



Fillmore and Piru Basins
Groundwater Sustainability Agency

Board of Directors Meeting

Thursday, August 17, 2023, 4:00 p.m.

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

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

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

Meeting ID: **854 8030 5580** Password: **FPBGSA**

To hear just the audio portion of the meeting, phone into:

Toll-free number: **877 853 5247** Meeting ID: **854 8030 5580**

AGENDA

1. CALL TO ORDER

1A Pledge of Allegiance

1B Directors Roll Call

1C Public Comments

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

1D Approval of Agenda

Motion

2. UPDATES

2A Director Announcements/Board Communications:

Oral Reports from the Board

Fillmore Pumpers Association Stakeholder Director Update

Piru Pumpers Association Stakeholder Director Update

Environmental Stakeholder Director Update

City of Fillmore Member Director Update

United Water Conservation District Member Director Update

County of Ventura Member Director Update

2B Executive Director Update

Information Item

The Executive Director will provide an informational update on Agency activities since the previous Board of Directors meeting of June 15, 2023.

2C Legal Counsel Update

Information Item

Legal Counsel will provide an informational update on Agency's legal issues and concerns since the previous Board of Directors meeting of June 15, 2023.

2D GSP Consultant Update

Information Item

Representatives from Daniel B Stephens & Associates will provide an informational update on the Agency's groundwater sustainability planning and reporting activities since the previous Board of Directors meeting of June 15, 2023.

3. CONSENT CALENDAR

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

3A Approval of Minutes

The Board will consider approving the Minutes from the Board Meeting of June 15, 2023.

3B Approval of Warrants

The Board will consider approving payment of outstanding vendor invoices:

| | |
|---------------------------------------|------------|
| Daniel B. Stephens & Associates, Inc. | \$4,573.75 |
| Aleshire & Wynder LLP | \$2,459.52 |

3C Monthly Financial Report

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

3D United Water Conservation District Labor Rates

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

4. MOTION ITEMS

4A Task Order with Daniel B. Stephens & Associates for General As-Needed Technical and Planning Support Services

Motion

The Board will consider approving Task Order Number 2023-02 with Daniel B. Stephens & Associates, Inc. for as-needed general technical and planning support services.

4B Task Order with Daniel B. Stephens & Associates for Well Permit Review Program Development and Implementation Services

Motion

The Board will consider approving Task Order Number 2023-03 with Daniel B. Stephens & Associates, Inc. for as-needed technical and planning support services for the development and implementation of a GSA Well Permit Review Program.

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

Information

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

5. FUTURE TOPICS FOR BOARD DISCUSSION

6. ADJOURNMENT

The Board will adjourn to the next **Regular Board Meeting** on **Thursday, September 21, 2023**, 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) August 14, 2023 (time) 3:45p.m. (attest) Eva Ibarra
At: <https://www.FPBGSA.org>

Posted: (date) August 14, 2023 (time) 3:50p.m. (attest) Eva Ibarra
At: <https://www.facebook.com/FPBGSA/>

Fillmore and Piru Basins Groundwater Sustainability Agency Board of Directors Meeting

August 17, 2023

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Posted: (date) August 14, 2023

(time) 3:55p.m.

(attest) *Eva Ibarra*

At: UWCD, 1701 N. Lombard Street, Oxnard



Fillmore and Piru Basins
Groundwater Sustainability Agency

Board of Directors Meeting
Thursday, June 15, 2023, 4:00 p.m.
MINUTES

Directors in Attendance

Director Carole Fornoff
Director Debbie Jackson
Director Gordon Kimball
Director Kelly Long
Director Candice Meneghin

Director Absent

Director Albert Mendez

Staff in Attendance

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

Public in Attendance

Burt Handy (virtual)
Logan Hardison, La Pedrera LLC
Heather Merenda (virtual)
Tony Morgan, DBS&A (virtual)
Ed Reese, UWCD
Daryl Smith, UWCD (virtual)
Jean Thirkettle, Kettle Koi Farms (virtual)

1. CALL TO ORDER 4:05 p.m.

Chair Long called the meeting to order at 4:05 p.m.

1A Pledge of Allegiance

Chair Long lead everyone in reciting the Pledge of Allegiance.

1B Directors Roll Call

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

1C Public Comments

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

1D Approval of Agenda

Motion

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

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

2. UPDATES

2A Director Announcements/Board Communications:

Fillmore Pumpers Association Stakeholder Director Update

Director Jackson said she had no update, and mentioned the Fillmore Pumpers Association will have their annual meeting on Tuesday, June 20, 2023.

Piru Pumpers Association Stakeholder Director Update

Director Fornoff said she also did not have anything to report, and mentioned the Piru Pumpers Association will be having a Zoom meeting next week on June 20, 2023.

Environmental Stakeholder Director Update

Director Meneghin reported on last Tuesday's meeting regarding the scope of work, study plan, and how to best support/dovetail the environmental stakeholders' efforts with those of the Agency. She reported that Friends of the Santa Clara River will have their Coastal Cleanup event on Saturday, September 23, 2023.

City of Fillmore Member Director Update

Director Mendez was absent.

United Water Conservation District Member Director Update

Director Kimball reported United's significant recharge in all basins, and that it will continue until October or November. He stated that diversions at Freeman have remained at 375 cfs, and said the District is expecting Article 21 water to be available in the coming weeks. He also said Lake Piru is still full and lake levels will be dropping as the District implements a release for basins recharge. He also mentioned that Castaic is still receiving and releasing water. He said United is progressing well with the Navy on the Extraction Barrier Brackish Water project, and also touched on the outcome of the San

Buenaventura litigation with United.

Chair Long said we are all awaiting snowpack results.

County of Ventura Member Director Update

Chair Long reported that approval of the County's budget is pending, and said the County is working with Public Works and FEMA to obtain grant funding to repair damaged drains in the County, which will help to improve water flow and help divert water.

2B Executive Director Update Information Item

The Executive Director provided an informational update on Agency activities since the previous Board of Directors meeting of May 18, 2023. Mr. Emmert reported staff are working on amending grant Invoice 15 per DWR's comments and will then resubmit and may potentially negotiate a grant amendment to adjust budget line items, which would facilitate utilizing all the available grant budget with an Invoice 16. He also stated DWR's recommended award for SGM Implementation Round 2 grant list did not include the Agency's applications. Mr. Emmert said staff plans to bring forward a report on receivables and a proposal for the Executive Orders N-7-22 and N-3-23 compliant well permit review process during the July 20, 2023, Board Meeting.

2C 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 May 18, 2023. Steve O'Neill discussed AB 560 and AB 779 that are both set for a June 27 committee hearing. He also explained the case of Sackett versus USEPA and how that case can affect the Agency.

2D GSP Consultant Update Information Item

Tony Morgan from Daniel B Stephens & Associates provided an informational update on the Agency's groundwater sustainability planning and reporting activities since the previous Board of Directors meeting of May 18, 2023. Mr. Morgan said there are active discussions going on in Sacramento regarding the reworking of California water rights system. He also said the Agency was not awarded any grant money from DWR and explained the distribution of grant awards.

The Board, Mr. Emmert, Mr. O'Neill, and Mr. Morgan all voiced their thoughts on the grant awards and Assemblymember Bennett's AB 560.

3. CONSENT CALENDAR

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

3A Approval of Minutes

The Board approved the Minutes from the Board Meeting of May 18, 2023.

3B Approval of Warrants

The Board approved payment of outstanding vendor invoices:

| | |
|----------------------|------------|
| DBS&A | \$6,931.39 |
| The Fillmore Gazette | \$ 108.00 |

3C Monthly Financial Report

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

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

4. MOTION ITEMS

4A Amendment to Agreement with Daniel B. Stephens & Associates for Technical Support Services

Motion

The Board discussed Amendment No. 5 to the Agreement No. 2019-01-18-DBSA with Daniel B. Stephens & Associates, Inc. for as-needed technical support services.

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

4B Task Order with Daniel B. Stephens & Associates for Online Database Hosting Services

Motion

The Board discussed Task Order 2023-01 with Daniel B. Stephens & Associates, Inc., for hosting the agency's online groundwater database.

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

4C Public Hearing Regarding Proposed Fiscal Year 2023-2024 Groundwater Extraction Charge and Adoption of Resolution 2023-02

Motion

The Board conducted a public hearing to receive stakeholder comments regarding the proposed groundwater extraction fee of \$12 per acre-foot and adopted Resolution 2023-02 setting the proposed extraction fee to become effective on July 1, 2023.

Chair Long opened the public hearing, and asked if anyone had any comments, with no comments from virtual or in person attendees, she then announced the closing of the public hearing.

Director Kimball stated he would like to see pumpers paying nine dollars per acre-foot instead of the proposed \$12 dollars. He suggested this idea be revisited for next fiscal year. Both Director's Long and Meneghin also agreed and hope it can be reduced by next year.

Motion to approve Resolution 2023-02, Director Fornoff; Second, Director Kimball. Voice vote: five ayes (Fornoff, Jackson, Kimball, Long and Meneghin), none opposed, one absent (Mendez). Motion carries unanimously 5/0/1.

4D Resolution 2023-03 Adopting Proposed Fiscal Year 2023-2024 Budget

Motion

The Board discussed adoption of Resolution 2023-03, approving the proposed Fiscal Year 2023-2024.

Motion to adopt Resolution 2023-03, approving the FY 2023-2024 Budget, Director Meneghin; Second, Director Jackson. Voice vote: five ayes (Fornoff, Jackson, Kimball, Long and Meneghin), none opposed, one absent (Mendez). Motion carries unanimously 5/0/1.

5. FUTURE TOPICS FOR BOARD DISCUSSION

None mentioned.

6. ADJOURNMENT 4:56p.m.

Chair Long adjourned the meeting at 4:56 p.m. to the next **Regular Board Meeting** on Thursday, **July 20, 2023**, or call of the Chair.

I certify that the above is a true and correct copy of the minutes of the Fillmore and Piru Basins Groundwater Sustainability Agency's Board of Directors meeting of June 15, 2020.

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

ATTEST: _____
Eva Ibarra, Clerk of the Board



BOARD OF DIRECTORS MEETING

June 15, 2023 @ 4:00pm

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

Name: Logan Harrison
Organization: La Pedrosa, LLC
Phone: 805-525-4050
E-mail: loganharrison@esri.com

Name: _____
Organization: _____
Phone: _____
E-mail: _____

**Fillmore and Piru Basins GSA
Check Detail
Jun-23**

| Type | Check Number | Check Date | Vendor | Account | Amount |
|----------------|---------------------|-------------------|--------------------------------------|----------------|--------------------|
| Bill Pmt-Check | 11195 | 7/13/2023 | Aleshire & Wynder LLP | Bank of Sierra | \$ 2,459.52 |
| Bill Pmt-Check | 11196 | 7/13/2023 | Daniel B Stephens & Associates, Inc. | Bank of Sierra | \$ 4,573.75 |
| | | | | | <u>\$ 7,033.27</u> |



Fillmore and Piru Basins
Groundwater Sustainability Agency

Item No. **3C Consent Calendar**

DATE: **August 14, 2023 (for August 17, 2023 meeting)**

TO: **Board of Directors**

SUBJECT: **Monthly Financial Report**

SUMMARY

The Board will receive the monthly financial report 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 the month of July 2023.

FISCAL IMPACT

None

Attachments: July 31, 2023 P/L Budget Performance
 July 31, 2023 Balance Sheet



Item No. 4A Motion Item
DATE: July 14, 2023 (for August 17, 2023 meeting)
TO: Board of Directors
FROM: Anthony A. Emmert, Executive Director
SUBJECT: Task Order with Daniel B. Stephens & Associates for General Technical and Planning Support Services

RECCOMENDATION:

The Board will consider approving Task Order Number 2023-02 with Daniel B. Stephens & Associates, Inc. for as-needed general technical and planning support services.

BACKGROUND

Task Order 2023-02 would provide for as-needed general technical and planning support services from DBS&A, during Fiscal Year 2023-2024. Scope of work includes attending meetings; reviewing and commenting on legislation, regulations and executive orders; coordinating with regulatory agencies; planning for grant applications; and developing Agency projects and programs requested by the Board or staff. Task Order Number 2023-02, under the Master Professional Services Agreement, would provide for undesignated as-needed work, not to exceed \$50,000 during the fiscal year.

FISCAL IMPACT

The Agency’s Fiscal Year 2023-2024 budget includes sufficient funds to cover the cost of the proposed scope of work for Task Order Number 2023-02.

ATTACHMENTS

Attachment 1 – Task Order Number 2023-02

| | | | |
|---|----------------------------------|-------------------|--------------------|
| Proposed Motion: | | | |
| Approve Task Order Number 2023-02 with Daniel B. Stephens & Associates, Inc. for as-needed general technical and planning support services. | | | |
| 1 st : Director _____ | 2 nd : Director _____ | | |
| Voice/Roll call vote: | Director Fornoff: | Director Jackson: | Director Kimball: |
| | Director Long: | Director Mendez: | Director Meneghin: |



**PROFESSIONAL AS-NEEDED CONSULTING SERVICES
TASK ORDER**

TASK ORDER NO. 2023-02

| | | | |
|---------------------------------------|--|------------------------------------|-------------------|
| Consultant's Name: | Daniel B. Stephens & Associates, Inc. | Prev. Approved Task Orders: | 2022-01 – 2023-01 |
| Agreement Date: | 01 Jul 2022 | FY 2021-22 Authorizations: | \$ 69,086.00 |
| 1st Amendment Date: | NA | FY 2022-23 Authorizations: | \$ 1,750.00 |
| 2nd Amendment Date: | NA | This Task Order: | \$ 50,000.00 |
| 3rd Amendment Date: | NA | Total Amount to Date: | \$120,836.00 |
| Project No.: | NA | | |
| Project Name: | General As-Needed Technical and Planning Support | | |

SCOPE OF SERVICES FOR THIS TASK ORDER:

General Description: Provide general as-needed technical and planning support during Fiscal Year 2023-2024, including meeting attendance, reviewing legislation, development of projects and programs requested by the Board or staff.

SEE ATTACHED SCOPE OF WORK

NOT-TO-EXCEED FEE AMOUNT FOR TASK ORDER: \$50,000.00

| | | |
|--|----|----------------|
| TIME FOR COMPLETION OF ALL SERVICES UNDER THIS TASK ORDER: | NA | Calendar Days |
| | NA | From this Date |

Accepted By:  **Date:** 14 Jul 2023
 Daniel B. Stephens & Associates

Approved By:  **Date:** 14 Jul 2023
 Executive Director

Approved By: _____ **Date:** _____
 Board Chair

Letter Proposal

To: Anthony Emmert, Executive Director
Fillmore and Piru Basins Groundwater
Sustainability Agency

Date: July 10, 2023

From: Tony Morgan, PG, CHG
VP/Principal Hydrogeologist



**Subject: Letter Proposal to Provide As-Needed Technical Support to Agency /
DB23.1210.PR**

Sent via email

Daniel B. Stephens & Associates, Inc. (DBS&A) is pleased to provide this letter proposal to assist the Fillmore and Piru Basins Groundwater Sustainability Agency (FPBGSA or Agency) Board of Directors, Executive Director, and staff with continued As-Needed Technical Support.

Scope of Work

In consultation with the Executive Director, DBS&A has prepared this letter proposal to provide continued general assistance in support of the FPBGSA's Board of Directors ongoing planning activities. The scope of work is envisioned to include assignments such as, but not necessarily limited to, the following:

- Attendance at Agency Board of Director meetings and workshops;
- Preparing and delivering presentations on topics requested by the Board of Directors, the Executive Director, legal counsel, or staff;
- Consultations with Executive Director, legal counsel, or staff regarding proposed or recently enacted legislation or other programs/situations that could potentially impact the Agency;
- Meetings with outside agencies such as County of Ventura, CA Department of Water Resources, or CA Department of Fish and Wildlife;
- Other miscellaneous assignments as directed.

Proposed Cost

The exact level of effort for these services is not defined. DBS&A proposes to perform the requested technical support services on a time and expense basis in accordance with the attached Schedule of Fees. Only actual costs incurred will be charged. For planning purposes, DBS&A suggests a budget of \$50,000 for FY2023-24 (July 1, 2023 through June 30, 2024).

Proposed Terms and Conditions

These services would be subject to the terms and condition in the existing *As-Needed Consulting Services Professional Services Agreement No. 2022-04-21 DBSA* between the Fillmore & Piru Basins Groundwater Sustainability Agency and Daniel B. Stephens & Associates, Inc. This project would begin on July 1, 2023 and continue into the future with mutual consent of the FPBGSA and DBS&A.

If both the proposed scope of work and the budget are acceptable, please sign below to authorize DBS&A to conduct this work.

Thank you for the opportunity to support you on this project. If you have any questions, please contact Tony Morgan at (805) 290-3862 (cell) or tmorgan@geo-logic.com.

Attachments: DBS&A 2023 California Schedule of Fees

Authorized by:

Signature

Title

Printed Name

Date

California Schedule of Fees
(Effective January 1, 2023 through December 31, 2023)
Confidential

Professional Services

| | |
|---------------------------------|---------------|
| Principal Professional III..... | \$335.00/hour |
| Principal Professional II | \$317.00/hour |
| Principal Professional I | \$280.00/hour |
| Senior Professional III..... | \$265.00/hour |
| Senior Professional II | \$254.00/hour |
| Senior Professional I..... | \$227.00/hour |
| Project Professional III..... | \$206.00/hour |
| Project Professional II | \$192.00/hour |
| Project Professional I..... | \$177.00/hour |
| Staff Professional III..... | \$160.00/hour |
| Staff Professional II | \$150.00/hour |
| Staff Professional I | \$135.00/hour |
| Managing Technician..... | \$165.00/hour |
| Principal Technician..... | \$190.00/hour |
| Technician IV..... | \$150.00/hour |
| Technician III..... | \$124.00/hour |
| Technician II | \$112.00/hour |
| Technician I | \$104.00/hour |
| GIS Specialist..... | \$175.00/hour |
| CADD Specialist..... | \$143.00/hour |
| CADD/GIS/Database II | \$130.00/hour |
| CADD/GIS/Database I..... | \$108.00/hour |
| Senior Technical Editor..... | \$150.00/hour |
| Technical Editor..... | \$120.00/hour |
| Biologist II..... | \$125.00/hour |
| Biologist I..... | \$115.00/hour |
| Project Assistant II..... | \$120.00/hour |
| Project Assistant I..... | \$99.00/hour |

Expenses

| | |
|---|--|
| Travel | |
| Airfare, car rental, cab, bus, parking..... | Actual cost |
| Lodging, meals, phone | Actual cost or negotiated per diem rates |
| Mileage | |
| Personal vehicle..... | Prevailing IRS rates |
| Company vehicle | |
| Daily rate..... | \$110/day + actual gas cost |
| Half day rate..... | \$55/half day + actual gas cost |
| Mileage | Prevailing IRS rates |
| Subcontractors/temporary service personnel..... | Actual cost plus 10% |
| Computers, specialized software, and communications | Special services at additional charge |
| Equipment | |
| Rentals (e.g., environmental monitors)..... | Actual cost plus 10% |
| Fabrication in our shop..... | Labor plus materials |
| Misc. field equipment and supplies | Actual cost plus 10% |
| Meters, gauges, and monitors..... | Separate schedule available upon request |

TERMS

Payment terms for professional services and expenses are net 30 days. Unpaid balance will be assessed a service fee of 1.5% per month.

NOTES

1. All fees are subject to local/state sales or gross receipts tax, as applicable.
2. Delivery of depositions or expert testimony will be billed at 1.5 times Fee Schedule rates.
3. Work requiring Health & Safety Level C or Level B protection will be billed as a surcharge, \$25 or \$50 per hour, respectively, to the Fee Schedule rates.
4. A service fee of 3% will be charged for credit card payments.
5. Hourly rates and expenses will be adjusted annually.



Item No. 4B Motion Item
DATE: July 14, 2023 (for August 17, 2023 meeting)
TO: Board of Directors
FROM: Anthony A. Emmert, Executive Director
SUBJECT: Task Order with Daniel B. Stephens & Associates for Well Permit Review Program Development and Implementation

RECCOMENDATION:

The Board will consider approving Task Order Number 2023-03 with Daniel B. Stephens & Associates, Inc. for as-needed technical and planning support services for the development and implementation of a GSA Well Permit Review Program.

BACKGROUND

Task Order 2023-03 would provide for as-needed technical and planning support services from DBS&A, during Fiscal Year 2023-2024. Scope of work includes assisting the Agency to develop and implement its GSA Well Permit Review Program, in compliance with State of California regulations and policies, including Executive Orders N-7-22 and N-3-23. Task Order Number 2023-03, under the Master Professional Services Agreement, would provide for as-needed work to develop and implement the Program, not to exceed \$50,000 during the fiscal year.

FISCAL IMPACT

The Agency’s Fiscal Year 2023-2024 budget includes sufficient funds to cover the cost of the proposed scope of work for Task Order Number 2023-03.

ATTACHMENTS

Attachment 1 – Task Order Number 2023-03

Proposed Motion:

Approve Task Order Number 2023-03 with Daniel B. Stephens & Associates for as-needed technical and planning support services for the development and implementation of a GSA Well Permit Review Program.

1st: Director _____ 2nd: Director _____

Voice/Roll call vote: Director Fornoff: Director Jackson: Director Kimball:
 Director Long: Director Mendez: Director Meneghin:



Fillmore and Piru Basins Groundwater Sustainability Agency

PROFESSIONAL AS-NEEDED CONSULTING SERVICES TASK ORDER

TASK ORDER NO. 2023-03

| | | | |
|---------------------------------------|---|------------------------------------|-------------------|
| Consultant's Name: | Daniel B. Stephens & Associates, Inc. | Prev. Approved Task Orders: | 2022-01 – 2023-01 |
| Agreement Date: | 01 Jul 2022 | FY 2021-22 Authorizations: | \$ 69,086.00 |
| 1st Amendment Date: | NA | FY 2022-23 Authorizations: | \$ 51,750.00 |
| 2nd Amendment Date: | NA | This Task Order: | \$ 50,000.00 |
| 3rd Amendment Date: | NA | Total Amount to Date: | \$170,836.00 |
| Project No.: | NA | | |
| Project Name: | GSA Well Permit Review Program Development & Implementation | | |

SCOPE OF SERVICES FOR THIS TASK ORDER:

General Description: Provide as-needed technical and planning support during Fiscal Year 2023-2024, for the development and implementation of a GSA Well Permit Review Program compliant with State of California regulations and policies.

SEE ATTACHED SCOPE OF WORK

NOT-TO-EXCEED FEE AMOUNT FOR TASK ORDER: \$50,000.00

| | | |
|--|----|----------------|
| TIME FOR COMPLETION OF ALL SERVICES UNDER THIS TASK ORDER: | NA | Calendar Days |
| | NA | From this Date |

Accepted By:  **Date:** 14 Jul 2023
 Daniel B. Stephens & Associates

Approved By:  **Date:** 14 Jul 2023
 Executive Director

Approved By: _____ **Date:** _____
 Board Chair

Letter Proposal

To: Anthony Emmert, Executive Director
Fillmore and Piru Basins Groundwater
Sustainability Agency

Date: July 13, 2023

From: Tony Morgan, PG, CHG
VP/Principal Hydrogeologist

Subject: **Letter Proposal to Provide As-Needed Well Permit Evaluation Services to Agency / DB23.1213.PR**



Sent via email

Daniel B. Stephens & Associates, Inc. (DBS&A) is pleased to provide this letter proposal to assist the Fillmore and Piru Basins Groundwater Sustainability Agency (FPBGSA or Agency) Board of Directors, Executive Director, and staff with continued support .

Scope of Work

In consultation with the Executive Director, DBS&A has prepared this letter proposal to provide continued general assistance in support of the FPBGSA's Board of Directors development of a program to assess the potential for new groundwater extraction wells to cause *substantial interference to nearby existing water wells* and to assess the *potential for the new well to exasperate or initiate subsidence*. The scope of work is envisioned to include assignments such as, but not necessarily limited to, the following:

- Attendance at Agency Board of Director meetings and workshops dealing with this program;
- Preparing and delivering presentations on the well permit evaluation process and other topics as requested by the Board of Directors, the Executive Director, legal counsel, or staff;
- Consultations with Executive Director, legal counsel, or staff regarding the proposed well permit evaluation process;
- Major activities are expected to include:
 - ◇ Finalization of well permit evaluation process flowchart in consultation with the Board of Directors, the Executive Director, legal counsel, or staff;

- ◇ Development of a guidelines for well permit applicants that describes the well permit evaluation or review process;
- ◇ Finalize the FPBGSA Supplemental Well Permit Application form;
- ◇ Perform the well interference and subsidence evaluation for new well applications received by the Agency. Provide recommendations to the Board of Director's based on the evaluations;
- ◇ Review well interference and subsidence evaluations in support of new well applications received by the Agency that were prepared by other entities. Provide recommendations to the Board of Director's based on the evaluations;
- Consultations with Executive Director, legal counsel, or staff on Agency well permit evaluation policy document(s), if deemed appropriate;
- Other miscellaneous assignments as directed.

Proposed Cost

The exact level of effort for these services is not defined. DBS&A will perform the requested technical support services on a time and expense basis in accordance with the attached Schedule of Fees. Only actual costs incurred will be charged. The initial budget for this work for Fiscal Year 2023-2024 (July 1, 2023 through June 30, 2024) will be \$50,000.

Proposed Terms and Conditions

These services would be subject to the terms and condition in the existing *As-Needed Consulting Services Professional Services Agreement No. 2022-04-21 DBSA* between the Fillmore & Piru Basins Groundwater Sustainability Agency and Daniel B. Stephens & Associates, Inc. This project would begin on July 1, 2023 and continue into the future with mutual consent of the FPBGSA and DBS&A.

If both the proposed scope of work and the budget are acceptable, please sign below to authorize DBS&A to conduct this work.

Thank you for the opportunity to support you on this project. If you have any questions, please contact Tony Morgan at (805) 290-3862 (cell) or tmorgan@geo-logic.com.

Attachments: DBS&A 2023 California Schedule of Fees



As-Needed Well Permit
Evaluation Services

Authorized by:

Signature

Title

Printed Name

Date

July 13, 2023

Proposal #DB23.1213.PR | Letter Proposal for Well Permit Evaluation Services

California Schedule of Fees
(Effective January 1, 2023 through December 31, 2023)
Confidential

Professional Services

| | |
|---------------------------------|---------------|
| Principal Professional III..... | \$335.00/hour |
| Principal Professional II | \$317.00/hour |
| Principal Professional I | \$280.00/hour |
| Senior Professional III..... | \$265.00/hour |
| Senior Professional II | \$254.00/hour |
| Senior Professional I..... | \$227.00/hour |
| Project Professional III | \$206.00/hour |
| Project Professional II | \$192.00/hour |
| Project Professional I | \$177.00/hour |
| Staff Professional III..... | \$160.00/hour |
| Staff Professional II | \$150.00/hour |
| Staff Professional I | \$135.00/hour |
| Managing Technician..... | \$165.00/hour |
| Principal Technician..... | \$190.00/hour |
| Technician IV..... | \$150.00/hour |
| Technician III..... | \$124.00/hour |
| Technician II | \$112.00/hour |
| Technician I | \$104.00/hour |
| GIS Specialist..... | \$175.00/hour |
| CADD Specialist..... | \$143.00/hour |
| CADD/GIS/Database II | \$130.00/hour |
| CADD/GIS/Database I | \$108.00/hour |
| Senior Technical Editor..... | \$150.00/hour |
| Technical Editor..... | \$120.00/hour |
| Biologist II | \$125.00/hour |
| Biologist I | \$115.00/hour |
| Project Assistant II..... | \$120.00/hour |
| Project Assistant I..... | \$99.00/hour |

Expenses

| | |
|---|--|
| Travel | |
| Airfare, car rental, cab, bus, parking | Actual cost |
| Lodging, meals, phone | Actual cost or negotiated per diem rates |
| Mileage | |
| Personal vehicle..... | Prevailing IRS rates |
| Company vehicle | |
| Daily rate..... | \$110/day + actual gas cost |
| Half day rate..... | \$55/half day + actual gas cost |
| Mileage | Prevailing IRS rates |
| Subcontractors/temporary service personnel..... | Actual cost plus 10% |
| Computers, specialized software, and communications | Special services at additional charge |
| Equipment | |
| Rentals (e.g., environmental monitors)..... | Actual cost plus 10% |
| Fabrication in our shop..... | Labor plus materials |
| Misc. field equipment and supplies | Actual cost plus 10% |
| Meters, gauges, and monitors | Separate schedule available upon request |

TERMS

Payment terms for professional services and expenses are net 30 days. Unpaid balance will be assessed a service fee of 1.5% per month.

NOTES

1. All fees are subject to local/state sales or gross receipts tax, as applicable.
2. Delivery of depositions or expert testimony will be billed at 1.5 times Fee Schedule rates.
3. Work requiring Health & Safety Level C or Level B protection will be billed as a surcharge, \$25 or \$50 per hour, respectively, to the Fee Schedule rates.
4. A service fee of 3% will be charged for credit card payments.
5. Hourly rates and expenses will be adjusted annually.



Item No. **4C Motion**

DATE: August 12, 2023 (for August 17, 2023 meeting)

TO: Board of Directors

FROM: Anthony A. Emmert, Executive Director

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

RECOMMENDED ACTION

The Board will receive a presentation from 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 Newsom issued Executive Order N-7-22 mandating certain actions in response to California's worsening drought conditions. Item 9 establishes actions that must be undertaken by the local well permitting agencies and the applicable groundwater sustainability agency:

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

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

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

For the Fillmore basin and the Piru basin, both designated by the state as high priority basins, the local agency that issues well permits is the County of Ventura Public Works Agency Watershed Protection District Water Resources Division (County Water Resources), and the Fillmore and Piru Basins Groundwater Sustainability Agency (Agency) is the responsible groundwater sustainability agency. EO N-7-22 and EO N-3-23 apply to how the two agencies interact regarding any well permits received after the March 28, 2022, Executive Order. County Water Resources, the Agency and other groundwater sustainability agencies in the County have been working to develop a coordinated program for GSA well permit application reviews, including discussions of California Environmental Quality Act (CEQA) responsibilities.

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

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

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

This Paragraph shall not apply to permits for wells (i) that will provide less than two acre-feet per year of groundwater for individual domestic users, (ii) that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the Health and Safety Code, or (iii) that are replacing existing, currently permitted wells with new wells that will produce an equivalent quantity of water as the well being replaced when the existing well is being replaced because it has been acquired by eminent domain or acquired while under threat of condemnation.

In response to these Executive Orders, Daniel B. Stephens and Associates, legal counsel, and staff prepared a draft well permitting flowchart and draft well permittee information package to facilitate Board and stakeholder discussions. During discussions, the Board agreed that it should

have a clear policy on exports from the basins prior to addressing exports in its well permits review process. Staff will develop and bring forward a draft export policy for Board consideration under a separate report.

FISCAL IMPACT

None.

ATTACHMENTS

Attachment 1 – Draft Agency Well Permitting Review Process Flowchart

Attachment 2 – Draft Supplemental Water Well Permit Application

Proposed Motion:

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

1st: Director _____

2nd: Director _____

Voice/Roll call vote:

Director Fornoff:

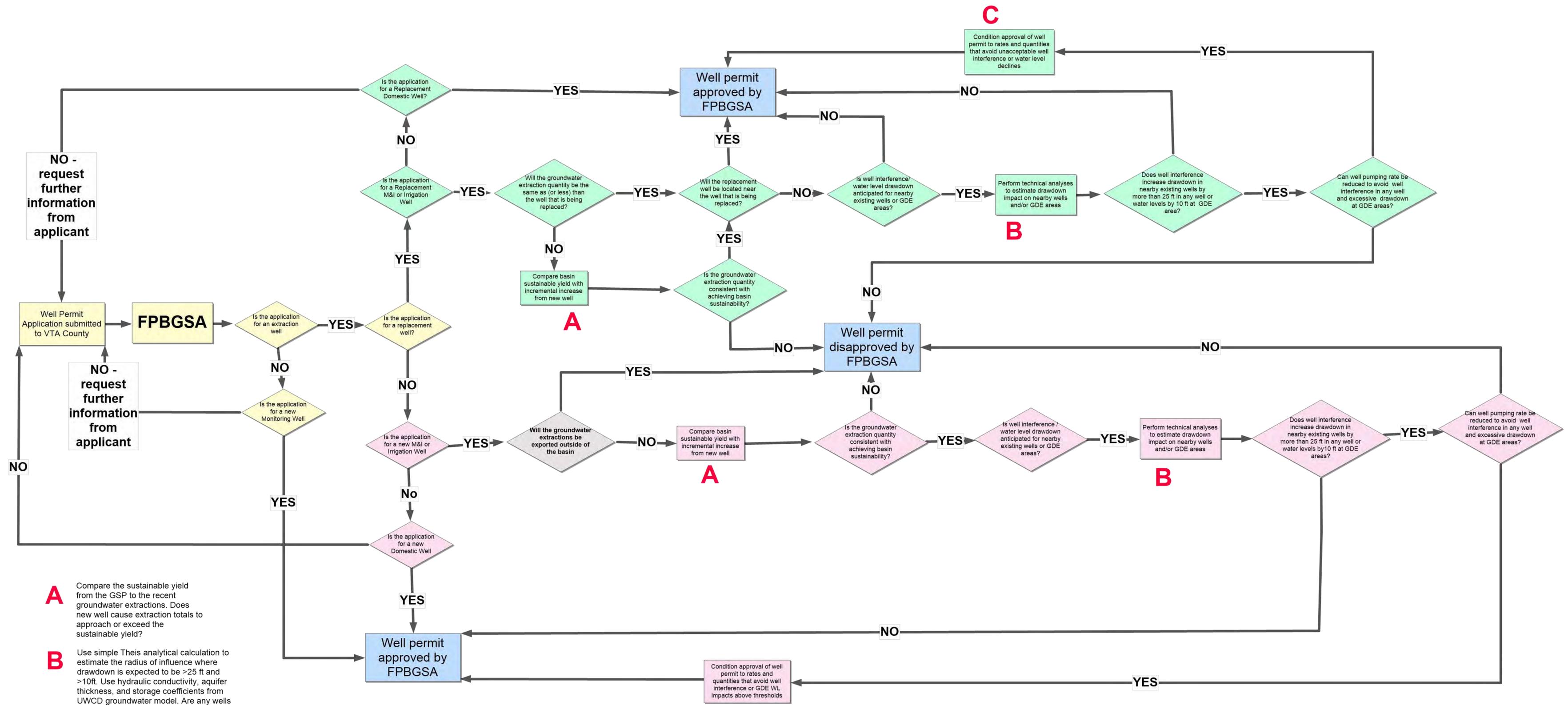
Director Jackson:

Director Kimball:

Director Long:

Director Mendez:

Director Meneghin:



A Compare the sustainable yield from the GSP to the recent groundwater extractions. Does new well cause extraction totals to approach or exceed the sustainable yield?

B Use simple Theis analytical calculation to estimate the radius of influence where drawdown is expected to be >25 ft and >10ft. Use hydraulic conductivity, aquifer thickness, and storage coefficients from UWCD groundwater model. Are any wells or GDE areas within those ROI?

C Use simple Theis analytical calculation to estimate the pumping rate that will keep the radius of influence <25 ft for nearby wells and <10ft for GDE areas.

SUPPLEMENTAL WATER WELL PERMIT APPLICATION



Fillmore and Piru Basins Groundwater Sustainability Agency

This form is a supplemental form developed by the Fillmore and Piru Groundwater Sustainability Agency (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. **Both forms are required.**

This form requests information needed by the FPBGSA in their role as the agency responsible for the sustainability of the groundwater resources in the Fillmore and Piru basins.

Cathodic Protection Wells, Monitoring Wells, or Engineering Test Holes are not used for groundwater extraction, therefore this Supplemental Permit is NOT required. This supplemental permit is required for **New, Replacement, Backup or Standby wells**.

| | 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 style="text-align: center; color: red; font-size: 48px; opacity: 0.5;">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 _____ | 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. _____) | <u>Equipment</u> <input type="checkbox"/> Rotary <input type="checkbox"/> Hollow Stem <input type="checkbox"/> Geoprobe <input type="checkbox"/> Other (Describe) _____ | |

*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 _____