

# Cuyama Basin Groundwater Sustainability Agency Board of Directors Meeting

May 4, 2022

## Meeting Minutes

### **PRESENT:**

Yurosek, Derek – Chair  
Chounet, Paul – Vice Chair  
Bantilan, Cory – Secretary  
Vickery, Matt – Treasurer  
Albano, Byron  
Christensen, Alan – Alternate for Zack Scrivner  
Shephard, Glenn  
Stoller, Lorena  
Williams, Das  
Wooster, Jane  
Beck, Jim – Executive Director  
Hughes, Joe – Legal Counsel

### **ABSENT:**

Compton, Lynn  
Scrivner, Zack

#### **1. Call to Order**

Cuyama Basin Groundwater Sustainability Agency (CBGSA) Chair Derek Yurosek called the meeting to order at 4:00 p.m.

CBGSA Executive Director Jim Beck reminded meeting attendees to use the GoToMeeting chat feature for indicating to staff that they have a question only and not to comment in the chat.

#### **2. Roll Call**

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

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

The pledge of allegiance was led by Chair Yurosek.

#### **4. Standing Advisory Committee Meeting Report**

SAC Chair Brenton Kelly provided a report on the April 28, 2022, SAC meeting and is included below:

*Standing Advisory Committee Report  
Meeting Date: April 28th, 2022  
Submitted to the CBGSA Board on May 4th, 2022*

*By Brenton Kelly, SAC Chair*

*The Standing Advisory Committee met in a hybrid format, with all committee members present in-person, and some staff and public on the teleconference. A quorum was present for the five -hour meeting. Taylor Blakeslee and Alex Dominguez were in the room joined by Jim Beck and Brian Van Lienden on the call, with 7-10 members of the public all on the 5-hour call.*

*The Committee spent a lot of time catching up with the various Ad-hoc meetings and discussions. There are a great deal of moving pieces in the process right now and although the SAC can appreciate the urgency of the situation, many decisions need to be made with less than a complete understanding of critical issues.*

*In review of the last meetings minutes, Robbie asked about the AEM data. Thank you, Taylor, for resending the link to the CA Natural Resource AEM Data Viewer of the Cuyama Basin. This is certainly fascinating information, and the SAC would encourage the GSA to analyze it further and incorporate what might be suitable into this year's Model update.*

*By way of public announcement, an adjudication Information Session will be held on Monday, May 9, 5:00 – 6:30pm at the Cuyama Elementary School Cafeteria with a panel that includes the DWR. The Information Session can also be accessed by video conferencing.*

#### **6.a Direction on Reconciling Differences in GSP Versions**

*The loss of control of the various versions during the GSP development by W&C and the submission of an unapproved version of the plan is regrettable and confusing. The Committee feels that since the Plan must be amended anyway, the corrected formerly approved version should be re-submitted.*

#### **6.b Direction on Amended Groundwater Sustainability Plan**

*The Packet contains the latest rendition of the tech memo addressing the DWR's determination of inadequacy. Some Committee members feel most of the response amounted to updated verbiage and technical explanation, but except for the ISW Monitoring Network, there is little change to the Plan. The Committee was informed that DWR has suggested that this approach would be satisfactory.*

*Brad Debranch expressed concern for imbalances across the Basin and felt a need to consider the overdraft that may be occurring outside of the Management Area. Robbie Jaffe expressed concern that the loss of GDE's and Interconnected Surface Waters were not adequately addressed in the Northwest Region.*

*The SAC did not take a vote on this discussion.*

#### **6.c Governor's EO regarding Well Permits**

*Section 9 of the EO requires the GSA to collaborate with county agencies to authorize any and all new well permits. While Legal counsel was stressing the concern for GSA's*

*exposure to liability, stakeholders were suggesting a tiered approach to the scrutiny of any new wells by region and production size. And attention should be paid to whether the project is just a replacement or alteration to an existing well, or a major conversion of land use such as unirrigated rangeland into commercial cannabis. Some committee members acknowledged the confusion of this executive order, but at the same time supported the importance of the counties and GSAs working together to enforce restricted pumping in overdrafted basins such as Cuyama.*

#### **6.d. Direction on Central Management Area Policies**

*This item took up most of the meeting and the Committee took a poll of opinions from the members for each of the 8 policies addressed by the Management Area Ad hoc Committee. This is where the real policy decisions must be made in a short timeline.*

##### **#1 Baseline starting point for Pumping Reductions**

*While most Committee members were in favor of the recommended starting point, several Committee members were not in support of any single calendar year for the Baseline and that some climatic average of several years should be considered like that which is being considered for the Allocation Methodology.*

##### **#2 Allocation Methodology**

*The majority of the Committee is in favor of the 20-year average being used for deriving the percentage of use. However, several Committee members expressed a need to consider the discrepancy between some of the users. More than 75% of the pumpers use less than 0.5% of the water! Less than 1% (6 of 65) use more than 5% of the total extraction. A tiered approach to pumping restrictions was suggested by SAC members and Alex Dominguez stated that the law tends to defend a one size fits all approach.*

##### **#3 Direction on Basin-Wide Wide management Policies**

*General support was given by the Committee on the need to develop comprehensive policies that address the issues of an allocation variance. This could necessitate some sort of Water Market to accommodate the exchange of allocated water.*

##### **#4 Central Management Area Boundary (Hydrologic vs Operational)**

*The Committee was fully in support of the adoption of an Operational Boundary that conformed to roads, property lines and well locations. A map with the comparison was requested. It was recognized that this boundary would change as the model was updated and was based on the best data available.*

##### **#5 Reconsider Management Area Criteria**

*The SAC unanimously supports the investigation of different options for MA Criteria. The request was made for a comparison map of options to see what effect a change in the Criteria would make. What would different options look like on the ground and how might they look like as an Operational Boundary? As more is understood about the Basin dynamics it is important to reconsider the Sustainable Criteria. However, like the issue of changing the Minimum Thresholds, this can look a little like adjusting the foul lines to accommodate conditions that are currently out of bounds.*

**#6 Management Area Updates**

*All of the Committee members were in support of updating the Management Area Boundaries at a minimum of every 5 years,*

**#7 Administration of Pumping Reductions**

*The SAC generally agreed with the Ad hoc recommendation for the GSA to develop a water budget and landowner allocation to be managed at the pump head. Concern was raised for potential data discrepancies and the need for the GSA to conduct verification of the self-reported data. Automation of data collection was encouraged.*

**#8 Non-Compliance / Over Pumping Enforcement**

*Because of the complexity of the Pumping Reduction Glide Slope the Committee felt that a three-year window would, given climatic conditions, be a reasonable learning curve. Blatant over pumping, however, should be recognized as a strategic potential and should be deterred with prohibitive penalties. It was suggested that even the livestock ranching community could afford a fee as incidental as \$500/AF. Along with item #7, this enforcement will require a budget increase to the legal Dept. It was asked if it would be possible to learn how other GSAs were addressing penalties, and Alex Dominguez commented that his office could develop comparisons to review.*

**6.e. Direction on Basin-Wide Water Management Policies**

*It was unanimously felt that it was important to start developing policies to address the likely increased water use outside of the Management Area. The consensus was that policies should be developed as soon as possible.*

**6.f. Direction on Adaptive Management Actions**

*Today, at the start of the 2022 irrigation season, more than 40% of the Monitoring wells are currently exceeding their Sustainability Criteria and by this time next year the Cuyama Basin will technically be experiencing the Plan's definition of Undesirable Results of chronic groundwater depletion. The idea that reducing Minimum Thresholds, or moving the numbers around to fit the model, does not solve the problem. Given the ineffective options offered by the Ad hoc recommendations, and with expressed reluctance to 'lower the bar' or 'move the goal posts', 5 of 6 Committee members present disagree that the best remedy is to adjust the definition of Undesirable Results itself. Because the trend is so clear, it is important to address the Undesirable Result and not just redefine it.*

*Respectfully Submitted,  
Brenton Kelly  
SAC Chairperson*

**CONSENT AGENDA****5-7. Consent Agenda**

Chair Yurosek asked if any Directors wanted to move any of the consent items out to discuss in more detail. No request was made and Chair Yurosek asked if there was a motion for consent

agenda item nos. 5-7.

**MOTION**

Director Shepard made a motion to approve the consent agenda items 5-7. The motion was seconded by Director Chounet, a roll call vote was made and passed with 77%.

AYES: Albano, Bantilan, Chounet, Shepard, Stoller, Vickery, Williams, Wooster, Yurosek  
 NOES: None  
 ABSTAIN: None  
 ABSENT: Compton, Scrivner, Christensen

**ACTION ITEMS**

Chair Yurosek moved items 16 to the beginning of the agenda due to Director availability.

**8. Direction on Reconciling Differences in Groundwater Sustainability Plan Versions**

Executive Director Jim Beck provided an overview of the reconciliation strategy for the two versions of the Groundwater Sustainability Plan (GSP).

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*Alternate Alan Christensen arrived at the meeting at 4:15 p.m.*

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Mr. Van Lienden added that the corrected version of the GSP is on the website.

Director Albano asked what specific item changes are being made. Mr. Beck replied items under agenda item 9 is what is being recommended to change today.

**MOTION**

Director Vickery made a motion to submit the correct version of Section 7 as part of the amended GSP in July and update the Executive Summary on the CBGSA website with the version submitted to DWR. The motion was seconded by Director Shepard, a roll call vote was made and passed with 88%.

AYES: Albano, Bantilan, Chounet, Shepard, Stoller, Vickery, Williams, Wooster, Yurosek, Christensen  
 NOES: None  
 ABSTAIN: None  
 ABSENT: Compton, Scrivner

**9. Direction on Amended Groundwater Sustainability Plan**

Mr. Beck reported that staff and an ad hoc of the Board participated in a DWR consultation meeting on April 28, 2022 and provided a high-level overview of the meeting.

Mr. Van Lienden summarized DWR’s comments on the Technical Memorandum as follows.

**Deficiency 1**

DWR is requesting more narrative on the adaptive management process and quantifiable impacts to seven wells potentially impacted by groundwater levels falling to minimum thresholds.

**Deficiency 2**

DWR is requesting additional narrative on the plan to incorporate piezometers and to clarify that the Interconnected Surface Water (ISW) monitoring network will use same undesirable results criteria as chronic lowering of groundwater levels.

**Deficiency 3**

DWR is requesting clarity for ongoing data collection of basin water quality, clarity on what conditions the GSA would establish sustainable management criteria for arsenic and nitrates and seeking the CBGSA's intent to use collected information to develop appropriate management actions to address potential undesirable results for water quality conditions.

**Deficiency 4**

Mr. Van Lienden noted there were no changes requested to this section.

Mr. Blakslee provided an overview of the GSP resubmittal process.

The Board contemplated incorporating comments provided by EKI to the tech memo. Mr. Blakslee noted that the ad hoc was presented options on how to consider EKI's comments and one of the options was for staff to use their discretion to incorporate EKI comments that were technical justified or non-material in nature.

SAC Member Robbie Jaffe said the EKI memo never came up during the SAC meeting and the Bolthouse letter in the correspondence section of the packet received today is concerning.

SAC Chair Brenton Kelly said this issue could have been avoided if the EKI comments were provided a week ago and it should have been presented at the SAC.

Chair Yurosek asked the board if they want to table this item and bring it up in July or make a decision on moving forward. Director Vickery said he is leaning toward allowing staff to make changes as they see fit as long as they feel it is consistent with what has been presented to the public earlier. Mr. Beck replied staff would make an effort to incorporate the appropriate comments based on feedback from DWR and the Board and present those edit to the SAC and Board in June and July, respectively.

Chair Yurosek suggested the Bolthouse letter be discussed in correspondence. Vice Chair Chounet asked if the Bolthouse letter is correspondence or a public comment. Mr. Beck replied staff received it earlier today and asked legal if the letter is correspondence or a public comment. Mr. Hughes stated there is no clear direction whether it is correspondence or public comment, but it should be provided to public.

Director Bantilan said there was a few typos on the EKI memo, so those should be fixed without forming an ad hoc. He stated staff should be authorized to make the changes needed and

present at the next meeting. Chair Yurosek commented that the EKI memo was provided on April 14, 2022, and expressed concern that it was not reviewed by the SAC. He noted he is in support of the SAC and the ad hoc process.

Director Williams made a motion to incorporate EKI’s comments on the amended GSP tech memo as staff determines are appropriate, send revisions to the Board, SAC, and stakeholders, and review with the SAC at the June 30, 2022, regular meeting.

**MOTION**

Director Williams made a motion for staff to incorporate EKI’s GSP tech memo comments they determine are appropriate, send revisions to the Board, SAC, and stakeholders, and review with the SAC at the June 30, 2022 regular meeting. The motion was seconded by Vice Chair Chounet, a roll call vote was made and passed with 77%.

- AYES: Albano, Bantilan, Chounet, Shephard, Stoller, Vickery, Williams, Wooster, Yurosek, Christensen
- NOES: None
- ABSTAIN: None
- ABSENT: Compton, Scrivner

**10. Direction on Governor’s Executive Order N-7-22 Regarding Well Permits**

Mr. Beck provided overview on Governor’s Executive Order N-7-22 Regarding Well Permits and Mr. Hughes provided overview of legal considerations dealing with potential liability and compliance. Mr. Beck reviewed draft policy options and provided an overview of the Ad hoc that took place. He noted the key point the Ad hoc wanted to make clear is the review of well permits will only take place with new wells as long as replacement wells depth and size does not change.

Director Vickery agreed with option one.

Director Wooster asked if there was information on the process San Luis Obispo (SLO) County is taking. Chair Yurosek asked if SLO Groundwater Sustainability Director Blaine Reely is willing to comment and thanked him for attending. Mr. Reely replied that the Board of Supervisors did not take an action and asked staff to make an interpretation of the executive order. He said any additional water extracted from a new well would be inconsistent with the sustainability of the basin and the County is not allowing new wells for now. Director Wooster asked if this is more restrictive and Mr. Reely said that is correct. Director Wooster asked if this applies to replacement wells and Mr. Reely replied that well permits will only be allowed for replacement wells as long as the well depth and case and diameter does not change, along with it being in close proximity to the replacement well.

Director Albano thanked Mr. Reely for being present. Director Albano disagrees that any new well will entail more pumping. He expressed hesitation to state any new well would lead to additional overdraft in the basin.

Director Bantilan said he does not believe Santa Barbara County’s policy is set in stone for 9a. Santa Barbara County Water Agency Manager Matt Young said Santa Barbara County is still

developing a policy for 9a and 9b which will be brought to the Board of Supervisors.

Director Shephard also said the requirement in Ventura County for a geological study is not set in stone.

Mr. Beck said the board could do a two-part action that establishes an interim policy that says move forward with option 1a.1 and but it can be reconsidered at the July meeting.

Director Wooster expressed concern that the board is only thinking about production wells in this process, which excludes a large part of the community. People with grazing wells cannot afford to hire a technical firm to make this application.

Director Albano asked if we know anything about what the technical study will be like. Mr. Beck replied the only guidance provided is what is in the executive order, where the technical evaluation has to make a finding that it is consistent with the GSP along with increasing our probability of reaching sustainability. He noted all GSA's are having the problem of figuring out what direction to take.

The board discussed options for a review process and the legality of trying to control the amount of water that is being pumped from a new well. Mr. Hughes stated there needs to be a policy to outline when a hydrogeological report is needed.

Director Bantilan noted his support for option 1a.i as an interim policy and to discuss it in further detail at the July 6, 2022, Board meeting.

**MOTION**

Director Bantilan made a motion to adopt option 1a.i. (Applicant required to develop hydrogeologic study/analysis with technical firm and finance all GSA review costs) as an interim policy and revisit at the July 6, 2022 regular meeting. The motion was seconded by Director Albano, a roll call vote was made and passed with 88%.

- AYES: Albano, Bantilan, Chounet, Shephard, Stoller, Vickery, Williams, Wooster, Yurosek, Christensen
- NOES: None
- ABSTAIN: None
- ABSENT: Compton, Scrivner

Chair Yurosek adjourned to the Public Rate Hearing at 4 p.m.

**11. Direction on Central Management Area Policies**

Mr. Beck provided background on the development of policies in the Central Management Area. He reported that at the January 5, 2022, Board meeting, the Board directed staff to develop specific allocation methodologies for pumping reductions in the Central Management Area for 2023 and 2024. Mr. Beck outlined the following eight (8) key policy points that were raised by Directors at previous Board meetings or by Management Area Policy Ad hoc members and are included in the packet.



1. Pumping Reduction Baseline/Starting Point

Mr. Blakslee stated the first question for the policy issue is what the baseline is or starting point for pumping reduction. Ad hoc recommended the most recent calendar year of 2021 for starting point for pumping reduction.

Director Bantilan asked what is driving the number from 2021. Mr. Van Lienden said it is an estimate of pumping. The board discussed why the year 2021 was used as the starting point for pumping reduction. It was concluded in the Ad hoc, 2021 was selected because it was more pumping than 2020 and more than averages of previous years. The board expressed concern for the accuracy of the base year. Director Vickery stated this is not a forever policy. Once the 2025 model is updated we would revisit this issue.

2. Allocation Methodology

Mr. Blakslee provided an overview of the draft allocation methodology for historic water use.

Director Bantilan stated he has a problem with penalizing the people who are most responsible with their water use and everyone deserves a minimum allocation.

Director Albano stated that the allocation methodology presented is not sufficient and the Board needs to be looking at legal parcels.

Mr. Hughes stated SGMA authorizes GSAs to regulate the extraction of water to bring the basin into sustainability, but you cannot determine groundwater rights. The purpose of this exercise is to come up with an allocation process.

Director Wooster stated a lot of problems in the basin is pumping water to an area that didn't have water, which is why the intent needs to be allocation of water to a parcel.

Director Vickery said the board adopted a GSP where there would be cutbacks at the rate of 5% for the next two years. He said it is unfair when the whole basin is out of compliance and only the Central Management Area is cutting back, but that is what was agreed to. He said it is not the Board's role as a GSA to determine water rights. He said in Section 7 of the GSP lists historic use as an option for establishing an allocation.

Chair Yurosek stated the Board needs to look at historical uses across the Central Management Area and encourages the Board to move forward with this option. He encourage the Board to stay within the boundaries of the law and stay within the boundaries of what was agreed upon in the GSP process.

Director Wooster stated the pumping reduction in the management area does not apply to non-irrigated agricultural.

Mr. Beck said the allocation is a first draft and will not be perfect. He said there needs to be a process for people to come to the Board and explain their issue and why they should be treated differently than what was established.

Director Bantilan expressed concern for parcels to get an allocation when there is no well on the parcel or does not have adequate access to water to irrigate the parcel.

Stakeholder Sue Blackshear said it does not seem like the correct policy to continue to give water rights to the ones who have been over drafting.

SAC Member Roberta Jaffe emphasized the difficulty of the situation. She references those who have switched to crops that require less water and says this is the type of change the basin needs.

Stakeholder Jim Wegis asked Mr. Beck if 2021 was used as a baseline and what formula was used to get the allocation for each parcel. He also expressed concern for those who would be penalized for previously reducing their water usage. Mr. Beck replied staff recreated the pumping based on historic satellite imagery crop reference since staff does not have an accurate data of pumped water over the historic period. Staff then generated water use by parcel during the 1998-2017 period and determined what percentage each landowner would receive of the maximum annual pumping.

3. Changed Water Use Inside the Central Management Area

Director Albano stated we have to look at these issues as if there was no adjudication. He commented that the Board cannot take an absolute approach to pumping, but it needs to come up with reasonable policies.

4. Central Management Area Boundary (Hydrologic vs Operational)

Mr. Beck provided an overview of determining the boundary for the Central Management Area which is provided in the Board packet. He said staff would develop maps to consider wells outside of the Central Management Area that are pumping water for those in the Central Management Area which addresses concerns that some Directors have expressed.

5. Management Area Criteria Evaluation

Mr. Beck provided an overview of considering different management criteria evaluation options which is provided in the Board packet.

Director Albano asked if this might be incorporated in the 2025 plan and Mr. Beck replied it would make sense to consider changes at that time.

The Board provided direction to evaluate different management area criteria using the updated model but would not implement potential new criteria until 2025.

6. Management Area Update

Mr. Beck provided an overview of when the management area should be updated.

The Board provided direction to consider management area updates, at a minimum, every five years.

7. Administration of Pumping Reduction

Mr. Beck provided an overview of the draft pumping reduction administration options which is provided in the Board packet.

Director Vickery commented we already require the landowner to track monthly meter Readings and recommended collecting the information on the same basis as the rest of the metered users.

8. Non-Compliance/Over-Pumping Enforcement

Mr. Beck provided an overview potential non-compliance/over pumping enforcement option which is provided in the Board packet.

Director Albano commented as the Board is developing the allocation there should not be a rollover of unused water to the next year.

Director Albano said the Board needs a robust solution for instances where people are given less water than they need. SAC Member Roberta Jaffe agreed with Director Albano.

Chair Yurosek asked what the timeline is for when the policy needs to be in place to allow staff to execute the GSP that was passed. Mr. Beck replied staff has been managing toward a July 1, 2022 goal, which will give six months of planning time for landowners ahead of the pumping reduction to be implemented in 2023.

Director Vickery asked Mr. Hughes what approved methodologies are before we make a final decision. Mr. Hughes replied there is no one approved methodology. He said GSAs are implementing different methodologies. He said the difficulty in doing this in one big bite is everything everyone has brought up tonight raises a lot of legal issues and there may be some legal questions we need to address.

Director Albano asked Mr. Hughes if it would be within the GSA's authority to develop an allocation policy where the allocation is for the legal parcel, and where the allocation would be the historical pumping subject to challenge. A landowner would have an opportunity to prove up to the board with pump test, that the landowner has the capacity to pump an adequate amount of water. Mr. Hughes replied there are going to be some parcels that don't fit that model because of what was done in their farming operation was done at a bad time. Mr. Hughes continues to say there needs to be a process where a landowner can address their incorrect allocation.

Director Williams stated if there was an appeal process, then the board would have to set aside an amount of water in a bank for the appeal otherwise everyone's water would go down as the appeals go up.

Director Albano expressed concern for a process for landowners being able to challenge a neighbor's allocation.

**MOTION**

Director Williams made a motion to use Ad hoc recommendations to develop policies for Management Area Policies 1-8 for review at the July 6, 2022, regular meeting, but for policy point 2 include meter data to each parcel and consider a variance process. The motion was seconded by Director Albano, a roll call vote was made and passed with 82%.

AYES: Albano, Bantilan, Chounet, Shephard, Stoller, Vickery, Williams, Wooster, Christensen  
 NOES: Yurosek  
 ABSTAIN: None  
 ABSENT: Compton, Scrivner

**12. Direction on Basin-Wide Water Management Policies**

No vote was taken but the Board provided direction to move forward with an Ad hoc to meet to discuss these items for discussion at a subsequent Board meeting.

**13. Direction on Adaptive Management Actions**

Director Wooster expressed DWR's concern on why 30% is used as a trigger for wells going below minimum threshold. Mr. Beck replied DWR has constantly asked that and we did a rough analysis to make that determination.

Chair Yurosek said DWR does not care if you are a large or small pumper. DWR cares if you have technical support for your decisions. He said the problem the GSA has is the minimum thresholds (MT) were set based on politics and there are a number of GSA's who are resetting their MTs based on technical information.

Stakeholder Ann Myhre stated she is a property owner in the Basin and irrigates in two other basins. She said in one bizarre instance she was in an advisory committee in another basin where they wanted to raise the MT to 2 feet where they were currently pumping. She said some people in Cuyama are being unrealistic and disregarding what your consultants have suggested.

Stakeholder Sue Blackshear said she is opposed to lowering MTs, and lowering them just to comply would only delay the issue of overdraft.

Director Wooster made a motion to revise the ad hoc recommendation to direct staff to look at all four options presented in the Board packet. Director Vickery, Shephard, Yurosek, and Albano expressed concern for directing staff to complete items one and two and would rather have staff complete items three and four.

Vice Chair Chounet expressed concern for completing option three since the data would still be wrong. Chair Yurosek commented that the most important thing on the slide is "GIS-based analysis to assess potential impacts to beneficial uses and users," and that is the key metric to consider as a GSA.

Director Albano stated option 2 will not change anything and it is not a solution. He said he would be willing to move forward with one, three, and four if staff believes option one is worth

doing. Mr. Van Lienden replied the model will need to be updated because it does not have data on all the locations of the production wells in the basin since option one is the changes for specific wells rather than basin wide changes. Chair Yurosek expressed his concern for moving forward with option one due to the lack of individual well data.

**MOTION**

Director Shephard made a motion to Direct staff to perform the following analysis (for options 3 [Revise (Lower) Minimum Thresholds] and 4 [Revise Undesirable Results Trigger (30% for 2-years)]) for direction at a subsequent meeting: GIS-based analysis to assess potential impacts to beneficial uses and users, and CBWRM analysis to estimate future groundwater levels as pumping reductions are implemented following the glidepath. The motion was seconded by Director Christensen, a roll call vote was made and passed with 88%.

AYES: Albano, Bantilan, Chounet, Shephard, Stoller, Vickery, Williams, Wooster, Christensen, Yurosek  
 NOES: None  
 ABSTAIN: None  
 ABSENT: Compton, Scrivner

**14. Direction on Effort to Identify Potential Non-Reporting Pumpers**

Mr. Beck updated the board that staff is developing options for addressing potential non-reporting pumpers with an ad hoc and will provide an update at the next Board meeting.

**15. Direction on Meter Requirement Compliance**

Mr. Blakslee reported that one pumper had not complied with the meter requirement and legal counsel asked the Board for direction on holding a penalty hearing.

**MOTION**

Director Vickery made a motion to hold a penalty fee hearing at the July 6, 2022, Board meeting. The motion was seconded by Director Bantilan, a roll call vote was made and passed with 88%.

AYES: Albano, Chounet, Shephard, Stoller, Vickery, Williams, Wooster, Christensen, Yurosek, Bantilan  
 NOES: None  
 ABSTAIN: None  
 ABSENT: Compton, Scrivner

**16. Approval of Fiscal Year 2022-2023 Budget and Review of Cash Flow**

Mr. Beck provided background on the budget and cash flow.

Director Vickery asked if the grant is secure and Mr. Beck confirmed it was officially awarded today.

Director Wooster asked if the groundwater extraction fee will go down to 5 dollars for the next three year. Mr. Beck replied that is correct if the projections are assumed to be at the same level

for next three fiscal years.

Director Albano asked if the GSA will lose the money if it is not spent. Mr. Beck replied the grant funds will be lost if not expended by April 2025.

**MOTION**

Director Vickery made a motion to approve the Fiscal Year 2022-2023 budget. The motion was seconded by Director Shephard, a roll call vote was made and passed with 88%.

- AYES: Albano, Chounet, Shephard, Stoller, Vickery, Williams, Wooster, Christensen, Yurosek, Bantilan
- NOES: None
- ABSTAIN: None
- ABSENT: Compton, Scrivner

**17. Approval of Fiscal Year 2022-2023 Consultant Task Orders**

Mr. Blakslee presented FY 2022-2023 consultant task orders that were budgeted in the Fiscal Year 2022-2023 budget.

**MOTION**

Director Vickery made a motion to approve consultant task orders (Hallmark and W&C) for fiscal year 2022-2023. The motion was seconded by Director Shephard, a roll call vote was made and passed with 88%.

- AYES: Albano, Chounet, Shephard, Stoller, Vickery, Williams, Wooster, Christensen, Yurosek, Bantilan
- NOES: None
- ABSTAIN: None
- ABSENT: Compton, Scrivner

**18. Direction on Data Management System (DMS) Enhancements**

This item was tabled.

**19. Direction on Public Workshop Format**

This item was tabled.

**REPORT ITEMS**

**20. Administrative Updates**

- a. **Report of the Executive Director**  
Nothing to report.
- b. **Report of the General Counsel**  
Nothing to report.

**c. Update on Development of FY 22-23 Groundwater Extraction Fee**

Mr. Blakeslee provided an updated on the groundwater extraction fee development which is included in the Board packet.

**21. Technical Updates**

**a. Update on Groundwater Sustainability Plan Activities**

Mr. Van Lienden provided an update on the Groundwater Sustainability Plan (GSP) activities and the overall project schedule which are included in the Board packet.

**b. Update on Model Refinement**

Mr. Van Lienden reported on the annual report components that are required by DWR. He noted the draft report will be presented at the March 2, 2022, Board meeting for consideration of approval.

**c. Update on Monitoring Network Implementation**

Mr. Van Lienden provided an update on monitoring network implementation activities which are included in the Board packet.

**d. Update on Quarterly Groundwater Conditions Report for April 2022**

Mr. Van Lienden presented the April 2022 groundwater conditions report and noted that undesirable results, which were previously anticipated to be observed in April 2023, have been pushed back to June 2023 due to minimal recovery in the basin.

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

Nothing to report.

**23. Directors' Forum**

No comments

**24. Public Comment for Items Not on the Agenda**

No comments

**25. Correspondence**

Nothing to report.

**Public Hearing**

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

Chair Yurosek began the public hearing at 6:05 p.m.

Stakeholder Jim Wegis asked if there is a study on economic impacts in the fee study. Mr. Blakslee replied there were two economic reports done in Cuyama, a direct and indirect economic report that are on the Cuyama basin website.

No additional public comments were made.

**27. Consider for Approval Resolution No. 2022-051 Setting a Groundwater Extraction Fee for Fiscal Year 2022-23 and Authorize Invoicing of Landowners**

Mr. Beck reported the budget ad hoc recommendation to set a reduced fee of \$38 per acre-feet for the upcoming fiscal year. He also noted that due to the recently awarded grant funds, the cash flow projections for the next three fiscal years will likely be significantly lower.

**MOTION**

Director Christensen made a motion to adopt Resolution No. 2022-051 reducing the existing groundwater extraction fee of \$39 per acre-foot to \$38 per acre-foot and authorize invoicing of landowners. The motion was seconded by Director Bantilan, a roll call vote was made and passed with 88%.

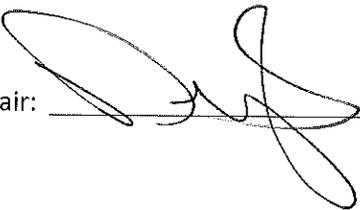
- AYES: Albano, Chounet, Shephard, Stoller, Vickery, Williams, Wooster, Christensen, Yurosek, Bantilan
- NOES: None
- ABSTAIN: None
- ABSENT: Compton, Scrivner

**28. Adjourn**

Chair Yurosek adjourned the meeting at 9:45 p.m.

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Minutes approved by the Board of Directors of the Cuyama Basin Groundwater Sustainability Agency the 6<sup>th</sup> day of July 2022.

BOARD OF DIRECTORS OF THE  
CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

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

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