

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

June 25, 2020

## Meeting Minutes

**PRESENT:**

Board of Directors:

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

Standing Advisory Committee:

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

**ABSENT:**

Board of Directors:

None

Standing Advisory Committee:

None

**1. Call to Order**

Chair Derek Yurosek called the meeting to order at 4:01 p.m. Executive Director Jim Beck provided direction on the meeting protocols since it was a remote-only meeting in compliance with meeting restrictions due the COVID-19 pandemic.

**2. Roll Call**

Mr. Blakslee called roll (shown above) and informed Chair Yurosek that there was a quorum of the Board.

Alternate Director Darcel Elliott informed the attendees that she is temporarily stepping in for Director Das Williams until he arrives.

**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 May 6, 2020 CBGSA Board meeting minutes.

**MOTION**

Director Paul Chounet made a motion to adopt the May 6, 2020 CBGSA Board meeting minutes. The motion was seconded by Director Cory Bantilan, a roll call vote was made and passed unanimously.

AYES: Directors Albano, Bantilan, Cappello, Chounet, Christensen, Compton, Elliott, Klinchuch, Shephard, Wooster, and Yurosek  
 NOES: None  
 ABSTAIN: None  
 ABSENT: None

**5. Standing Advisory Committee Meeting Report**

Standing Advisory Committee (SAC) Chair Brenton Kelly provided a verbal update on the June 25, 2020 SAC meeting.

Cuyama Valley Family Resource Center's Executive Director Lynn Carlisle asked if there be any reporting on the discussions and interactions with the California Department of Water Resources (DWR) regarding the Groundwater Sustainability Plan (GSP). Woodard & Curran (W&C) Technical Project Manager Brian Van Lienden reported that W&C has only been responding to questions from DWR staff; however, this has not included technical questions thus far.

**6. Groundwater Sustainability Plan**

Mr. Van Lienden provided an update on the GSP development, which is included in the Board packet.

**a. Discussion on Evapotranspiration Analysis for FY 20-21 Groundwater Extraction Fee**

Mr. Beck provided background information regarding the development of the groundwater extraction fee report. He stated that staff understands that there are limitations of evapotranspiration (ET) estimates and that there is potential for discrepancies. Mr. Beck reported that staff is recommending that the Board no longer recommend implementing the fee at this time and consider altering the way the fee is implemented. By deferring the implementation, landowners will have additional time to review and validate the ET data, and staff will have additional time to address potential concerns. Mr. Beck suggested an additional Special Public Rate Hearing on August 13, 2020.

Mr. Van Lienden provided an overview of the ET analysis and methods. Mr. Beck stated that within the report two ET discrepancies were identified by the counties. These discrepancies included lands with solar arrays and lands that have been provided water from springs showing up within the ET data. Mr. Beck said these discrepancies would need to be reviewed by the landowners.

Director Jane Wooster asked if landowners would receive a map of their property if they had questions regarding the ET analysis. Mr. Beck said for each property that has an identified ET, staff would send the associated Assessor Parcel Numbers (APNs) and a summary of the ET data collected. Mr. Van Lienden said W&C would review their ET maps to investigate further landowner concerns.

Director Wooster asked if landowners would be able to see which areas on their property are

being shown as irrigated based on the ET analysis. Mr. Van Lienden said staff is able to do this, but it would require a substantial effort in order to do this for every landowner within the Cuyama basin.

Director George Cappello reported that within the ad hoc, the members are looking at the gross acre and irrigated acres for each APN. He recommended utilizing this strategy for the landowner review as well. He said this may help landowners identify what is being calculated into the ET analysis for their property. Mr. Van Lienden said staff would include the parcel gross acre in the table.

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*Director Das Williams arrived at 4:47 p.m.*  
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Director Albano asked if landowners could receive a robust data set on an excel spreadsheet to gain a better understanding of the ET analysis on their properties. Hallmark Group’s Project Coordinator Taylor Blakslee said staff has the data for each APN (estimated ET, irrigated acreage, irrigated acreage) and could distribute this ET data.

Mr. Beck suggested that staff perform a more detailed investigation on areas requested by landowners.

Director Albano asked for a further investigation of the Campbell ranch’s ET data analysis. He reported that this property has been fallow for 2 years. Mr. Eggleton said he would look into this property.

Grapevine Capital’s Ray Shady said he supports using satellite data base imaging; however, he recommended a recalibration of the Land IQ model.

Ms. Carlisle asked what types of data the landowner would need to provide to correct the ET values. Mr. Beck said data or items that are being challenged by landowner(s) may be presented to the Board. The Board will be able to review whichever recommendations staff develops.

Ms. Carlisle asked what other methods GSAs are implementing to collect the assessment. Mr. Beck said most GSAs have adopted land-based fees, or fees based on meter reading or pumping. He said other GSAs are performing acreage-based assessments.

Landowner Jim Menzies said his property has been listed as irrigated under ET; however, it has never been irrigated. He said he believes this is not an equitable method.

SAC committee member Joe Haslett discussed the CIMIS station that is used to set the reference ET. He recommended that staff verify the servicing and calibration of the CIMIS station.

Director Cappello recommended all landowners implement pump-based meters, and that the assessment be based on meter readings. He said this may establish landowner confidence rather than ET. He said in the near-term landowners should use the ET analysis based on the original document staff developed. He suggested landowners apply the ET chart and revise their number based on their crops.

Chair Yurosek said the initial reason for moving forward with ET was due to the cost of installing meters. He stated that staff and the Board will need to address data truthing.

Director Albano commented that there are too many variables with the ET data and method. He said the crop factors are something he understands more clearly. He commented that it may be difficult to look at the lands that are underestimated with the ET. Director Albano recommended that staff and the ad hoc meet to discuss alternative methods for assessing fees.

Director Cappello recommended staff calculate the Fiscal Year 2020-21 groundwater extraction fee based on crop factors with validation based on metered data when available.

Landowner Jim Wegis said he believes this method may be the best. He believes the confidence level with the ET data is low within the Cuyama basin.

**b. Approval of Items for Management Area Delegation**

Mr. Beck provided an overview of the ad hoc's recommendations, including the implementation of pumping allocations in the central basin management area and the development of water budgets for individual landowners.

Director Albano asked if the GSA would be requesting that the Cuyama Basin Water District (CBWD) develop water budgets for the management area or just all the landowners within the water district area. Mr. Beck said only within the management area.

**MOTION**

Director Lynn Compton made a motion to approve item Nos. 1 and 2 for management area delegation within the Central Basin Management Area to the Cuyama Basin Water District as described in the June 25, 2020 agenda item No. 6b to the Board of Directors. The motion was seconded by Director Paul Chounet, a roll call vote was made and passed unanimously.

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

**c. Update on Monitoring Network Implementation**

Mr. Van Lienden provided an update on the monitoring network implementation.

Mr. Blakslee reported that there are several wells in the proposed monitoring network that staff does not have contact information for. To assist Provost & Pritchard Consulting Group (P&P) in contacting these landowners, Mr. Blakslee said he will distribute a map of the wells lacking landowner information to the Board and SAC to help identify these landowners.

Mr. Shady asked if W&C has developed a protocol for how the monitoring well readings will be done. Mr. Van Lienden said they have discussed this with the ad hoc; however, have not developed a process. He stated that next step is to reach out and discuss details with the landowners.

**d. Approval of CBGSA Monitoring Network Access Agreement**

Mr. Blakslee presented the monitoring access agreement between the CBGSA and well owner. He reported that the primary reason for the Monitoring Network Access Agreement is for landowners in the monitoring network that would like a written agreement and it is a requirement for well owners that are participating in the transducer installation. He reported that legal counsel has reviewed this agreement and recommends approval.

**MOTION**

Director Cappello made a motion to approve the Cuyama Basin Groundwater Sustainability Agency monitoring well access agreement as outlined in the June 25, 2020 agenda item no. 6d to the Board of Directors. The motion was seconded by Director Chounet, a roll call vote was made and passed unanimously.

- AYES: Directors Albano, Bantilan, Cappello, Chounet, Christensen, Compton, Klinchuch, Shephard, Williams, Wooster, and Yurosek
- NOES: None
- ABSTAIN: None
- ABSENT: None

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*6:00 p.m. – The CBGSA Board opened the public hearing and agreed to resume the Board meeting following the hearing*  
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**e. Report on Coordination with Counties**

CBGSA Executive Director Jim Beck provided an update on the meetings with the Cuyama Basin counties (Kern, Santa Barbara, San Luis Obispo, and Ventura). The main topics discussed during the meetings were the monitoring network, notification of new well permits, county ordinances, and integration with county planning efforts. Mr. Beck thanked the County staff members for their time in having these meetings with CBGSA staff.

Mr. Beck reported that the discussions with the counties regarding their position on landowners drilling new wells was very informative. In discussing well notifications, staff believes it would be helpful to develop a document notifying new well drillers of the presence of the GSA and possible restrictions and fees with drilling new wells. Mr. Beck recommended that staff develop the document to accompany these instances with potential new well drillers.

Chair Yurosek asked if this is solely an update. Mr. Beck replied that the purpose of the update is to receive Board direction for staff to develop a one-page document to distribute to counties and post on the CBGSA website. Chair Yurosek recommended staff work with an ad hoc to develop the one-page document to distribute to the counties and post on the CBGSA website.

**f. Report on Public Comments to DWR**

Mr. Beck reported on the public comments received by DWR since the May 15, 2020 comment period deadline and a summary is included in the Board packet.

**7. Groundwater Sustainability Agency**

**a. Report of the Executive Director**

Nothing to report.

**b. Progress & Next Steps**

Mr. Blakslee 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.

**8. Financial Report**

**a. Authorize Daniells Phillips Vaughan & Bock to Perform the Fiscal Year 2019-20 Financial Audit**

Mr. Blakslee reported that staff’s recommendation is to continue an engagement with Daniells Phillips Vaughan & Bock for the FY 19-20 audit.

**MOTION**

Director Chounet made a motion to select Daniells Phillips Vaughan & Bock to perform the Fiscal Year 2019-20 financial audit and execute an engagement letter for an amount not to exceed \$7,700 as outlined in the June 25, 2020 agenda item No. 8a memo. The motion was seconded by Director Cappello, a roll call vote was made and passed with 89%.

AYES: Directors Albano, Bantilan, Cappello, Chounet, Compton, Klinchuch, Shephard, Williams, Wooster, and Yurosek

NOES: None

ABSTAIN: None

ABSENT: Director Christensen

**b. Execute Task Order No. 6 with the Hallmark Group for Executive Director Services for the Fiscal Year 20-21**

Mr. Blakslee presented Task Order 6 for the Hallmark Group for Executive Director services for the CBGSA covering the Fiscal Year 20-21 period. He reported these amounts match the approved budget amount.

**MOTION**

Director Albano made a motion to execute Hallmark Group’s Task Order No. 6 for Execute Director Services for the Fiscal Year 20-21. The motion was seconded by Director Compton, a roll call vote was made and passed with 78%.

AYES: Directors Albano, Bantilan, Cappello, Compton, Klinchuch, Shephard, Williams, Wooster, and Yurosek

NOES: None

ABSTAIN: None

ABSENT: Director Christensen and Chounet

**c. Execute Task Order No. 8 with Woodard & Curran for Technical Support Services for the Fiscal Year 20-21**

Mr. Blakslee presented Task Order 8 for Woodard & Curran for technical support services for the CBGSA covering the Fiscal Year 20-21 period. He reported these amounts match the approved budget amount.

**MOTION**

Director Das Williams made a motion to execute Woodard & Curran’s Task Order No. 8 for technical support services for the Fiscal Year 20-21. The motion was seconded by Director Compton, a roll call vote was made and passed with 89%.

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

**d. Financial Management Overview**

Mr. Blakslee provided an overview of the CBGSA’s financial activities which is provided in the Board packet.

**e. Financial Report**

Mr. Blakslee provided an overview of the April 2020 and May 2020 financial reports, which are included in the Board packet.

**f. Payment of Bills**

Mr. Blakslee reported on the payment of bills for the months of April 2020 and May 2020.

**MOTION**

Director Cappello made a motion to approve payment of bills for the months of April 2020 and May 2020. The motion was seconded by Director Williams, a roll call vote was made and passed with 89%.

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

**9. Report of the Ad Hoc Committee**

Nothing to report.

**10. Directors’ Forum**

Nothing to report.

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

Nothing to report.

**12. Correspondence**

Nothing to report.

**13. Public Hearing – Groundwater Extraction Fee**

Chair Yurosek thanked participants for attending the Groundwater Extraction Fee Public Hearing.

The following attendees were present telephonically: Alan Christensen, Alan Doud, Anita Regmi, Ann Myhre, Bradford DeBranch, Brenton Kelly, Brian Van Lienden, Byron Albano, Cathy Martin, Charles Gardiner, Cory Bantilan, Dan Clifford, Dan Wilke, Darcel Elliott, Derek Yurosek, George Cappello, Glenn Shephard, Jane Wooster, Jeff Shaw, Jim Beck, Jim Wegis, Joe Haslett, Joe Hughes, Lance Hopkins, Louise Draucker, Lynn Carlisle, Lynn Compton, Matt Klinchuch, Matt Young, Paul Chounet, Raymond Shady, Roberta Jaffee, Taylor Blakslee, and seven other unidentified participants.

Mr. Beck provided an overview of the process for determining the Groundwater Extraction Fee report. He reminded attendees that the Board directed staff to begin fee collections at the beginning of the fiscal year and utilize one method for collecting data. Staff proposed a multi-step option for continuing to use the ET land study and utilizing the crop study for discrepancies. Mr. Beck said this could be a two-step process; landowners could report their crop use for 2019 using crop factor and incorporate the ET data analysis for unknown factors. Following this, staff would use this number to divide the budget and set the assessment. Alternatively, the Board could pursue a similar course to the current course, such as setting a per-acre foot estimate and ask individual landowners to complete a sheet detailing their water use.

Chair Yurosek received public comments.

Mr. Blakslee read the following comment received from Joyce Duff:

“APN: 001-0-110-265

Our property is located on Quatal Canyon Road and is the last house at the end of the road.. This is a vacation home which is rarely used and We have no crops. The only large water users are the vineyards at the beginning of Quatal. We do not feel that an increase in the per acre water useage is appropriate for our parcel as stated above. We rarely spend more than 3 weekends per YEAR at our ranch.

Joyce Duff”

Resident Lance Hopkins asked what the process would be for monitoring artisanal wells and springs. Mr. Beck said the Board was considering an alternative reporting method that would allow landowners to determine water usage based on a crop use factor.

Chair Yurosek closed the Groundwater Extraction Fee Public Hearing at 6:20 p.m.

**14. Set a Groundwater Extraction Fee for the Fiscal Year 2020-21 and Authorize Invoicing of Landowners**

Mr. Beck provided a recap on the process in which staff and the Board determined the previously recommended \$39 per acre-foot Groundwater Extraction Fee.

Chair Yurosek asked how the landowner personal reporting would work with timing. Mr. Beck stated staff would need additional time to implement this fee change. The data upon which the fee is based is changing; therefore, staff would need to calculate that and make it available 20 days before the fee is assessed.



Director Wooster asked if there are specific questions landowners had regarding the crop factor sheet. Mr. Beck said some of the questions included crop usage factors for cannabis, olive trees and hemp.

Director Albano said he believes it should be a one-step process where landowners report their pumping. After, the Board should review how the landowner reported data relates to ET analysis estimate.

Director Wooster asked if these changes would be appropriate with the fee/budget time frame. Mr. Beck said the fee and budget for the fiscal year would need to be synced up.

Director Cappello asked if we are adjusting this for everyone, or just those landowners who are metered. Chair Yurosek said he is unsure if all landowners should be reassessed based on crop factors. Mr. Beck said all landowners should be assessed on the same basis, and this basis should be for the fee as well. He said we need a basis for determining water usage for all landowners.

Director Cappello recommended the meter-based landowners recalculate their water usage for 2019 using the crop factors.

Director Albano said he believes that the self-reporting does not provide effective information based on the wells, parcels, and crops. He recommended improving the methodology for these calculations.

Mr. Shady commented that he does like the idea of moving away from the ET data and using the self-reporting crop factor form. He asked how a landowner would go to the ET table to compare their metered use. Director Cappello said landowners could state their case based on their believed water consumption versus the ET data; however, he commented that the basin should move to meter usage.

**MOTION**

Director Cappello made a motion to calculate the FY 20-21 groundwater extraction fee based on the below:

1. Revise the crop factor table (work with Groundwater Extraction Fee ad hoc to add categories for deficit olive trees, others).
2. Convert metered irrigated users from 2019 to ET using the crop factor table.
3. Recalculate 2019 water use (acre-feet).
4. Set FY 20-21 fee based on recalculated 2019 water use and FY 20-21 budget less grant reimbursable items of \$1,014,264 at a public hearing in August 2020.

The motion was seconded by Director Wooster, a roll call vote was made and passed unanimously.

AYES: Directors Albano, Bantilan, Cappello, Chounet, Christensen, Compton, Klinchuch, Shephard, Williams, Wooster, and Yurosek

NOES: None

ABSTAIN: None

ABSENT: None

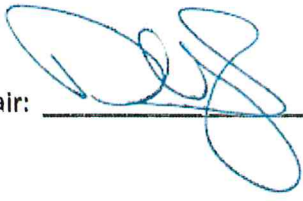
**15. Adjourn**

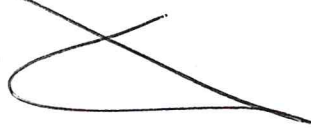
Chair Yurosek adjourned the meeting at 7:32 p.m.

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Minutes approved by the Board of Directors of the Cuyama Basin Groundwater Sustainability Agency the 13<sup>th</sup> day of August 2020.

BOARD OF DIRECTORS OF THE  
CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

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

ATTEST: 

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