

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

March 6, 2019

## 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  
Albano, Byron  
Bantilan, Cory  
Bracken, Tom  
Cappello, George  
Chounet, Paul  
Scrivner, Zack  
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  
Post, Mike

### ABSENT:

#### Board of Directors:

Compton, Lynn – Vice Chair

#### Standing Advisory Committee:

Alvarado, Claudia  
Furstenfeld, Jake  
Haslett, Joe  
Valenzuela, Leticia

#### 1. Call to order

Chair Derek Yurosek called the meeting to order at 2:01 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 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 February 6, 2019 Cuyama Basin Groundwater Sustainability Agency (CBGSA) Board meeting minutes.

**MOTION**

Director Glenn Shephard made a motion to adopt the February 6, 2019 CBGSA Board meeting minutes. The motion was seconded by Director Cory Bantilan and passed.

AYES: Directors Albano, Bantilan, Bracken, Cappello, Chounet, Shephard, Williams, Wooster and Yurosek  
NOES: None  
ABSTAIN: None  
ABSENT: Directors Compton and Scrivner

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

CBGSA SAC Chair Roberta Jaffe provided a report on the February 28, 2019 SAC meeting, which is provided in the Board packet.

**6. Technical Forum Update**

GSP consultant Woodard & Curran's (W&C) Senior Water Resources Engineer Lyndel Melton provided an overview of the February 22, 2019 technical forum call, and a summary of the issues discussed is provided in the Board packet.

**7. Groundwater Sustainability Plan**

**a. Groundwater Sustainability Plan Update**

Mr. Melton provided an update on the Groundwater Sustainability Plan (GSP) development, which is included in the Board packet.

Mr. Melton commented that the chapter placeholder document will become available on March 22, 2019, and comments on that document will be due a week later on March 29, 2019.

**b. Discussion on Water Budgets**

Mr. Melton provided an overview of the Water Budgets Chapter.

Director Cappello asked how climate change variables are determined. Mr. Melton and W&C Senior Water Resource Engineer Brian Van Lienden reported that the California Department of Water Resources will provide a standard set of conditions to choose from.

Director Albano asked if W&C is anticipating less or more precipitation. Mr. Van Lienden said they anticipate precipitation to be similar to what occurs now, but with higher temperatures affecting evapotranspiration rates.

Director Williams said the climate projections throughout the State, that he is aware of, project the same amount of water per year but delivery in smaller time periods. SAC Committee Member Mike Post added that this occurs with greater volatility.

Director Wooster asked if W&C can incorporate how many acres are in the basin and the watershed in the Water Budget Chapter. Mr. Van Lienden confirmed that they will add this information.

Director Cappello asked if the future conditions groundwater level map is a projection and not what is currently occurring. Mr. Melton confirmed this.

Director Albano asked for clarification on the data period assumptions. Mr. Melton said the future conditions groundwater level change map is based on 50 years of hydrologic information, 2017 land use, and available population data.

CBGSA Executive Director Jim Beck mentioned that reducing crop acreage by a set percentage is not a recommendation but was used as a tool to understand the magnitude of reductions.

Director Wooster asked if this was analyzed for reasonableness. Mr. Melton said yes, by W&C staff and during the technical forum.

Director Cappello said he understands the 38,000 acre-feet per year reduction the model projects to get in balance is a very rough estimate and reductions could be closer to a 40% decrease in pumping in the Central Region if more monitoring is performed and data gaps are filled.

Mr. Beck clarified the results being presented are based on the model and you need to consider that the model is imperfect and there are data gaps that remain that will help refine the model.

**c. Discussion on Sustainability Thresholds**

Mr. Melton and Mr. Van Lienden provided an overview of the Sustainability Thresholds Chapter.

Mr. Van Lienden provided an update on the Eastern Region thresholds and recommended resetting the minimum thresholds to 2017 levels minus 20%.

Director Williams commented that the point of setting thresholds was to be above the well depths, which is not in the examples of the Opti wells shown in the Board packet.

Director Wooster said it was pointed out at the SAC meeting that these wells are very shallow in the Eastern Region and they may not be appropriate representative wells.

SAC Chair Jaffe asked if we can add a comment in the GSP that states that these wells are not good representative wells and will be updated as we receive more data.

Director Albano asked if it will be problematic to manage to 2017 levels and not 2015. Mr. Van Lienden said Sustainable Groundwater Management Act (SGMA) does not require to preserve 2015 levels, it states that we need to prevent undesirable results.

Director Albano said there are undesirable results in Ventucopa area due to the small amount of data that we have, however this should not dissolve us from the issues in that area. He said we should stop trying to plan the future for that area because of the data gap.

**MOTION**

Director Williams made a motion to amend the threshold in the Eastern Region to 20% below 2015 levels. The motion was seconded by Director Bantilan.

Director Cappello said this threshold would violate well levels and you do not want to start your plan at a violation of threshold levels. Director Williams commented that the Board will decide what percentage of wells can fall below the threshold before triggering undesirable results.

Mr. Beck said the basin does have data gaps and it is appropriate to have representative wells for this area. He commented that when you set a threshold that triggers failure to comply and your levels are below that threshold, that is the agency saying that they are already experiencing undesirable results. Mr. Beck agreed with Director Williams that one well below its threshold does not necessarily trigger undesirable results for the basin.

Mr. Melton agreed that a single well will not trigger action, but we are already down a well in the calculation which you need to consider.

Director Wooster said she thought W&C's recommendation was really good and minimum thresholds need to be reset to 20%, but without going below the well depth. She said new representative wells are needed and need to be evaluated as part of the 2025 update.

SAC Chair Jaffe said she agreed with Director Wooster. She said it does not make sense to go lower with groundwater levels in a critical overdraft basin. Mr. Beck said the minimum thresholds could be above a well as we develop better data. Mr. Beck said he thinks the key will be to get more data during the implementation phase.

Director Albano said he said he believes its ok to start with two wells in the Ventucopa area that are more stable, however these wells may not be the best to start with. Committee Member Post said water is being trucked into the Ventucopa area by a residential water company and that is a bad thing no matter how they got there and that the Ventucopa domestic wells are going dry.

Director Cappello said the plan is to make the basin sustainable, and you do not want to be in violation of SGMA at the start of your plan. He said you will not fix things in the first 5 years.

Director Albano asked if it would be more sensible to start with wells that are at or below the minimum thresholds, but we end the plan with knowing how many wells can be below the minimum threshold in that area for a problem to arise. He asked if that is problematic in Director Cappello's opinion. Director Cappello replied that once an undesirable result is triggered, DWR will begin monitoring.

Director Williams said he is not suggesting pairing this with a low percentage of wells in the Eastern Region and these wells may not be the best, but they do represent conditions residents in the Ventucopa area are experiencing.

Director Wooster said we do not have a lot of information in this area, and a number of Ventucopa residents have said there are deeper wells in the area. Director Albano commented that his feeling is that well levels have been going down in that region for some time.

Director Albano said we need to move on from this item and he is ok with staff's recommendation, leaving the threshold as is, or making a motion for a revised threshold.

Director Bantilan asked if W&C knows what 20% of 2017 would be based on 2015. Mr. Van Lienden said the graphs represent both 20% of 2015 and 2017, but he is unsure of what that is off the top of his head.

Director Shephard asked why W&C moved from 2015 to 2017 for the baseline. He said he believes there is value in maintaining consistency with the baseline. Mr. Melton and Mr. Van Lienden said W&C reviewed a series of alternatives and based on those alternatives, they made a recommendation. Mr. Melton said W&C had an extensive dialogue regarding these recommendations with Mr. Beck because of his technical experience with the Kern Groundwater Basin

Director Bantilan asked Mr. Beck why 2017 was chosen and Mr. Beck said there was not a scientific reason other than 2017 was the most recent data, but this could be expressed from a 2015 baseline condition. Director Chounet said he liked using percentage based on the 2015 level.

Cuyama Valley Family Resource Center’s Executive Director Lynn Carlisle asked Director Cappello and Mr. Beck in regard to triggering violations, would you have a number of years before a violation is triggered. Chair Yurosek said it is somewhat of a J-curve and you have to allow time for the actions to take place. Mr. Beck said if we have a well that is violating its minimum threshold or measurable objective then we will include what we are doing to address the issues in that area using management actions.

**MOTION**

Director Williams amended his motion to convert the staff recommendation for the Eastern Region to a 2015 baseline. The motion was seconded by Director Bantilan and the motion passed by a supermajority vote of 88.89% (a 75% approval is need for a supermajority vote).

- AYES: Directors Albano, Bantilan, Bracken, Cappello, Chounet, Scrivner, Shephard, Williams, Wooster and Yurosek
- NOES: None
- ABSTAIN: None
- ABSENT: Director Compton

**d. Direction on Management Areas**

Mr. Melton provided an overview of Management Areas.

Mr. Beck said legal counsel Joe Hughes would provide an overview of what type of authority management areas can take. Mr. Hughes said management areas are permissive under SGMA, but not mandatory. He said the Joint Exercise of Powers Agreement is set up as a top down structure where the CBGSA is the driving force in implementing SGMA. As a comparison, he said the Kern Groundwater Authority (KGA) in Kern County is set up as a bottom up structure where various water districts and member agencies maintain local control and prepare their individual chapters and are responsible for implementation and enforcement of the GSP.

Director Chounet said if Cuyama Community Services District (CCSD) or New Cuyama are in the Management Area, he would not agree with another agency managing his district. Mr. Hughes said the management areas within the Cuyama basin may be a mixed combination of the GSA,

County, CCSD, and Water District.

Director Williams asked if W&C's recommendation is more from a technical standpoint and not about who will be governing them. Mr. Melton confirmed that and Director Williams said he likes W&C's recommendation because it shows where we need to concentrate the work, and it targets and focuses on just the problem areas.

Director Albano asked how you address the problem zones and implement pumping allocation with no management areas. Mr. Melton said you could, but he would not recommend a basin-wide pumping allocation; however, management areas make it simpler because it targets specifically who pays for correcting the problem.

Mr. Beck said if you start with the philosophy that the folks causing the problem need to fix it, management areas are a convenient tool to address this. If you are in a management area and you are targeted for pumping reductions, then typically we believe these folks should bare the responsibility of what they want to fund and how they want to allocate costs, although they still have to report upwards to the GSA to demonstrate that they are complying with plan requirements. When it comes to determining pumping reductions, the folks that are actually going to bear them are going to be at the table discussing them, whereas the folks that are not going to bear them do not get a seat at the table, but they also do not get a bill.

Director Shephard said he concurs with staff's recommendation and Director William's comments.

Director Albano said he likes where staff is going with management areas but feels we need to look at what is going on in different parts of the valley, for example more monitoring in the Ventucopa area. He believes we need to start looking at these areas because they are geographically different, and the difference in the fault lines and aquifer depth are very important. He said similar hydrology and geology should dictate who is in the same bathtub, or sub basin. He said the solution is not in the little sliver in Ventucopa and we need to look at the entire area's hydrology. Also, he said we need to look at the beneficiaries of SGMA and it may not be just the people in the problem area, it may be a slightly larger area. He feels as though we need both approaches: a targeted focus on the areas for reductions and a larger area to considering impacts and causes. Director Williams said he believes management areas is a good tools for this.

Chair Yurosek asked the SAC for their feedback. SAC Vice Chair Kelly said the SAC had an issue with selecting the management area line and as conditions improve, or other groundwater level changes occur, how they would reconcile the boundary line. SAC Chair Jaffe commented that the SAC unanimously accepted staff's recommendation.

Committee Members Post and Valenzuela commented that we have to start somewhere and agreed with staff's recommendation.

Chair Yurosek said there are areas that have overlaps that are managed well including Arvin-Edison, which has Arvin Community Services District inside its boundary and Lamont, which sits in Kern Delta Water District. Chair Yurosek said he gets nervous with how management areas are executed and managed. He thinks staff's recommendation is a good start and supports the

direction we are moving in, but would likely support even subbasin, or smaller governance regions.

Director Chounet said he does not believe the CCSD is part of the problem and they have already reduced their pumping by 50% in the last 37 years.

Mr. Beck said we use the term preliminary with management areas regularly because these will be reshaped as we move forward. Also, the way these management areas are managed will be determined in the implementation phase. In order to move forward with plan development, W&C needs to know if they can proceed forward with management areas.

SAC Chair Jaffe asked if the management areas will start to be implemented and used with the management actions taken from the beginning and modified over the following years.

Mr. Beck said the boundaries will be clearly defined and at some point, the boundary will need to be locked in. He recommended that we implement management areas from the beginning of the implementation phase.

Director Albano said setting a management area based on the 50-year model projection in a small sliver in Ventucopa seems very premature and bound to change. He said if we were to set a management area there, it should manage the threshold region. He asked who would govern these threshold regions when they are split between districts.

Director Williams said he agrees with Director Cappello and having two management areas makes sense.

**MOTION**

Director Shephard made a motion to include management areas in the Groundwater Sustainability Plan. Director Bantilan seconded, but the motion failed with a 71.11% vote (75% vote needed for supermajority).

- AYES: Directors Bantilan, Bracken, Cappello, Scrivner, Shephard, Williams, Wooster and Yurosek
- NOES: Directors Albano and Chounet
- ABSTAIN: None
- ABSENT: Director Compton

Directors Albano and Chounet were asked what they didn't like with the motion and Director Albano said he felt a vote on management areas is premature. Director Chounet said he voted no because he did not believe the CCSD should be in a management area.

Committee Member Post said they are not voting on a boundary line for management areas, but on proceeding forward with the concept of management areas. With this additional clarification, the Board decided to vote again.

**MOTION**

Director Shephard made a motion to include management areas in the Groundwater Sustainability Plan. Director Bantilan seconded, and the motion passed with an 80.22% vote

(75% vote needed for supermajority).

AYES: Directors Bantilan, Bracken, Cappello, Chounet, Scrivner, Shephard,  
Williams, Wooster and Yurosek  
NOES: Director Albano  
ABSTAIN: None  
ABSENT: Director Compton

**e. Projects and Management Actions**

**i. Direction on Projects**

Mr. Van Lienden provided an overview of projects being considered.

Mr. Van Lienden said he recommends these projects be considered in the model, but additional research be done.

Precipitation Enhancement

Director Williams commented that it is very challenging to verify the efficacy of cloud seeding and tentatively supports the option. Director Bantilan said it is by far the least expensive option.

Stormwater Capture

Director Williams asked if the estimate acre feet of capture was a legal description and Mr. Beck said this is purely a technical analysis. Director Williams asked how you would do this and Mr. Van Lienden said you would select sites with favorable recharge soils allowing the most permeability off the river channel.

Director Cappello said the muddy water would be an issue. Mr. Melton said the sediment problem would be very problematic, but downstream water rights issues could potentially be offset by precipitation enhancement.

Director Wooster said it may be beneficial to look at sites near Brodiaea to prevent future groundwater declines.

Forest/Rangeland Management

Director Bantilan asked why the recharge costs are so expensive and Mr. Van Lienden said it was a rough number he got from the Santa Barbara County report and it could be lower.

Director Shephard said on a project in Ventura they are charging about \$65 per acre foot, but they have been established a long time.

Ms. Carlisle encouraged the Board to consider not including this project in the water budget since it is very unlikely to happen. Mr. Van Lienden said they were doing two water budgets, one with projects and one without.

Dan Wilkey said flood and storm water capture works in other areas, but we will have to deal with the Department of Fish & Wildlife. He agrees with rangeland management,



but he said in the last 10-12 years most of the brush has been cleared by fires. Director Albano said there is still a lot of underbrush in the front country.

**MOTION**

Director Cappello made a motion to include all projects in the Groundwater Sustainability Plan. Director Shephard seconded, and the motion failed with a 66.67% vote (75% vote needed for supermajority).

- AYES: Directors Albano, Bracken, Cappello, Chounet, Scrivner, Shephard, Wooster and Yurosek
- NOES: Directors Bantilan and Williams
- ABSTAIN: None
- ABSENT: Director Compton

The Board proceeded to take action on each individual project.

**MOTION**

Director Williams made a motion to accept the staff recommendation to include Precipitation Enhancement and new wells in the CCSD, Ventucopa and New Cuyama areas for additional analysis in the GSP implementation plan. The motion was seconded by Director Bantilan and passed unanimously with an 88.89% vote. (75% vote needed for supermajority).

- AYES: Directors Albano, Bantilan, Bracken, Cappello, Chounet, Scrivner, Shephard, Williams, Wooster and Yurosek
- NOES: None
- ABSTAIN: None
- ABSENT: Director Compton

**MOTION**

Director Albano made a motion to accept the staff recommendation to include Flood/Stormwater Capture for additional analysis in the GSP implementation plan. The motion was seconded by Director Bantilan and passed unanimously with an 88.89% vote. (75% vote needed for supermajority).

- AYES: Directors Albano, Bantilan, Bracken, Cappello, Chounet, Scrivner, Shephard, Williams, Wooster and Yurosek
- NOES: None
- ABSTAIN: None
- ABSENT: Director Compton

**MOTION**

Director Cappello made a motion to accept the staff recommendation to include Forest/Rangeland Management for additional analysis in the GSP implementation plan. The motion was seconded by Director Bracken and failed with a 66.67% vote. (75% vote needed for supermajority).

- AYES: Directors Albano, Bracken, Cappello, Chounet, Scrivner, Shephard, Wooster

and Yurosek  
 NOES: Directors Bantilan and Williams  
 ABSTAIN: None  
 ABSENT: Director Compton

ii. **Direction on Pumping Allocation Approach**

Mr. Van Lienden provided an overview of several pumping allocation approaches.

Director Williams said the plan is almost meaningless if we don't implement actions before 2030. Director Shephard said agricultural stakeholders in other GSA's he has been involved with are opposed to any cliffs in the glide path.

SAC Vice Chair Kelly said his question is that once we reach sustainability, will there be any water left in the system. Chair Yurosek said he agrees that it is important to look at the total basin storage when implementing a glide path.

Director Albano said he does not think the CBGSA will be able to implement pumping reductions in the first few years since this is all new for the basin and they don't have the system in place to manage this.

Mr. Beck said the SAC supported staff's recommendation that the allocation approach should be decided by the entity managing the management area.

Director Chounet asked how far back they would consider historic usage for the CCSD. Mr. Beck said his assumption is that pumping negotiations would be based on historic pumping, meaning pumping that is occurring now.

Director Shephard said the recommendation does not specify the Ventucopa area and recommended removing "Central Basin" from the bullet point to make it applicable to management areas in general.

Director Albano said he would like to discuss management area governance at next month's Board meeting.

Director Bantilan discussed eliminating the bullet point that read "No restrictions for users outside the management areas," and Committee member Post said this only applies to an allocation approach and Director Bantilan said it will be very important to get the management area boundaries right in that case.

Committee member Valenzuela suggested adding "allocation" to the last line in the "No restrictions for users outside the management areas."

**MOTION**

Director Bantilan made a motion that the allocation approach for all management areas include the following provisions: (1) Allocation per irrigated acre within the area influencing overdraft in the Central Region (2) Historical use allocation for the CCSD, and (3) Include a mechanism for adding in un-irrigated acres within the area influencing Central Region overdraft that may want to use their groundwater rights. The motion

was seconded by Director Chounet and the motion passed with a 75.56% vote.

AYES: Directors Bantilan, Bracken, Cappello, Chounet, Shephard, Williams, and Yurosek  
 NOES: Directors Albano and Wooster  
 ABSTAIN: None  
 ABSENT: Director Compton

**f. Direction on Implementation Plan**

Mr. Van Lienden provided an overview of the implementation plan components and preliminary timeline.

Director Williams suggested changing the timeline headings to reflect the categories more accurately. Mr. Melton suggested changing the 2035-2040 heading from “Implement Sustainable Operations” to “Achieve Groundwater Basin Sustainability.”

Ms. Carlisle asked regarding the implementation timeline, if the threshold rationale and minimum thresholds could be monitored and adjusted in the coming years and does not see that in the graph and believes it should be codified in the graphic. Mr. Van Lienden and Mr. Beck said we should have included that in the 2020 box.

**g. 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**

Mr. Beck provided an update on the near-term GSP schedule and accomplishments and next steps, which are summarized in the Board packet.

**c. Report of the General Counsel**

Nothing to report.

**9. Financial Report**

**a. Financial Management Overview**

Mr. Blakslee provided an overview of the CBGSA’s financial activities.

**b. Direction on Annual Audit**

Mr. Blakslee reported that he heard from 3 of the 4 counites on the ability to perform a two-year audit to save some money, but this item was tabled until next month.

**c. Financial Report**

Mr. Blakslee provided an overview of the January 2019 financial report and is included in the

Board packet.

**d. Payment of Bills**

Mr. Blakslee reported on the payment of bills for the month of January 2019.

**MOTION**

A motion was made to approve payment of the bills through the month of January 2019 in the amount of \$124,542.96, pending receipt of funds. The motion was seconded by Director Bracken and passed unanimously.

AYES:	Directors Albano, Bantilan, Bracken, Cappello, Chounet, Shephard, Williams, Wooster and Yurosek
NOES:	None
ABSTAIN:	None
ABSENT:	Director Compton

**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**

Adjourned to New Cuyama High School Cafeteria at 5:50 p.m.

At the public workshop, a quorum was lost and the CBGSA Board adjourned at 7:14 pm.

The SAC lost a quorum and adjourned at 7:40 pm.

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Minutes approved by the Board of Directors of the Cuyama Basin Groundwater Sustainability Agency the 3rd day of April 2019.

BOARD OF DIRECTORS OF THE  
CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

Chair:  \_\_\_\_\_

ATTEST:

  
Secretary: \_\_\_\_\_