



Fillmore and Piru Basins
Groundwater Sustainability Agency

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

In accordance with the California Governor's Executive Stay at Home Order and the County of Ventura Health Officer Declared Local Health Emergency and Be Well at Home Order resulting from the novel coronavirus (COVID-19), the Fillmore City Hall is closed to the public. Therefore, the FPB GSA will be holding its Regular Board of Directors meeting virtually using the ZOOM video conferencing application.

To participate in the Board of Directors meeting via Zoom, please access:

<https://us02web.zoom.us/j/85480305580?pwd=ZnFBWGhtVU05dXd3REFkM255c0h6UT09>

Meeting ID: **854 8030 5580**

Password: **FPBGSA**

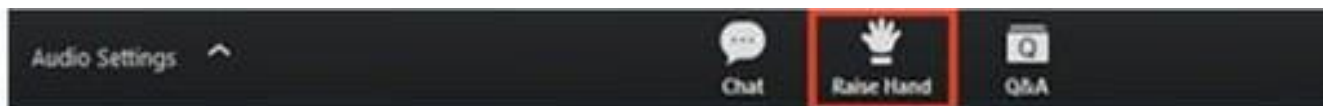
To hear just the audio portion of the meeting, phone into the toll-free number 877 853 5247

Meeting ID: **854 8030 5580**

All participants are asked to join the meeting at least five minutes in advance of the 5pm start time and be aware that all participants will be "muted" until recognized by the host. If your computer has a camera, please enable it so we can ensure better engagement between participants.

If you would like to address the Board with a question or offer a comment, please follow these simple instructions to engage the host (Clerk of the Board):

1. During a meeting, click on the icon labeled "Participants" at the bottom center of your computer screen.
2. At the bottom of the window on the right side of the screen, click the button labeled "Raise Hand."
3. Once you've been recognized by the Chair, please click on "Raise Hand" again to remove the signal.



Similarly, if you have a comment or question for the Board, you can use the "Chat" button to convey your question or comment to the HOST, who will put you in line to address the Board.

The Fillmore and Piru Basins GSA Board of Directors appreciates your participation and patience in using Zoom to conduct its public meeting.

AGENDA

1. CALL TO ORDER

1A Pledge of Allegiance

1B Directors Roll Cal

1C Public Comments

Fillmore and Piru Basins Groundwater Sustainability Agency (Agency) will accept public comment concerning agenda items at the time the item is considered and on any non-agenda item within the jurisdiction of the Board during the agendaized Public Comment period. No action will be taken by the Board on any non-agenda item. In accordance with Government Code § 54954.3(b)(1), public comment will be limited to three (3) minutes per speaker per issue.

**1D Approval of Agenda
Motion**

2. UPDATES

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

Fillmore Pumpers Association Stakeholder Director Update

Piru Pumpers Association Stakeholder Director Update

Environmental Stakeholder Director Update

City of Fillmore Member Director Update

United Water Conservation District Member Director Update

County of Ventura Member Director Update

**2B Executive Director Update
Information Item**

The Executive Director will provide an informational update on Agency activities since the previous Board meeting of September 29, 2022.

**2C Legal Counsel Update
Information Item**

Legal Counsel will provide an informational update on Agency's legal issues and concerns since the previous Board of Directors meeting of September 29, 2022.

**2D GSP Consultant Update
Information Item**

Representatives from Daniel B Stephens & Associates will provide an informational update on Agency's groundwater sustainability planning and reporting activities since the previous Board meeting of September 29, 2022.

3. CONSENT CALENDAR

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

3A Approval of Minutes

The Board will consider approving the Minutes from the regular Board Meeting of Special Board Meeting of September 29, 2022.

3B Approval of Warrants

The Board will consider approving payment of outstanding vendor invoices

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

3C Monthly Financial Report

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

3D FY 21-22 Final Financial Reports

The Board will receive the Agency's FY 21-22 final financial reports.

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

The Board will consider adopting Resolution 2022-15 continuing findings that the requisite conditions exist for remote teleconference meetings of the Agency's legislative bodies without compliance with Government Code section 54953(b)(3), as authorized by Government Code section 54953(e).

4. MOTION ITEMS

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

Motion

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

4B Projects and Management Actions

Motion

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

FUTURE TOPICS FOR BOARD DISCUSSION

ADJOURNMENT

The Board will adjourn to the next **Regular Board Meeting** on Thursday, November 17, 2022, or call of the Chair.

Materials, which are non-exempt public records and are provided to the Board of Directors to be used in consideration of the above agenda items, including any documents provided subsequent to the publishing of this agenda, are available for inspection at UWCD's offices at 1701 N. Lombard Street in Oxnard during normal business hours.

The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied the benefits of, the District's services, programs or activities because of any disability. If you need special assistance to participate in this meeting, or if you require agenda materials in an alternative format, please contact the UWCD Office at (805) 525-4431 or the City of Fillmore at (805) 524- 1500. Notification of at least 48 hours prior to the meeting will enable the District to make appropriate arrangements.

Approved: 
Board Chair Kelly Long

Posted: (date) October 17, 2022

(time) 4:40pm

(attest) Eva Ibarra

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

Posted: (date) October 17, 2022

(time) 4:45pm

(attest) Eva Ibarra

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

Posted: (date) October 17, 2022

(time) 5:00 pm

(attest) Eva Ibarra

At: UWCD, 1701 N. Lombard Street, Oxnard CA 93030



Fillmore and Piru Basins
Groundwater Sustainability Agency

SPECIAL Board of Directors Meeting
Thursday, September 29, 2022
5:00 p.m.
MINUTES

Directors in Attendance

Chair Kelly Long
Director Debbie Jackson
Director Glen Pace
Director Gordon Kimball
Director Candice Meneghin
Director Christina Villaseñor

Staff in Attendance

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

Public in Attendance

Eric Elliott, UWCD
Dan Detmer, UWCD
Carole Fornoff
Matt Freeman
Burt Handy
Rachel Laenen, Kimball Ranches
Tony Morgan, DBS&A
Gus Tolley DBS&A
Martha Trembley, LACSD
Steve Zimmer, Five Point

1. Call to Order 5:00pm

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

1A Pledge of Allegiance

Director Long led everyone in reciting the Pledge of Allegiance.

1B Directors Roll Call

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

1C Public Comments

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

1D Approval of Agenda
Motion

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

2. SEATING OF NEW DIRECTOR

2A Appointment of Piru Basin Pumpers Stakeholder Director
Motion

The Member Directors will consider confirming Carole Fornoff as the Piru Basin Pumpers Stakeholder Director, as nominated by the Piru Basin Pumpers Association.

Legal Counsel Steve O'Neill asked Executive Director Anthony Emmert if Director Pace had already submitted his resignation for his Director position? Mr. Emmert said he has not submitted a written resignation but has verbally notified the Board. Mr. O'Neill said he asked the question as Director Pace is having technical issues with his microphone and cannot speak, this is why he is asking the question, and stated with confirmation of Director Pace verbally notifying the Board, he said they can proceed with the seating.

Motion to approve, Director Kimball; Second, Director Villaseñor. Roll call vote: three ayes (Kimball, Long, Villaseñor); none opposed; motion carries unanimously 3/0.

Directors welcomed Director Fornoff to the Agency and thanked Director Pace for his devotion and time of service with the Agency Board.

UPDATES

3A Director Announcements/Board Communications:
Oral Reports from the Board

Fillmore Pumpers Association Stakeholder Director Update

Director Jackson reported the Fillmore Basin Pumpers Association had its Board of Directors meeting earlier in the month with discussion focusing on the well permitting flow chart, including export of water from the basins. She said that she is not clear if the flow chart presented is approved. Mr. Emmert said the chart is in final draft form. He stated that a standard procedure document is also being prepared, and that legal counsel has provided a draft of a section for the Bylaws that would all need to be considered by the Board for official action.

Piru Pumpers Association Stakeholder Director Update

Director Fornoff reported the Piru Basin Pumpers Association Board had a meeting where they discussed the position she has now filled as Director to the Agency. She added there was discussion on the flow chart and the Association is working with new landowners to secure their membership. She also said they will be having the next Piru Pumpers meeting on November 2.

Environmental Stakeholder Director Update

Director Meneghin reported last week she attended the Localizing California Water event in Ojai, where information focused on the Ventura River and on water conservation, State Board grant on instream flow enhancement, and other projects to be identified. Friends of Santa Clara River hosted Coastal Cleanup Day on September 17th at Mandalay Beach in Oxnard, Johnson Drive Gateway in Ventura, and at Fillmore Shieff's Park. She also mentioned The Pacific Institute presented cost benefit analysis regarding water projects and benefits of the projects. Friends of the Santa Clara River submitted a project to be included in the Watersheds Coalition of Ventura County's (WCVC) update to under its Integrated Regional Water Management Plan (IRWMP). She stated that she will be meeting with Pacific Institute to define the scope of work to determine a budget. Director Meneghin said she spoke to Assemblymember Steve Bennett and on September 12. She reported that there was a WCVC Steering Committee meeting where a suite of projects was selected for submission for IRWM program funding. She reported that Tree People is working on a California Strategic Growth Council grant on regional climate collaboration. She stated that CAUSE is having its annual fund raiser on October 6th. Director Meneghin added that she will be attending the California Environmental Association conference in Yosemite in October, where they will be covering SGMA and CEQA related issues and mentioned she will be reporting back to the Agency on any pertinent information.

City of Fillmore Member Director Update

Director Villaseñor reported the City of Fillmore provided a letter of support for the Tree People grant application for removal of Arundo, and the City has also approved the North Fillmore Specific Plan update that was originally developed back in 2006.

United Water Conservation District Member Director Update

Director Kimball had nothing to report.

County of Ventura Member Director Update

Director Long reported she has been serving as an alternate to the Fox Canyon GMA with the recent loss of Supervisor Ramirez. She also said Coastal Cleanup was a huge success in Ventura County and thanked all for their participation. She also mentioned there is a new ordinance that restricts camping in the watershed in redlined channel areas, and mentioned the Governor is working on water legislation for 2023 for water infrastructure projects, utilizing Federal funding. She also said the Governor has appointed Oxnard City Councilmember Vianey Lopez to fill Supervisor Ramirez seat for District 5.

3B Executive Director

Update Information Item

The Executive Director provided an informational update on Agency activities since the previous Board meeting of August 18, 2022.

Mr. Emmert reported that all of the Monitoring Wells project's permits are now in place, bird nesting season has concluded, and the driller has mobilized to the East Grove site. He said to expect mobilization of a second crew to the Cienega site later this week. He stated that groundwater invoices and statements have been mailed to pumpers for the period of January through June 2022, with payments due on October 15, 2022. He mentioned that the Groundwater Sustainability Planning Grant 14th quarter concludes on September 30, 2022, and staff are preparing progress report 14 and invoice 14. He also mentioned SGMA Implementation Round 1: \$150.5 million awarded, including several in the Oxnard and Pleasant Valley basins, and SGMA Implementation Round 2: \$200 million both planning and implementation projects, proposal solicitation package is estimated for release in October 2022. He reported that AB 2201, Assemblymember Steve Bennett's bill, passed Senate on August 29, 2022, and returned to the Assembly for a vote regarding the Senate's amendments; however, the Legislative session ended August 30, 2022, without an Assembly vote on the bill. Mr. Emmert ended his update with a reminder of the celebration of Glen Pace's five years of service with the Agency, and requested the Agency select a date after Pace's return from vacation for the proposed celebration.

3C Legal Counsel Update

Information Item

Legal Counsel provided an informational update on Agency's legal issues and concerns since the previous Board of Directors meeting of August 18, 2022.

Steve O'Neill, with Aleshire and Wynder, reported he worked with Mr. Emmert and Tony Morgan with DBS&A on a flowchart for implementation of the Governor's executive order, and prepared a draft amendment to the Bylaws concerning the flowchart and a draft amendment to provide the Executive Director the authority to authorize change orders for on public works projects, to be brought to the Board at its next meeting. He also reported working with Clerk of the Board on document execution, reviewed observations from the audit, and worked with Mr. Morgan on export issues from the basin.

3D GSP Consultant Update
Information Item

Representatives from Daniel B Stephens & Associates provided an informational update on Agency's groundwater sustainability planning and reporting activities since the previous Board meeting of August 18, 2022.

Mr. Morgan welcomed Director Fornoff and thanked Director Pace for his years of valuable input. He also said he was told AB 2201 may be down, but is not gone, and suggested the Board stay tuned for more to come on a resurrection of that bill.

3. CONSENT CALENDAR

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

4A Approval of Minutes

The Board approved the Minutes from the Special Board Meeting of August 18, 2022.

4B Approval of Warrants

The Board approved payment of outstanding vendor invoice
Daniel B. Stephens & Associates \$4,408.50

4C Monthly Financial Report

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

4D Subsequent Finding Regarding Continuation of AB 361 Exemptions to Brown Act Teleconferencing Requirements

The Board adopted Resolution 2022-14 continuing findings that the requisite conditions exist for remote teleconference meetings of the Agency's legislative bodies without compliance with Government Code section 54953(b)(3), as authorized by Government Code section 54953(e).

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

4. INFORMATION ITEMS

5A Santa Clarita Valley Sanitation District Chloride Compliance Project Information

The Board received a presentation from Santa Clarita Valley Sanitation District regarding its Chloride Compliance Project at the Saugus and Valencia Water Reclamation Plants.

Chair Long asked Directors if they had any questions for Martha Trembley from Santa Clarita Valley Sanitation District.

Director Meneghin asked about the delays to the project, stating that there has already been a request for an extension to the Regional Water Quality Control Board, and what is the timeline? Ms. Trembley said the current schedule ends December 31st, and as the project construction is nearly complete, the Sanitation District plans to request an additional extension after that to complete the commissioning process. She said that the extension would be a matter of months. Director Meneghin asked how they will be monitoring downstream of the facilities as there is a concern over the water quality that will impact the Agency basins? Mrs. Trembley said the 5-year NPDES permit was renewed in May 2022 and includes new requirements for temperature that the Sanitation District is currently unable to meet. Mrs. Trembley explained the requirements and what they are doing to meet the requirements.

Director Meneghin asked Mr. Morgan if the rolling average every three months would be acceptable with DWR? Mr. Morgan said the rolling averages is a standard for a discharge compliance requirement.

Director Meneghin asked Mr. Emmert if reaches five or six are anywhere near the Agency's groundwater dependent ecosystem areas, and if the Agency should be engaged? Mr. Emmert said yes, flows from reaches five and six do reach up into the Piru basins' upper boundary and felt the Sanitation District's study will have focus in that area of the release reach. Ms. Trembley said yes and explained that

process. Director Meneghin requested the Agency be added to the stakeholder email group for the project's progress, as it does affect the Agency's water and GDE.

Director Meneghin asked if the inter-basin agreement data was being shared? Ms. Trembley said yes, as they are required to provide it to the Regional Board, and it is also publicly available.

Director Kimball asked if either of the plants are currently able to adjust the temperature of their outputs? Ms. Trembley said no, as temperature is impacted by ambient temperature and other factors and explained what is being done to manage the temperature, and requested the Agency provide a list of the recipients the Agency wants to add to the stakeholder list for updates on their progress for this project. Mr. Emmert said he would reach out to Ms. Trembley and provide the needed email addresses for stakeholder updates.

UWCD Water Resources Manager Dan Detmer asked Ms. Trembley to provide an update on the arrangement with Five Point. Mrs. Trembley explained the agreement they have made with Five Point regarding its Newhall Project.

5. MOTION ITEMS

6A Projects and Management Actions

Motion

The Board received a presentation from Daniel B. Stephens and Associates reviewing the Projects and Management Actions included in the Fillmore and Piru Basins Groundwater Sustainability Plans and provided comments and direction.

Director Fornoff asked how often has supplemental water had been available in the past? Mr. Morgan said about every seven to ten years and said Mr. Detmer would probably have more exact numbers.

Director Meneghin asked how much water has United Water purchased? Mr. Emmert said in addition to regular Table A water, there have been a couple of large purchases and shared the amount of water that was purchased and under what conditions it was purchased. Mr. Morgan also shared information on the opportunities and conditions for the purchasing of supplemental water.

Director Jackson said she is confused with the cost benefit as the water is said to be available in a wet year, as that water purchased may simply go into the downstream basins. Mr. Morgan said United Water is skilled at structuring releases so that the vast majority of that water ends up in the Piru and Fillmore basins and explained other scenarios of releases from United Water.

Director Meneghin asked where the Agency is regarding basins' capacity, how much water (acre-foot) can the basins store, and does the Agency then request 150

percent of its capacity and have other agencies cover the extra 50 percent of water, when available? Mr. Emmert said this is an extremely complex program and explained the process. He also asked Legal Counsel Steve O'Neill to weigh in on the Proposition 118 implications of a GSA's purchase of supplemental water. Mr. O'Neill said he will have to look into the legal part of this process and stated that the Agency will most likely have a Proposition 26 or Proposition 218 issue.

Director Kimball expressed his thoughts on purchasing water for the Fillmore and Piru basins and said this is a discussion talked about some years ago for the basins and suggested United Water be the one to manage that purchase, if that were to happen, as the Agency does not have to deal with inter-basin agreements and all that needs to play into a purchase, and said there needs to be a lot of thought into the idea of purchasing water as it is not as easy as it sounds. Mr. Detmer said the Fox Canyon GMA has asked United Water to look at these opportunities and United Water has done some work on that idea and said United Water can help with this purchase. Director Long said Fox Canyon GMA should not be the only entity to purchase water, it should be a regional approach to purchasing, and said the Agency needs to be better informed on the idea of water purchasing. Director Jackson said she advocates to add the idea for the future discussion. Director Villaseñor said she is surprised how much needs to play into purchasing water and feels we need to prepare for the opportunity to purchase of water. Mr. Morgan said this item will be added to a future agenda for consideration.

Director Jackson asked if the items in the subsidence infrastructure slide apply to the grant that the Agency is applying for to cover some costs. Mr. Morgan said yes, this will be covered in a future slide.

Mr. Emmert asked Mr. Morgan and Mr. Detmer if they have any indication if DWR is going to continue to do the flyovers of the region for InSAR data gatherings. Mr. Morgan said the last comments received from Steven Springhorn of DWR was that they still have enough money to continue for the next two to three years and will be working to renew the funding to continue the program.

Director Jackson asked, with the grant funding opportunities, can the Agency pick and choose the projects, or will DWR give the Agency a percentage? Mr. Morgan said in the round one examples, some agencies indicated a line item and were denied any funding, and other projects received amounts requested or a percentage of amount requested.

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

FUTURE TOPICS FOR BOARD DISCUSSION

None mentioned

ADJOURNMENT 7:39 p.m.

Director Long adjourned the Board meeting at 7:39p.m. to the next **Regular Board Meeting** on Thursday, **October 20, 2022**, or call of the Chair.

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

I certify that the above is a true and correct copy of the minutes of the Fillmore and Piru Basins Groundwater Sustainability Agency's Board of Directors meeting of September 29, 2022.

ATTEST: _____
Eva Ibarra, Clerk of the Board



**LOS ANGELES COUNTY
SANITATION DISTRICTS**

Converting Waste Into Resources

Santa Clarita Valley Sanitation District Chloride Compliance Project Update

Martha Tremblay

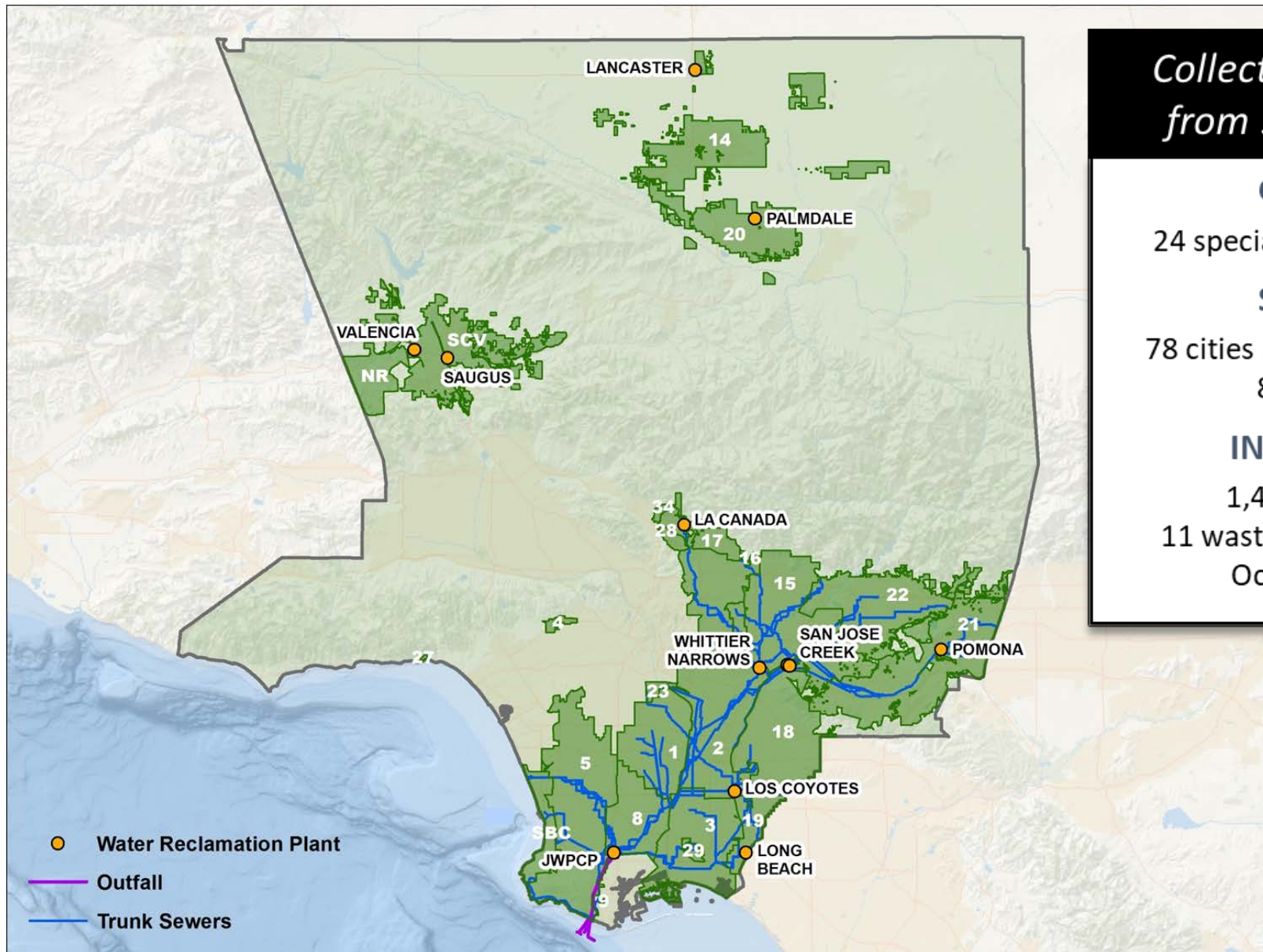
September 29, 2022



OUR SERVICE AREA



Los Angeles County Sanitation Districts Service Area



*Collect and treat sewage
from 5.6 million people*

GOVERNANCE

24 special districts with one staff

SERVICE AREA

78 cities & unincorporated county
824 square miles

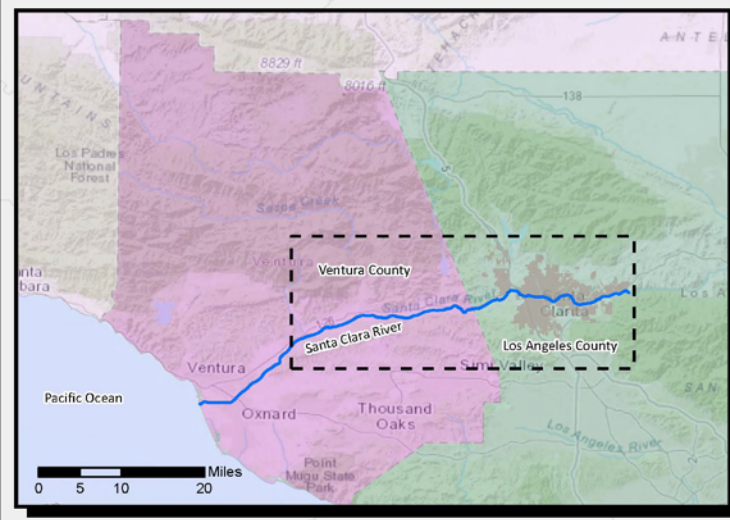
INFRASTRUCTURE

1,400 miles of sewers
11 wastewater treatment plants
Ocean outfall system

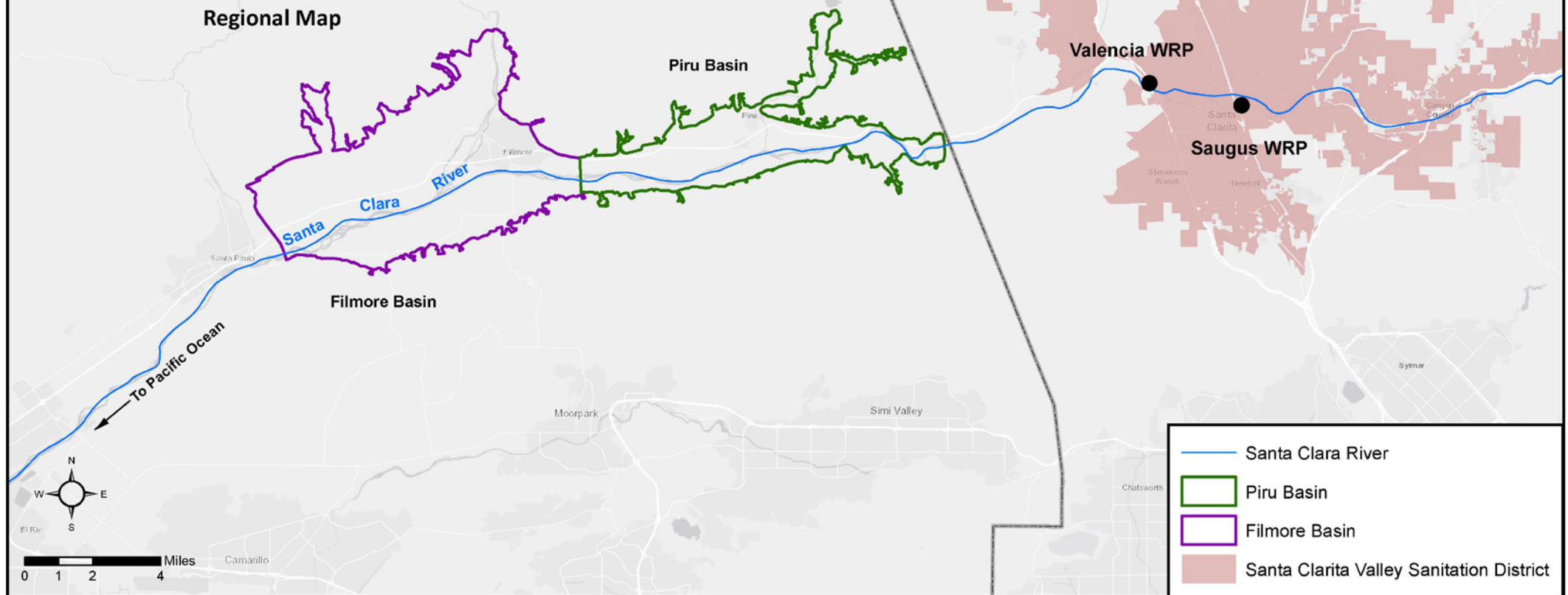




SCVSD Service Area and Water Reclamation Plants (WRPs)



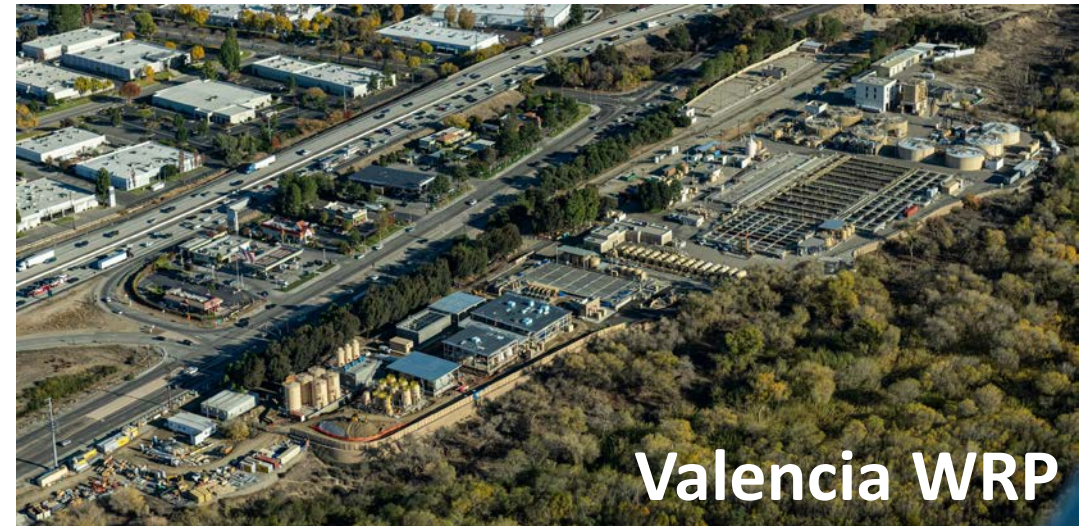
Regional Map





Background Saugus and Valencia WRPs

- Saugus WRP
 - 6.5 MGD capacity
 - Pop served 74,500
 - Discharges tertiary effluent to Santa Clara River approx. 5 MGD
- Valencia WRP
 - 21.6 MGD capacity
 - Pop served 203,000
 - Discharges tertiary effluent to Santa Clara River approx. 14 MGD
 - Approx 0.4 MGD To reuse





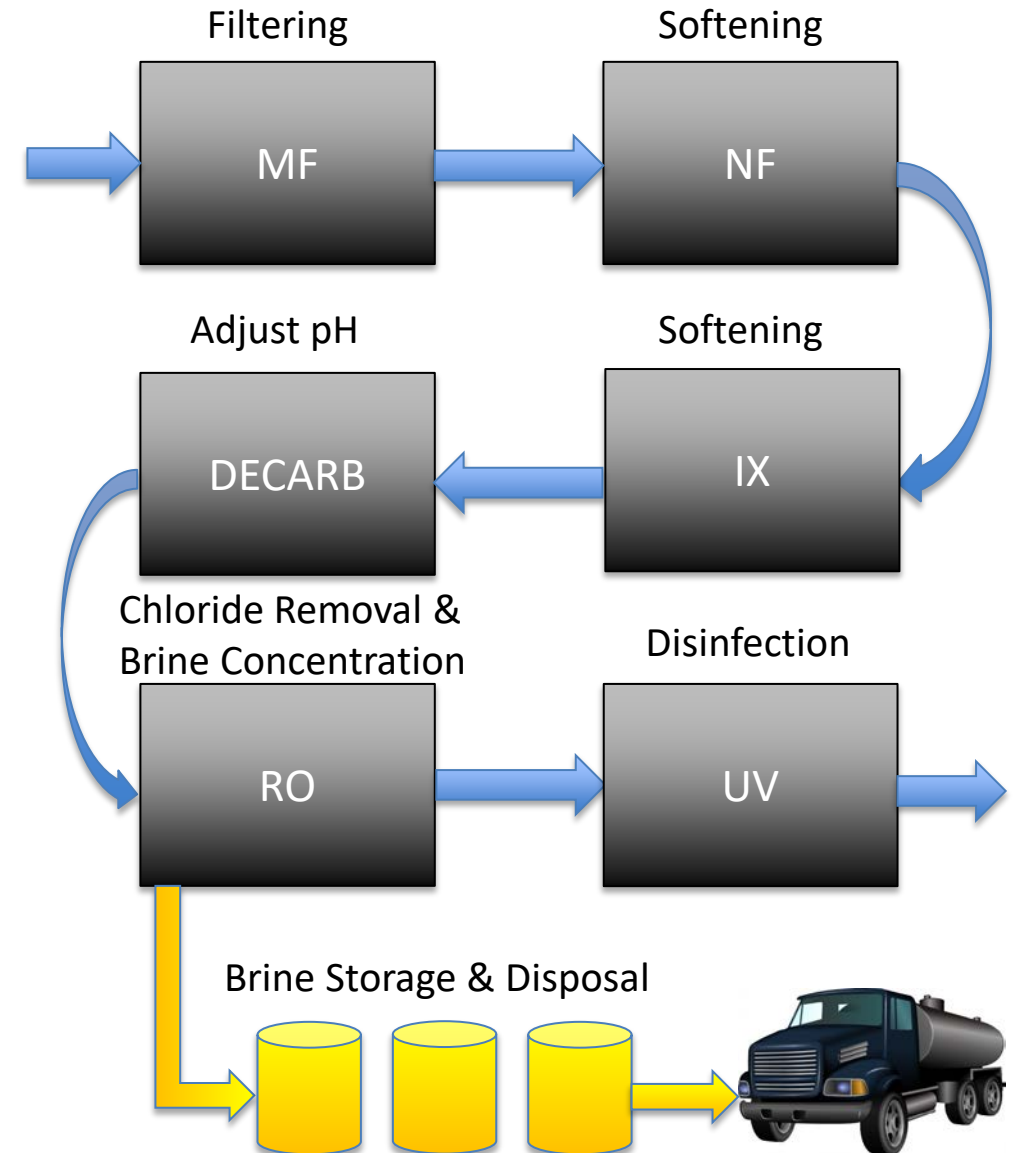
Chloride Compliance Project

- New treatment facilities needed to comply with Chloride TMDL
 - UV at Saugus WRP
 - UV and Advanced Water Treatment Facilities (AWTF) at Valencia WRP
- Chloride limits after UV & AWTF facilities are online
 - Saugus WRP
 - The chloride limit of 150 mg/L Chloride is based on a site-specific objective (SSO) so all advanced treatment occurs at the Valencia WRP.
 - Valencia WRP
 - Based on the waste load allocation (WLA) for chloride
 - To achieve <100 mg/L chloride downstream of the Valencia WRP discharge
 - 3-month rolling average limit



AWT Process

- Microfiltration
- Nanofiltration
- Ion Exchange
- Decarbonation
- Reverse Osmosis
 - Chloride Removal
 - Brine Concentration





Progress

- Spent over \$120 million
- Significant work completed
 - Saugus & Valencia UV Projects
 - Started up in July & August 2021
 - Plant added chloride levels significantly decreased
 - Valencia AWTF Project
 - Construction started June 2019
 - Began commissioning equipment in June 2022
 - Time Schedule Order Startup date December 2022



Saugus WRP UV Reactors

Valencia WRP UV Reactors



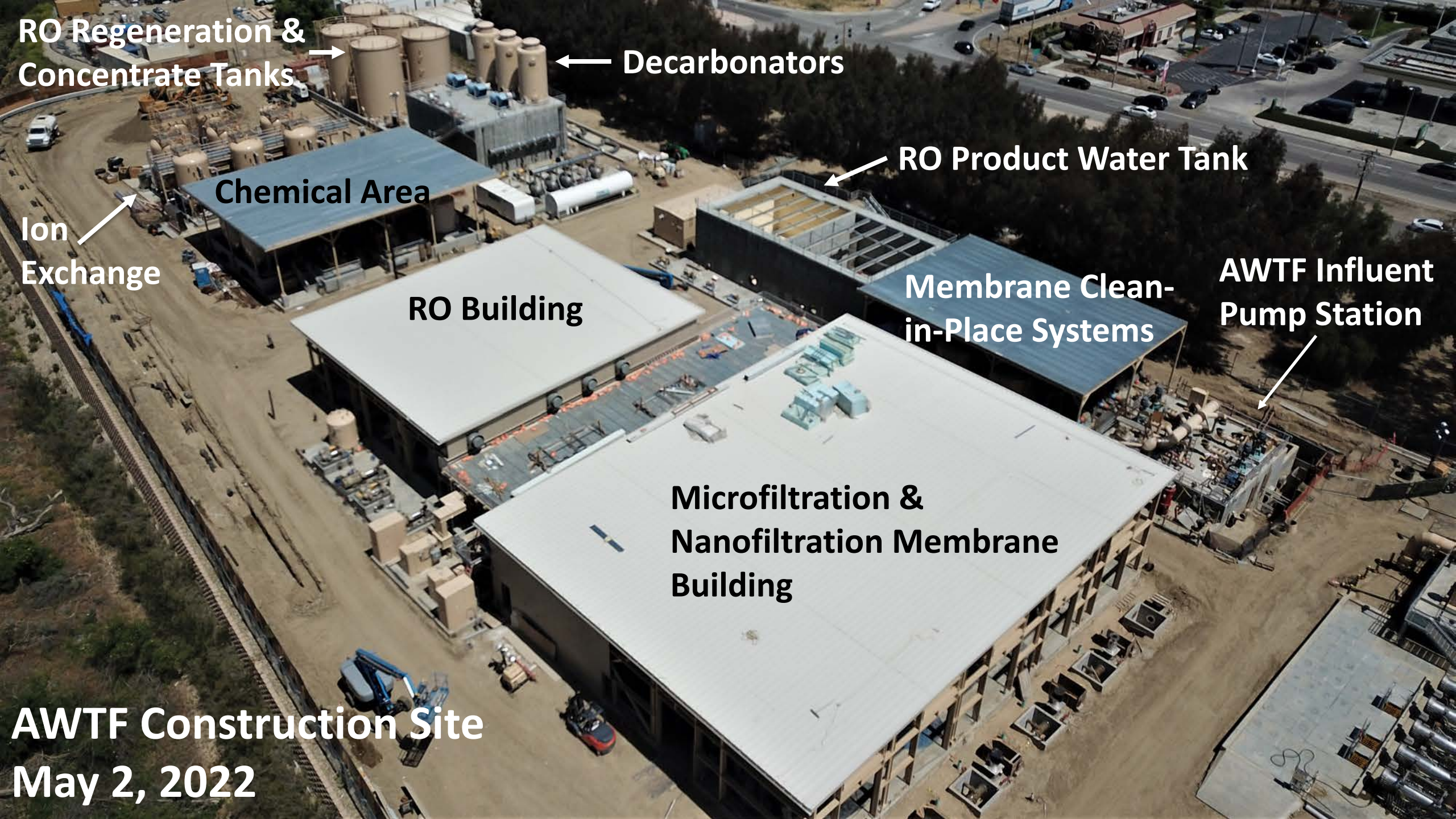
**AWTF & UV Construction Site
at Valencia WRP
February 12, 2020**





AWTF Construction Site

May 2, 2022



RO Regeneration & Concentrate Tanks

Decarbonators

Chemical Area

Ion Exchange

RO Building

Microfiltration & Nanofiltration Membrane Building

RO Product Water Tank

Membrane Clean-in-Place Systems

AWTF Influent Pump Station

**AWTF Construction Site
May 2, 2022**



Thank you

Fillmore and Piru Basins GSA
Check Detail
October 1 - 10, 2022

Type	Num	Date	Name	Account	Original Amount
Bill Pmt -Check	11167	10/10/2022	Aleshire & Wynder LLP	10000 · Bank of the Sierra	-530.50
Bill Pmt -Check	11168	10/10/2022	County of Ventura IT Services Department	10000 · Bank of the Sierra	-89.26
Bill Pmt -Check	11169	10/10/2022	Traffic Technologies, LLC	10000 · Bank of the Sierra	-1,922.80
Bill Pmt -Check	11170	10/10/2022	United Water Conservation District	10000 · Bank of the Sierra	-22,087.08
					-24,629.64



Attachments: September 30, 2022 P/L Budget Performance
September 30, 2022 Balance Sheet

Fillmore and Piru Basins GSA
Profit & Loss Budget Performance
July through September 2022

	<u>Jul - Sep 22</u>	<u>Annual Budget</u>	<u>Budget</u>
Income			
40001 • Groundwater Extraction Charge	0.00	638,031.42	0.00%
41000 • Grant Revenue			
41001 • State Grants	0.00	400,057.68	0.00%
Total 41000 • Grant Revenue	0.00	400,057.68	0.00%
47000 • Other Revenue			
47001 • Late Fees	-12,828.42	0.00	
47012 • Returned Check Charges	0.00	0.00	
Total 47000 • Other Revenue	-12,828.42	0.00	
Total Income	-12,828.42	1,038,089.10	-1.24%
Gross Profit	-12,828.42	1,038,089.10	-1.24%
Expense			
52200 • Professional Services			
52240 • Prof Svcs - IT Consulting	89.26	1,700.00	5.25%
52250 • Prof Svcs - Groundwtr/GSP Prep			
52251 • Prof Svcs - UWCD GW Services	2,708.33	0.00	
52252 • Prof Svcs - GSP Consultant	16,891.00	165,000.00	10.24%
Total 52250 • Prof Svcs - Groundwtr/GSP Prep	19,599.33	165,000.00	11.88%
52270 • Prof Svcs - Accounting	3,259.80	24,200.00	13.47%
52275 • Prof Svcs - Admin/Clerk of Bd	1,885.87	25,000.00	7.54%
52280 • Prof Svcs - Executive Director	14,224.50	50,000.00	28.45%
52290 • Prof Svcs - Other	0.00	20,000.00	0.00%
Total 52200 • Professional Services	39,058.76	285,900.00	13.66%
52500 • Legal Fees			
52501 • Legal Counsel	1,807.00	60,000.00	3.01%
Total 52500 • Legal Fees	1,807.00	60,000.00	3.01%
53000 • Office Expenses			
53010 • Public Information	0.00	1,000.00	0.00%
53020 • Office Supplies	0.66	500.00	0.13%
53026 • Postage & Mailing	3.42	2,000.00	0.17%
53110 • Travel & Training	4.50	4,000.00	0.11%
53000 • Office Expenses - Other	1,922.80		
Total 53000 • Office Expenses	1,931.38	7,500.00	25.75%
53500 • Insurance			
53510 • Liability Insurance	0.00	2,500.00	0.00%
Total 53500 • Insurance	0.00	2,500.00	0.00%
70130 • Bank Service Charges	0.00	0.00	
81000 • Capital Expenditures			
81001 • Design & Cons - Monitoring Well	0.00	600,000.00	0.00%
81000 • Capital Expenditures - Other	0.00	0.00	
Total 81000 • Capital Expenditures	0.00	600,000.00	0.00%
Total Expense	42,797.14	955,900.00	4.48%
Net Income	-55,625.56	82,189.10	-67.68%

Fillmore and Piru Basins GSA
Balance Sheet
As of September 30, 2022

	<u>September 2022</u>
ASSETS	
Current Assets	
Checking/Savings	
10000 - Bank of the Sierra	1,225,990.99
Total Checking/Savings	<u>1,225,990.99</u>
Accounts Receivable	
11000 - Accounts Receivable	556,274.31
Total Accounts Receivable	<u>556,274.31</u>
Total Current Assets	<u>1,782,265.30</u>
TOTAL ASSETS	<u>1,782,265.30</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
20000 - Accounts Payable	24,629.64
Total Accounts Payable	<u>24,629.64</u>
Total Current Liabilities	<u>24,629.64</u>
Total Liabilities	24,629.64
Equity	
32000 - Retained Earnings	1,813,261.22
Net Income	<u>-55,625.56</u>
Total Equity	<u>1,757,635.66</u>
TOTAL LIABILITIES & EQUITY	<u>1,782,265.30</u>



Fillmore and Piru Basins
Groundwater Sustainability Agency

Item No. **3D Consent Calendar**

DATE: **October 10, 2022**

TO: **Board of Directors**

SUBJECT: Fiscal Year 2021-2022 Budget Report

SUMMARY

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

BACKGROUND

UWCD accounting staff has prepared financial reports based on the Agency revenue and expenses for Fiscal Year 2021-2022.

FISCAL IMPACT

None

Attachments: FY 21-22 P/L Budget Performance - Final
 FY 201-22 Balance Sheet - Final

Fillmore and Piru Basins GSA
Profit & Loss Budget Performance
July 2021 through June 2022

	<u>Jul '21 - Jun 22</u>	<u>Annual Budget</u>	<u>Budget</u>
Income			
40001 • Groundwater Extraction Charge	689,749.44	540,000.00	127.73%
41000 • Grant Revenue			
41001 • State Grants	179,446.09	537,970.00	33.36%
Total 41000 • Grant Revenue	179,446.09	537,970.00	33.36%
47000 • Other Revenue			
47001 • Late Fees	63,395.89	0.00	
47012 • Returned Check Charges	0.00	0.00	
Total 47000 • Other Revenue	63,395.89	0.00	
Total Income	932,591.42	1,077,970.00	86.51%
Gross Profit	932,591.42	1,077,970.00	86.51%
Expense			
52200 • Professional Services			
52240 • Prof Svcs - IT Consulting	1,381.71	1,700.00	81.28%
52250 • Prof Svcs - Groundwtr/GSP Prep			
52251 • Prof Svcs - UWCD GW Services	19,023.06	0.00	
52252 • Prof Svcs - GSP Consultant	280,835.54	430,000.00	65.31%
Total 52250 • Prof Svcs - Groundwtr/GSP Prep	299,858.60	430,000.00	69.73%
52270 • Prof Svcs - Accounting	25,355.15	24,200.00	104.77%
52275 • Prof Svcs - Admin/Clerk of Bd	15,430.79	25,000.00	61.72%
52280 • Prof Svcs - Executive Director	68,204.56	40,000.00	170.51%
52290 • Prof Svcs - Other	0.00	0.00	
Total 52200 • Professional Services	410,230.81	520,900.00	78.75%
52500 • Legal Fees			
52501 • Legal Counsel	20,972.50	30,000.00	69.91%
Total 52500 • Legal Fees	20,972.50	30,000.00	69.91%
53000 • Office Expenses			
53010 • Public Information	700.04	1,000.00	70.00%
53020 • Office Supplies	604.71	500.00	120.94%
53026 • Postage & Mailing	677.09	2,000.00	33.85%
53040 • Membership Dues	0.00	0.00	
53060 • Computer Software	0.00	0.00	
53110 • Travel & Training	102.34	4,000.00	2.56%
Total 53000 • Office Expenses	2,084.18	7,500.00	27.79%
53500 • Insurance			
53510 • Liability Insurance	2,287.12	2,500.00	91.48%
Total 53500 • Insurance	2,287.12	2,500.00	91.48%
70130 • Bank Service Charges	0.00	0.00	
81000 • Capital Expenditures			
81001 • Design & Cons - Monitoring Well	0.00	0.00	
81000 • Capital Expenditures - Other	0.00	505,000.00	0.00%
Total 81000 • Capital Expenditures	0.00	505,000.00	0.00%
Total Expense	435,574.61	1,065,900.00	40.86%
Net Income	497,016.81	12,070.00	

Fillmore and Piru Basins GSA

Balance Sheet

As of June 30, 2022

	Jun 30, 22
ASSETS	
Current Assets	
Checking/Savings	
10000 - Bank of the Sierra	1,149,157.62
Total Checking/Savings	1,149,157.62
Accounts Receivable	
11000 - Accounts Receivable	714,286.36
Total Accounts Receivable	714,286.36
Total Current Assets	1,863,443.98
TOTAL ASSETS	1,863,443.98
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
20000 - Accounts Payable	50,182.76
Total Accounts Payable	50,182.76
Total Current Liabilities	50,182.76
Total Liabilities	50,182.76
Equity	
32000 - Retained Earnings	1,316,244.41
Net Income	497,016.81
Total Equity	1,813,261.22
TOTAL LIABILITIES & EQUITY	1,863,443.98

Item No. 3E Motion**DATE:** October 10, 2022 (for October 20, 2022, meeting)**TO:** Board of Directors**FROM:** Anthony A. Emmert, Executive Director**SUBJECT:** **Subsequent Finding Regarding Continuation of AB 361 Exemptions to Brown Act
Teleconferencing Requirements****SUMMARY**

In response to the COVID-19 pandemic, the California Governor signed Assembly Bill 361 (AB 361) on September 16, 2021, that temporarily exempts agencies from certain requirements of the Brown Act and adds additional requirements for public meetings held by teleconference. This staff report provides an analysis of the changes to the Brown Act per AB 361. During its October 21, 2021, meeting, the Agency's Board adopted Resolution 2021-06 authorizing the use of the AB 361 provisions for its meetings. Adoption of Resolution 2022-11 continues the authorization of the use of AB 361 provisions for the coming 30 days.

RECOMMENDED ACTION

The Board will consider adopting Resolution 2022-15 continuing findings that the requisite conditions exist for remote teleconference meetings of the Agency's legislative bodies without compliance with Government Code section 54953(b)(3), as authorized by Government Code section 54953(e).

BACKGROUND

In March of 2020, the Governor of California issued Executive Order N-29-20, which waived Brown Act requirements found in Gov. Code §54953(b)(3) for teleconference participation in public meetings. In particular, this Order waived:

- a) The requirement that state and local bodies notice each teleconference location from which a member will be participating in a public meeting;
- b) The requirement that each teleconference location be accessible to the public;
- c) The requirement that members of the public may address the body at each teleconference location;
- d) The requirement that state and local bodies post agendas at all teleconference locations; and
- e) The requirement that, during teleconference meetings, at least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction.

Executive Order N-29-20 expired on September 30, 2021. However, AB 361 was signed by the Governor to extend the provisions of N-29-20, subject to certain conditions to be met by the local legislative body utilizing its exemptions. AB 361 also imposes certain new requirements, detailed below.

Item No: 3E: Subsequent Finding Regarding Continuation of AB 361 Exemptions to Brown Act Teleconferencing Requirements

ANALYSIS

AB 361 exempts local legislative bodies from certain Brown Act requirements currently governing teleconferencing. These exemptions may be used only in one of the following circumstances:

- a) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
- b) The legislative body holds a meeting during a proclaimed state of emergency for purposes of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health and safety of attendees.
- c) The legislative body holds a meeting during a proclaimed state of emergency and has determined by majority vote pursuant to b) above that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

Currently, the Governor's state of emergency regarding COVID-19 is still in effect, and the Ventura County Health Officer has recommended that legislative bodies in the County continue to follow social distancing measures to prevent the spread of COVID.

Further, AB 361 requires the Agency to reconsider the state of emergency and make such determination every 30 days after commencing use of its exemptions. However, if during the 30-day period the Agency wishes to meet in person, they may choose to do so despite adopting the proposed Resolution. The intent of the Resolution is merely to allow the Board members to avail themselves of the AB 361 teleconferencing conveniences if they so choose.

Finally, in addition to allowing for the above exemptions, AB 361 adds the following requirements:

- a) The legislative body must give notice of the meeting and post agendas as otherwise required by the Brown Act.
- b) The legislative body must allow members of the public to access the meeting, and the agenda must provide an opportunity for members of the public to address the legislative body directly pursuant to Brown Act requirements. In each instance where notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body must also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda must identify and include an opportunity for all persons to attend via call-in option or an internet-based service option. The legislative body need not provide a physical location from which the public may attend or comment.
- c) The legislative body must conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body.
- d) In the event of a disruption that prevents the public agency from broadcasting the meeting to members of the public using the call-in or internet-based service options, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in or internet-based service options, the legislative body must take no further action on items appearing on the meeting agenda until public access to the meeting is restored. Actions taken on agenda items during a disruption preventing the broadcast of the meeting may be challenged as provided in the Brown Act.
- e) The legislative body may not require public comments to be submitted in advance of the meeting, and it must provide an opportunity for the public to address the legislative body and offer comment in real time.

Item No: 3E: Subsequent Finding Regarding Continuation of AB 361 Exemptions to Brown Act Teleconferencing Requirements

- f) The legislative body may use an online third-party system for individuals to provide public comment that requires an individual to register with the system prior to providing comment.
- g) If a legislative body provides a timed public comment period, it may not close the comment period or the time to register to provide comment under f) until the timed period has elapsed. If the legislative body does not provide a time-limited comment period, it must allow a reasonable time for the public to comment on each agenda item and to register as necessary under f).

Accordingly, staff recommends that the Board adopt Resolution 2022-15. Doing so will enable the Agency's continued use of the AB 361 exemptions to Brown Act teleconferencing requirements, while allowing the Board to hold in person meetings at its discretion.

FISCAL IMPACT

No fiscal impacts.

ATTACHMENTS

Resolution 2022-15

Proposed Motion:

Adopt Resolution 2022-15.

1st: Director _____

2nd: Director _____

Voice/Roll call vote:

Director Fornoff:

Director Jackson:

Director Kimball:

Director Long:

Director Meneghin:

Director Villasenor:

RESOLUTION NO. 2022-15

A RESOLUTION OF THE BOARD OF DIRECTORS OF FILLMORE & PIRU BASINS GROUNDWATER SUSTAINABILITY AGENCY AUTHORIZING THE USE OF TELECONFERENCING FOR PUBLIC MEETINGS

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF FILLMORE & PIRU BASINS GROUNDWATER SUSTAINABILITY AGENCY as follows:

WHEREAS, the Governor of the State of California (“Governor”) proclaimed a State of Emergency to exist as a result of the threat of COVID-19. (Governor’s Proclamation of a State of Emergency (Mar. 4, 2020).)

WHEREAS, the Governor’s Exec. Order No. N-25-20 (Mar. 12, 2020); Governor’s Exec. Order No. N-29-20 (Mar. 17, 2020); and Governor’s Exec. Order No. N-08-21 (Jun. 11, 2021) provided that local legislative bodies may hold public meetings via teleconferencing and make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body and waived the Brown Act provisions found in Govt. Code section 54953(b)(3) which require the physical presence of the members, the clerk, or other personnel of the body, or the public, as a condition of participation in, or quorum for, a public meeting, including:

- a) The requirement that state and local bodies notice each teleconference location from which a member will be participating in a public meeting.
- b) The requirement that each teleconference location be accessible to the public.
- c) The requirement that members of the public may address the body at each teleconference location.
- d) The requirement that state and local bodies post agendas at all teleconference locations.
- e) The requirement that, during teleconference meetings, at least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction.

WHEREAS, the provisions of Governor’s Exec. Order No. N-25-20 (Mar. 12, 2020); Governor’s Exec. Order No. N-29-20 (Mar. 17, 2020); and Governor’s Exec. Order No. N-08-21 (Jun. 11, 2021) expired on September 30, 2021 and are no longer in effect thereafter;

WHEREAS, the Center for Disease Control is currently contending with the Delta Variant of the COVID-19 virus and anticipates the development of potential other strains which may further impede public agency operations and prolong the need for social distancing requirements; and

WHEREAS, recent legislation (A.B. 361) authorizes a local legislative body to use teleconferencing for a public meeting without complying with the Brown Act’s teleconferencing quorum, meeting notice, and agenda requirements set forth in Government Code section 54953(b)(3), in any of the following circumstances:

- a) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

- b) The legislative body holds a meeting during a proclaimed state of emergency for purposes of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health and safety of attendees.
- c) The legislative body holds a meeting during a proclaimed state of emergency and has determined by majority vote pursuant to b) above that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Fillmore & Piru Basins Groundwater Sustainability Agency as follows:

Section 1. Incorporation of Recitals. All of the foregoing Recitals are true and correct, and the Board so finds and determines. The Recitals set forth above are incorporated herein and made an operative part of this Resolution.

Section 2. Adoption of AB 361. The Board has determined by majority vote that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

Section 3. Continued Implementation of AB-361. If the state of emergency remains active, or state or local officials have imposed measures to promote social distancing, the Board of Directors of the Fillmore & Piru Basins Groundwater Sustainability Agency shall, in order to continue meeting subject to this exemption to the Brown Act, no later than 30 days after it commences using the exemption, and every 30 days thereafter, make the following findings by majority vote:

- a) The legislative body has reconsidered the circumstances of the state of emergency; *and*
- b) Either (1) the state of emergency continues to directly impact the ability of the members to meet safely in person; or (2) state or local officials continue to impose or recommend measures to promote social distancing.

Section 4. Applicability. The health and safety findings and determination that teleconference meetings are appropriate applies to all District committees and legislative bodies subject to the Brown Act.

PASSED, APPROVED AND ADOPTED on October 20, 2022.

President

ATTEST:

Secretary

APPROVED AS TO FORM:

Steven O'Neill, General Counsel



Fillmore and Piru Basins
Groundwater Sustainability Agency

Item No. **4A Motion**

DATE: October 14, 2022 (for October 20, 2022, meeting)

TO: Board of Directors

FROM: Anthony A. Emmert, Executive Director

SUBJECT: **Development of Well Permitting Review Process in Compliance with California Executive Order N-7-22**

RECOMMENDED ACTION

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

DISCUSSION

On March 28, 2022, Governor Gavin Newsome issued Executive Order N-7-22 (see Attachment 1) mandating certain actions in response to California's worsening drought conditions. Item 9 establishes actions that must be undertaken by the local well permitting agencies and the applicable groundwater sustainability agency:

To protect health, safety, and the environment during this drought emergency, a county, city, or other public agency shall not:

- A. Approve a permit for a new groundwater well or for alteration of an existing well in a basin subject to the Sustainable Groundwater Management Act and classified as medium-or high-priority without first obtaining written verification from a Groundwater Sustainability Agency managing the basin or area of the basin where the well is proposed to be located that groundwater extraction by the proposed well would not be inconsistent with any sustainable groundwater management program established in any applicable Groundwater Sustainability Plan adopted by that Groundwater Sustainability Agency and would not decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan; or
- B. Issue a permit for a new groundwater well or for alteration of an existing well without first determining that extraction of groundwater from the proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

This paragraph shall not apply to permits for wells that will provide less than two acre-feet per year of groundwater for individual domestic users, or that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the Health and Safety Code.

For the Fillmore basin and the Piru basin, both designated by the state as high priority basins, the local agency that issues well permits is the County of Ventura Public Works Agency Watershed Protection District Water Resources Division (County Water Resources), and the Fillmore and Piru Basins Groundwater Sustainability Agency (Agency) is the responsible groundwater sustainability agency. EO N-7-22 applies to how the two agencies interact regarding any well permits received after the March 28, 2022, Executive Order. Fortunately, the Agency and County Water Resources already have a good working relationship and have been coordinating on well permits over the past several years. Staff has been coordinating with representatives from the County Water Resources on this issue and both agencies are committed to developing a well permitting review process that meets the requirements of EO N-7-22, is consistent with the Agency's groundwater sustainability plans, is understandable to well project proponents, and is as efficient as possible.

Daniel B. Stephens and Associates, legal counsel, and staff subsequently prepared a draft well permitting flowchart (see Attachment 2), as a tool for the Board and stakeholders to develop the Agency's process. After discussion and several edits to the draft flowchart, the Agency Board approved the draft flowchart during its June 16, 2022, meeting. The team subsequently developed a draft Supplemental Water Well Permit Application form (see Attachment 3), to facilitate gathering information that will be necessary for the Agency to assist County Water Resources with EO N-7-22 compliance. The Agency Board approved the draft form at its August 18, 2022 meeting. Subsequently, the team developed draft Bylaws Section 17 (see Attachment 4) for review and comment by the Board.

Additionally, the Fillmore Basin Pumpers Association and the Piru Basin Pumpers Association sought stakeholder input from their members and prepared a comment letter (see Attachment 5) to further discussion on the Agency's draft documents.

FISCAL IMPACT

None.

ATTACHMENTS

Attachment 1 – Executive Order N-7-22

Attachment 2 – Draft Agency Well Permitting Review Process Flowchart

Attachment 3 – Draft Supplemental Water Well Permit Application

Attachment 4 – Draft Bylaws Section Associations

Attachment 5 – Comment Letter from Fillmore Basin and Piru Basin Pumpers

Proposed Motion:

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

1st: Director _____

2nd: Director _____

Voice/Roll call vote:

Director Fornoff:

Director Jackson:

Director Kimball:

Director Long:

Director Meneghin:

Director Villasenor:

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-7-22

WHEREAS on April 12, 2021, May 10, 2021, July 8, 2021, and October 19, 2021, I proclaimed states of emergency that continue today and exist across all the counties of California, due to extreme and expanding drought conditions; and

WHEREAS climate change continues to intensify the impacts of droughts on our communities, environment, and economy, and California is in a third consecutive year of dry conditions, resulting in continuing drought in all parts of the State; and

WHEREAS the 21st century to date has been characterized by record warmth and predominantly dry conditions, and the 2021 meteorological summer in California and the rest of the western United States was the hottest on record; and

WHEREAS since my October 19, 2021 Proclamation, early rains in October and December 2021 gave way to the driest January and February in recorded history for the watersheds that provide much of California's water supply; and

WHEREAS the ongoing drought will have significant, immediate impacts on communities with vulnerable water supplies, farms that rely on irrigation to grow food and fiber, and fish and wildlife that rely on stream flows and cool water; and

WHEREAS the two largest reservoirs of the Central Valley Project, which supplies water to farms and communities in the Central Valley and the Santa Clara Valley and provides critical cold-water habitat for salmon and other anadromous fish, have water storage levels that are approximately 1.1 million acre-feet below last year's low levels on this date; and

WHEREAS the record-breaking dry period in January and February and the absence of significant rains in March have required the Department of Water Resources to reduce anticipated deliveries from the State Water Project to 5 percent of requested supplies; and

WHEREAS delivery of water by bottle or truck is necessary to protect human safety and public health in those places where water supplies are disrupted; and

WHEREAS groundwater use accounts for 41 percent of the State's total water supply on an average annual basis but as much as 58 percent in a critically dry year, and approximately 85 percent of public water systems rely on groundwater as their primary supply; and

WHEREAS coordination between local entities that approve permits for new groundwater wells and local groundwater sustainability agencies is important to achieving sustainable levels of groundwater in critically overdrafted basins; and

WHEREAS the duration of the drought, especially following a multiyear drought that abated only five years ago, underscores the need for California to redouble near-, medium-, and long-term efforts to adapt its water management and delivery systems to a changing climate, shifting precipitation patterns, and water scarcity; and

WHEREAS the most consequential, immediate action Californians can take to extend available supplies is to voluntarily reduce their water use by 15 percent from their 2020 levels by implementing the commonsense measures identified in operative paragraph 1 of Executive Order N-10-21 (July 8, 2021); and

WHEREAS to protect public health and safety, it is critical the State take certain immediate actions without undue delay to prepare for and mitigate the effects of the drought conditions, and under Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Proclamation would prevent, hinder, or delay the mitigation of the effects of the drought conditions.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. The orders and provisions contained in my April 21, 2021, May 10, 2021, July 8, 2021, and October 19, 2021 Proclamations remain in full force and effect, except as modified by those Proclamations and herein. State agencies shall continue to implement all directions from those Proclamations and accelerate implementation where feasible.
2. To help the State achieve its conservation goals and ensure sufficient water for essential indoor and outdoor use, I call on all Californians to strive to limit summertime water use and to use water more efficiently indoors and out. The statewide Save Our Water conservation campaign at [SaveOurWater.com](https://www.SaveOurWater.com) provides simple ways for Californians to reduce water use in their everyday lives. Furthermore, I encourage Californians to understand and track the amount of water they use and measure their progress toward their conservation goals.
3. By May 25, 2022, the State Water Resources Control Board (Water Board) shall consider adopting emergency regulations that include all of the following:
 - a. A requirement that each urban water supplier, as defined in section 10617 of the Water Code, shall submit to the Department of Water Resources a preliminary annual water supply and demand assessment consistent with section 10632.1 of the Water Code no later than June 1, 2022, and submit a final annual water

supply and demand assessment to the Department of Water Resources no later than the deadline set by section 10632.1 of the Water Code;

- b. A requirement that each urban water supplier that has submitted a water shortage contingency plan to the Department of Water Resources implement, at a minimum, the shortage response actions adopted under section 10632 of the Water Code for a shortage level of up to twenty percent (Level 2), by a date to be set by the Water Board; and
- c. A requirement that each urban water supplier that has not submitted a water shortage contingency plan to the Department of Water Resources implement, at a minimum, shortage response actions established by the Water Board, which shall take into consideration model actions that the Department of Water Resources shall develop for urban water supplier water shortage contingency planning for Level 2, by a date to be set by the Water Board.

To further conserve water and improve drought resiliency if the drought lasts beyond this year, I encourage urban water suppliers to conserve more than required by the emergency regulations described in this paragraph and to voluntarily activate more stringent local requirements based on a shortage level of up to thirty percent (Level 3).

- 4. To promote water conservation, the Department of Water Resources shall consult with leaders in the commercial, industrial, and institutional sectors to develop strategies for improving water conservation, including direct technical assistance, financial assistance, and other approaches. By May 25, 2022, the Water Board shall consider adopting emergency regulations defining "non-functional turf" (that is, a definition of turf that is ornamental and not otherwise used for human recreation purposes such as school fields, sports fields, and parks) and banning irrigation of non-functional turf in the commercial, industrial, and institutional sectors except as it may be required to ensure the health of trees and other perennial non-turf plantings.
- 5. In order to maximize the efficient use of water and to preserve water supplies critical to human health and safety and the environment, Public Resources Code, Division 13 (commencing with section 21000) and regulations adopted pursuant to that Division are hereby suspended, with respect to the directives in paragraphs 3 and 4 of this Order and any other projects and activities for the purpose of water conservation to the extent necessary to address the impacts of the drought, and any permits necessary to carry out such projects or activities. Entities that desire to conduct activities under this suspension, other than the directives in paragraphs 3 and 4 of this Order, shall first request that the Secretary of the Natural Resources Agency make a determination that the proposed activities are eligible to be conducted under this suspension. The Secretary shall use sound discretion in applying this Executive Order to ensure that the suspension serves the purpose of accelerating conservation projects that are necessary to address impacts of the drought, while at the same time

protecting public health and the environment. The entities implementing these directives or conducting activities under this suspension shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.

6. To support voluntary approaches to improve fish habitat that would require change petitions under Water Code section 1707 and either Water Code sections 1425 through 1432 or Water Code sections 1725 through 1732, and where the primary purpose is to improve conditions for fish, the Water Board shall expeditiously consider petitions that add a fish and wildlife beneficial use or point of diversion and place of storage to improve conditions for anadromous fish. California Code of Regulations, title 23, section 1064, subdivisions (a)(1)(A)(i)-(ii) are suspended with respect to any petition that is subject to this paragraph.
7. To facilitate the hauling of water for domestic use by local communities and domestic water users threatened with the loss of water supply or degraded water quality resulting from drought, any ordinance, regulation, prohibition, policy, or requirement of any kind adopted by a public agency that prohibits the hauling of water out of the water's basin of origin or a public agency's jurisdiction is hereby suspended. The suspension authorized pursuant to this paragraph shall be limited to the hauling of water by truck or bottle to be used for human consumption, cooking, or sanitation in communities or residences threatened with the loss of affordable safe drinking water. Nothing in this paragraph limits any public health or safety requirement to ensure the safety of hauled water.
8. The Water Board shall expand inspections to determine whether illegal diversions or wasteful or unreasonable use of water are occurring and bring enforcement actions against illegal diverters and those engaging in the wasteful and unreasonable use of water. When access is not granted by a property owner, the Water Board may obtain an inspection warrant pursuant to the procedures set forth in Title 13 (commencing with section 1822.50) of Part 3 of the Code of Civil Procedure for the purposes of conducting an inspection pursuant to this directive.
9. To protect health, safety, and the environment during this drought emergency, a county, city, or other public agency shall not:
 - a. Approve a permit for a new groundwater well or for alteration of an existing well in a basin subject to the Sustainable Groundwater Management Act and classified as medium- or high-priority without first obtaining written verification from a Groundwater Sustainability Agency managing the basin or area of the basin where the well is proposed to be located that groundwater extraction by the proposed well would not be inconsistent with any sustainable groundwater management program established in any applicable Groundwater Sustainability Plan adopted by that Groundwater Sustainability

Agency and would not decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan; or

- b. Issue a permit for a new groundwater well or for alteration of an existing well without first determining that extraction of groundwater from the proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

This paragraph shall not apply to permits for wells that will provide less than two acre-feet per year of groundwater for individual domestic users, or that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the Health and Safety Code.

- 10. To address household or small community drinking water shortages dependent upon groundwater wells that have failed due to drought conditions, the Department of Water Resources shall work with other state agencies to investigate expedited regulatory pathways to modify, repair, or reconstruct failed household or small community or public supply wells, while recognizing the need to ensure the sustainability of such wells as provided for in paragraph 9.
- 11. State agencies shall collaborate with tribes and federal, regional, and local agencies on actions related to promoting groundwater recharge and increasing storage.
- 12. To help advance groundwater recharge projects, and to demonstrate the feasibility of projects that can use available high water flows to recharge local groundwater while minimizing flood risks, the Water Board and Regional Water Quality Control Boards shall prioritize water right permits, water quality certifications, waste discharge requirements, and conditional waivers of waste discharge requirements to accelerate approvals for projects that enhance the ability of a local or state agency to capture high precipitation events for local storage or recharge, consistent with water right priorities and protections for fish and wildlife. For the purposes of carrying out this paragraph, Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division, and Chapter 3 (commencing with section 85225) of Part 3 of Division 35 of the Water Code and regulations adopted pursuant thereto are hereby suspended to the extent necessary to address the impacts of the drought. This suspension applies to (a) any actions taken by state agencies, (b) any actions taken by local agencies where the state agency with primary responsibility for the implementation of the directives concurs that local action is required, and (c) permits necessary to carry out actions under (a) or (b). The entities implementing these directives shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.
- 13. With respect to recharge projects under either Flood-Managed Aquifer Recharge or the Department of Water Resources Sustainable

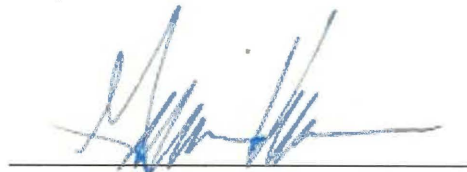
Groundwater Management Grant Program occurring on open and working lands to replenish and store water in groundwater basins that will help mitigate groundwater conditions impacted by drought, for any (a) actions taken by state agencies, (b) actions taken by a local agency where the Department of Water Resources concurs that local action is required, and (c) permits necessary to carry out actions under (a) or (b), Public Resources Code, Division 13 (commencing with section 21000) and regulations adopted pursuant to that Division are hereby suspended to the extent necessary to address the impacts of the drought. The entities implementing these directives shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.

14. To increase resilience of state water supplies during prolonged drought conditions, the Department of Water Resources shall prepare for the potential creation and implementation of a multi-year transfer program pilot project for the purpose of acquiring water from willing partners and storing and conveying water to areas of need.
15. By April 15, 2022, state agencies shall submit to the Department of Finance for my consideration proposals to mitigate the worsening effects of severe drought, including emergency assistance to communities and households and others facing water shortages as a result of the drought, facilitation of groundwater recharge and wastewater recycling, improvements in water use efficiency, protection of fish and wildlife, mitigation of drought-related economic or water-supply disruption, and other potential investments to support short- and long-term drought response.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

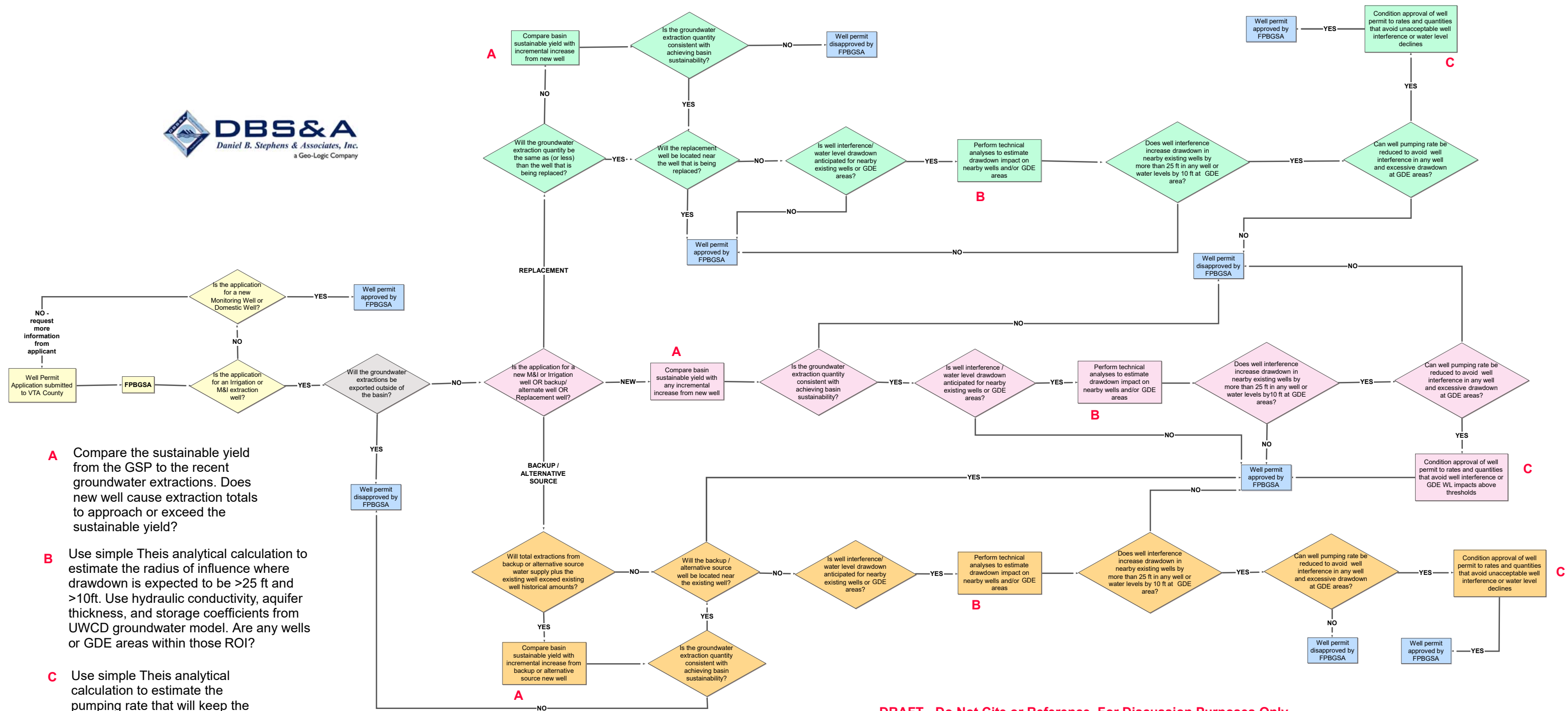
IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 28th day of March 2022.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY N. WEBER, PH.D.
Secretary of State



DRAFT - Do Not Cite or Reference. For Discussion Purposes Only

Domestic well - extractions limited to maximum of 2 ac-ft/year

Backup or alternative water supply well - extractions from the backup or alternative well and the existing well cannot total more than historical extraction quantities of existing well

SUPPLEMENTAL WATER WELL PERMIT APPLICATION



Fillmore and Piru Basins Groundwater Sustainability Agency

On March 28, 2022, Governor Newsom issued Executive Order N-7-22, which requires that groundwater sustainability agencies, such as the Fillmore and Piru Groundwater Sustainability Agency (FPBGSA) verify certain conditions to Ventura County, the agency responsible for issuing well permits. The FPBGSA must verify the new or altered well that is the subject of the permit request be consistent with the FPBGSA's Groundwater Sustainability Plan (GSP), or that the extraction of groundwater from the proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure. Note this verification requirement does not apply to permits for wells that will provide less than two acre-feet per year of groundwater for individual domestic users, or that will exclusively provide groundwater to public water supply systems.

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

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

Proposed Well Use (circle one):	Agricultural / Domestic / Industrial / Municipal
Proposed Groundwater Extraction Quantity (acre-feet/year):	
Proposed Maximum Groundwater Extraction Rate (gallons/minute):	
Proposed Groundwater Pumping Schedule (# of hours/day over # days in a week):	

Property Owners Signature:	
Date Signed:	
Operator (if applicable):	
Date Signed:	

COMMENTS / EXPLANATIONS
<p>DRAFT</p>



County of Ventura
APPLICATION FOR WELL PERMIT
 800 South Victoria Avenue; Ventura, CA 93009-1610

	Property Owner*	Driller	Registered Inspector
Name			
Address			
Telephone			
License No.			
Lic. Exp. Date			
APN(s)			

<u>Type of Work</u>	<u>Use</u>	<u>Proposed Construction</u>
<input type="checkbox"/> <u>Water Supply Well</u> <input type="checkbox"/> New (No. _____) <input type="checkbox"/> Replacement Well SWN of well to be replaced _____ <input type="checkbox"/> Backup or Standby Well SWN of well to be backed up _____ <input type="checkbox"/> Destruction (No. _____) SWN _____ <input type="checkbox"/> Repair/Modify (No. _____) SWN _____	<input type="checkbox"/> Agricultural <input type="checkbox"/> Cathodic <input type="checkbox"/> Domestic <input type="checkbox"/> Industrial <input type="checkbox"/> Monitoring <input type="checkbox"/> Municipal Estimate of anticipated annual pumping in acre feet per year _____ <div style="text-align: center;"><u>Equipment</u></div> <input type="checkbox"/> Rotary <input type="checkbox"/> Hollow Stem <input type="checkbox"/> Geoprobe <input type="checkbox"/> Other (Describe) _____	Well Depth _____ Bore Diameter _____ Casing <input type="checkbox"/> Steel Diameter (in.) _____ <input type="checkbox"/> PVC Wall Gauge (in) _____ <input type="checkbox"/> Other (Describe) _____ Perforations From _____ to _____ ft From _____ to _____ ft From _____ to _____ ft Estimated Start Date: _____
<input type="checkbox"/> <u>Monitoring Well</u> <input type="checkbox"/> New (No. _____) <input type="checkbox"/> Destruction (No. _____) <input type="checkbox"/> <u>Engineering Test Hole</u> (No. _____) <input type="checkbox"/> <u>Cathodic Protection Well</u> <input type="checkbox"/> New (No. _____) <input type="checkbox"/> Destruction (No. _____)		

*NOTE: If proposed water supply well is within the area referenced in the Ventura County Well Ordinance No. 4468 Sec 4826.1-Water Well and Water Well Prohibition, your permit application must be accompanied by documentation that explains the reason for requesting a variance. If the proposed water supply well is in an area that is exempted from the moratorium, e.g. cities, FCGMA, etc., your permit application must be accompanied by the proper agency permit/approval.

I hereby agree to comply with all provisions of Ventura County Well Ordinance No. 4468, and all applicable State of California and local regulations pertaining to well construction, repair, modification and destruction. I also agree to comply with all conditions of the issued permit to include the submittal of post requirement documents and reports. I understand that any modification of the issued permit requires approval by the Manager, Water Resources Division and that the information contained herein becomes a part of the permit when issued.

Property Owner's Signature		Date	
Driller's Signature		Date	
Registered Inspector's Signature (Applies to monitoring wells and borehole work)		Date	



County of Ventura
APPLICATION FOR WELL PERMIT
800 South Victoria Avenue; Ventura, CA 93009-1610

Well Location Map / Site Plan: Indicate exact location of proposed well, showing existing wells, water courses, roads, property lines, septic tanks and leach fields, sanitary, industrial, and storm sewers, barnyard and stable areas, feedlots, and solid waste disposal sites. Setbacks from potential sources of contamination shall comply with the California Department of Water Resources *California Well Standards Bulletin 74-90* available at the below website address:
http://www.water.ca.gov/groundwater/well_info_and_other/california_well_standards/well_standards_content.html



Map should be drawn to scale or show distances of the above items from the proposed well. Map extent should be a minimum radius of 500 feet from the proposed well.

Thomas Brothers Guide Page No. & Grid _____ APN _____

Fillmore Basin Pumpers Association, Inc.
Piru Basin Pumpers Association, Inc.

October 10, 2022

Board of Directors, Staff, and Consultants
Fillmore and Piru Basins Groundwater Sustainability Agency
c/o Tony Emmert, Executive Director
United Water Conservation District
1701 N. Lombard St. Suite 200
Oxnard CA, 93030

Transmitted via email attachment to tonye@unitedwater.org

Re: Comments on Well Permitting Review Process for Governor's Executive Order N-7-22

Dear Directors and Staff:

As you know, the Fillmore and Piru Pumpers Associations were formed to engage on behalf of agricultural landowners with the GSA concerning development and implementation of the Fillmore and Piru Groundwater Sustainability Plans (GSPs). The Pumper Associations desire to work cooperatively and collaboratively with the GSAs on planning issues that will impact sustainable management of the groundwater basin and our businesses. To this end, we are sending this letter to offer comments on the proposed process for reviewing well permit applications in response to the Governor's Executive Order N-7-22 (i.e., the flowchart presented as part of Item No. 4C during the August 18, 2022 board meeting).

In general, we strongly suggest that the GSA be very careful and have a very good reason for denying any well permit applications or even conditioning permits because the GSPs do not indicate an overdraft condition. Doing so would result in differential treatment of applicants for new or replacement wells versus existing well owners who do not currently need a new or replacement well, which could trigger unnecessary conflicts in the basins. We are also concerned that the flowchart criteria seem arbitrary and inconsistent with the GSPs. We offer the following specific comments to improve the flowchart with the goal of reducing the potential for avoidable and costly conflicts in the basins.

Comment No. 1 – Basin Sustainability Determination

The flowchart would deny new wells and replacement wells with increased use if the new or increased use is not "consistent with achieving basin sustainability." It appears that this determination would be made solely by comparing total pumping, including the new or increased use, to the basin sustainable yield. We are concerned that this approach is inconsistent with the GSPs and could trigger a water rights adjudication.

The approach is inconsistent with the GSPs for two reasons. First, the GSPs do not include a hard number for sustainable yield. Rather, the GSPs include “low-end” or “minimum” sustainable yield estimates. The GSPs clearly articulate that the sustainable yields of the basins are very likely higher and that modeling with higher pumping rates would likely prove that out. Based on the foregoing, it is unclear how GSA staff would determine if the sustainable yield would be exceeded. The additional modeling should be performed to provide an estimate of the likely *upper* limit of the sustainable yield of the basins. However, even if a new or increased use were to cause total pumping to exceed the upper limit of sustainable yield, it is unclear why the permit would be denied. This is because the GSPs include a project to purchase supplemental waters. The goal of this project is to increase the yield of the basin, which would accommodate new or increased uses. Therefore, it is unclear why new or increased uses would be prohibited if the GSP includes a project that would facilitate them.

Instead of denying permits for new or increased uses, the GSA should allow the wells and revisit pumping relative to the sustainable yield every five years (as required by SGMA), determine whether supplemental water is needed and then take appropriate action. This approach is more consistent with the GSPs and will greatly reduce the risk of a water rights adjudication.

Comment No. 2 – Prohibition of Exports

We are concerned about the blanket prohibition of new wells that would facilitate the export of water out of the basin. We believe that more nuance is needed on the issue of exports to avoid unnecessary and potentially costly conflicts.

First, we note that the question of exports only arises with an application for a new well. Why wouldn't replacement wells with increased use not also be evaluated for exports? Regardless, we interpret the flowchart to imply that historical exports are grandfathered but any new exports are prohibited. We are concerned that this situation would treat landowners who own ranches located just outside of the basin or that straddle the basin boundary differently depending on when they drill a well. Does the GSA really want to tell one ranch owner they cannot export water while their neighbor is allowed to?

The handling of exports in the flowchart is inconsistent with the GSP. The GSA has no existing policies concerning exports that we are aware of, and the term “export” does not appear anywhere in the GSPs. We question the need for a blanket prohibition on new exports in all circumstances because the GSPs do not indicate an overdraft condition and the GSPs include a project to purchase supplemental water to increase the yield of the basins. In short, it feels like export policy is being made without consideration of what the GSPs say.

While we agree that it makes good sense to protect against an entity drilling a well and exporting large quantities of water to areas located far from the basins, we are concerned about creating conflicts in the above-described situations. We wonder why the GSA needs to be so restrictive given that the GSPs do not indicate an overdraft condition and include a project to increase the basin yield. Bottom line, denying any permits on the basis of prohibiting exports, especially in the absence of overdraft and in the absence of an export prohibition management

action in the GSP seems ripe for conflict because it is inconsistent with water rights law and it is unnecessary given the lack of overdraft and project to increase the basin yield. We recommended working with the Pumpers Associations to establish an acceptable export buffer area.

Comment No. 3 – Groundwater Dependent Ecosystems

The flowchart includes a 10-foot drawdown threshold for impacts to groundwater dependent ecosystems (GDEs) at “GDE areas”. The flowchart will result in the denial of a well permit if the well causes groundwater levels to decline more than 10 feet at “at GDE areas” absent a condition to reduce pumping to avoid that. There are several problems with this.

First, the flowchart appears to include all GDE areas discussed in the GSPs. However, the GSPs only established a minimum threshold for one GDE area (i.e., the Cienega Restoration/Fish Hatchery area). Why is the GSA now worried about the other GDE areas after going to great lengths to analyze them and determine that they do not require sustainable management criteria in the GSPs? Including all GDE areas in the flowchart is arbitrary, lacks justification, and is contrary to the findings and sustainable management criteria included in the GSPs. We recommend that the flowchart be revised to specify that it is only intended to address the Cienega Restoration/Fish Hatchery GDE area.

Second, the 10-foot criterion, even if applied only to the Cienega Restoration/Fish Hatchery area, is arbitrary. What is the technical basis for the 10-foot criterion? Understanding that wells turn on and off, how long below 10 feet is a concern? How frequently below 10 feet is a problem? How much area impacted by 10 or more feet of drawdown is a concern? How does the 10-foot criterion relate to the minimum threshold? For example, what if there is 10 feet of drawdown, but the minimum threshold has not been exceeded?

We recommend that the 10-foot criterion be replaced with a requirement for site-specific analysis for any proposed wells that would be drilled within a certain distance from the Cienega Restoration/Fish Hatchery area.

Comment No. 4 – Well Interference

We have similar concerns about the well interference screening approach. What is the technical basis for the 25-foot criterion? Understanding that wells turn on and off, how long with more than 25 feet of interference is a concern? How frequently is more than 25 feet of interference a problem? How does the 25-foot criterion relate to the minimum threshold? For example, what if there is 25 feet of drawdown, but the minimum threshold has not been exceeded? While the 25-foot criterion may be a reasonable for coarse screening purposes, it is too arbitrary for triggering permit conditions or permit denial. If more than 25 feet of drawdown is indicated in the screening process, we suggest proceeding to a site-specific analysis to determine whether the drawdown would actually cause a significant and unreasonable impact on a neighbor’s well. That analysis should consider the specific attributes of the well(s) that will be interfered with, etc., rather than relying solely on the arbitrary 25-foot threshold.

Comment No. 5 – Replacement Well Location

As a practical matter, applicants have no way of determining whether they should follow the “yes” or “no” path for the question “Will the replacement well be located near the well that is being replaced?” We recommended specifying the distance between the existing and replacement well that is threshold for a yes/no determination and providing the justification for that distance.

Thank you for the opportunity to submit our comments. We look forward to further discussion on this matter.

Sincerely,



Debbie Jackson
Fillmore Pumpers Association, Inc.



Matthew Freeman
Piru Pumpers Association, Inc.

cc: Fillmore Pumpers Association, Inc. Members
Piru Pumpers Association, Inc. Members
Bryan Bondy, Bondy Groundwater Consulting, Inc.

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ARTICLE 17. COMPLIANCE WITH EXECUTIVE ORDER N-7-22

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

17.2 The Fillmore and Piru Basins (“Basins”) fall within the scope of the EO. Thus, Counties, Cities, and other public agencies may not issue a permit for new groundwater wells or alteration of an existing well located within the Basins without a written approval from the Agency. The Agency must determine that the proposed groundwater well is both (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence. The Agency’s procedure flowchart regarding the EO can be found at the following URL:_____.

17.2 Consistent with the EO and Agency procedure flowchart, an applicant seeking approval for a permit for installation of a new groundwater well or alteration of an existing well in the Fillmore and Piru Basins must submit a supplemental information form to the Agency. A copy of the supplemental information form can be found at the following URL:_____.



Fillmore and Piru Basins Groundwater Sustainability Agency

Item No. **4B Motion**

DATE: October 14, 2022 (for October 20, 2022, meeting)

TO: Board of Directors

FROM: Anthony A. Emmert, Executive Director

SUBJECT: **Projects and Management Actions**

RECOMMENDED ACTION

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

DISCUSSION

The Agency's groundwater sustainability plans (GSPs), under Section 4, *Projects and Management Actions to Achieve Sustainability Goal*, include several projects, programs and studies that warrant further development, evaluation and consideration. These include:

- Supporting Cienega Springs Restoration project as a drought refuge
- Construction of monitoring wells at the Cienega Springs Restoration project site
- Installation of shallow monitoring wells across the basins
- Purchase of supplemental water, when available
- Additional water quality sampling and analysis
- Removal of non-native species, such as *Arundo donax*
- Studies of subsidence and associated impacts.
 - Installation of global positioning system (GPS) devices or monuments in valley locations to better monitor future subsidence

In addition to the actions listed above, the Board and stakeholders have also discussed:

- Study to better identify and gather information on shallow domestic wells
- Developing a grant program to fund the replacement of the most vulnerable shallow domestic wells
- Study to better identify disadvantaged communities that rely upon shallow domestic wells.
- Potential support or partnership with the Ventura County Watershed Protection District on the phase 2 of the Piru Stormwater Capture project

Some projects are already being implemented, while others require much more development and consideration. The Monitoring Wells project phase 1 is in progress and includes a multiple-completion well adjacent to the East Grove and three shallow wells around the Cienega Springs Restoration project. Agency staff is working with the owners of several wells to bring them into the monitoring network and

fill recognized data gaps, but the Agency may wish to construct additional monitoring wells, with a focus on gathering data on shallow water levels. Agency representatives have met with Cienega Springs Restoration project management on several occasions and have gained general support for the Cienega Springs drought refuge concept to enhancing the project during multiple-year drought periods; however, more development is needed. The Agency recently directed Daniel B. Stephens and Associates (DBS&A) to review and analyze subsidence data available from the California Department of Water Resources (DWR), and to prepare a technical memorandum.

During its August 18, 2022 and September 29 meetings, the Agency Board discussed the various projects and provided direction on which ones to pursue in the near term. Projects supported for near term development and implementation were:

- Enhancement of Cienega Springs Restoration Project as a drought refuge and potential targeted prevention of colonization by invasive plants in the refuge area
- Domestic well drought vulnerability evaluation
- Update regional groundwater flow model and increase discretization
- Prepare subsidence update annual reports based on data provided by DWR
- Stakeholder outreach, with emphasis on improving communication with disadvantaged communities

Projects that the Agency Board felt should not be done now or should be done by others included: installation of additional monitoring wells; purchase of supplemental water; installation of GPS subsidence monitoring stations; study of water quality; study of infrastructure that could be negatively affected by subsidence; development of grant program to replace vulnerable shallow domestic wells; construction of the Piru Stormwater Capture Phase 2 project.

Staff recommends that the Agency consider submitting its selected projects, programs and studies to DWR for consideration for grant funding under its Sustainable Groundwater Management Grant Program. DWR recently announced the availability of the proposals solicitation package for the Round 2, which is focused on supporting high- and medium-priority basins. Grant applications for this program are due to DWR by the end of November, 2022.

FISCAL IMPACT

None.

Proposed Motion:

Provide comments and direction regarding the development of the Agency's Projects and Management Actions for inclusion in a Sustainable Groundwater Management Grant Program grant application.

1st: Director _____

2nd: Director _____

Voice/Roll call vote:

Director Fornoff:

Director Jackson:

Director Kimball:

Director Long:

Director Meneghin:

Director Villasenor: