

Cuyama Basin Groundwater Sustainability Agency (GSA)

Board of Directors Meetings Minutes

November 1, 2017

Cuyama Valley Family Resource Center, 4689 CA-166, New Cuyama, CA 93254

The Cuyama Basin GSA Board of Directors met at approx. 4:00 PM.

PRESENT: Directors: Chairman Derek Yurosek, Tom Bracken, Jane Wooster, George Cappello, Byron Albano, Cory Bantilan, Glenn Shephard, Das Williams

Alt. Directors: Debbie Arnold, Alan Christensen, John Coats

ABSENT: Lynn Compton, David Couch, Paul Chounet

1. Call to order

Chair Yurosek calls the meeting to order at approx. 4:00 PM.

2. Roll call

Chair Yurosek calls roll of the Board (shown above).

3. Pledge of allegiance

The pledge of allegiance is led by Chair Yurosek.

4. Chair Yurosek opens to floor to comments on the meeting minutes.

Public Comment: A request was made to further detail public comments and improve consistency in public comments.

With no additional comments a motion was made by Director Bracken to approve the minutes, second by Director Shephard with unanimous approval. Motion passed.

5. Board interview of GSP Preparation Consultant firms.

Hydrometrics

Derrick Williams presented initially, and introduced the team including J. Michael Harty, Bryan Bondy, and Tim Leo among others on the proposed team. Bryan Bondy will be local project lead and focus on policy and decisions that will need to be made by the CBGSA Board while Tim Leo will lead the technical team and Ellen Cross (not in attendance) will lead the stakeholder engagement process. They provided a 15-minute presentation, as distributed in the Board of Directors packet, highlighting their team and process for completion.

Jim Beck, Executive Director, proceeded with a list of prepared questions for Hydrometrics.

In summary, Mr. Williams noted that Hydrometrics' has a close working relationship with the Department of Water Resources (DWR) and have been providing advice by working with clients to outline implementation processes by focusing on developing expectations. He noted they have an

unmatched understanding of GSPs and have conducted similar work with the State Water Resources Control Board which has allowed them to better to understand their perspective and approach.

Hydrometrics discussed that the first hurdle will be to have everyone understand the path of decisions, definition of terms, process, and technical information needed to make decisions. They intend to prioritize informing stakeholders first by laying out the entire two-year program. Additionally, because of the newness of the Sustainable Groundwater Management Act (SGMA), they will need to set expectations and provide meaningful opportunities for those impacted to be engaged and have a say in the process.

Regarding the USGS model, there is an expectation there will be errors in the model. The expectation at completion is that the model will help inform decisions and to build a model that DWR will accept as part of the Groundwater Sustainability Plan (GSP) but expanding groundwater model is not too onerous.

The Hydrometrics proposal covers costs as envisioned to evaluate and update the model. Once the model is built, water budgets will be relatively easy to pull out. The model can have uncertainty, and study of additional uncertain factors will be used develop actions and projects that are fair and trusted.

The Hydrometrics team added that they will need to develop the plan in a way that will be effective for all the stakeholders. The GSA will need to have a website and make online access to information available through a communications plan that is public and updated based off input. The goal is to create a system that will make management easier either for varying water use, financial, or other reasons.

The Hydrometrics team impressed that the biggest problem with the project is the timeframe, a year and a half including notice. Quick distribution of information is needed, to make decisions especially when members of the GSA may require respective county decisions. Meetings will need to be held often, make decisions quickly and then move forward. They will work to determine the best way to be inform the community and get opinions from the stakeholders through well-attended meetings, make decisions, and incorporate into the Plan. The challenge will be making informed decisions on the difficult matters including how to best determine if models are effective, to keep DWR from taking over the process. There are many difficult matters, but the focus is to get done on time and on budget.

Chair Yurosek proceeded to open informal questions from the Directors to Hydrometrics.

The Directors questioned the Hydrometrics team regarding integrating climate change at high altitude. The Hydrometrics team noted that DWR wants to see that the GSP is robust including climate change, has an endpoint, and that it has the supporting projects. The intent will be to work on the model and use assumptions to make policy decision on sustainability. The model will tell if projects will get to sustainability with climate change assumptions and contemplate adaptive management to address climate change in the future.

Hydrometrics was also asked to respond to how with the short timeframe will they develop a plan that works for all stakeholders and takes everything into consideration.

Hydrometrics responded that the GSPs and regulations are dependent upon public input for key issues, but will make sure everyone is heard. The project manager role will be to inform the Board and ensure policies are fair, to ultimately guide and understand the implications of the decision. The Board will

decide what is fair because SGMA is focused on local decisions and local control. They will plan to convene workshops to discuss fairness of GSP and host ongoing conversations with the Board and SAC to determine fairness. Hydrometrics sees an important part of their role as understanding how the Basin works and relative tradeoffs.

The Directors asked the Hydrometrics team to address their concerns that only 5% (approx.) of their proposal is dedicated to onsite hours and what that will translate to for the CBGSA. Hydrometrics assured the Directors that they will be responsive to what is needed for the project. Ms. Cross' time is at 15%, and will reallocate hours based off needs, and 20% of time is dedicated to outreach, communication, and conflict resolution. Hydrometrics' time onsite will depend on engagement need of the Board and SAC, estimated at 1-2 times per month but will increase based off schedule.

Hydrometrics was also asked about components of plans that will allow for acceptance or denial of plan viability. They responded that the draft outline is a bulleted list of regulations; the first part of which is complete noting that DWR is committed to local management if reasonable. CBGSA will need projects, funding, and public acceptance to support that sustainability been defined and is there a path to get there.

The Directors requested that the team provide a real-world example of sustainable yield vs undesirable results. Hydrometrics noted that sustainability is a policy concept to give options to the Board. With water levels as the example, some Basins will determine significantly below the surface while others determine a level closer to ground surface. They will try to get a set of reasonable levels throughout Basin. Undesirable results are how much the CBGSA is willing to compromise on those levels. If it is 90% above, then yes by DWR. However, sustainable yield could be changed based off location of pumping.

The Hydrometrics team was asked when allocations occur, how they envision it being completed. They responded that because legal teams understand rights under groundwater law they will need to educate clients because there are unsettled questions. Everyone will need to understand basis of groundwater rights; the attorneys will help to ensure there is a consensus of fairness.

Hydrometrics was also asked about practical methods to managing groundwater recharge. They responded that if they can find a source of water that can be put in the ground as a possibility, one source is storm water. They would want to investigate if excess flows could be captured and redistributed. It is not easy to import groundwater, but will be looked at as an action.

The Hydrometrics team was also asked about Mr. Harty's and Mr. Bondy's engagement and frequency of being in the Basin. They intend for Mr. Bondy to be available more as he can respond quickly and convey local concerns to Mr. Harty, who as project manager, will ensure the project is on time and on budget.

The Board broke for a 15-minute recess between presentations.

RMC

Lyndel Melton presented initially, and introduced the team including Ali Taghavi as Technical Advisor, John Ayres for Sustainability Analysis, Rob Morrow for Alternative Analysis, Brian Van Lienden for GSP Preparation, and Charles Gardiner for Decision Facilitation among others on the proposed team. They provided a 15-minute presentation, as distributed in the Board of Directors packet, highlighting their team and process for completion.

Jim Beck, Executive Director, proceeded with a list of prepared questions for RMC.

In summary, it was noted that Mr. Gardnier has worked directly with the SWRCB, while RMC's work has been supporting clients through SWRCB processes. They noted that tools have been developed and are available for other regions and CBGSA to use. The RMC team is also working on the DWR regional pilot for local needs and helping to determine what DWR can provide.

The RMC team noted two critical steps to completion: education, and developing a level of trust. The group needs to trust that everyone has a common understanding for how to move forward. With SGMAs focus on local control, RMC will operate with transparency to compile all data, check adequacy, and vet the information.

Relative to the USGS model, they added that each model will need to be adjusted for local needs, that the current data in the model is not clear. Their first step will be a hydrogeologic review, then to evaluate the data and platform, integrate into a comprehensive model, calibrate and verify the model, then evaluate for sustainability options. The model area only covers a portion of the Basin, the current budget reflects data in current area while other areas will have additional analysis. They estimated 10-12 months to assess the current or develop new model depending on funding with completion by end of 2019.

One of RMC's goals will be to create a space for constructive conversations. The engagement plan is road mapping with stakeholder to look at best ways to analyze to link technical work and issues then map out over next couple of years. The team has significant experience in working with disadvantaged communities and are currently contracted with SLDMWA including Merced, San Joaquin County and Coachella.

RMC summarized that development of special management area boundaries will be a decision of the Board as an option with SGMA. RMCs role is to support and defend management areas that give CBGSA the option to be flexible in different parts of the Basin and used as a tool to manage basin effectively ie: physical conditions, gradient, jurisdictional.

The RMC team responded that trust may be the largest hurdle, but there is no simple solution. They will need to understand overdraft conditions and look at options then engage community and make decisions at the local level.

Chair Yurosek proceeded to open informal questions from the Directors to RMC.

Regarding USGS calibration and sensitivity analysis, the RMC team noted it will need to be updated to 2015/2017 and get into existing or new platform. They will look at groundwater levels, streamflow conditions and best fit historical levels so that water budgets make sense. RMC can provide the review, but are open to utilizing technical advisory committee.

In terms of the biggest problem they may face, RMC discussed that the "big picture" will be to determine the solutions desired by the Basin. They can look at many options (moving water, looking at alternative ways to move storm water to agricultural land) but gaining consensus in solutions is the challenge.

To fix the model and integrate current conditions that are verifiable by the person pumping, RMC would use existing information to incorporate into the model but will also require ground-truthing.

To make the USGS information presentable to the public, RMC will work with stakeholders to see how they would like the information presented, possibly web-based for physical conditions underground. Additionally, workshops can be held to review and provide datasets and visuals to share and understand process, assumptions, and calibration.

In terms of the budget, it was noted that the grant application is in process, and RMC provided an overview of the pricing presented noting additional costs for development of a new model. The current model will be sufficient for the SGMA process but at some point, it may be desired to develop a model for the entire Basin which could potentially be funded through the grant.

The Board broke for a 10-minute recess after the presentations.

6. Chair Yurosek opened the floor to public comment regarding GSP Preparation Consultant firm interviews.

Director Albano provided an overview of the interview process noting that all firms were interviewed by the Ad Hoc Committee last week. The Ad Hoc Committee determined that the Amec Foster team lacked local experience and did not present cohesively as a team. In addition, the Ad Hoc Committee noted that Dudek was competent and capable, but not right firm for the Valley due to a lower percentage of time allocated to outreach. The Ad Hoc Committee wanted to narrow down the candidate pool to two firms to provide for quality interviews with the Board.

In summary, the public commented questioning why Dudek was not brought to the Board for interview given their history of service with the Valley. The commenters were satisfied with the rationale as provided by the Ad Hoc Committee in the introduction.

Another comment was that the GSP should include entire Basin. The commenter felt it was answered by both teams, but was not clear what data was missing from USGS. They wanted to know specifically what kind of monitoring will take place noting there will be a need for ground-truthing in the Valley. The Board responded that it is a clear expectation that both firms understand they will need to complete a data assessment and do not consider it as a differentiating factor.

It was asked how the firms can get the data that is not public information. The Board responded that they will seek voluntarily submitted information from landowners and that part of the process will be presenting to the Board how to achieve the goals and utilize the public in that process.

Another question was related to public engagement and what it would look like with the GSP consultant. There were concerns that there are non-participating members of the community, the commenter asked how to bring them into the discussions (potentially due to language and limited internet as examples). The Directors responded that there will have to be a creative engagement process addressing uniqueness of Cuyama. The answers are clear at this point, but the Board is selecting based on ability to complete the GSP process.

It was noted by the Directors that because RMC is the grant proposal consultant as well they had information from the Stakeholder Advisory Committee which was reflected in the presentation. It was also discussed that the Basin has had 5 years of community meetings and that some community members simply do not want to participate in the process.

Another public comment was regarding beneficial users and how the CBGSA will look at the economic impact on disadvantaged communities. They would like to make sure the CBGSA has enough depth to analyze impacts of less plantings, fewer jobs, reduced school enrollment, requesting that they pay attention to that and consider those elements. The Directors responded that both teams addressed the economics and the general sentiment is that either team will ensure it is covered in the GSP.

Another comment was that Hydrometrics seemed better organized, while RMC moved quickly and did not transition well.

Finally, a letter received in advance of the meeting requesting detail in the stakeholder engagement process, technical assistance, SGMA disclosures, and spatial technologies which were previously responded to by the teams in the presentations.

Chair Yurosek opened the Board to discussion of the firms interviewed.

The Directors discussed that both firms were impressive and qualified candidates. Some Directors liked Hydrometrics noting their enthusiasm over the technical aspect while others preferred RMC. It was discussed that they took different strategies for how to appeal to the Board that the firms highlighted a focus on outreach and conflict management to get to one Plan. One Director noted that the reason the process would fail is the GSA's lack of consensus. The Directors continued highlighting the strengths and weaknesses of both firms, discussed the cost proposals, and the team members that would directly engage with the CBGSA.

A motion was made by Director Williams for Hydrometrics to be selected as the GSP Development Consultant, Director Bantilan seconded the motion. Motion failed 44.44% yes to 55.56% no.

Chair Yurosek reopens floor to public comment.

The Directors requested feedback from Executive Director Beck who commented that both firms will do a great job and have respected track records. He noted that Hydrometrics was focused on their technical capability while RMC was focused on their plan implementation. The Directors also commented that RMC has been collaborative, responsive and worked well with the CBGSA during the grant application process.

A motion was made by Director Cappello for RMC to be selected as the GSP Development Consultant, Director Bantilan seconded the motion. Motion passed unanimously.

Director Yurosek requested the Board consider directing the Ad Hoc Committee to bring back the contract at next month for Board review.

A motion was made by Director Shephard to direct the Ad Hoc Committee to continue contracting with RMC, the motion was seconded by Director Bantilan. Motion passed unanimously.

7. Report of the Advisory Committee

Executive Director Beck reported that this agenda item will be used to present items to the Board that are not covered in other places on the agenda and report as a standing committee back to the entire Board. He noted that they are working on developing a regular session for the Stakeholder Advisory Committee prior to the Board sessions. Next month will be the first report. The Executive Director team will be providing agendas, administrative support, and will be following guidelines and will be reflected in minutes of meeting. The agenda and minutes will be held on the website.

8. Receive an update from the Executive Director regarding the application and agreement with the California Department of Water Resources for the Sustainable Groundwater Planning Grant Program's "Groundwater Sustainability Plans and Projects" solicitation.

Executive Director Beck noted that they have received the RMC draft proposal which will be distributed to Stakeholder Advisory Committee. The comments received are administrative and will be posted when finalized. The CBGSA will have limited comment windows due to the timeframe, a clean, redline, and table of comments will be distributed.

9. Receive an update from Legal Counsel regarding contracting with Executive Director and future task order needs; discussion and possible action regarding approval of task order for Board of Directors and Advisory Committee meeting management, GSP consultant management, financial information coordination, and outreach.

Joe Hughes reported on the Hallmark Group consulting agreement, the direction was for signature by Director Yurosek. Task order 1 is submitted per the distributed materials. For the process going forward, all future task orders for additional scope will be submitted to the Board for approval.

A motion was made by Director Wooster to approve Hallmark Group Task Order 1 as presented in the Board Packet, Director Bantilan seconded the motion. Motion passed unanimously.

10. Consider option for public CBGSA Board of Directors meeting teleconferencing.

The Board discussed the option for adding teleconferencing to the monthly meetings. A public request was made to add a designated receiver of texts for future sessions.

A motion was made by Director Williams for Hallmark Group to provide teleconferencing for future sessions, Director Shephard seconded the motion. Motion passed unanimously.

11. Public comment for items not on the Agenda.

Chair Yurosek opens floor to comments without response.

12. Adjourn

Chair Yurosek adjourns the Cuyama Basin GSA Board of Directors meeting at approximately 8:30 PM.

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 Thursday, November 1, 2017, by the Cuyama Basin Groundwater Sustainability Agency Board of Directors.

Jim Beck

Dated: November 1, 2017