
4. Coordination of compliance with regulatory and statutory requirements.
5. Regular coordination with partners including United Water Conservation District staff.
6. Regular communication with key stakeholders and members of the public.

### ***KEY RESPONSIBILITIES***

The Clerk of the Board shall serve as a neutral party responsible equally to all Agency Board members and accountable to the collective decisions of the Agency Board.

The Clerk of the Board shall manage Agency administrative operations, provide regular Clerk of the Board Reports, and make recommendations to the Agency Board to ensure proper and efficient administration of the Agency.

The Clerk of the Board shall track expenditures and coordinate the preparation of periodic fiscal information as directed by the Board.

The Clerk of the Board shall develop and maintain professional and collegial relationships with key stakeholders including partners and beneficial users.

The Clerk of the Board shall serve as the Agency's general point of contact for communication with the public, legislators, regulatory agencies, and the media as determined by the Board.

The Clerk of the Board shall serve as a credible and informed spokesperson, representing the Board as directed, anticipating challenges and opportunities that the Agency may encounter, providing information and making recommendations to the Board.

The Clerk of the Board shall perform other duties as detailed in the Bylaws and directed by the Board.



## **SCOPE OF WORK**

The precise scope of work will be determined by the Agency and may change over time. Generally, the Clerk of the Board will perform the following administrative and management duties for the Agency:

1. Schedule and coordinate meetings, as necessary, ensuring availability of rooms, equipment, materials, audiovisual equipment, computers, etc.
2. Prepare meeting agendas, items for Board consideration, attend meetings, and prepare minutes for all Agency meetings including regular Board meetings, special Board meetings, and any standing committee meetings or ad hoc committee meetings as directed by the Board.
3. Compose a variety of standardized reports, resolutions, proclamations, legal notices, or other documents as directed by the Board.
4. Prepare or assist with the preparation of requests for proposals, contracts and agreements to retain services as directed by the Board.
5. Communicate with key stakeholders and partners regarding the activities of the Agency.
6. Monitor the Agency budget including allocation of revenue and expenditures, and provide standardized fiscal reports for the Board.
7. Maintain Agency master files.
8. Coordinate, or perform if appropriate, updates to the Agency website and social media sites.
9. Keep apprised of and convey information regarding relevant legislation, guidelines, Best Management Practices (BMPs), funding opportunities, and other items of interest to the Board.

## **QUALIFICATIONS**

Minimum and desired qualifications will be determined by the Board. The following experience and knowledge may be desired in order to support the key responsibilities and the scope of work:

### *Experience*

1. Facilitation of meetings including developing agendas, preparing minutes, and coordination with key partners and stakeholders.
2. Budget management and reporting including experience working with granting agencies, fiscal partners, and consultants.
3. Experience working with partners, key stakeholders, and beneficial users of groundwater within the Piru and Fillmore basins.
4. Experience communicating with members of the public including articulating complex issues in a politically sensitive environment.

### *Knowledge*

1. Knowledge of the Piru and Fillmore groundwater basins.
2. Familiarity with the Ralph M. Brown Act.

3. Familiarity with the Sustainable Groundwater Management Act (SGMA) and associated requirements of Groundwater Sustainability Agencies and Groundwater Sustainability Plans.
4. Demonstrated understanding of the Joint Exercise of Powers Agreement creating The Fillmore and Piru Basins Groundwater Sustainability Agency.

## ATTACHMENT C – ESTIMATED SCHEDULE

This agreement will continue indefinitely unless terminated by either Party as described in Attachment A Terms and Conditions, Item 9.

The Administrative Support Services, Accounting/Billing Services, and the non-GSP Technical Services are as-needed services that will have varying scopes of work and short-term (e.g., monthly) deliverable timelines.

## ATTACHMENT D – ESTIMATED COST

The estimated cost to perform the proposed Services is shown below. Most of the assumptions upon which the cost estimate is made are indicated in Attachment B or as footnotes to the cost estimate. The District intends to work very closely with the Agency to complete the Services efficiently and effectively. The District will not exceed the amounts shown below without written approval from the Client.

The Agency agrees that the services in Attachment B would be performed by the District on a cost reimbursable basis. The District would invoice the Agency quarterly on a time-and-expense basis for services performed.

The Agency would be invoiced at the unit labor rates currently in use for the period of time when the services were performed. Adjustments to the rates are expected to occur in the future, but would be reviewed with the Agency prior to their implementation. The labor rates shown in the attached table are applicable for July 1, 2017-June 30, 2018. The labor rates include salaries and benefits.

Other direct costs (e.g., software purchases/leases, postage, photocopies, mileage) will be invoiced at cost.

The costs incurred by the District in support of the Agency will be reimbursed to the District no later than 60 days after the date of the invoice.

The attached sheets to this attachment shown the labor rates and the estimated budget.

**United Water Conservation District**  
**FY 17-18 Step Five**

<b>Position</b>	<b>Hourly Rate</b>
Accountant I	60.61
Accounting Technician III	54.65
Administrative Assistant	49.41
Assistant Engineer	80.39
Assistant Hydrogeologist	80.05
Associate Ecologist	93.59
Associate Engineer	93.59
Asst. Ecologist	65.93
Chief Financial Officer	140.84
Chief Operations Officer	140.64
Chief Water Treatment Operator	89.62
Controller	111.44
Dam Operator	76.99
Deputy General Manager	165.72
Deputy GM/GW & Water Resources	141.81
District Safety Officer/Rchg O&M WII	78.32
Engineering Manager	124.58
Engineering Technician	58.50
Env. Planning & Conservation Mgr	127.30
Executive Assistant	63.19
Executive Coordinator	110.31
Facilities Maintenance Worker	47.48
General Manager	198.79
HR Administrator	70.29
Hydrologist	80.30
Instrument & Elect. Tech	83.60
IT Administrator	82.04
Lead Recharge O&M Worker	78.67
Park Services Officer	69.18
Recharge O&M Worker I	61.91
Recharge O&M Worker II	70.23
Senior Accountant	75.26
Senior Ecologist	102.01
Senior Engineer	106.37
Senior Hydrogeologist	106.45
Senior Hydrologist	101.92
Senior Park Services Officer	95.65
Senior Payroll Accounting Analyst	64.55
Senior Water Treatment Operator	81.79
Sr. Environmental Scientist	93.59
Sr. Hydrogeologist/Modeler	106.37
Staff Hydrogeologist	70.30
Supervising Hydrogeologist	111.16
Supervising Inst. & Elect. Tech.	91.61
Water Resources Tech	59.62
Water System Electrician	78.32
Water Treatment Operator III	70.29



<b>Administrative Support Services</b>		<b>Est Hrs/Month</b>	<b>Rate</b>	<b>Units</b>		
<i>Agency Job Title</i>	<i>District Job Title</i>					
Clerk of the Board	Executive Assistant	16	\$ 63.19	/hour	\$	1,011.04
Staff	Deputy GM-GW Resources	2	\$ 141.81	/hour	\$	283.62
Staff	Assistant Hydrogeologist	2	\$ 80.05	/hour	\$	160.10
Finance	Senior Accountant	2	\$ 75.26	/hour	\$	150.52
					\$	-
					Total	\$ 1,605.28 /month
<b>Accounting/Billing Services - Routine Tasks (e.g., A/P-A/R)</b>		<b>Est Hrs/Month</b>	<b>Rate</b>	<b>Units</b>		
<i>Agency Job Title</i>	<i>District Job Title</i>					
Clerk of the Board	Executive Assistant	2	\$ 63.19	/hour	\$	126.38
Staff	Deputy GM-GW Resources	1	\$ 141.81	/hour	\$	141.81
Staff	Assistant Hydrogeologist	2	\$ 80.05	/hour	\$	160.10
Finance	Senior Accountant	4	\$ 75.26	/hour	\$	301.04
Finance	Chief Financial Officer	2	\$ 140.84	/hour	\$	281.68
					Total	\$ 1,011.01 /month
<b>Technical Support Services - Routine Tasks - (1 meeting/month)</b>		<b>Est Hrs/Month</b>	<b>Rate</b>	<b>Units</b>		
<i>Agency Job Title</i>	<i>District Job Title</i>					
Clerk of the Board	Executive Assistant	2	\$ 63.19	/hour	\$	126.38
Staff	Deputy GM-GW Resources	12	\$ 141.81	/hour	\$	1,701.72
Staff	Assistant Hydrogeologist	8	\$ 80.05	/hour	\$	640.40
Finance	Senior Accountant	0	\$ 75.26	/hour	\$	-
Finance	Chief Financial Officer	0	\$ 140.84	/hour	\$	-
					Total	\$ 2,468.50 /month
<b>Accounting/Billing Services - Groundwater Extraction Statements (2X/year)</b>		<b>Est Hrs/6 months</b>	<b>Rate</b>	<b>Units</b>		
<i>Agency Job Title</i>	<i>District Job Title</i>					
Clerk of the Board	Executive Assistant	6	\$ 63.19	/hour	\$	379.14
Staff	Deputy GM-GW Resources	6	\$ 141.81	/hour	\$	850.86
Staff	Assistant Hydrogeologist	6	\$ 80.05	/hour	\$	480.30
Finance	Senior Accountant	40	\$ 75.26	/hour	\$	3,010.40
Finance	Chief Financial Officer	8	\$ 140.84	/hour	\$	1,126.72
					Total	\$ 5,847.42 /6 months
<b>Technical Support Services - GSP Preparation</b>		<b>Est Hrs/Month</b>	<b>Rate</b>	<b>Units</b>		
<i>Agency Job Title</i>	<i>District Job Title</i>					
Clerk of the Board	Executive Assistant		\$ 63.19	/hour	\$	-
Staff	Deputy GM-GW Resources		\$ 141.81	/hour	\$	-
Staff	Assistant Hydrogeologist		\$ 80.05	/hour	\$	-
Finance	Senior Accountant		\$ 75.26	/hour	\$	-
Finance	Chief Financial Officer		\$ 140.84	/hour	\$	-
<b>Scope of Work is TBD</b>					Total	\$ - /month



**Item No.** 8D  
**Motion**  
**DATE:** March 26, 2018  
**TO:** Board of Directors  
**SUBJECT:** Approval of Basin Boundary Modification

**SUMMARY** The Board of Directors will consider approving the preparation and submitting a basin boundary modification to the California Department of Water Resources (DWR) for the Fillmore and Piru basins.

**RECOMMENDED ACTION** Staff recommends, based on the stakeholder and Board of Directors input, that a Basin Boundary Modification (BBM) application be submitted to DWR. The deadline for submittal of the application is June 30, 2018, however, a significant amount of documentation must be assembled to support the application. It is appropriate to begin assembling the required information as soon as reasonably possible.

The proposed BBM includes the incorporation of an area located between the western end of the Fillmore basin and the Santa Paula Basin Settlement (adjudication) boundary. The Groundwater Sustainability Agency (GSA) for this area is currently the County of Ventura. The County of Ventura is receptive to ceding this area to the Fillmore and Piru Basin GSA (FPBGSA). A Board resolution is needed to memorialize this Agency’s desire to annex that area and an acceptance of the BBM from the County of Ventura is needed.

**BACKGROUND** Previous presentations to the Board of Directors, as well as stakeholder workshops, have outlined the need for a BBM. Staff have consulted with DWR staff regarding their data requirements.

The deadline for submitting an application for a Basin Boundary Modification is June 30, 2018.

**FISCAL IMPACT:** The fiscal impact associated with this application, and associated coordination with the County of Ventura is expected to be within the approved budget amounts for GSA Administration. No supplemental appropriation request is needed.

Proposed Motion:

“Motion to approve the following actions: (a) the preparation and submittal of a Basin Boundary Modification application for the Fillmore and Piru basins to California Department of Water Resources, and (b) authorize staff from United Water Conservation District act on behalf of the Agency in filing the application and to coordinate with the County of Ventura with respect to the proposed boundary adjustments .”

1<sup>st</sup>: Director \_\_\_\_\_ 2<sup>nd</sup>: Director \_\_\_\_\_  
Voice/Roll call vote:  
Director Broggie: Director Kimball: Director Long: Director McFadden:  
Director Meneghin: Director Pace:

**RESOLUTION NO. 2018-03**

**A RESOLUTION OF  
THE BOARD OF DIRECTORS OF  
THE FILLMORE AND PIRU BASINS  
GROUNDWATER SUSTAINABILITY AGENCY  
INITIATING THE BASIN BOUNDARY MODIFICATION  
REQUEST PROCESS**

**WHEREAS**, the Fillmore and Piru Basins Groundwater Sustainability Agency (FPBGSA) is the sole Groundwater Sustainability Agency (GSA) for the Fillmore and Piru basins; and

**WHEREAS**, the FPBGSA has conducted workshops on the proposed basin boundary modification to gain stakeholder input; and

**WHEREAS**, the FPBGSA has consulted with knowledgeable professionals on the geology and hydrogeology of the Fillmore and Piru basins on the need for basin boundary modifications; and

**WHEREAS**, based on the stakeholder workshops, consultations with knowledgeable professionals, and careful consideration by the Board of Directors, it is the decision of the Board of Directors that a Basin Boundary Modification application is consistent with the mission of the FPBGSA and necessary for the effective management of the groundwater resources:

**NOW, THEREFORE, BE IT RESOLVED** that a Basin Boundary Modification application be prepared and filed with the California Department of Water Resources (DWR) no later than the regulatory deadline.

**BE IT FURTHER RESOLVED** that staff from United Water Conservation District will be the designated representative of the FPBGSA for the preparation and submittal of the Basin Boundary Modification application.

**BE IT FURTHER RESOLVED** that staff from United Water Conservation District will work on the behalf of the FPBGSA to secure letters of support for the Basin Boundary Modification applications from significant stakeholders such as, but not necessarily limited to, the County of Ventura, United Water Conservation District, and the City of Fillmore.

We, the undersigned, being the duly qualified and current Chair and Secretary, respectively, of the Board of Directors of Fillmore and Piru Basins Groundwater Sustainability Agency, do hereby certify that the above and foregoing resolution was duly and regularly adopted and passed by resolution of the Board of Directors of said

**RESOLUTION No. 2018-03**  
**(continued)**

groundwater sustainability agency at a meeting thereof held on the 26<sup>th</sup> day of March 2018, by the following vote:

In favor thereof, Directors:

Abstain, Directors:

Not in favor, Directors:

Absent, Directors:

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

ATTEST: \_\_\_\_\_  
Edwin T. McFadden III, Vice Chair/Secretary/Treasurer, FPB GSA Board  
of Directors



**Item No.**        **8E**  
**DATE:**            **March 26, 2018**  
**TO:**                **Board of Directors**  
**SUBJECT:**        **Adoption of Proposed FPB GSA Bylaws**

**SUMMARY**

Board to consider approving and adopting the proposed by laws as presented, or provide legal counsel with direction on changes, additions and deletions to the proposed by laws.

**RECOMMENDED ACTION**

Board to consider approving and adopting the proposed by laws as presented, or provide legal counsel with direction on changes, additions and deletions to the proposed by laws.

**BACKGROUND**

The Sustainable Groundwater Management Act requires every Groundwater Sustainability Agency to adopt by laws by the end of its first year of operation. FPB GSA legal counsel, using the Joint Powers of Authority agreement as its foundation, was to draft By Laws as required by SGMA.

**FISCAL IMPACT**

Billable hours for legal services

Proposed Motion:

"Motion to adopt the proposed FPB GSA Bylaws as presented ," OR			
"Motion to amend the proposed FPB GSA Bylaws as directed by the Board during this discussion and resubmit for Board approval at the next Regular Board of Directors meeting."			
1 <sup>st</sup> : Director _____		2 <sup>nd</sup> : Director _____	
Voice/Roll call vote:			
Director Broggie:	Director Kimball:	Director Long:	Director McFadden:
Director Meneghin:	Director Pace		



DRAFT

**BYLAWS**

**of the**

**Fillmore and Piru Basins Groundwater**

**Sustainability Agency**

\_\_\_\_\_, 2018

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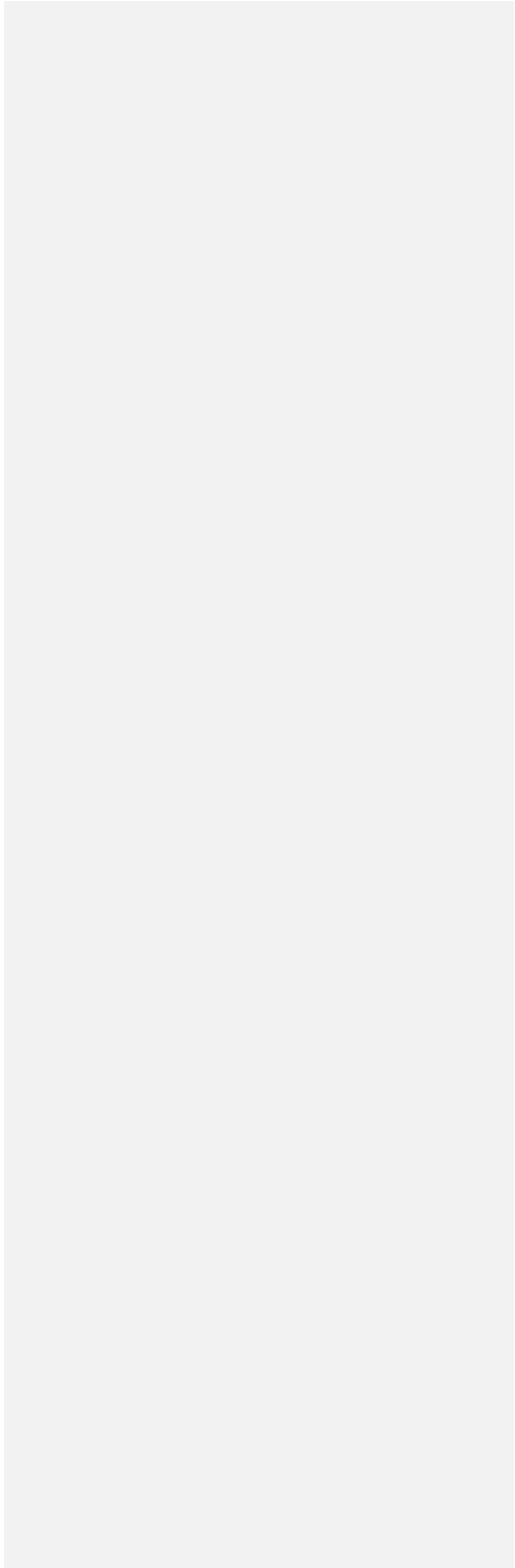
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## **PREAMBLE**

These Bylaws are adopted and effective as of **[DATE]**, pursuant to the Joint Exercise of Powers Agreement of the Fillmore and Piru Basins Groundwater Sustainability Agency of April 2017 (the "Agreement" or "JPAA") by and among the City of Fillmore, County of Ventura, and United Water Conservation District ("Members").

## **ARTICLE 1. THE AGENCY**

1.1 **NAME OF AGENCY.** The name of the Agency created by the Agreement shall be the **FILLMORE AND PIRU BASINS GROUNDWATER SUSTAINABILITY AGENCY** ("Agency"). JPAA, Preamble.

1.2 **SEAL.** The seal of the Agency shall be in the form of a circle and shall bear the name of the Agency and the year of its organization.

1.3 **OFFICE OF AGENCY.** The principal office of the Agency shall be at the **[DESIGNATED DISTRICT]** located at **[ADDRESS]**, or at such other location as the Board may designate by resolution. JPAA, Art. 7, Section 3.

1.4 **POWERS.** The powers of the Agency are vested in the governing board who reserve unto themselves the right to delegate by resolution such powers as are appropriate and permissible by law. JPAA, Art. 4. The governing board ("Board" or "Board of Directors") consists of: one (1) Member Director appointed by the City Council of the City of Fillmore who is a member of the City Council of Fillmore or a representative; one (1) Member Director appointed by the County of Ventura Board of Supervisors, who is a Supervisor or representative; one (1) Member Director appointed by the Board of Directors for United Water Conservation District, who is a member of United Conservation District's Board of Directors or a representative; one (1) Piru Basin Pumper Stakeholder Director; one (1) Fillmore Basin Pumper Stakeholder Director; and one (1) Environmental Stakeholder Director, to be nominated and elected by the environmental organizations outlined in the Agreement. JPAA, Art. 6, Sections 4.1-4.4.

## **ARTICLE 2. BOARD OF DIRECTORS**

2.1 **BOARD.** The Agency shall be governed by a Board of Directors ("Board of Directors" or "Board"). The Board shall consist of six (6) Directors comprised of representatives who shall be appointed in the manner set forth in Article 6 of the Agreement. JPAA, Article 6, Section 1.

2.2 **POWERS.** The business and affairs of the Agency, and all of the powers of the Agency, including without limitation all powers set forth in Article 4 of the Agreement, are reserved to, and shall be exercised by and through the Board of Directors, except as may be expressly delegated to the Executive Director pursuant to the Bylaws, or by specific action of the Board of Directors.

## **ARTICLE 3. MEETINGS**



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3.1 REGULAR MEETINGS. The regular meetings of the Agency shall be held at least quarterly on a date and time which the Agency may designate as determined by the Board. The Board will set the time and place of meetings in accordance with Government Code Section 54954. In the event a day of regular meeting shall be a legal holiday, said meeting may be held on the next succeeding business day or rescheduled to another date and time determined by the Agency by majority vote. The Agency shall set meetings as determined by the Board and provide notice for regular meetings pursuant to Government Code Sections 54954-54954.2. JPAA, Art. 8, Section 2.

3.2 SPECIAL MEETINGS. The means and method for calling special meetings of the Board of Directors shall be as set forth in the Ralph M. Brown Act, Government Code Section 54950, *et seq.* JPAA, Art. 8, Section 3.

3.3 QUORUM. A majority of the Directors of the Board shall constitute a quorum for the purpose of conducting Agency business, exercising Agency powers, and for all other purposes. However, a smaller number may adjourn from time-to-time until the quorum is obtained. JPAA, Art. 9, Section 1.

3.4 AGENDA. Agency staff shall prepare the agenda. At least seventy-two hours before a regular meeting, or at least twenty-four hours prior to a special meeting, the Board Secretary shall post an agenda containing a brief, general description of each item of business to be transacted or discussed at the meeting, including the items to be discussed in closed session. The posting shall be freely accessible to the public. The agenda shall include the opportunity for the public to address the Board prior to taking action on any matter. The agenda for regular and adjourned regular meetings shall include the opportunity for the public to address the Board on matters within the jurisdiction of the Agency but not on the agenda. During public comment, a Director may request a matter be included on the agenda for a future meeting. Agency staff shall arrange for the matter to be placed on a future agenda as promptly as feasible. No action shall be taken on matters not shown on the posted agenda, except that Directors may briefly respond to statements made or questions posed during public comment; respond to a request for clarification; provide a reference to staff or other resources for factual information; request staff to report back to the Board at a subsequent meeting or direct staff to place a matter of business on a future agenda. The Board may add matters to the agenda upon a majority finding that an emergency exists or upon at least a two-thirds vote finding there is a need to take immediate action and the need for action came to the attention of the Agency subsequent to the posting of the agenda.

3.5 VOTING. Voting by the Board of Directors shall be made on the basis of one vote for each Director, provided however that if the matter to be voted on exclusively concerns one of the Basins and not the other, the pumper Stakeholder Director representing pumper interests in the unaffected Basin may participate in Board discussions of the matter but shall not vote on the matter. All decisions of the Board shall require the affirmative vote of a quorum of the Board, unless a pumper Stakeholder Director is prohibited from voting per this section, in which case a decision of the Board shall require the affirmative vote of at least three (3) Directors. JPAA, Art. 9, Section 2.

3.6 RULES OF ORDER. All rules of order not otherwise provided for in these Bylaws shall be determined, to the extent practicable, in accordance with "Robert's Rules of Order;" provided,

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however, that no action shall be invalidated or its legality otherwise affected by the failure or omission to observe or follow "Robert's Rules of Order."

## ARTICLE 4. OFFICERS

4.1 OFFICERS. The officers of the Agency shall consist of a Chair, a Vice Chair/Secretary, and a Treasurer. JPAA, Art. 7, Section 1. Officers shall be elected annually by, and serve at the pleasure of, the Board of Directors. Officers shall be elected at the first Board meeting, and thereafter at the first Board meeting following January 1st of each year. JPAA, Art. 7, Section 2.

4.2 CHAIR. The Chair shall preside at meetings of the Agency. The Chair shall sign contracts, deeds, and other instruments made by the Agency.

4.3 VICE CHAIR. The Vice Chair shall perform the duties of the Chair in the absence or incapacity of the Chair. JPAA, Art. 7, Section 1. The Vice Chair shall also act as Secretary and shall keep the administrative records of the Agency, act as secretary at meetings of the Agency, record all votes, and keep a record of the proceedings of the Agency to be kept for such purpose, and perform all duties incident to the Secretary's office. The Secretary shall maintain a record of all official proceedings of the board.

4.4 TREASURER. The treasurer of one of the Members shall be the Treasurer of the Agency, to be the depository, and have custody of all money of the Agency from whatever source, provided that the Board of Directors may at any time select another Treasurer. The Treasurer shall possess the powers of, and shall perform those functions required by Government Code Sections 6505, 6505.5, and all other applicable laws and regulations, including any subsequent amendments thereto. The Treasurer shall be bonded in accordance with the provisions of section 6505.1. JPAA, Art. 13, Section 3.

4.5 AUDITOR. An Auditor shall be of the same public agency as treasurer, and shall draw all warrants to pay demands against the Agency approved by the Board. JPAA, Art. 13, Section 3.

4.6 GENERAL COUNSEL. The General Counsel shall be the chief legal officer of the Agency. The General Counsel shall give advice or opinions in writing to the Chairman or other Agency officers and shall prepare proposed resolutions, laws, rules, contracts, and other legal documents for the Agency when requested to do so by the Agency. The General Counsel shall attend to all lawsuits and other matters to which the Agency is a part or in which the Agency may be legally interested and do such other things pertaining to the General Counsel's office as the Agency may request.

4.7 OFFICER COMPENSATION. The officers of the Agency shall receive such compensation as the Agency prescribes and in addition, shall receive their actual and necessary expenses, including traveling expenses incurred in the discharge of their duties.

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4.8 EXPENSES. If previously approved by the Board, a Director shall receive actual, reasonable, and necessary reimbursement for travel, meals, lodging, registration, and similar expenses incurred on Agency business. The reimbursement rates for lodging shall not exceed the posted rates for a trade conference, but if a lodging at the posted rates is not available, the reimbursement rate shall be comparable to the posted rates. For travel of 250 miles or less, Directors shall be reimbursed at the IRS rate. For travel over 250 miles, Directors shall be reimbursed at the lowest available rate for public air transportation, as determined by the Administrator, or actual cost, whichever is less. As used herein, "transportation" includes travel to and from terminals. Automobile rental expenses shall be approved in advance. Reimbursement for meals, other than alcoholic beverages, shall be at the rate established by the IRS or actual reasonable cost not to exceed \$60 per day. Directors may declare the amount of the meal under penalty of perjury in lieu of receipts if the amount is less than the IRS rate. Claims for expense reimbursement shall be submitted to the Administrator of the Board on forms provided by the Agency within 30-days after the expense has been incurred. The Administrator shall determine whether the claim satisfies the requirements of this section and if the claim is denied, the claimant may appeal to the Board.

### ARTICLE 5. COMMITTEES

5.1 Pursuant to Article 12 of the Agreement, the Board of Directors may from time to time appoint one or more advisory committees or establish standing or ad hoc committees to assist in carrying out the purposes and objectives of the Agency. The Board shall determine the purpose and need for such committees and the necessary qualifications for individuals appointed to them. Each standing or ad hoc committee shall include a Director as the chair thereof. Other members of each committee may be composed of those individuals approved by the Board of Directors for participation on the committee. However, no committee or participant on such committee shall have any authority to act on behalf of the Agency. Permanent Committees will be given a specific role and, regardless of the number of Directors appointed, shall be subject to compliance with the Brown Act. All Committees will make provide regular updates to the full Board about their activities and the progress of their work.

### ARTICLE 6. EXECUTIVE DIRECTOR AND STAFF

6.1 EXECUTIVE DIRECTOR. The Board of Directors may appoint an Executive Director, who may be, though need not be, an officer, employee, or representative of one of the Members. The Executive Director shall have general supervision over the administration of Agency business and affairs, subject to the direction of the Agency. The Executive Director shall have the powers designated by the Board, and may execute contracts, deeds, and other documents and instruments as authorized by the Agency. The Executive Director's compensation, if any, shall be determined by the Board of Directors. JPAA, Art. 10, Sections 1, 2.

6.2 STAFF. The Executive Director may employ such additional full-time and/or part-time employees, assistants, and independent contractors who may be necessary from time to time to accomplish the purposes of the Agency, subject to the approval of the Board of Directors. JPAA, Art. 10, Section 4.

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## ARTICLE 7. FINANCES

7.1 DEPOSIT AND DISBURSEMENT OF FUNDS. All funds of the Agency shall be deposited in one or more depository accounts as may be designated by the Board. Such accounts shall be independent of any account owned by or exclusively controlled by any of the Members. No disbursements of such funds shall be made unless the same shall have been approved in the annual operating budget, or otherwise specifically approved by the Board. All disbursements shall be by check. Disbursements of not more than five thousand dollars (\$5,000) may be issued pursuant to the Treasurer's sole signature. Disbursements in excess of five thousand dollars (\$5,000) may only be issued upon the signature of the Treasurer and Chair, or in the Chair's absence, the Vice-Chair. The Treasurer may establish and implement a protocol allowing for electronic signatures by the Chair or Vice-Chair in order to facilitate efficient operation of the Agency.

7.2 BUDGET. The Agency shall operate pursuant to an operating budget to be adopted prior to the beginning of each new fiscal year. JPAA, Art. 14, Section 1. The Agency shall endeavor to operate each year pursuant to an annually balanced budget so that projected annual expenses do not exceed projected annual revenues. Budget adjustments to the annual budget shall be reviewed and acted upon by the Board at a regularly scheduled Board meeting occurring after January 1 of each calendar year. The Board may take action to amend the budget at other times if circumstances require more immediate action.

## ARTICLE 8. DEBTS AND LIABILITIES

8.1 The debts, liabilities, and obligations of the Agency are not and will not be the debts, liabilities, or obligations of any or all of the Members. JPAA, Art. 15, Section 1. However, nothing in this Article or in the Agreement prevents, or impairs the ability of, a Member or Members, from agreeing, in a separate agreement, to be jointly and/or severally liable, in whole or in part, for any debt, obligation, or liability of the Agency, including but not limited to, any bond or other debt instrument issued by the Agency.

## ARTICLE 9. INVESTMENT POLICY

9.1 INVESTMENTS. The Agency shall invest surplus money in a manner providing maximum security while meeting the cash flow demands and conforming to statutes governing the investment of public funds. This investment policy governs investments except funds related to debt issues controlled by specific provisions of the issuance documents, and individual employees participating in the deferred compensation program direct deferred compensation program money. JPAA, Art. 4, Section 10.

9.2 BASIC POLICY AND STATEMENT OF OBJECTIVES. Investments shall be made with the care under circumstances that persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment considering the probable safety of their capital as well as the probable income to be derived. The standard of prudence to be used by the investment officials shall be the prudent person standard and shall be applied in the context of managing an overall portfolio. Investment officers who act in

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accordance with written procedures and the investment policy and exercising due diligence shall be relieved of the personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments. Everyone involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program or impair their ability to make impartial investment decisions. Each employee involved in the investment process will receive a copy of this investment policy and certify that they have read the policy.

9.2.1 The primary objectives in priority order of investment activities are:

(a) Safety: Safety of principal is the foremost objective of the investment program. Investments of the Agency shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio.

(b) Liquidity: The Agency's investment portfolio will remain sufficiently liquid to enable the Agency to meet all operating requirements that might be reasonably anticipated.

(c) Return on Investment: The Agency's investment portfolio shall be designed with the objective of attaining a rate of return throughout budgetary and economic cycles, commensurate with the Agency's investment risk constraints and the cash flow characteristics of the portfolio.

9.3 PRUDENT PERSON. As in investment standard, any investment shall be made as if it is one that would be purchased by a prudent person using the same discretion and intelligence that a person would use in managing his or her own affairs and certainly not for speculation.

9.4 CRITERIA FOR INVESTMENT. The following criteria will be used in evaluating financial institutions that are eligible for deposits:

(a) Must be federally insured and have total assets of at least \$10 billion and a net worth ratio of a least three percent.

(b) Collateral shall be deposited in accordance with the Government Code, consisting of one of the following:

(i) Collateral comprised of mortgages/trust deeds must be provided which at all times is in an amount in value at least fifty percent in excess of the amount deposited.

(ii) Collateral comprised of eligible securities other than mortgages/trust deeds must be provided which at all times is in an amount in value at least ten percent in excess of the amount deposited.

(c) The Treasurer may waive the first \$250,000 of collateral security if the institution is insured pursuant to Federal law.



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9.5 TERM OF INVESTMENT. The Agency will match investments with anticipated cash flow requirements with a maximum allowed maturity of five years.

9.6 DELEGATION OF AGENCY. The Treasurer is responsible for the investments. Daily management responsibility for the investment program is delegated to the Administrator who shall establish written procedures for the operation of the investment program consistent with this investment policy. Procedures should include reference to safekeeping, wire transfer agreements, banking service contracts and collateral/depository agreements. Such procedures shall include explicit delegation of Agency to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Director of Finance and Administration. The Director of Finance and/or Administration shall establish a system of controls to regulate the activities of subordinate officials.

9.7 AUTHORIZED INVESTMENTS. The following investments are authorized:

(a) United States Treasury Bills, Bonds and Notes, or those mutual funds for which the full faith and credit of the United States is pledged for payment of principal and interest. There is no limit to the amount of the investment portfolio that may be invested in U. S. Treasury Notes.

(b) Obligations issued by the United States Government Agencies, such as the Government National Mortgage Association (GNMA), the Federal Farm Credit Bank System (FFCB), the Federal Home Loan Bank Board (FHLB), the Federal National Mortgage Association (FNMA), and the Student Loan Marketing Association (SLMA), and mutual funds that consist of these obligations. There is no limit to the amount of the investment portfolio that may be invested in Federal Agencies.

(c) Time deposits, non-negotiable and collateralized in accordance with the Government Code in those U.S. banks and savings and loan associations that meet the requirements as evaluated by a nationally recognized statistical rating organization (NSRO) as designated by the Securities and Exchange Commission, for the qualitative and quantitative analysis of financial institutions. The issuer firm should have been in existence for at least five years. The Agency may waive the first \$100,000 of collateral security for such deposits if the institution is insured pursuant to federal law. To secure such deposits, an institution shall maintain in the collateral pool securities having a market value of at least 10% in excess of the total amount deposited. Real estate mortgages may not be accepted as collateral. The maximum term for deposits shall be one year. In general, the issuer must have a minimum tier one risk-based capital ratio of 6% as determined by the FDIC and their operation must have been profitable during their last reporting period. No more than 25% of the market value of the portfolio may be vested in time deposits.

(d) Repurchase agreements with banks and dealers with which the Agency has entered into a master repurchase contract that specifies terms and conditions of repurchase agreements. The transactions shall be limited to primary dealers and the top twenty-five U.S. banking institutions according to asset size. The maturity of repurchase agreements shall not

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exceed thirty days. The market value of the securities used as collateral for repurchase agreements shall be monitored daily by the investment staff and will not be allowed to fall below 100% of the value of the repurchase agreement. In order to conform with provisions of the Federal Bankruptcy Code, which provides for the liquidation of securities held as collateral for repurchase agreements, the only securities acceptable as collateral shall be certificates of deposit, eligible banker's acceptances, or securities that are either direct obligations of, or that are fully guaranteed as to principal and interest by the United States or any agency of the United States. A perfected security interest shall always be maintained in the securities, subject to a repurchase agreement. No more than 10% of the market value of the portfolio may be invested in reverse repurchase agreements.

(e) Local Agency Investment Fund (LAIF) established by the State Treasurer for the benefit of local agencies up to the maximum amount permitted by law.

(f) Local government investment pools or mutual funds in private sector that adhere to the Government Code parameters for eligible investments. These are similar to LAIF in function and practice but are not administered through the state.

(g) Bonds, notes issued by local agencies, state of California, and any of the other 49 United States, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the Agency or its Members. The maturity of such bonds or notes should not exceed five years from the date of purchase. The long-term ratings of such bonds should have at least AA- by Standard and Poor's (S&P) or Aa3 by Moody's, or the short-term ratings should have at least A-1 by S&P, and P-1 by Moody's. There is no limit to the amount of the investment portfolio that may be invested in municipal bonds.

9.8 **INELIGIBLE INVESTMENTS.** Ineligible investments include, but are not limited to, common stocks and corporate bonds, inverse floaters, range notes, interest-only strips that are derived from a pool of mortgages and mutual funds. The use of derivatives, options, futures or buying on margin is also specifically prohibited. Securities that could result in zero interest accrual if held to maturity are ineligible. Security transactions shall be conducted on delivery-versus-payment basis. Securities purchased or acquired by the Agency shall be held in safekeeping by a third party only pursuant to a custodial agreement as required by Government Code §53601.

9.9 **REPORTING REQUIREMENTS.** The Agency shall maintain a complete and timely record of investment transactions. The Director of Finance and/or Administration shall submit a monthly investment report of funds directly controlled and managed by the Agency including a detailed listing of all investment transactions opened and closed during a report period or, if none, a statement to that effect. The report shall be submitted monthly to each Director.

9.10 **FINANCIAL DEALS AND INSTITUTIONS.** No public deposit shall be made except in a qualified public depository as established by state laws. Financial institutions, brokers and dealers who desire to become qualified bidders for investment transactions must supply the Agency with the following:

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- (a) Audited financial statements
- (b) Proof of National Association of Security Dealers (NASD) certification
- (c) Proof of California registration

Each financial institution must certify to the Agency in writing that it has received and read a copy of the Agency's Investment Policy and that it will comply with that policy in its investment recommendations to the Agency. A current audited financial statement is required to be on file for each financial institution, brokers and dealers through which the Agency invests.

9.11 REVIEW AND REVISION. From time-to-time, the Board shall review the investment policy, including the delegation of Agency to invest funds, to sell or exchange securities, or to add new investment instruments in the future.

## ARTICLE 10. REGISTRATION OF FACILITIES

10.1 The Agency requires registration of all groundwater extraction facilities within its management area pursuant to Wat. Code, § 10725.6. The Agency shall keep a register of wells drilled within its management area. It shall be the policy of the Agency to have a standing request with the County of Ventura to be notified of any application or plan for a well or groundwater extraction facility within the Agency's jurisdiction.

## ARTICLE 11. FEE ENFORCMENT POLICY

11.1 Fee Enforcement Policy based on Wat. Code, § 10730.6:

(a) Groundwater fees will be due and payable to Agency ~~twice per year on the~~ day of \_\_\_\_\_ and \_\_\_\_\_ day of \_\_\_\_\_ by the Owner or Operator. If the Owner or Operator fails to pay a groundwater fee within thirty (30) days of it becoming due, the Owner or Operator shall be liable to the Agency for interest at the rate of one (1) percent per month on the delinquent amount of the groundwater fee and a ten (10) percent penalty.

Deleted: on the \_\_\_\_ day of each month

(b) Should the Agency decide not to bring suit, the Agency may collect any delinquent groundwater charge and any civil penalties and interest on the delinquent groundwater charge pursuant to the laws applicable to United Water Conservation District, County of Ventura, and City of Fillmore. Collection shall be in the same manner as it would be applicable to the collection of delinquent assessments, water charges, or tolls.

(c) Additionally, the Agency may, after a public hearing, order an Owner or Operator to cease extraction of groundwater until all delinquent fees are paid. The Agency shall give notice to the Owner or Operator by certified mail at least fifteen (15) days in advance of the public hearing.

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(d) All remedies specified in this section for collecting and enforcing fees are cumulative and may be pursued alternatively or may be used consecutively as determined by the Agency's Board of Directors.

### ARTICLE 12. RECORDS RETENTION

12.1 MAINTENANCE OF THE AGENCY RECORDS. The Agency will keep:

- (a) Adequate and correct books and records of account; and of the Board.
- (b) Minutes in written form of the proceedings of its Board, and committees, and advisory committees, if any.
- (c) All such records will be kept at the Agency's principal office.

12.2 RECORDS RETENTION POLICY AND SCHEDULE. By June 30 [DATE] the Board will review and adopt a Records Retention Policy and Schedule that specifies the retention period of different categories of materials. Implementation of this Policy will be the responsibility of Agency staff.

12.3 INSPECTION RIGHTS.

12.3.1 Any Member may inspect the accounting books and records and minutes of the proceedings of the Board and committees of the Board, at any reasonable time, for a purpose reasonably related to such person's interest.

12.3.2 Any inspection and copying under this Section may be made in person or by an agent or attorney or the entity entitled thereto and the right of inspection includes the right to copy.

12.4 MAINTENANCE AND INSPECTION OF AGREEMENT AND BYLAWS. The Agency will keep at its principal executive office the original or copy of the Agreement and these Bylaws as amended to date, which will be open to inspection by the Agency or any Member at all reasonable times during office hours.

12.5 INSPECTION BY DIRECTORS. Every Director has the absolute right at any reasonable time to inspect all non-confidential books, records, and documents of every kind and the physical properties of the Agency. This inspection by a Director may be made in person or by an agent or attorney, and the right of inspection includes the right to copy and make extracts of documents.

### ARTICLE 13. CODE OF ETHICS AND CONFLICTS OF INTEREST

13.1 DECLARATION OF POLICY. The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure;

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that public office not be used for personal gain; and the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a code of ethics for all officers and employees, whether elected or appointed, paid or unpaid. This Article establishes ethical standards of conduct for Agency officers and employees by setting forth those acts or actions that are incompatible with the best interests of the Agency and by directing the officers' disclosure of private financial or other interests in matters affecting the Agency.

13.2. **CONFLICT OF INTEREST CODE.** The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Section 18730), which contains the terms of a standard conflict of interest code. After public notice and hearing, it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated into the conflict of interest code of this agency by reference. This regulation, designation of officials and employees, and establishment of economic disclosure categories shall constitute the conflict of interest code of this agency.

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**Deleted:** The Agency shall be subject to the conflict of interest rules set forth in the Political Reform Act (commencing with Section 81000 of the Government Code of the State of California) and Sections 1090 et seq. of the Government Code of the State of California, and the Agency shall adopt a conflict of interest code as required and as provided by the implementing regulations of the Political Reform Act. JPAA, Art. 8, Section 5.

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## 13.3 DISCLOSURE CATEGORIES

(a) The following categories are established for the purpose of conflict of interest disclosure:

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Category 1. Persons in this category must disclose all source of income, including gifts, loans and travel payments, all interests in real property, and all investments and business positions in business entities.

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Category 2. Persons in this category must disclose all interests in real property, including interests in real property held by business entities and trusts in which the public official holds a business position or has an investment or other financial interest.

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Category 3. Persons in this category must disclose all investments, business positions, and sources of income, gifts, loans, and travel payments, from sources which in engage in land development, construction, or real property acquisition or sale,

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Category 4. Persons in this category must disclose all investments, business positions and sources of income, gifts loans, and travel payments, from sources which provide services, supplies, materials, machinery equipment which the designated position procures or assists in procuring on behalf of their agency or department.

Category 5. Persons in this category must disclose all investments, business positions and sources of income, gifts, loans and travel payments, from sources which are subject to the regulatory, permitting or licensing authority of, or have an application or license pending before, the designated position's agency or department.



Category 6. Persons in this category must disclose all investments, business positions and sources of income, gifts, loans and travel payments, from sources which receive grants or other funding from or through the designated position’s agency or department.

13.4 DESIGNATED POSITIONS

(a) Designated employees. The persons holding positions listed in this Article are designated employees. It has been determined these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

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(b) Consultants. Consultants, within the meaning of the Political Reform Act, who participate in decisions or provide information, advice, recommendation, or counsel that could affect financial interests shall file Statements of Economic Interests for all categories.

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<u>Designated Employees</u>	<u>Disclosure Category</u>
<u>Directors</u>	<u>1</u>
<u>Alternative Directors</u>	<u>1</u>
<u>Executive Director</u>	<u>1</u>
<u>Agency General Counsel</u>	<u>1</u>
<u>Treasurer</u>	<u>1</u>
<u>Consultants</u>	<u>As determined by agency head or designee and disclosed on Fair Political Practices Commission Form 805</u>

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13.5 OFFICIALS WHO MANAGE PUBLIC INVESTMENT

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(a) Pursuant to Government Code section 87200 et seq., certain city and county officials, as well as all “other officials who manage public investments,” are required to disclose their economic interests in accordance with the Political Reform Act.

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APPLICABLE DEFINITONS

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As set forth in 2 California Code of Regulations Section 18701, the following definitions apply for the purpose of Government Code Section 87200:

(1) “Other public officials who manage public investments” means:

(A) Members of boards or commissions, including pension and retirement boards or commissions, or of committees thereof, who exercise responsibility for the management of public investments;

(B) High-level officers and employees of public agencies who exercise primary responsibility for the management of public investments, such as chief or principal investment officers or chief financial managers. This category shall not include officers and employees who work under the supervision of the chief or principal investment officers or the chief financial managers; and

(C) Individuals who, pursuant to a contract with a state or local government agency, perform the same or substantially all the same function that would otherwise be performed by the public officials described in subdivision (1)(B) above.

(2) “Public investments” means the investment of public moneys in real estate, securities, or other economic interests for the production of revenue or other financial return.

(3) “Public moneys” means all moneys belonging to, received by, or held by, the state, or any city, county town, district, or public agency therein, or by an officer thereof acting in his or her official capacity, and includes the proceeds of all bonds and other evidences of indebtedness, trust funds held by public pension and retirement systems, deferred compensation funds held for investment by public agencies, and public moneys held by a financial institution under a trust indenture to which a public agency is a part.

(4) “Management of public investments” means the following non-ministerial functions: directing the investment of public moneys; formulating or approving investment policies; approving or establishing guidelines for asset allocations; or approving investment transactions.

(b) The following agency positions and/or consultants qualify as “other officials who manage public investments” and shall file Statements of Economic Interests (Form 700) pursuant to Government Code Section 87200 et seq. with the below-designated Filing Officers:

<u>No. of Positions</u>	<u>Position Title/ Consultant</u>	<u>Filing Officer</u>
<u>n/a</u>	<u>n/a</u>	<u>n/a</u>

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13.6 RESPONSIBILITIES OF PUBLIC OFFICE. Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the United States and State Constitution and to carry out impartially the laws of the nation, State, and the Agency, thus to foster respect for all governments. They are bound to observe, in their official acts, the highest standards of performance and to discharge faithfully the duties of their office, regardless of personal considerations. Recognizing that the public interests must be their primary concern, their conduct in both their official and private affairs should be above reproach.

13.7 DEDICATED SERVICE. Officers and employees owe a duty of loyalty to the political objectives expressed by the electorate and the programs developed by the Board to attain those objectives. Appointive officers and employees should adhere to the rules of work and performance established as the standards for their positions by the appropriate Agency. Officers and employees should not exceed their Agency or breach the law, or ask others to do so, and owe a duty to cooperate fully with other public officers and employees unless prohibited from so doing by law or by the officially recognized confidentiality of their work.

13.8 FAIR AND EQUAL TREATMENT. The canvassing of Board Directors, directly or indirectly, to obtain preferential consideration in connection with any appointment to the municipal service, shall disqualify the candidate for appointment except with reference to positions filled by appointment by the Board. Officers and employees shall not request or permit the use of Agency-owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally or are provided for the use of such officer or employee in the conduct of official business. Officers and employees shall not grant special consideration, treatment or advantage to a member of the public beyond what is available to every other member of the public.

13.9 POLITICAL ACTIVITIES. Officers and employees shall not solicit or participate in soliciting an assessment; subscription of contribution to a political party during working hours on property owned by the Agency and shall conform to Government Code Sections 3202 and 3203. Officers and employees shall not promise appointment to a position with the Agency.

13.10 EX PARTE COMMUNICATIONS. A written communication received by an officer or employee shall be made part of the record of decision. A communication concerning only the status of a pending matter shall not be regarded as an ex parte communication.

13.11 AVOIDANCE OF IMPRESSIONS OF CORRUPTIBILITY. Officers and employees shall conduct their official and private affairs so as not to give a reasonable basis for the impression that they can be improperly influenced in performance of public duties. Officers and employees should maintain public confidence in their performance of the public trust in the Agency. They should not be a source of embarrassment to the Agency and should avoid even the appearance of conflict between their public duties and private interests.

13.12 NO DISCRIMINATION IN APPOINTMENTS. No person shall be appointed to, removed from, or in any way favored or discriminated against with respect to any appointive administrative

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Deleted: 13.2 DECLARATION OF POLICY. The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a code of ethics for all officers and employees, whether elected or appointed, paid or unpaid. This Article establishes ethical standards of conduct for Agency officers and employees by setting forth those acts or actions that are incompatible with the best interests of the Agency and by directing the officers' disclosure of private financial or other interests in matters affecting the Agency.¶

## DRAFT

office because of such person's race, color, age, religion, gender identification, national origin, political opinions, affiliations, or functional limitation as defined by applicable State or federal laws, if otherwise qualified for the position or office. This provision shall not be construed to impair administrative discretion in determining the requirements of a position or in a job assignment of a person holding such a position, subject to review by the Board.

13.13 **AGENCY ALLEGIANCE AND PROPER CONDUCT.** Officers and employees shall not engage in or accept any private employment, or render services for private interest, when such employment or service is incompatible with proper discharge of official duties or would tend to impair independence or judgment or action in the performance of those duties. Officers and employees shall not disclose confidential information concerning the property, government, or affairs of the Agency, and shall not use confidential information for personal financial gain. Officers and employees shall not accept a gift in excess of limits established by state law. Officers and employees shall not accept any gift contingent upon a specific action by the Board. Officers and employees shall not appear on behalf of business or private interests of another before the Board where such appearance would create a potential of having to abstain from officers participating on that matter or be incompatible with official duties. Officers and employees shall not represent a private interest of another person or entity in any action or proceeding against the interest of the Agency in any litigation to which the Agency is a party. A Director may appear before the Agency on behalf of constituents in the course of duties as a representative of the electorate or in the performance of public or civic obligations.

13.14 **PENALTIES.** In addition to any other penalties or remedies provided by law for violation of this Chapter shall constitute a cause for suspension, removal from office or employment or other disciplinary action after notice and hearing conducted by the appropriate appointing Member or, in the case of the Board, a majority of such Board.

### **ARTICLE 14. AMENDMENT**

14.1 These Bylaws may be amended from time to time by resolution of the Board duly adopted upon majority of the Board at a regular or special meeting of the Board; provided, however, that no such amendment shall be adopted unless at least thirty (30) days written notice thereof has previously been given to all members of the Board. Such notice shall identify the Article to be amended, the proposed amendment, and the reason for the proposed amendment. JPAA, Art. 11.

### **ARTICLE 15. DEFINITIONS AND CONSTRUCTION**

15.1 Unless specifically defined in these Bylaws, all defined terms shall have the same meaning ascribed to them in the Agreement. If any term of these Bylaws conflicts with any term of the Agreement, the Agreement's terms shall prevail, and these Bylaws shall be amended to eliminate such conflict of terms. Unless the context or reference to the Agreement requires otherwise, the general provisions, rules of construction, and definitions in the California Civil Code will govern the construction of these Bylaws.

DRAFT

**EFFECT.** This resolution shall take effect immediately upon adoption.

**PASSED, APPROVED AND ADOPTED** on [DATE], by the following votes:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Chair

ATTEST:

---

Secretary

[Seal]



**Fillmore and Piru Basins**  
*Groundwater Sustainability Agency*

**Item No.** 9A  
**DATE:** March 26, 2018  
**TO:** Board of Directors  
**SUBJECT:** DWR Groundwater Extraction Reporting Requirements  
Information

**SUMMARY** The Board of Directors will hear a brief presentation on the groundwater extraction reporting requirements required by the California Department of Water Resources (DWR). Staff will provide example options on how the Agency might handle this issue.

**RECOMMENDED ACTION** Discussion by Board of Directors – staff has no recommendation at this time.

**BACKGROUND** The groundwater resource management role of the FPBGSA will require that this Agency monitor groundwater extractions, as well as other water usage. The DWR has indicated that groundwater extractions should be reported on a water year basis (i.e., October 1 through September 30). The Board should consider this reporting requirement when establishing policies or ordinances dealing with groundwater extraction reporting.

United Water Conservation District, under its current groundwater extraction reporting policies, requires pumpers to report extractions semi-annually (i.e., Jan-Jun and July-Dec). This semi-annual reporting system would not be consistent with DWR requirements.

The Agency should consider how to gather the information required to comply with DWR reporting requirements, as well as the information important to the management of groundwater resources.

**FISCAL IMPACT:** There is no fiscal impact associated with this report.





**Fillmore and Piru Basins**  
*Groundwater Sustainability Agency*

**Item No.**           **9B**

**DATE:**           **March 26, 2018**

**TO:**               **Board of Directors**

**SUBJECT:**       **United Water Conservation District's Conceptual Water Projects**  
**Information**

**SUMMARY**    The Board of Directors will hear a brief presentation on the water supply projects being evaluated by United Water Conservation District (UWCD) that have the potential to impact water management strategies in the Fillmore and Piru basins.

**RECOMMENDED ACTION**   Discussion by Board of Directors – staff has no recommendation at this time.

**BACKGROUND**   As part of its Strategic Planning program, UWCD has performed, or is currently performing, studies of potential water supply projects that could augment water supplies in Ventura County, and specifically the Fillmore and Piru basins. Staff will provide a brief presentation on the status of Ventura County's Table A allocations from the State Water Project, the prospects for Article 21 water, and the concepts behind a water banking project utilizing the storage capacity of the Fillmore and Piru basins.

**FISCAL IMPACT:**           There is no fiscal impact associated with this report.



**Fillmore and Piru Basins**  
*Groundwater Sustainability Agency*

**Item No.** 9C  
**DATE:** March 26, 2018  
**TO:** Board of Directors  
**SUBJECT:** Groundwater Sustainability Plan – Overview of the Scope of Work, Timetable, and Determination of the Needs of the Ecosystem

**Information**

**SUMMARY** The Board of Directors will hear a brief presentation on the Groundwater Sustainability Plan (GSP) development process and overall schedule.

**RECOMMENDED ACTION** Discussion by Board of Directors – staff has no recommendation at this time.

**BACKGROUND** The preparation of GSPs for the Fillmore and Piru basins is a major, mission-critical activity for the Fillmore and Piru Basins Groundwater Sustainability Agency (FPBGSA). The GSPs, as envisioned by California Department of Water Resources (DWR) are comprehensive plans that provide an extensive amount of information that the DWR will use to evaluate the effectiveness of a GSP in achieving groundwater sustainability. Staff will review with the Board of Directors the major GSP outline elements and the preparation timeline.

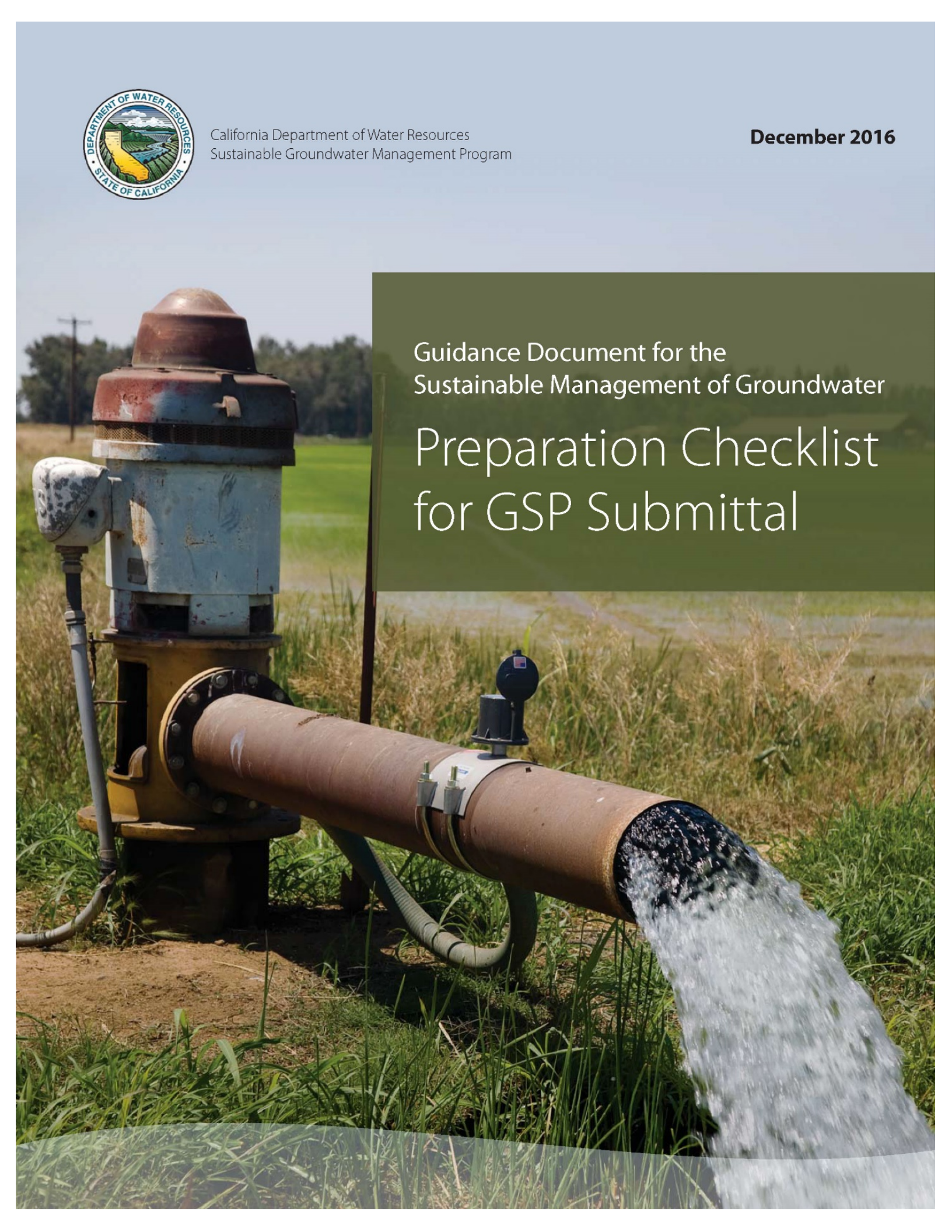
**FISCAL IMPACT:** There is no fiscal impact associated with this report.

Attachment: Preparation Checklist for GSP Submittal – Guidance Document for the Sustainable Management of Groundwater



California Department of Water Resources  
Sustainable Groundwater Management Program

**December 2016**

A large, rusty metal wellhead with a pipe extending from it, discharging water into a grassy field. The wellhead is blue and yellow, with a large pipe attached. Water is flowing out of the pipe into a grassy area. The background shows a field and a utility pole.

# Guidance Document for the Sustainable Management of Groundwater Preparation Checklist for GSP Submittal



# Guidance Document for the Sustainable Management of Groundwater Preparation Checklist for GSP Submittal December 2016

The objective of this Guidance Document is to provide Groundwater Sustainability Agencies (GSAs) and other interested stakeholders a checklist of Groundwater Sustainability Plan (GSP) content requirements for the purpose of verifying a GSP is complete and is ready for submission to DWR. Please note that if multiple GSAs develop multiple GSPs for a basin, the coordinated submission of those GSPs shall not occur until the entire basin is covered by GSPs.

The Preparation Checklist for GSP Submittal is only intended to provide a guide to GSAs and other stakeholders. This guidance is optional, since the content of this Guidance Document does not create any new requirements or obligations for the GSA or other stakeholders.

Guidance documents are not a substitute for the GSP Emergency Regulations (GSP Regulations) or the Sustainable Groundwater Management Act (SGMA). Those GSAs submitting a GSP are strongly encouraged to read the GSP Regulations and SGMA. In addition, using this Guidance Document to develop a GSP using does not equate to an approval determination by DWR.

## **Context with GSP Regulations**

The Preparation Checklist for GSP Submittal can be used by GSAs in conjunction with the GSP Annotated Outline Guidance Document as a method to develop a GSP consistent with the requirements of the GSP Regulations and SGMA. The detailed requirements of a GSP may be found in the GSP Regulations, primarily in Article 5 – Plan Contents, and in SGMA, primarily in Chapter 6 beginning with California Water Code (CWC) Section 10727. The checklist includes references to applicable GSP Regulations sections and CWC sections, as well as a brief description of the required GSP information. The checklist also contains a column for GSAs to record the page number, or section of the GSP, where the information for that particular requirement is found. The preparation checklist may also be included in the GSP.

**Table 1** contains the **Preparation Checklist for GSP Submittal**.



California Department of Water Resources  
Sustainable Groundwater Management Program  
1416 Ninth Street  
P.O. Box 942836  
Sacramento, CA 94236-0001  
[www.water.ca.gov/groundwater](http://www.water.ca.gov/groundwater)

**Table 1. Preparation Checklist for GSP Submittal**

GSP Regulations Section	Water Code Section	Requirement	Description	Section(s) or Page Number(s) in the GSP
<b>Article 3. Technical and Reporting Standards</b>				
352.2		Monitoring Protocols	<ul style="list-style-type: none"> <li>• Monitoring protocols adopted by the GSA for data collection and management</li> <li>• Monitoring protocols that are designed to detect changes in groundwater levels, groundwater quality, inelastic surface subsidence for basins for which subsidence has been identified as a potential problem, and flow and quality of surface water that directly affect groundwater levels or quality or are caused by groundwater extraction in the basin</li> </ul>	
<b>Article 5. Plan Contents, Subarticle 1. Administrative Information</b>				
354.4		General Information	<ul style="list-style-type: none"> <li>• Executive Summary</li> <li>• List of references and technical studies</li> </ul>	
354.6		Agency Information	<ul style="list-style-type: none"> <li>• GSA mailing address</li> <li>• Organization and management structure</li> <li>• Contact information of Plan Manager</li> <li>• Legal authority of GSA</li> <li>• Estimate of implementation costs</li> </ul>	
354.8(a)	10727.2(a)(4)	Map(s)	<ul style="list-style-type: none"> <li>• Area covered by GSP</li> <li>• Adjudicated areas, other agencies within the basin, and areas covered by an Alternative</li> <li>• Jurisdictional boundaries of federal or State land</li> <li>• Existing land use designations</li> <li>• Density of wells per square mile</li> </ul>	

GSP Regulations Section	Water Code Section	Requirement	Description	Section(s) or Page Number(s) in the GSP
<b>Article 5. Plan Contents, Subarticle 1. Administrative Information (Continued)</b>				
354.8(b)		Description of the Plan Area	<ul style="list-style-type: none"> <li>• Summary of jurisdictional areas and other features</li> </ul>	
354.8(c) 354.8(d) 354.8(e)	10727.2(g)	Water Resource Monitoring and Management Programs	<ul style="list-style-type: none"> <li>• Description of water resources monitoring and management programs</li> <li>• Description of how the monitoring networks of those plans will be incorporated into the GSP</li> <li>• Description of how those plans may limit operational flexibility in the basin</li> <li>• Description of conjunctive use programs</li> </ul>	
354.8(f)	10727.2(g)	Land Use Elements or Topic Categories of Applicable General Plans	<ul style="list-style-type: none"> <li>• Summary of general plans and other land use plans</li> <li>• Description of how implementation of the GSP may change water demands or affect achievement of sustainability and how the GSP addresses those effects</li> <li>• Description of how implementation of the GSP may affect the water supply assumptions of relevant land use plans</li> <li>• Summary of the process for permitting new or replacement wells in the basin</li> <li>• Information regarding the implementation of land use plans outside the basin that could affect the ability of the Agency to achieve sustainable groundwater management</li> </ul>	



GSP Regulations Section	Water Code Section	Requirement	Description	Section(s) or Page Number(s) in the GSP
<b>Article 5. Plan Contents, Subarticle 1. Administrative Information (Continued)</b>				
354.8(g)	10727.4	Additional GSP Contents	<b>Description of Actions related to:</b> <ul style="list-style-type: none"> <li>• Control of saline water intrusion</li> <li>• Wellhead protection</li> <li>• Migration of contaminated groundwater</li> <li>• Well abandonment and well destruction program</li> <li>• Replenishment of groundwater extractions</li> <li>• Conjunctive use and underground storage</li> <li>• Well construction policies</li> <li>• Addressing groundwater contamination cleanup, recharge, diversions to storage, conservation, water recycling, conveyance, and extraction projects</li> <li>• Efficient water management practices</li> <li>• Relationships with State and federal regulatory agencies</li> <li>• Review of land use plans and efforts to coordinate with land use planning agencies to assess activities that potentially create risks to groundwater quality or quantity</li> <li>• Impacts on groundwater dependent ecosystems</li> </ul>	
354.10		Notice and Communication	<ul style="list-style-type: none"> <li>• Description of beneficial uses and users</li> <li>• List of public meetings</li> <li>• GSP comments and responses</li> <li>• Decision-making process</li> <li>• Public engagement</li> <li>• Encouraging active involvement</li> <li>• Informing the public on GSP implementation progress</li> </ul>	

GSP Regulations Section	Water Code Section	Requirement	Description	Section(s) or Page Number(s) in the GSP
<b>Article 5. Plan Contents, Subarticle 2. Basin Setting</b>				
354.14		Hydrogeologic Conceptual Model	<ul style="list-style-type: none"> <li>• Description of the Hydrogeologic Conceptual Model</li> <li>• Two scaled cross-sections</li> <li>• Map(s) of physical characteristics: topographic information, surficial geology, soil characteristics, surface water bodies, source and point of delivery for imported water supplies</li> </ul>	
354.14(c)(4)	10727.2(a)(5)	Map of Recharge Areas	<ul style="list-style-type: none"> <li>• Map delineating existing recharge areas that substantially contribute to the replenishment of the basin, potential recharge areas, and discharge areas</li> </ul>	
	10727.2(d)(4)	Recharge Areas	<ul style="list-style-type: none"> <li>• Description of how recharge areas identified in the plan substantially contribute to the replenishment of the basin</li> </ul>	
354.16	10727.2(a)(1) 10727.2(a)(2)	Current and Historical Groundwater Conditions	<ul style="list-style-type: none"> <li>• Groundwater elevation data</li> <li>• Estimate of groundwater storage</li> <li>• Seawater intrusion conditions</li> <li>• Groundwater quality issues</li> <li>• Land subsidence conditions</li> <li>• Identification of interconnected surface water systems</li> <li>• Identification of groundwater-dependent ecosystems</li> </ul>	
354.18	10727.2(a)(3)	Water Budget Information	<ul style="list-style-type: none"> <li>• Description of inflows, outflows, and change in storage</li> <li>• Quantification of overdraft</li> <li>• Estimate of sustainable yield</li> <li>• Quantification of current, historical, and projected water budgets</li> </ul>	
	10727.2(d)(5)	Surface Water Supply	<ul style="list-style-type: none"> <li>• Description of surface water supply used or available for use for groundwater recharge or in-lieu use</li> </ul>	

GSP Regulations Section	Water Code Section	Requirement	Description	Section(s) or Page Number(s) in the GSP
<b>Article 5. Plan Contents, Subarticle 2. Basin Setting (Continued)</b>				
354.20		Management Areas	<ul style="list-style-type: none"> <li>• Reason for creation of each management area</li> <li>• Minimum thresholds and measurable objectives for each management area</li> <li>• Level of monitoring and analysis</li> <li>• Explanation of how management of management areas will not cause undesirable results outside the management area</li> <li>• Description of management areas</li> </ul>	
<b>Article 5. Plan Contents, Subarticle 3. Sustainable Management Criteria</b>				
354.24		Sustainability Goal	<ul style="list-style-type: none"> <li>• Description of the sustainability goal</li> </ul>	
354.26		Undesirable Results	<ul style="list-style-type: none"> <li>• Description of undesirable results</li> <li>• Cause of groundwater conditions that would lead to undesirable results</li> <li>• Criteria used to define undesirable results for each sustainability indicator</li> <li>• Potential effects of undesirable results on beneficial uses and users of groundwater</li> </ul>	
354.28	10727.2(d)(1) 10727.2(d)(2)	Minimum Thresholds	<ul style="list-style-type: none"> <li>• Description of each minimum threshold and how they were established for each sustainability indicator</li> <li>• Relationship for each sustainability indicator</li> <li>• Description of how selection of the minimum threshold may affect beneficial uses and users of groundwater</li> <li>• Standards related to sustainability indicators</li> <li>• How each minimum threshold will be quantitatively measured</li> </ul>	

GSP Regulations Section	Water Code Section	Requirement	Description	Section(s) or Page Number(s) in the GSP
<b>Article 5. Plan Contents, Subarticle 3. Sustainable Management Criteria (Continued)</b>				
354.30	10727.2(b)(1) 10727.2(b)(2) 10727.2(d)(1) 10727.2(d)(2)	Measurable Objectives	<ul style="list-style-type: none"> <li>• Description of establishment of the measureable objectives for each sustainability indicator</li> <li>• Description of how a reasonable margin of safety was established for each measureable objective</li> <li>• Description of a reasonable path to achieve and maintain the sustainability goal, including a description of interim milestones</li> </ul>	
<b>Article 5. Plan Contents, Subarticle 4. Monitoring Networks</b>				
354.34	10727.2(d)(1) 10727.2(d)(2) 10727.2(e) 10727.2(f)	Monitoring Networks	<ul style="list-style-type: none"> <li>• Description of monitoring network</li> <li>• Description of monitoring network objectives</li> <li>• Description of how the monitoring network is designed to: demonstrate groundwater occurrence, flow directions, and hydraulic gradients between principal aquifers and surface water features; estimate the change in annual groundwater in storage; monitor seawater intrusion; determine groundwater quality trends; identify the rate and extent of land subsidence; and calculate depletions of surface water caused by groundwater extractions</li> <li>• Description of how the monitoring network provides adequate coverage of Sustainability Indicators</li> <li>• Density of monitoring sites and frequency of measurements required to demonstrate short-term, seasonal, and long-term trends</li> <li>• Scientific rationale (or reason) for site selection</li> <li>• Consistency with data and reporting standards</li> <li>• Corresponding sustainability indicator, minimum threshold, measureable objective, and interim milestone</li> </ul>	

GSP Regulations Section	Water Code Section	Requirement	Description	Section(s) or Page Number(s) in the GSP
			<p><b>(Monitoring Networks Continued)</b></p> <ul style="list-style-type: none"> <li>• Location and type of each monitoring site within the basin displayed on a map, and reported in tabular format, including information regarding the monitoring site type, frequency of measurement, and the purposes for which the monitoring site is being used</li> <li>• Description of technical standards, data collection methods, and other procedures or protocols to ensure comparable data and methodologies</li> </ul>	
354.36		Representative Monitoring	<ul style="list-style-type: none"> <li>• Description of representative sites</li> <li>• Demonstration of adequacy of using groundwater elevations as proxy for other sustainability indicators</li> <li>• Adequate evidence demonstrating site reflects general conditions in the area</li> </ul>	
354.38		Assessment and Improvement of Monitoring Network	<ul style="list-style-type: none"> <li>• Review and evaluation of the monitoring network</li> <li>• Identification and description of data gaps</li> <li>• Description of steps to fill data gaps</li> <li>• Description of monitoring frequency and density of sites</li> </ul>	

GSP Regulations Section	Water Code Section	Requirement	Description	Section(s) or Page Number(s) in the GSP
<b>Article 5. Plan Contents, Subarticle 5. Projects and Management Actions</b>				
354.44		Projects and Management Actions	<ul style="list-style-type: none"> <li>• Description of projects and management actions that will help achieve the basin’s sustainability goal</li> <li>• Measureable objective that is expected to benefit from each project and management action</li> <li>• Circumstances for implementation</li> <li>• Public noticing</li> <li>• Permitting and regulatory process</li> <li>• Time-table for initiation and completion, and the accrual of expected benefits</li> <li>• Expected benefits and how they will be evaluated</li> <li>• How the project or management action will be accomplished. If the projects or management actions rely on water from outside the jurisdiction of the Agency, an explanation of the source and reliability of that water shall be included.</li> <li>• Legal authority required</li> <li>• Estimated costs and plans to meet those costs</li> <li>• Management of groundwater extractions and recharge</li> </ul>	
354.44(b)(2)	10727.2(d)(3)		<ul style="list-style-type: none"> <li>• Overdraft mitigation projects and management actions</li> </ul>	



GSP Regulations Section	Water Code Section	Requirement	Description	Section(s) or Page Number(s) in the GSP
<b>Article 8. Interagency Agreements</b>				
357.4	10727.6	Coordination Agreements - Shall be submitted to the Department together with the GSPs for the basin and, if approved, shall become part of the GSP for each participating Agency.	<p><b>Coordination Agreements shall describe the following:</b></p> <ul style="list-style-type: none"> <li>• A point of contact</li> <li>• Responsibilities of each Agency</li> <li>• Procedures for the timely exchange of information between Agencies</li> <li>• Procedures for resolving conflicts between Agencies</li> <li>• How the Agencies have used the same data and methodologies to coordinate GSPs</li> <li>• How the GSPs implemented together satisfy the requirements of SGMA</li> <li>• Process for submitting all Plans, Plan amendments, supporting information, all monitoring data and other pertinent information, along with annual reports and periodic evaluations</li> <li>• A coordinated data management system for the basin</li> <li>• Coordination agreements shall identify adjudicated areas within the basin, and any local agencies that have adopted an Alternative that has been accepted by the Department</li> </ul>	