

Cuyama Basin Groundwater Sustainability Agency Board of Directors Meeting

November 7, 2018

Meeting Minutes

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

PRESENT:

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

ABSENT:

None

1. Call to order

Chair Derek Yurosek called the meeting to order at 4:00 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.

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 October 3, 2018 meeting minutes of the Cuyama Basin Groundwater Sustainability Agency (CBGSA) Board of Directors. A minor edit was suggested, and a motion was made by Director Lynn Compton to adopt the minutes and seconded by Director Byron Albano. A roll call vote was made, Director Zack Scrivner abstained from the vote, and the motion passed.

5. Report of the Standing Advisory Committee

CBGSA SAC Chair Roberta Jaffe provided a report on the November 1, 2018 SAC meeting, which is provided in the Board packet.

Alternate Director Alan Christensen joined the meeting at 4:05 pm

SAC Chair Jaffe thanked participants for attending the long SAC meeting. She reported that the SAC passed two motions, which were 1) threshold regions be adopted, and 2) direct Woodard & Curran to use Option D to develop preliminary threshold numbers. She reported that the discussion on rationales consumed the majority of the meeting time. She said the SAC discussed how the Opti Data Management System will be updated and how Groundwater Dependent Ecosystems will be incorporated in the monitoring network.

Chair Yurosek asked who was concerned with the western region delineation and SAC Chair Jaffe reported she was the main one concerned, but there were some others. She said the straight line splitting the two regions concerned her, specifically because there is not much data for that area.

6. Technical Forum Update

Woodard & Curran (W&C) Principal Lyndel Melton provided an overview of the September 21, 2018 technical forum meeting, which is summarized in the Board packet.

SAC Vice Chair Brenton Kelly expressed concern that, due to the schedule, the tech forum minutes are often six weeks old by the time they are covered at the Board meeting. Mr. Melton said this is one of the impacts to moving the tech forum calls, but the reschedule has assisted them greatly.

7. Groundwater Sustainability Plan

a. Groundwater Sustainability Plan Update

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

CBGSA Executive Director Jim Beck provided background information on the status of the GSP and how the discussion for thresholds flows from an understanding of the monitoring network and the use of a Management Area mechanism.

Director Compton commented that she feels as though she needs additional material prior to coming into the meeting in order to be prepared for the discussion. Mr. Beck said that would be ideal, but we do not have the budget to compose a staff summary report. Mr. Beck assured Director Compton that threshold regions will not be used for future activity to determine management actions. Director Compton commented that we should have consensus on how we will manage the basin prior to establishing these thresholds and Management Areas.

Director Paul Chounet asked who authorized the use of threshold regions. He asked if the Board authorized time for W&C to explore this. Chair Yurosek asked if W&C could answer Director Chounet's question in the course of their presentation.

i. GSP Schedule and Outline

Mr. Melton provided an overview of the current GSP schedule, the updated GSP outline and the document review schedule.

ii. Monitoring Networks Update

Mr. Ayres provided an update on the Monitoring Networks Chapter and informed the Board that this presentation was presented at the SAC, however he planned to cover just key slides with the Board.

SAC member Joe Haslett said he believes Mr. Ayres might be missing salinity data available from the Irrigated Lands Regulatory Program that is submitted to the Regional Water Quality Board. Mr. Ayres said he would look into this.

iii. Sustainability Discussion

Mr. Ayres presented examples of establishing thresholds and explained SGMA sustainability terminology to the group. Mr. Ayres said SGMA is very prescriptive on setting thresholds but is more nebulous on GSAs determining programs and actions.

Director Compton asked if other basins are following a similar technique of not initially deciding on Management Areas. Mr. Ayres said different basins have different conditions, but some are, depending on their conditions. Director Compton said it seems a Management Area should have an impermeable boundary.

UC Santa Barbara Associate Professor of Sociocultural Anthropology Casey Walsh said he would like to see the Cuyama Community Services District (CCSD) well as a representative well with high priority given to it due to the number of people it serves. Mr. Ayres said they can talk about changing things in that area but monitoring levels will likely cover his concern.

Director Chounet said the CCSD well did not follow the model, however some other wells in the central basin did. Mr. Ayres said we can all agree dewatering the CCSD well is an undesirable result. He said he believes they are using the CCSD well as a representative well. How we make sure that we do not dewater the CCSD is more of a management and program issue. He commented that it is his job to check all the regulatory boxes.

Cuyama Valley Family Resource Center Executive Director Lynn Carlisle asked if a number of wells exceed their thresholds in the same area but are less than the required percentage triggering State intervention, will this trigger anything. Mr. Ayres replied no.

Director George Cappello said it would be up to the GSA to investigate and make sure adjacent wells are not being impacted. He stressed that the GSP is an ongoing, living document.

b. Management Areas Adoption

Mr. Ayres said Management Areas were originally proposed because groundwater conditions are different throughout the Cuyama Basin. He stated according to the California Department of Water Resources (DWR) regulations, Management Areas can be used to set different thresholds,

sustainability objectives and monitoring networks. Mr. Ayres said the DWR definition of Management Areas fit Cuyama's needs but realized other areas in the State have experienced concern with the term Management Areas because it is assumed that they will entail setting fees and enacting policy decisions. Mr. Ayres said there was a perception that Management Areas meant policy actions, but W&C wanted to use them purely for their stated purpose of allowing the technical work of setting thresholds to be done.

Director Compton asked if the Russell Fault reacts differently along the fault line. Mr. Ayres said it is challenging to understand if all the faults are barriers to flow since we are working at such a break-neck speed. The Russell Fault was not selected because it is a potential barrier to flow, but because it is easy to delineate.

Mr. Ayres said for the placement of threshold regions, Option D is being recommended. This recommendation includes the technical forum's input. He reported that the western area separation was driven by land and water use differences. He said when setting thresholds, we wanted to use different rational to ensure protection of the domestic wells in the southwest area.

Director Cappello said any changes in groundwater levels in the western region will take a long period of time to occur. Mr. Ayres agreed and recommended monthly monitoring for the first three years. Following that, monitoring can be reduced to quarterly intervals. He reported that DWR requires monitoring at least twice a year.

Director Chounet asked if a lot of water is pumped within the proposed northwest region, will it affect the levels in the proposed western region. Mr. Ayres said he does not know, but if they do the GSA Board will adjust things and take action. Director Chounet asked if pumping will happen so rapidly that levels will not recover. Mr. Ayres said he does not think that will happen.

Director Compton said she feels more comfortable hearing that threshold regions are not tied to costs and is ok with any option. Mr. Ayres said using threshold regions is actually saving costs by avoiding the use of decision trees for each well in determining thresholds.

Director Chounet said he is concerned about the CCSD well being in the central basin. Mr. Ayres said a wells threshold will be tied to the wells condition. Mr. Beck commented it is the same rationale for each well in the region, but there will be different thresholds for every representative well.

Director Albano asked if when choosing threshold regions, are the impacts of Management Areas on each other important, and what happens if a management action needs to be taken within a threshold region. Mr. Melton said you will have time in the near future to establish programs to choose management actions. Mr. Ayres said in terms of regulation, W&C stated within the GSP that one threshold region will not be allowed to affect the other. Mr. Beck said Board members will receive a portfolio with the 49 wells, along with their threshold criteria, for approval.

Santa Barbara County Water Agency's Water Resources Program Manager Matt Young asked if DWR authorizes threshold regions within Management Areas. Mr. Ayres said DWR is not specific about whether you are required to use the same rational with or without them. He mentioned

that he has heard different things from different people at DWR regarding this. Mr. Beck passed out the SGMA regulations regarding Management Areas and said his interpretation is that “may” is the operative word. Mr. Young said he wanted to make sure the Board knew that they do not have to use Management Areas.

Director Cappello said it was his understating that the Board did not have to do anything. He commented that W&C is asking the Board for approval to use threshold regions to develop thresholds. He stated he is comfortable with setting up threshold regions for this purpose and commented that the GSP is a living document and will change through the course of SGMA.

Director Das Williams said the regulation language regarding Management Areas is clearly what we want to do, therefore why are we concerned with changing the name of Management Areas. Director Compton said she was not concerned with the language, but she was concerned with costs being tied to the Management Areas. Mr. Beck said you can use any term to authorize the use of regions to develop threshold numbers.

Director Cory Bantilan asked who objected to the Management Areas language. Director Wooster said she questioned voting on Management Areas at the last meeting.

Director Glenn Shephard said he thinks using threshold regions is a good first step as the Board gets into management actions in the future. Director Bracken agreed with this approach. Director Compton stated she would like a pros and cons list for issues in the future.

WellIntel Network Specialist Lee Knudtson provided public comment and recommended using their company to collect data in the future.

Chair Jaffe brought up the division of the western region and said she has a personal stake since she farms in that area. She commented that Mr. Ayres said he does not know how levels will affect the yellow and blue areas in the proposed threshold regions. She said those lands have historically been rangeland and believes her well dropping recently is a direct result from pumping in the northwest region. She said she supported Option D at the SAC meeting but would be very concerned if the northwest and western region boundaries are used for setting Management Areas.

Director Albano said he agrees that W&C needs guidance in determining thresholds, but he is concerned about the lack of discussion regarding Management Areas. He said the upside of Management Areas is they eliminate uncertainties in certain portions of the basin. He said we need to stop sticking our head in the sand on Management Areas.

Alternate Director Alan Christensen left the meeting.

Ms. Carlisle asked if there are enough monitoring wells in each area to set thresholds. Mr. Ayres said we are working with the data we have. Ms. Carlisle said she feels that splitting up the western area will reduce the amount of data and will result in dubious results.

Director Wooster made a motion to direct Woodard & Curran to use Option D to develop preliminary threshold numbers. The motion was seconded by Director Cappello. A roll call vote was made, Director Chounet voted no, and the motion passed.

Director Bantilan asked why the term changed from Management Areas since last time. Mr. Ayres said he got it wrong the first time and realized there was a lot of perception of what Management Areas would be used for when W&C strictly needed a mechanism for establishing rationales to develop threshold numbers. Director Bantilan said people believe the Russel Fault has different levels of permeability and asked what his thoughts are on that. Mr. Ayres said he is not the arbiter of truth regarding the Russel Fault and has not been able to research its barrier to flow and bedrock in order to make a conclusive determination.

c. DWR Technical Support Services

Mr. Ayres provided an update on the status of the DWR Technical Support Services.

i. Monitoring Well Locations Approval

Director Chounet made a motion to approve locations for the installation of monitoring wells in the areas generally depicted in attachment 1 to Board item 7ci and follow procedures for set by DWR for Technical Support Services. The motion was seconded by Director Compton. A roll call vote was made, and the motion passed.

d. Stakeholder Engagement Update

GSP Outreach the Catalyst Group's Mary Currie provided an update on stakeholder engagement activity.

8. Groundwater Sustainability Agency

a. Report of the Executive Director

Mr. Beck informed the Board that the January SAC and Board meetings will need to be rescheduled to an alternative date, such as January 3 and January 9, 2019, due to the Holidays. He said Hallmark will poll the SAC and Board regarding these potential dates.

Mr. Beck reminded the Board that Hallmark's Task Order No. 1's term is through December 31, 2018 and suggested we work with an ad hoc to extend Hallmark's Task Order 1 and potentially combine both Task Orders for simplicity. Chair Yurosek said he will set an ad hoc to meet with Hallmark prior to the December Board meeting.

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. He mentioned that the total outstanding invoices on the presentation was from when the packets were distributed, and as of September 30, 2018, the outstanding invoice amount is \$674,294.72.

b. Financial Report

Mr. Blakslee provided an overview of the financial report for September 2018, along with a revised financial report for August 2018. The revision includes the inclusion of an invoice submitted to the Santa Barbara County Water Agency for reimbursement of administrative work through a grant with DWR.

c. Payment of Bills

Mr. Blakslee reported on the payment of bills for the month of September 2018. A motion was made by Director Compton and seconded by Director Shephard to approve payment of the bills through the month of September 2018 in the amount of \$121,484.17, pending receipt of funds. A roll call vote was made, and the motion passed.

10. Reports of the Ad Hoc Committees

Nothing to report.

11. Directors' Forum

Director Compton distributed a SGMA checklist for W&C to consider using as a simple guide to compare our GSP progress against.

12. Public comment for items not on the Agenda

Ms. Carlisle said she feels the SAC has more information than the Board on a number of the issues and encouraged the Board to think of ways to get more information regarding GSP sections since they are making the decisions on these.

13. Adjourn

Chair Yurosek adjourned the CBGSA Board at 6:35 p.m.

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 Wednesday, November 7, 2018, by the Cuyama Basin Groundwater Sustainability Agency Board of Directors.

Jim Beck

Dated: December 3, 2018