

## **Fillmore and Piru Groundwater Subbasins Guiding Principles**

The following describes commitments and common interests that combined leadership from the Fillmore and Piru Groundwater Subbasins (Basins) have agreed on as a way to influence current and future compliance with the Sustainable Groundwater Management Act (SGMA). Under the requirements of SGMA, certain groundwater basins must create one or more Groundwater Sustainability Agencies (GSA) to regulate groundwater and implement SGMA. The Basins have created a joint GSA titled the Fillmore and Piru Basins Groundwater Sustainability Agency (FPBGSA) to achieve this requirement. Similarly, SGMA requires the development of one or more Groundwater Sustainability Plans (GSP) for each groundwater basin. Once approved by the State, a GSP guides implementation of SGMA for a 20-year period (with accommodation for periodic revisions of the GSP if warranted). The FPBGSA will prepare two GSPs, one for each Basin, to achieve coordinated SGMA compliance for sustainable groundwater management.

As reflected in this introduction, SGMA is a complex law that mandates the local and State-scale regulation of groundwater. Attachment A (below) presents significant background and context about SGMA and groundwater conditions in the Basins and readers of the following Guiding Principles are encouraged to review the Attachment.

The following Guiding Principles reflect unanimous agreements by the FPBGSA Board of Directors.

### **General Principles of Understanding**

- Gen1. SGMA requires that GSAs (including the FPBGSA) consider the interests of all Beneficial Uses and Users of groundwater in compliant groundwater basins. (See Attachment B for a list of these interests as defined in SGMA). More specifically, SGMA requires that GSAs encourage the active involvement of diverse social, cultural, and economic elements of the population within a groundwater basin. The FPBGSA is committed to uphold this inclusive approach through all aspects of GSP development and SGMA implementation.
- Gen2. Pursuant to SGMA, all Beneficial Users and Uses are required to comply with SGMA and by extension, the GSPs prepared by the FPBGSA which will guide SGMA implementation.
- Gen3. The FPBGSA supports a partnered approach among various local agencies and organizations to support SGMA implementation. A partnered approach to groundwater management is in the best interest of the Basins' Beneficial Users because it will maximize efficiencies, keep costs at a minimum, and capitalize on skills and strengths of various partners. This approach will reflect mutual respect for each partner's role and mission, governmental authorities (when applicable), expertise, knowledge of groundwater conditions, rights, needs and concerns.
- Gen4. Implementation of SGMA may be expensive and all Beneficial Users will need to contribute in some way. Failure to implement SGMA locally will result in State intervention and even greater costs and regulation.

- Gen5. Local control of groundwater should be preserved to the maximum extent practicable, and State intervention to implement SGMA should be avoided.
- Gen6. Sustainable groundwater conditions in the Basins are critical to support, preserve, and enhance the economic viability, social well-being, environmental health, and cultural norms of all Beneficial Users and Uses including Tribal, domestic, municipal, agricultural, environmental and industrial users.
- Gen7. FPBGSA is committed to conduct sustainable groundwater practices that balance the needs of and protect the groundwater resources for all Beneficial Users in the Basins.
- Gen8. The FPBGSA will have an open, transparent process for GSP development and SGMA implementation. Extensive outreach is a priority of FPBGSA members to inform Beneficial Users about implementation and potential effects of SGMA, and to ensure the FPBGSA is informed of all Beneficial User input as a means to support GSA decision-making.
- Gen9. SGMA implementation is new to water users throughout the State, thus there are many unknowns. Willingness by all GSA members and Beneficial Users to adapt and adjust during GSP development (based on science and facts) and SGMA implementation is crucial to the Basins' success.

### **Specific Principles of Understanding**

#### Governance

- Gov1. The FPBGSA operates as a governing public agency, granted with regulatory authorities provided in SGMA.
- Gov2. The FPBGSA's purpose is to implement SGMA in the Basins. The FPBGSA is committed to develop local SGMA compliance and sustainability solutions, and thereby maintain local control and avoid State intervention and management of local groundwater resources. It is also committed to solutions that will avoid costly litigation between stakeholders.
- Gov3. The FPBGSA Joint Exercise of Powers Agreement (JPA) is the legal foundational document for the GSA. These Guiding Principles are intended to be consistent with and in furtherance of the JPA. In the event of a conflict between the JPA and these principles, the JPA take precedence.
- Gov4. The JPA requires its Board of Directors to include representative directors from Member Agencies (the City of Fillmore, County of Ventura, and United Water Conservation District) and stakeholder directors (Fillmore Basin and Piru Basin Pumper Stakeholder Directors and an environmental stakeholder director). The FPBGSA is committed to maintaining this diverse and balanced representation in its governance and decision-making.
- Gov5. While the FPBGSA Board of Directors have unique responsibilities to serve their respective organizations and interests, these individuals also have a responsibility (as signatory parties

to the JPA) to serve the interests and regulatory authorities of the FPBGSA in its required role to identify, achieve, and maintain sustainable groundwater conditions in the Basins. FPBGSA Directors and staff are committed to fulfill this SGMA-specific responsibility.

- Gov6. The FPBGSA represents and seeks to preserve the groundwater interests of all Beneficial Users and Uses in the Basins equitably and transparently.
- Gov7. The FPBGSA will comply with all applicable State and federal regulations and statutes.
- Gov8. Discussions among the FPBGSA Board of Directors, staff, and Beneficial Users may be challenging at times. The FPBGSA will conduct these discussions in a collaborative manner with a commitment to respectful civil discourse among all participants.

#### Communication and Education

- Com1. In addition to its statutory responsibilities and authorities, the FPBGSA is committed to provide consistent, transparent educational opportunities for all Beneficial Users about water resources, land uses and water management in the Basins
- Com2. The FPBGSA is committed to partner, now and in the future, with other agencies and organizations not currently engaged in GSP development and SGMA implementation.
- Com3. The FPBGSA will engage with neighboring basins to achieve coordinated groundwater management and to ensure that consistent and productive communication takes place for the mutual best interests of Beneficial Users in the Basins and all adjacent basins.

#### Funding and Finances

- Fund1. The FPBGSA recognizes its duty to taxpayers, ratepayers, and future generations to ensure that financial resources are used effectively and responsibly to promote sustainable groundwater conditions. The FPBGSA is committed to carefully use collected fees in the most prudent ways possible to fully comply with SGMA and to avoid expanding beyond the scope of SGMA in a manner that might create undo costs to Beneficial Users.
- Fund2. The budgeting process and ongoing management of the FPGGSA will be fully transparent to all stakeholders. Budgets may be changed by unexpected circumstances but the FPBGSA Board and staff are committed to follow budget projections as closely as possible. The FPBGSA recognizes its duty to assessment payers and future generations to ensure that its financial resources are used effectively and responsibly to promote sustainable groundwater conditions.
- Fund3. The FPBGSA is committed to pursue financial and infrastructure solutions and beneficial partnerships with other agencies within and adjacent to the Basins to provide sustainable water supplies for all constituents within the framework of SGMA.

- Fund4. The GSPs should encourage maximum flexibility to adapt to changes in FPBGSA membership, funding and planning oversight as the parties build their relationships and mutual trust.
- Fund5. Data collection and groundwater studies are essential to increase knowledge and to support groundwater management decisions. Funding (including rate increases and grants) and implementing such studies is and will be a priority and a shared responsibility among all FPBGSA members and Beneficial Users.
- Fund6. The FPBGSA will seek alternative sources of funding beyond rate payers and is committed to defer funding choices from local FPBGSA member agencies whenever feasible.

#### SGMA Implementation and Sustainability

- Sus1. Future sustainable groundwater conditions will depend on land uses and water demand targets being in balance with available water resources. The FPBGSA is committed to work with land use agencies in the Basins to promote land use practices and water demand targets that achieve sustainable water resources.
- Sus2. The FPBGSA is committed to enhance groundwater resiliency to protect the Basins from undesirable results as defined by the six SGMA indicators of basin health and sustainability and outcomes of future climate change variables.
- Sus3. As described in Appendix A, imported water plays a role in the overall surface water portfolio of the Basins. This imported water may become a more significant source of future recharge water for the Basins and will be considered in the process of formulating the GSPs and subsequent SGMA implementation.
- Sus4. The GSPs will encourage utilizing surface water to its full extent as available, feasible, and legal, and conserving groundwater for use during dry periods when surface water is not readily available or affordable.
- Sus5. FPBGSA members and Beneficial Users may have different requirements under different water resource conditions to ensure that minimum thresholds are achieved or exceeded. These potential different requirements will be defined in the GSPs and implemented by the FPBGSA.
- Sus6. Groundwater conditions throughout the Basins are not uniform. Conditions vary by location, surface water conditions, precipitation, and water year type. While all Beneficial Uses and Users will share the obligation to achieve sustainability, solutions will need to reflect these geographic and hydrogeographic differences.
- Sus7. The FPBGSA recognizes that groundwater recharge occurs through many different means. Applied surface water, precipitation, porous supply and drain ditches, and Best Management Practices utilized by Beneficial Users contribute to the Basins recharge. Studies will quantify the availability of such recharge and provisions will be included in the

GSPs to ensure that future groundwater extractions are consistent with quantified recharge and the sustainable yields of the Basins.

- Sus8. Integrated water management is a set of methods to extract, transport, store, use, and share groundwater and surface water throughout a groundwater basin to ensure a resilient water supply for all water users. To support SGMA objectives and Basin-wide water needs, the FPBGSA will pursue an integrated water management approach for the Basins. An integrated water management approach will honor the social, cultural, natural, and economic diversity of the Basins. It will seek to ensure that all Beneficial Users have necessary water resources. An integrated water management approach may rely on but may not be limited to:
- a. Science-based decision-making.
  - b. Projects and methods to recover and restore the Basin aquifers.
  - c. Collective and individual groundwater use requirements to ensure that groundwater elevations are not depleted below minimum thresholds.

SGMA requires that groundwater dependent ecosystems be considered in GSPs as part of potential interconnectedness between groundwater and surface water. In this context:

- Sus9. The FPBGSA acknowledges the interconnectedness of groundwater and surface water resources in the Basins, the contributions to the groundwater system from surface water applications and that this interaction plays an important role in the Santa Clara River (River) ecosystem (e.g., at the boundary between the Basins; and the boundaries between the up-gradient and down-gradient adjacent River subbasins). Within the Basins, the River is a largely naturalized water feature with significantly fewer built impediments than found in other southern California river systems. The River ecosystem (including tributaries) includes aquatic and adjacent terrestrial habitats for a multitude of species, including those with State and Federal threatened and endangered status. The FPBGSA is committed to assess these water and ecological relationships and to minimize undesirable results on groundwater dependent ecosystems in the Basins.
- Sus10. SGMA requires, and the FPBGSA is committed to, robust analysis of current and future climate-based conditions to ensure that the Basins are resilient to climate change-related impacts.
- Sus11. Groundwater recharge, surface water deliveries, and the base flows of the Basins' tributaries will be impacted by climate change and associated water conditions. The FPBGSA will ensure the use of best available science to inform management decisions before, during, and after extreme climate-based conditions, within the scope of SGMA.

Under SGMA, groundwater users that extract two acre-feet of groundwater or less per year for domestic purposes are defined as "de minimis." This classification limits the statutory financial and measurement responsibilities of these groundwater extractors and is a means through which some SGMA-related burdens are minimized for this select set of groundwater extractors. In this context:

- Sus12. The FPBGSA is committed to the definition of de minimis and will explore opportunities to minimize SGMA-related impacts to all groundwater extractors and users, in particular disadvantaged communities who rely solely on groundwater.
- Sus13. The de minimis classification does not excuse a Beneficial User from their legal responsibility to comply with SGMA.
- Sus14. The FPBGSA will evaluate and account for the incremental impacts that de minimis water users have on the Basins' water budgets.
- Sus15. The FPBGSA is committed to provide appropriate compliance benefits that are afforded to de minimis users but to also ensure that potential groundwater use impacts are not imposed on other Beneficial Users that do not meet the de minimis definition.

## **ATTACHMENT A**

### **The Fillmore and Piru Subbasins – Background and Conditions**

#### **Introduction and Background**

The Fillmore (4-004.05) and Piru (4-004.06) Groundwater Subbasins (Basins) are located in Ventura County in the Santa Clara River Valley. The Basins are defined by the California Department of Water Resources (DWR) in “*Bulletin 118*”, the official State publication on the occurrence and nature of statewide groundwater conditions. The Basins are technically defined as two of a series of alluvial groundwater subbasins of the larger Santa Clara River Valley Basin and are situated downstream and west of the Santa Clara River Valley East Subbasin, and upstream and east of the Santa Paula Subbasin, all of which are similarly defined by DWR in Bulletin 118. As illustrated by the proximities described above, the Basins are hydrogeologically connected to each other and to the upstream and downstream basins.

The Basins are characterized by diverse communities and varying land use including urban and agricultural areas. By acreage, agricultural use makes up the largest developed portion of the Basins.

#### **Groundwater and Associated Watershed Conditions**

Groundwater is currently the primary source of water in the Basins for agriculture, and municipal and industrial use. The largest source of groundwater recharge is from rainfall. Other sources of groundwater recharge include two Los Angeles County Wastewater Reclamation Plants (i.e., Saugus and Valencia Plants) that discharge tertiary treated water directly into the Santa Clara River, contributing recharge to the east end of Piru Basin; and by a relatively small amount of State Water Project (SWP) surface water imported by the United Water Conservation District (UWCD) and released into the Santa Clara River. Beyond this small SWP contribution, snowpack in the Sierra Nevada does not contribute significantly to recharge in the Basins. UWCD releases water from Lake Piru and Castaic Lake through the Santa Clara River over the Piru, Fillmore, and Santa Paula Basins. Lake Piru (current capacity of 82,000 acre-feet) is filled primarily by rainwater but may also receive SWP imported water through Pyramid Reservoir. Castaic Lake is already partially replenished with SWP water.

Historically, groundwater in the Basins has been quick to recharge during average or above-average rainfall years through winter flows of the Santa Clara River and many local tributaries and creeks including Sespe Creek, Pole Creek, Hopper Canyon Creek, Piru Creek, and others. Sespe Creek may support surface flows to the Santa Clara River into late summer during average or above-average rainfall years. By example, substantial groundwater level recovery of both Basins occurred during recent (2019) above-average rainfall periods, which followed the most intense drought in recent local history. Groundwater levels in all but the east end of the Piru Basin dropped to the lowest recorded levels during the recent drought but recovered quickly to near pre-drought conditions following above average rainfall in 2019. This pattern of groundwater level declines during major droughts, followed by recovery, is observable in the historical data and is likely to persist into the future. Groundwater quality of the Basins was not degraded by the recent drought or by lower than average groundwater levels, but the quality of water moving into the Basins from upstream basins is a concern and will be considered in the Groundwater Sustainability Plans (GSP) (described further below).

Lower than average groundwater levels caused by the recent drought have not resulted in reported permanent (inelastic) land subsidence impacts in the Basins or a reduction in groundwater aquifer storage capacity. Due to the generally coarse-grained sediments comprising the aquifers, subsidence is not anticipated to be a significant concern in the Basins.

### **Historical Groundwater Management in the Basins**

California Assembly Bill 3030 was enacted in 1992, which established in the California Water Code sections 10750-10756, a systematic procedure for a local agency to develop a groundwater management plan. Subsequently, in 1995, a Memorandum of Understanding (M.O.U.) was signed among United Water Conservation District (United Water or United), the City of Fillmore, water companies and other pumpers to establish how an AB 3030 groundwater management plan would be formulated for the Piru and Fillmore groundwater basins (M.O.U., 1995). The M.O.U. established that the Management Plan would be a cooperative plan for the Basins. After the adoption of the M.O.U., a Groundwater Management Plan (Plan) was formulated and adopted in 1996. The Plan outlined the roles of the various parties in implementing a groundwater management program, including the establishment of a Groundwater Management Council to manage the Plan. The Council consisted of seven members: two City Council representatives from Fillmore, four pumpers (of which two were from private entities and two from investor-owned companies or mutual water companies), and one elected board member from United Water.

SB 1938 (2002) and AB 359 (2013) required additional elements be included in all AB 3030 management plans, and an updated Draft Piru/Fillmore Basins AB 3030 Groundwater Management Plan was submitted to the AB 3030 Groundwater Management Council in 2011. The Draft Plan update included Basin Management Objectives (BMOs) for groundwater elevations, groundwater quality and surface water quality at various locations. It also included a groundwater export policy which provoked considerable discussion. In 2013 an updated version of the Draft Plan was submitted to the Council. The revised draft of the Plan was never adopted by the Council and therefore never finalized. The AB 3030 process has since been superseded by the Sustainable Groundwater Management Act.

### **Sustainable Groundwater Management Act**

The Sustainable Groundwater Management Act (SGMA) was passed by the State legislature and signed by Governor Brown in 2014 and was enacted on January 1, 2015. It requires the formation of Groundwater Sustainability Agencies (GSA) in priority groundwater basins. It further requires that these GSAs prepare GSPs, submit them for approval to DWR and then implement the GSP over a 20-year period during which each basin must achieve and maintain sustainable groundwater conditions.

SGMA defines sustainable groundwater management as *“the management and use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing undesirable results.”* Sustainable conditions are generally defined as those conditions that existed as of January 2015 when SGMA became a law.

Per SGMA, there are six indicators that are used to determine if a basin has sustainable conditions. A basin will be considered unsustainable if there are significant and unreasonable conditions and Undesirable Results (see Attachment B) in the basin from one or more of the following:



- Chronic lowering of groundwater levels;
- Reduction of groundwater storage;
- Land subsidence that substantially interferes with surface land uses;
- Degraded water quality, including the migration of contaminant plumes that impair water supplies;
- Depletions of interconnected surface water and groundwater; or
- Seawater intrusion.

As stated above, certain groundwater basins are required to comply with SGMA based on their priority. Groundwater basins that have gone through an adjudication process (e.g., the down-gradient Santa Paula Basin) are exempt from a number of the SGMA requirements but do have new requirements to report basin conditions to the DWR. In addition to characterizing the location of all groundwater basins in the state, DWR also has the responsibility to set (and at times, modify) the priority of each basin into one of four categories: High, Medium, Low, or Very Low. Prioritization is conducted for each basin using a set of variables that includes but is not limited to: current and projected basin population, groundwater elevation, groundwater connectedness to surface water, total number of wells, irrigated acreage, groundwater reliance by beneficial users, and similar. All High and Medium priority basins are required to comply with SGMA. In addition to the prioritization process, some High priority basins were also designated as being “Critically Overdrafted”. Critically Overdrafted Basins are required to prepare and submit their GSPs two years earlier than all other priority basins. These basins must submit their GSPs to DWR by January 31, 2020. All other SGMA compliant basins (including the Fillmore and Piru Subbasins) must complete and submit their GSPs by January 31, 2022. The FPBGSA’s target for GSP adoption and submittal to DWR is therefore on or before January 31, 2022. The GSPs must be updated every five years. Actions to achieve sustainable conditions by 2042 will be described in the GSPs for the Basins.

The Basins are individually ranked “High” priority by DWR, principally because groundwater is the primary source of water for all water users. Other reasons include a lack of recent subsidence data, and declining groundwater levels during the 2012-2017 drought that contributed to lower scoring for the habitat and streamflow components of the prioritization methods.

SGMA compliant evaluations of the sustainability indicators in the Basins will be extensive. All indicators will be assessed with the likely exception of Seawater Intrusion. All current data shows that the Basins are not affected by seawater intrusion due to their inland location and groundwater elevations consistently above mean sea level, even during droughts.

## **ATTACHMENT B**

### **SGMA EXCERPTS**

#### **10723.2. CONSIDERATION OF ALL INTERESTS OF ALL BENEFICIAL USES AND USERS OF GROUNDWATER**

The groundwater sustainability agency shall consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing groundwater sustainability plans. These interests include, but are not limited to, all of the following:

- (a) Holders of overlying groundwater rights, including:
  - (1) Agricultural users.
  - (2) Domestic well owners.
- (b) Municipal well operators.
- (c) Public water systems
- (d) Local land use planning agencies.
- (e) Environmental users of groundwater.
- (f) Surface water users, if there is a hydrologic connection between surface and groundwater bodies.
- (g) The federal government, including, but not limited to, the military and managers of federal lands.
- (h) California Native American tribes.
- (i) Disadvantaged communities, including, but not limited to, those served by private domestic wells or small community water systems.
- (j) Entities listed in Section 10927 that are monitoring and reporting groundwater elevations in all or a part of a groundwater basin managed by the groundwater sustainability agency.

#### **10721. DEFINITIONS**

(x) “Undesirable result” means one or more of the following effects caused by groundwater conditions occurring throughout the basin:

- (1) Chronic lowering of groundwater levels indicating a significant and unreasonable depletion of supply if continued over the planning and implementation horizon. Overdraft during a period of drought is not sufficient to establish a chronic lowering of groundwater levels if extractions and groundwater recharge are managed as necessary to ensure that reductions in groundwater levels or storage during a period of drought are offset by increases in groundwater levels or storage during other periods.
- (2) Significant and unreasonable reduction of groundwater storage.

- (3) Significant and unreasonable seawater intrusion.
- (4) Significant and unreasonable degraded water quality, including the migration of contaminant plumes that impair water supplies.
- (5) Significant and unreasonable land subsidence that substantially interferes with surface land uses.
- (6) Depletions of interconnected surface water that have significant and unreasonable adverse impacts on beneficial uses of the surface water.