

# Joint Meeting of Cuyama Basin Groundwater Sustainability Agency Board of Directors and Standing Advisory Committee

December 3, 2018

## Meeting Minutes

Cuyama Valley Family Resource Center, 4689 CA-166, New Cuyama, CA 93254  
New Cuyama High School Cafeteria, 4500 CA-166, New Cuyama, CA 93254

### **PRESENT:**

#### Board of Directors:

Yurosek, Derek – Chair  
Compton, Lynn – Vice Chair  
Albano, Byron  
Bantilan, Cory  
Bracken, Tom  
Cappello, George  
Chounet, Paul  
Christensen, Alan – *Alternate for Zack Scrivner*  
Shephard, Glenn  
Williams, Das  
Wooster, Jane  
Beck, Jim – Executive Director  
Hughes, Joe – Legal Counsel

#### Standing Advisory Committee:

Jaffe, Roberta – Chair  
Kelly, Brenton – Vice Chair  
DeBranch, Brad  
Draucker, Louise  
Furstenfeld, Jake  
Haslett, Joe  
Post, Mike

### **ABSENT:**

#### Board of Directors:

None

#### Standing Advisory Committee:

Alvarado, Claudia  
Valenzuela, Hilda Leticia

#### **1. Call to order**

Chair Derek Yurosek called the meeting to order at 4:01 p.m.

#### **2. Roll call**

Hallmark Group Project Coordinator Taylor Blakslee called roll (shown above) and informed Chair Yurosek that there was a quorum of the Board and Standing Advisory Committee (SAC).

#### **3. Pledge of Allegiance**

The pledge of allegiance was led by Chair Yurosek.

#### **4. Approval of Minutes**

Chair Yurosek opened the floor for comments on the November 7, 2018 Cuyama Basin Groundwater Sustainability Agency (CBGSA) Board meeting minutes. A motion was made by Director Cory Bantilan to adopt the minutes and seconded by Director Byron Albano. The motion passed unanimously.

**5. Report of the Standing Advisory Committee**

CBGSA SAC Chair Roberta Jaffe provided a report on the November 29, 2018 SAC meeting, which is provided in the Board packet.

**6. Technical Forum Update**

Woodard & Curran (W&C) Principal Lyndel Melton provided an overview of the October 23, 2018 technical forum call. A summary of the issues discussed is provided in the Board packet. Mr. Melton discussed an additional approach requested by the Tech Forum for the Northwestern region of the Cuyama Basin.

Chair Yurosek encouraged the CBGSA Program Management Team to incorporate a larger time frame between the Board meetings and tech forum meetings.

**7. Groundwater Sustainability Plan****a. Groundwater Sustainability Plan Update**

GSP consultant Woodard & Curran (W&C) Principal Lyndel Melton provided an update on the GSP development.

Mr. Melton presented a proposed Groundwater Sustainability Plan (GSP) sections schedule to accommodate the SAC's request to be given fully written GSP chapters for approval.

Chair Yurosek asked if the schedule change would reduce the amount of time to review documents. Mr. Melton replied that would be the case.

Chair Yurosek asked the Board their preference.

Director Jane Wooster recommended sending the sections as they are developed, even with placeholders. Director Glenn Shephard said he preferred the original schedule in order to prevent getting bogged down. Director Albano agreed with keeping the original schedule.

SAC Chair Jaffe asked if we would see the drafts with placeholders. Mr. Melton replied that there are two options, which include the current option of seeing the GSP sections drafts with placeholders or waiting to see the completed document as early as possible.

Chair Jaffe asked if we wait for a completed draft then will they get hit with a lot of documents to review at once and Mr. Melton confirmed this.

Landowner Ann Myhre commented that it is not unusual to have placeholders in documents. Landowner Sue Blackshear said the problem was approving a section with placeholders. Mr. Melton commented that the Board and SAC are being asked to approve the content provided.

Director Albano asked what W&C is more comfortable with. Mr. Melton said the current process.

SAC Chair Jaffe asked with the current way the GSP sections are being released, when will we see the placeholders. W&C Project Manager Brain Van Lienden and Mr. Melton said they will be highlighted in the public draft.

Director Albano asked if W&C can put a segment within the draft GSP plan that calls out the placeholders. Mr. Melton said we will clarify the pathway next month's Board meeting.

Mr. Melton reminded the Board that we are working to have a public draft by June 2019 to allow for the various Boards to approve the GSP.

Mr. Melton reported that the Groundwater Conditions chapter will be presented to the Board for approval next month. Chair Yurosek tabled this item.

**i. Data Management Chapter Release**

Mr. Melton provided an overview of the Data Management Chapter.

**b. Groundwater Conditions Chapter Adoption**

This item was tabled and will be taken up at the January Board meeting.

**c. Review of Preliminary Threshold Numbers**

Mr. Beck reported on how the flow of this discussion should occur. He reported that W&C will give their preliminary overview of the process they used to develop the rationales for various regions, then the various regions will be discussed, followed by SAC and Board comments and recommendation.

W&C Senior Hydrogeologist John Ayers provided a background on minimum thresholds and measurable objectives. Mr. Ayres discussed representative wells and mentioned that they now have approximately 70 wells.

Mr. Beck reminded the Board that the purpose of today's discussion is similar to what the Board did last month. He said we will not be establishing any thresholds numbers for wells, rather providing direction on the rationale used for five out of the six regions.

**SOUTHEASTERN REGION**

Mr. Ayres provided an overview of the rationale for the southeastern region.

Chair Yurosek called on the SAC to provide feedback. SAC Chair Jaffe reported that the five SAC members that were present at the November 29, 2018 SAC meeting agreed unanimously on W&C's southeastern region recommendation.

Director Mike Post said the approach seems empirical and simple and supports the approach.

Director Albano said he does not like the approach cause it is focus is on storage and he sees groundwater movement in that area as more of a stream.

Director Albano said he feels like we are setting thresholds that will be at the whim of hydrologic events. He asked if there could be something developed that is more appropriate. Mr. Ayres said we can increase the percent of range. Director Albano said he would advocate for a more open range while we see how that works for the next 5 years.

Director Das Williams asked how many wells are in the area, and Mr. Ayres said they only have

two monitoring wells. Director Williams asked if one fails will that area be out of compliance. Mr. Ayres said no, but a percentage of wells that are not meeting minimum thresholds across the entire basin are what can trigger management actions.

Director Wooster asked if the GSA is looking to set the minimum threshold at 2015 or another option. Mr. Ayres said in areas that are full we are trying to be protective of other well owners

Director Paul Chounet asked if W&C was aware of the 1976 drought that occurred in the southeastern region because the diagram only illustrates two data points. Mr. Ayres said the 1990's drought was more severe, and it ties in with the drought period.

Cuyama Valley Family Resources Center Executive Director Lynn Carlisle asked the Board to keep a couple things in mind. She asked how can you set minimum threshold and measurable objectives without the water budget and then you would have to go back and redo those levels if they do not match with the water budget. She also said that the comment "this is a starting point" has cost impacts if you do that sooner than 5 years. Mr. Ayres said you do not have to resubmit the plan but just update the annual report.

Director Albano said he recognizes that we need more data and is generally ok with the current W&C recommendation, but in principle thinks the GSA needs to be less restrictive in setting threshold rationales.

Director Bantilan asked if a supermajority vote will be needed each time thresholds are changed. Legal counsel Joe Hughes replied that you do.

Director Williams commented that this is the meat of the plan and if folks are not comfortable with these, they should not be voting for the plan. Chair Yurosek said he agrees and is trying to identify consensus.

Director Chounet said if we do not get it right now it does not take much to block changing things in the future by voting and he recommends being more restrictive of thresholds. Director Wooster said she has a similar concern but is worried that minimum thresholds may be set too high and be overly restrictive.

Director Bantilan said the water budget is important because the levels can be wrong in one region and it will not impact the overall the water budget that much. Mr. Ayres reported W&C has automated a lot of their threshold analysis. Director Bantilan asked why we cannot just plug in the options and see how they work out to make the decision. Mr. Ayres said there are quite a few options.

Director Williams asked how many representative wells are in the full basins. Mr. Ayres said roughly 30 of the 70 rep wells.

Director Post commented that the short-term impact of violating the minimum threshold is not that big of a deal because it does not result in stopping your pumping and you can adjust your thresholds.

Mr. Beck commented that Board now knows why we spent four hours discussing these at the last SAC meeting. He stressed this will be an iterative process and you will be able to see the results layered on the model as we go forward. For tonight, he encouraged the Board to move on and the Board agreed to that.

**EASTERN REGION**

SAC Chair Jaffe reported that the SAC recommended adjusting the minimum threshold to 2015 levels and 5-years of storage for the measurable objective.

Director Albano commented that there are no wells in the channel and that we need one there. He said he feels like we are setting ourselves up for failure in that area.

Director Post made a comment that wells are located where the usage is.

Director Bantilan said Director Albano is not wrong, but you cannot retroactively drill a bunch of wells. Director Bantilan asked what Director Albano is proposing. Director Albano said he recommends using a percentage of the aquifer thickness.

Director Williams said there should be more representative wells because it does not sense to set a threshold so low that the representative well will be dewatered. Director Albano asked if we could consider a range of availability of water. Mr. Ayres said dewatering a monitoring well will not pass DWR regulations.

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Chair Yurosek suggested resuming the meeting as a special session at a later time since it is clear that we will not be able to pass all of the region rationales for developing preliminary threshold numbers.  
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Director Bantilan, Director Shephard, Director Tom Bracken, and alternate Director Alan Christensen recommending using 2015 for the minimum threshold.

Director Albano asked if we can change the method to be based on limits regarding the depth of the aquifer. Director Williams said this method would reward people with drilling deeper wells. If you set the level at the remaining capacity, you will have more water than our regulatory framework. Director Albano said this is in regard to monitoring wells. Mr. Ayres said we have an idea of where the bottom the aquifer is based on the depth of wells in the area.

Chair Yurosek said for the value of getting consensus we will push the remainder of the preliminary threshold number discussion to the special meeting.

**d. Stakeholder Engagement Update**

GSP outreach consultant the Catalyst Group’s Charles Gardiner provided an update on stakeholder engagement which is provided in the Board packet.

**8. Groundwater Sustainability Agency**

**a. Report of the Executive Director**

Nothing to report.

**b. Progress & Next Steps**

Nothing to report.

**c. Report of the General Counsel**

Mr. Hughes previously briefed the Board regarding the Association of California Water Agencies (ACWA) Joint Powers Insurance Authority plan where GSAs would self-fund, on a voluntarily basis, a war chest to defend GSAs against legal action that may arise. At the time, the cost per GSA discussed was \$10,000 and the time value of money makes it more advantageous to contribute earlier if you plan on joining.

Mr. Hughes received a report on the status of that fund at ACWA and they only received one response. He said there does not appear to be much of an interest and the this will not go much farther than that.

Mr. Hughes reported that there was some concern about Cuyama Basin Water District (CBWD) Directors attending the SAC meeting and sees their attendance as a CBWD issue, not a CBGSA issue.

Mr. Beck asked for clarification on Board and SAC attendance Brown Act issues.

Mr. Hughes said you can attend or call-in, but cannot participate and communicate. However, you can sit and listen in.

Chair Yurosek asked Mr. Hughes if there is a Brown Act violation if SAC members attend the CBGSA meeting. Mr. Hughes said he will look into this. Chair Yurosek said in case of a quorum, he recommended noticing every meeting as a joint meeting

Director Wooster said the CBGSA is not receiving the extensive information that the SAC receives, and we would be doing a great disservice if we did not allow Directors to participate in the SAC meeting.

Chair Yurosek encouraged Mr. Hughes to talk with the district counsel regarding these potential issues and recommendations.

Director Williams suggested looking into other dates rather than January 9, 2018 for the special meeting because on that day there is a commemoration for the largest loss of life in Santa Barbara. Mr. Beck said we will poll the Directors to see if we can come up with alternative dates.

Chair Yurosek said we either have a very long meeting in January 2019, or we can have a special Board meeting between now and January 9, 2018.

Mr. Beck recommended having a special joint meeting with the Board and SAC in two weeks. Mr. Melton said he will not be able to attend. Mr. Beck suggested Tuesday, December 18, 2018 at 12 noon and to tentatively plan for a 4-hour meeting.

**9. Financial Report**

**a. Financial Management Overview**

Nothing to report.

**b. Financial Report**

Nothing to report.

**c. Hallmark Group Task Order Adoption**

Mr. Beck let the Board know the Hallmark Group's Task Order No. 1 expires on Dec 31, 2018 and suggested combining funds between Task Order Nos. 1 and 2, Amendment 1 for the duration of the GSP development, through January 31, 2020, for the same monthly level of service.

A motion was made by Director Cappello to rescind Hallmark Group Task Order No. 2 Amendment 1 and adopt Task Order No. 3. The motion was seconded by Director Shephard and passed unanimously.

**d. Payment of Bills**

Mr. Blakslee reported on the payment of bills for the month of October 2018. A motion was made by Director Cappello and seconded by Director Christensen to approve payment of the bills through the month of October 2018 in the amount of \$105,339.51, pending receipt of funds. The motion passed unanimously.

**10. Reports of the Ad Hoc Committees**

Nothing to report.

**11. Directors' Forum**

Nothing to report.

**12. Public comment for items not on the Agenda**

Nothing to report.

**13. Adjourn**

At 6:10 p.m., Chair Yurosek adjourned the joint meeting to the New Cuyama High School Cafeteria for public workshops starting at 6:30 p.m. The workshops ended at 7:50 p.m., and the SAC and Board were adjourned.

I, Jim Beck, Executive Director to the Cuyama Basin Groundwater Sustainability Agency Board of Directors, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held on Monday, December 3, 2018, by the Cuyama Basin Groundwater Sustainability Agency Board of Directors and the Standing Advisory Committee.

**Jim Beck**

Dated: January 9, 2019