

Cuyama Basin Groundwater Sustainability Agency Board of Directors Meeting

November 3, 2021

Meeting Minutes

PRESENT:

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

ABSENT:

None

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, but to please refrain from listing the actual comment in the chat to prevent conversations from developing in the chat box where not everyone may have access to observe those discussions.

Hallmark Group Project Manager Taylor Blakslee provided direction on the meeting protocols in facilitating a remote-only meeting.

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. Adopt Resolution No. 21-112 Authorizing Use of Teleconferencing for Public Meetings Under AB 361

CBGSA Legal Counsel Joe Hughes presented Resolution No. 21-112 that allows for public meetings to meet remotely due to COVID issues.

MOTION

Director Chounet made a motion to adopt resolution No. 21-112 authorizing the use of teleconferencing for public meetings under AB 361. The motion was seconded by Director Bantilan, a roll call vote was made and passed with 82%.

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

Director Albano commented that he voted no because he believes meeting remote-only disenfranchises the public since there are internet/connection issues in the Cuyama Valley and he stressed the need to meet in-person as soon as possible.

5. Standing Advisory Committee Meeting Report

SAC Chair Brenton Kelly provided a report on the October 28, 2021, SAC meeting and is included in the Board packet.

CONSENT AGENDA

6-8. Consent Agenda

Chair Yurosek asked if any Directors wanted to move any of the consent items out to discuss in more detail. Director Vickery asked to move the minutes out for further discussion. Chair Yurosek asked is there was a motion for consent agenda item nos. 7 and 8.

MOTION

Director Vickery made a motion to approve the consent agenda consisting of agenda items: 7. Payment of bills for July, August, and September 2021; and 8. Financial Reports for July, August, and September 2021. The motion was seconded by Director Williams, a roll call vote was made and passed with 89%.

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

6. Approval of Minutes – August 18, 2021

Director Vickery commented that he had a correction to his motion for the adaptive management direction provided on August 18, 2021. He reported that he coordinated with staff

to make this change and the second on the motion also approved the correction.

MOTION

Director Wooster made a motion to approve the August 18, 2021, Board meeting minutes with correction to the adaptive management motion. The motion was seconded by Director Vickery, a roll call vote was made and passed with 89%.

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

ACTION ITEMS

9. Review of Memorandum in Response to DWR’s Consultation Letter Dated June 3, 2021

Mr. Beck provided background information on the process and timeline for the CBGSA’s development of responses to the California Department of Water Resources’ (DWR) four potential corrective actions provided in their June 3, 2021, consultation letter. He encouraged stakeholders to narrow their comments to how the technical memorandum conforms to the direction provided by the Board on August 18, 2021.

Corrective Action No. 1 – Justification for Sustainable Management Criteria

Woodard & Curran Project Manager Brian Van Lienden presented an overview of DWR’s comments, and the response staff developed at the Board’s direction.

Director Compton joined at 4:36 p.m.

He explained the analysis performed showed potentially eight (8) wells going dry if wells were artificially lowered to their minimum thresholds, however, for one well, its owner (Ray Shady) let him know that the well indicated as potentially going dry was not in existence anymore and Mr. Van Lienden said given that information he would like to remove that well from the analysis which would bring the total number of wells potentially going dry to seven (7).

Mr. Van Lienden described the second modeling analysis that was performed in the Northwestern Region. The analysis artificially lowered groundwater elevations for wells in the Northwestern Region to the minimum threshold in the numerical model for 10 years (to reach equilibrium). He reported that the analysis showed a drawdown of up to 150-200 feet in the Northfork Vineyard well area, but the analysis showed no change in groundwater levels at nearby domestic wells. He also noted that there was less than a five (5)-foot drop in groundwater levels at a nearby groundwater dependent ecosystem.

Chair Yurosek asked Mr. Blakslee to report who was on the DWR Coordination Ad hoc that reviewed the technical memo and Mr. Blakslee reported the ad hoc consists of Directors, Bantilan, Chounet, Shephard, Wooster and Yurosek.

Chair Yurosek asked SAC Chair Kelly if the SAC had any feedback on this item. Chair Kelly reported on the SAC's feedback which is included in the Board packet but noted there was SAC concern about the continued groundwater level drawdown and said the 30 percent trigger was made by the Board was not protective enough of groundwater levels.

Director Williams expressed concern with relying on data provided by a consultant hired by Grapevine Capital. Director Wooster said there has been a lot of concern with the data from Cleath-Harris, but she said this is the only grower that has gone out and hired a professional firm to understand the groundwater in that area since the CBGSA was formed and does not think the Board should automatically discount it. Director Williams said he has advised this grower for years to peer-review their work and they have not done that yet. He said he applauds them for doing this work, but their work needs to be corroborated by an un-biased party.

Director Stoller asked how long it takes for actions to occur if the 30 percent threshold is triggered. Mr. Beck replied that a potential exceedance would be reported in the Annual Report and DWR would likely hold a consultation with the CBGSA prior to State Water Resources Control Board involvement.

Director Albano asked to what extent we are relying on Cleath-Harris in the Northwestern Region modeling analysis. Mr. Van Lienden said the Board used the numerical model for the Northwestern Region.

Local stakeholder George Adam asked if there is a groundwater level drop in the Northwestern Region what will the general ramifications be. Mr. Beck replied that the Board adopted Adaptive Management actions that will review potential exceedances and may consider several actions including enforcing reduced pumping in individuals.

Corrective Action No. 2 – Interconnected Surface Water

Mr. Van Lienden provided an overview of DWR's reply to the use groundwater levels as a proxy for depletion of interconnected surface water (ISW). He noted that DWR felt the ISW network was too broad and should be focused more narrowly along the river corridor. Mr. Van Lienden reported that the ad hoc developed options to include nine shallow wells in the south and northwestern regions and three deeper wells in the Central Basin to monitor if groundwater levels increase and achieve connection with surface waters.

Chair Yurosek asked SAC Chair Kelly for the SAC report, and he noted that they were told these wells were selected because of specific screened intervals, but the table summarizing the wells information show most do not have screen depths.

Director Wooster said the Cuyama River does not run all year long and noted there is a spot where the river comes up at the Russel fault but is dry for most of the year.

Corrective Action No. 3 – Degraded Water Quality

Brian provided an overview of DWR's request to perform additional water quality monitoring for arsenic and nitrates.

SAC Chair Kelly provided comments which are included in the SAC report.

Director Albano commented that there is a potential for water quality to get worse with reduced pumping. Mr. Beck said these are good comments and agrees with his concerns, and water quality migration models will require additional consideration down the road to address this possibility.

Corrective Action No. 4 – Explanation of Overdraft will be Mitigated

Mr. Van Lienden provided an overview of the analysis performed in the Northwestern Region and provided the recommendation for evaluating the potential for a management area in Ventucopa.

SAC Chair Kelly provided comments which are summarized in his SAC report.

Chair Vickery asked if staff was aware of any other studies other than the Cleath-Harris study. Mr. Van Lienden replied he was not aware of any other studies. Director Vickery asked when the Cleath-Harris study was performed, and Director Wooster said it was done after the CBGSA was formed in 2017.

10. Adopt Resolution No. 21-113 Enacting Corrective Actions in Response to DWR’s Consultation Letter Dated June 3, 2021

Mr. Beck reported that DWR requested the CBGSA response to their consultation letter be memorialized in the form of a Board resolution which is included in the packet. He reported there were two edits suggested by the SAC that staff believe are appropriate. The first suggested edit is to remove the word “new” from the second bullet in the second bullet section on page three of the technical memo. The second suggested change is to include a reference that the Cleath-Harris report was paid by a grower in the Northwestern Region. Director Vickery noted that Mr. Van Lienden mentioned removing an inactive well from the analysis and Mr. Beck confirmed this was an additional recommended edit.

Chair Yurosek asked if the SAC voted on this item and SAC Chair Kelly reported that the SAC felt it was important to move forward even though there was dissatisfaction with the report and the SAC vote adopted the technical memo with a 5-2 vote with Chair Kelly and SAC Member Jaffe voting against.

MOTION

Director Vickery made a motion to adopt Resolution No. 21-113 enacting corrective actions in response to DWR’s consultation letter dated June 3, 2021. The motion was seconded by Director Chounet, a roll call vote was made and passed with 100%

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

11. Direction on Aquifer Test Program

Mr. Van Lienden provided an overview of the aquifer analysis test process and how it will integrate into the model results which is provided in the Board packet. The Board directed staff to identify well locations and work out any other logistic issues with an ad hoc of the Board.

12. Authorize Work to Pursue DWR Grant Opportunity

Mr. Blakslee provided an overview of a DWR grant opportunity for up to \$7.6 million for implementation and planning projects. He asked the Board if they would like staff to pursue this grant opportunity and noted that the Board approved the budget that includes money to go after this type of grant.

Director Vickery recommended staff attempts to get grant funding to support meters, but staff let him know that unfortunately, the reimbursement period would be after the meter deadline requirement set by the Board.

Chair Yurosek said he is very supportive of pursuing these type of grant opportunities and said the SAC should be involved in reviewing the grant list and ranking matrix.

13. Approval of Comment Letter on DWR Draft Grant Proposal Solicitation Package

Mr. Blakslee reported that the grant proposal is in draft form and DWR is recommending a streamlined process. However, DWR noted that support letters for this simpler, more cost-effective grant administration would be very helpful for DWR during its comment review phase. Mr. Blakslee provided a grant letter of support for consideration of Board approval.

MOTION

Director Compton made a motion to send a support letter to DWR for the upcoming grant opportunity. The motion was seconded by Director Chounet, a roll call vote was made and passed with 100%

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

Director Bantilan left the meeting at 6:00 p.m.

14. Authorize a Change Order for the Hallmark Group

Mr. Blakslee provided an update on a change order for two cost categories which are (1) out of scope activities related to adjudication impacts, and (2) higher than expected activity related to responses to the California Department of Water Resources draft comments for a total amount of \$28,000.00.

Director Stoller asked how we can limit the number of calls and meeting regarding adjudication. Mr. Beck said staff receives calls from regulators, Directors and stakeholders and attempt to

work things out in an effective way and while staff always endeavors to save money, but these processes are not as straightforward as other specific, discrete activities.

MOTION

Director Wooster made a motion to authorize Amendment 1 to Task Order 7 for Hallmark Group in the amount of \$28,000 through June 30, 2022. The motion was seconded by Director Compton, a roll call vote was made and passed with 89%

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

15. Adopt the 2022 Meeting Schedule

Mr. Blakslee presented the 2022 SAC and Board calendar. Director Chounet asked staff to review the ability to meet less frequently during the upcoming budget process and staff confirmed that will consider this.

MOTION

Director Vickery made a motion to set the 2022 SAC and Board meeting dates. The motion was seconded by Director Stoller, a roll call vote was made and passed with 89%.

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

REPORT ITEMS

16. Administrative Updates

a. Report of the Executive Director

Mr. Beck reported that the planned landowner workshop is hold due to COVID issues, but staff will be evaluating the earliest this meeting can be facilitated. He provided an overview of the recently released State evapotranspiration Open ET tool and commented that there several issues that need to be addressed with Open ET including the data validation process.

Santa Barbara County Water Agency Executive Director Matt Young provided an update on a Santa Barbara County meter reimbursement program that will provide Santa Barbara well owners with a rebate of \$200 per entity.

Mr. Blakslee provided an overview of the progress and next steps and the budget to actuals for consultants which are included in the Board packet.

b. Report of the General Counsel

Mr. Hughes had no additional update to report.

c. Update on Coordination with Counties and Well Permitting Process

Mr. Beck reported that staff met with representatives from San Luis Obispo and Ventura counties to coordinate on the process for reviewing well permits.

d. Update on Additional Grant Opportunities

Mr. Blakslee presented several DWR drought-related grant opportunities and one California Department of Food and Agriculture grant. He noted that the DWR grants require a public agency or non-profit can submit a grant, but the CDFA grant can be applied for by individuals. He noted that staff received a few requests for CBGSA support for applying for grants but commented that the Board did not budget for this and asked for feedback on the potential Board policy to develop a process for identifying landowner-initiated projects, direct request to other eligible public agencies or discuss in further detail at a subsequent meeting.

Director Vickery said he believes it is important to communicate grant opportunities but does not believe the CBGSA should be administering individual grant programs.

SAC Member Jaffe said facilitating grants for landowners could foster community goodwill.

SAC Chair Kelly said the CBGSA Groundwater Sustainability Plan states that it supports well improvement projects in the disadvantaged communities of Ventucopa and the old Cuyama townsite.

Chair Yurosek said it is important to have the landowner workshop and share grant opportunities with stakeholders.

17. 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 Monitoring Network Implementation

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

c. Update on Monthly Groundwater Conditions Report

Mr. Van Lienden provided an update on the groundwater level monitoring network and levels for June, July and October 2021 which is included in the Board packet.



18. Closed Session

Closed session started at 7:00 pm and concluded at 7:39 pm. The meeting was adjourned to open session and no reportable action was taken.

19. Report of the Ad Hoc Committee

Nothing to report.

20. Directors' Forum

Nothing to report.

21. Public Comment for Items Not on the Agenda

Mr. Blakslee reported that Kathleen March asked staff to present a number of emails as her public comment regarding minimum thresholds in the Northwestern Region and a Santa Barbara County Water Agency report on recharge in the Northwestern Region.

22. Correspondence

Nothing to report.

23. Adjourn

Chair Yurosek adjourned the meeting at 7:42 p.m.

Minutes approved by the Board of Directors of the Cuyama Basin Groundwater Sustainability Agency the 5th day of January 2022.

BOARD OF DIRECTORS OF THE
CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

Chair: _____



ATTEST:

Secretary: _____