

Cuyama Basin Groundwater Sustainability Agency Standing Advisory Committee Meeting

January 9, 2025

Meetings Minutes

PRESENT:

Kelly, Brenton – Chair
Haslett, Joe – Vice Chair
DeBranch, Brad
Caufield, John
Gaillard, Jean
Jaffe, Roberta
Lewis, Dave

Bianchi, Grace – Project Coordinator
Blakslee, Taylor – Assistant Executive Director
Dominguez, Alex – Legal Counsel
Van Lienden, Brian – Woodard & Curran

PRESENT:

1. Call to Order

Cuyama Basin Groundwater Sustainability Agency (CBGSA) Standing Advisory Committee (SAC)
Chair Kelly called the meeting to order at 5:08 p.m.

2. Roll Call

Ms. Bianchi called roll of the Committee (shown above).

3. Pledge of Allegiance

Chair Kelly led the pledge of allegiance.

4. Meeting Protocol

Assistant Executive Director Taylor Blakslee provided an overview of the meeting protocols in facilitating a remote meeting.

5. Public Comment for Items Not on the Agenda

There were no public comments.

6. Introduction of Small Farmer and Rancher Network

Committee Member Jaffe introduced small farmer and rancher network and read the following letter from the group:

Over the past few months, a network of Cuyama Basin small farmers, ranchers and small pumpers has been formed. We are funded through the technical assistance funding for small farmers under DWR and we are operating under the auspices of the Cuyama Valley Family Resource Center and the Cuyama Valley Community Association. The SFAR Network includes small farmers, ranchers and de minimus pumpers in all areas of the Cuyama Basin including the CMA. Our purpose is to have the voice of the small pumpers be represented in both the GSP and the adjudication processes with specific results that address the concerns and needs of small pumpers. Our organization has, and will continue to, meet regularly in order to

understand the needs of Cuyama residents and collectively present our needs to the GSA. To date we have established a steering committee of six Cuyamans, held three community meetings and have formed partnerships with Dudek Engineering for technical assistance and with a legal clinic at UC Davis Law School, the Small Farmer Water Justice Clinic for legal guidance. The legal clinic is led by attorney David Sandino with a team of three third year law students. The team at Dudek includes Matt Naftaly and Steven Stuart as Principal Hydrologists; and Jane Gray as Project Director/Regional Planner. We hope to work collaboratively with the GSA as we highlight the impact of policy considerations on small pumpers. In addition, small pumpers who have negligible impact on groundwater pumping are being seriously impacted by the adjudication trial and we hope to have our specific concerns heard and to seek resolution in the adjudication process. We are available as a resource to the GSA, and we hope you will seriously consider our concerns as we strive to represent the voices and needs of small pumpers in the Cuyama Valley.

Committee Member Brad DeBranch asked who is on the steering committee.

Committee Member Robbie Jaffe responded Ella Boyajian, Margaret Brown, Lynn Carlisle, Brenton Kelly, and Will Price are on the committee.

7. Election of Officers

Mr. Blakslee provided an overview of the duties of the positions up for elections, the chair and vice chair.

Committee Chair Brenton Kelly and Committee Vice Chair DeBranch were asked if they are interested in keeping the role for another year.

Committee Vice Chair DeBranch responded that he would be interested in continuing in the vice chair position.

Committee Chair Kelly responded that he is more than willing to serve as chair again and expressed concern about the requirement of the vice chair to be present in person when the chair is absent. He challenged the vice chair position.

Committee Vice Chair DeBranch responded that he has attended most of the SAC and board meetings in-person when the extended meeting durations became a challenge. He reiterated his previous preference for earlier meetings, which would allow him to attend in person.

MOTION

Committee Member Lewis made a motion to retain the same committee Chair, Brenton Kelly. The motion was seconded by Committee Member Haslett. A roll call vote was made, and the motion passed.

AYES:	Caufield, DeBranch, Gaillard, Jaffe, Kelly, Lewis, Haslett
NOES:	None
ABSTAIN:	None
ABSENT:	None

MOTION

Committee Member Gaillard made a motion to nominate Brad DeBranch as Vice Chair. The motion was not seconded.

MOTION

Committee Chair Kelly made a motion to nominate Joe Haslett as Vice Chair. The motion was seconded by Committee Member Caufield. A roll call vote was made, and the motion passed.

AYES: Caufield, DeBranch, Gaillard, Jaffe, Kelly, Lewis, Haslett
NOES: None
ABSTAIN: None
ABSENT: None

8. Approval of October 31, 2024, Minutes

Committee Chair Kelly opened the floor for comments on the October 31, 2024, CBGSA SAC meeting minutes.

MOTION

Committee Member Lewis made a motion to approve October 31, 2024, CBGSA SAC meeting minutes. The motion was seconded by Committee Vice Chair Haslett. A roll call vote was made, and the motion passed.

AYES: Caufield, DeBranch, Gaillard, Jaffe, Kelly, Lewis, Haslett
NOES: None
ABSTAIN: None
ABSENT: None

9. Groundwater Sustainability Plan Implementation

a. Discuss and Take Appropriate Action on Variance Findings and Direction on Setting Final CMA Groundwater Allocations for 2025-2029

Mr. Blakslee provided an update on the variance requests process, including the review of five requests, the involvement of Land IQ for technical issues, and the expected distribution of ad hoc recommendation letters. He reported that the ad hoc recommendation was not provided to the SAC due to the tight schedule and that CBGSA staff is working on provided the ad hoc recommendation as soon as possible.

Committee Chair Kelly commented that it is difficult to provide feedback without the variance ad hoc recommendation.

Committee Member Gaillard asked about the frequency of the variance process. Mr. Blakslee responded that the variance findings apply for allocations for years 2025-2029, unless there is a model update prior.

Committee Member DeBranch asked if they had historically provided data to the GSA as requested in terms of land use, why the land use data was not correct, and how many landowners are not providing requested data.

Mr. Blakslee responded that the incorrect data was historical data for the period of 1998 through 2017. The GSA started collecting land use data from all landowners starting in 2023, but they have received specific use data from the large landowners in the years prior.

Stakeholder David Lewis commented that the variance process is strictly to resolve any discrepancies in the allocation process versus any opportunity to present a need for an exception to the allocation, and that is an issue.

Mr. Blakslee responded that there is the potential to discuss how allocations are administered.

Committee Vice Chair Haslett commented that it is unjust to manage properties that have been included and secluded in the Central Management Area (CMA), and that should be addressed, so landowners can plan farming long-term. The impacts on landowners

Committee Member Caufield commented that the variance process is trying to address technical issues. He asked about an opportunity to address equity issues, not only equality in this process.

Mr. Blakslee responded that the variance process is to correct technical data, specifically historical data. The board has discussed minimum allocations and tiered systems in the past, but they have not decided to pursue those options at this time.

Committee Member Jaffe expressed frustration that small farmers are most impacted and emphasized the variance requests for such a small amount of water compared to larger pumpers.

Stakeholder Dan Raytis with Cuyama Dairy Farm commented that they filed a variance request and revision to data due to large changes in water use between years at Cuyama Dairy Farm, while the number of cattle has remained consistent. He requests that the information provided by the Cuyama Dairy Farm override the model data.

Committee Member Gaillard asked about a water offset contract with the dairy farm and the nearby cannabis company.

Stakeholder Dan Raytis responded that the contract was originally for three years, with no change in water use for the cattle and a reduction in water use for crops. However, the contract is no longer in effect.

Committee Chair Kelly asked if crops are irrigated with groundwater or used water from the dairy.

Stakeholder Aaron Hoekstra responded that all summer crops use groundwater directly and groundwater is reirrigated for winter crops. He added that all wastewater is applied to winter crops, but it's a very small percentage of the pumped water. The wastewater management criteria requires them to collect any water that has come in contact with manure before reapplying it to the ground.

Stakeholder Dan Raytis commented that the information provided in the variance requests supports an argument for an allocation of 1,400 acre-feet (AF), but they requested 1,165 AF, which recognizes that there were some years without double crops or recycled use.

Committee Member Debranch asked how many of the five variance requests were to correct technical data. Mr. Blakslee responded that four of the five requesters raised technical issues.

Committee Chair Kelly noted the key concern raised by SAC members was how to address parcels that fall within the margin of error in water allocation calculations and whether a minimum allocation threshold should be established to ensure equitable treatment. He emphasized the need for fairness, particularly for small-scale operators whose water allocations may be significantly impacted by minor calculation errors. He acknowledged the challenges in defining an appropriate policy and the need for further discussion to address

concerns raised by small farmers.

Committee Member DeBranch commented that the motion is a step backwards from progress the Board has made and contradicts board policies. He noted the suggested policy recommendation would require changing all allocations.

MOTION

Committee Member Jaffe made a motion to recommend that the GSA consider the amount of water being requested in the variances and it impacts to the percentage of the total allocations for the CMA, in addition to the technical data considerations. The motion was seconded by Committee Member Haslett. A roll call vote was made, and the motion passed.

AYES:	Caufield, Gaillard, Kelly, Lewis, Haslett
NOES:	DeBranch
ABSTAIN:	None
ABSENT:	Jaffe

b. Discuss and Take Appropriate Action on GSA Project Prioritization/Schedule

Mr. Blakslee presented a draft list of policy and project priorities for the next five years. He is looking for feedback from the committee on any edits or changes to the list and the recommended process for ranking the projects.

Committee Member Caufield asked if reporting below 25 AF is required for the evapotranspiration study.

Mr. Van Lienden responded that the model develops evapotranspiration for classes of land use. Then the land use is used to simulate historical data going back to 1995. The model does not simulate evapotranspiration for each field. He added that due to the time constraint during the model update, a full reassessment of evapotranspiration was not conducted. The team relied on previously developed estimates for different crop types in the basin and pumping data was used for model calibration. He noted that using meter data can potentially improve evapotranspiration estimates.

Mr. Blakslee commented that ET refinement can be used to correct historical information.

Committee Chair Kelly asked that isotope testing / water migration to be considered with the deep percolation study understand movement of water between the root zone and aquifer.

Committee Vice Chair Haslett asked that the board consider adding prescriptive burns to the project list.

Committee Member DeBranch commented that he is not in favor of including the tiered allocation, carry over and water markets until allocations are basin-wide.

Committee Member Lewis asked to consider an alternative to historical pumping for allocations, if there are inequities in the allocations.

Stakeholder Adam Lovgren commented that the ranking criteria is not clear and asked that definitions be included on the sheet.

c. Discuss and Take Appropriate Action on Stormwater Capture Surface Rights Analysis

Legal Counsel Alex Dominguez provided a brief update on the legal and technical aspects of stormwater capture and surface water rights analysis, including the availability of water for diversion, the permitting process, and potential funding challenges.

Committee Chair Kelly asked who would be responsible for funding the project.

Mr. Dominguez responded that it would depend on how the project is structured and specific details have not been discussed.

Committee Vice Chair Haslett commented that while traditional projects can be expensive, proven technologies are already in use across California and offer cost-effective and efficient recharge solutions. He mentioned the importance of a watershed management approach over an industrial method, and suggested that integrating local projects into broader regional and state-supported initiatives could provide benefits while aligning with ongoing watershed management efforts.

Committee Member Gaillard asked about the legality of rainwater catchment systems and water rights because captured water cannot recharge the downstream users.

Mr. Dominguez responded that the technical team determined that generally there is storm event every 10 years that allows for an excess amount of water than what is permitted.

Committee Member Caufield asked about the definition of stormwater.

Mr. Dominguez responded that the analysis accounted for all water rights and dam capacity first, then evaluated the remaining water availability after those factors were addressed.

10. Groundwater Sustainability Plan Amendment Components

a. Review Land Use Classifications

Mr. Van Lienden noted that this item was included in response to a previous request from SAC members. He introduced Sercan Ceyhan (Woodard and Curran), who will review the land use classifications.

Mr. Ceyhan presented the historical land use data and the process of updating the model with annual land use information. He provided an overview of the data sources and land use classifications including Land IQ crop mapping and land use processing assumptions. He described the process of identifying and classifying non-irrigated lands in the model.

Committee Member Caufield asked ground-truthing in the Cuyama Valley.

Mr. Van Lienden responded that they did ground-truthing in 2023 and 2024. Mr. Blakslee added that Land IQ will go out in the spring and fall to ground-truth.

Committee Vice Chair Haslett asked what percentage of the Cuyama Valley has been covered by Land IQ ground-truthing. Mr. Van Lienden responded that it is dependent on where Land IQ can get access.

Committee Member Jaffe asked if it would be accurate to compare Land IQ data with the landowner reporting.

Mr. Ceyhan responded that Land IQ defines the crop type; they do not provide historical water

use or parcel border data, which makes it difficult to compare it to the landowner reports

Committee Chair Kelly asked if each of the model land use types have different ET rates. Mr. Ceyhan responded that land use types have different ET rates, but it does not differentiate between the same crop in different areas within the basin.

Committee Vice Chair Haslett pointed out that cannabis was not included as a model type. He commented that grazing land is not differentiated.

Committee Member Jaffe asked how de minimis users are included in the model and what is considered non-irrigated land.

Mr. Ceyhan responded that de minimis classification does not affect the model estimation. He added that non-irrigated land is idle for consecutive years.

Committee Member Haslett asked how rainfall is included in the estimation of the amount of overall pumping for a crop.

Mr. Ceyhan responded that there are two inflows in the model, infiltration from precipitation and water from applied irrigation.

Committee Member Caufield suggested differentiating pasture and natural vegetation classifications.

Stakeholder Adam Lovgren asked if different irrigation practices are represented in the model. Mr. Ceyhan responded that the model does differentiate irrigation practices, but they can control irrigation thresholds for crop types.

11. Technical Updates

a. Update on Groundwater Sustainability Plan Activities

Mr. Van Lienden briefly reviewed that all the GSP activities, which is provided in the SAC packet.

b. Update on Grant-Funded Projects

Mr. Van Lienden provided a brief overview of the grant-funded projects which is provided in the SAC packet. He reported that the website redesign is complete.

Committee Chair Kelly asked if the GDE wells will have transducers. Mr. Van Lienden responded that transducers are for multi-completion wells, but he will confirm.

c. Update on 2024 Groundwater Conditions Report

Mr. Van Lienden provided an overview of the October 2024 Groundwater Conditions Report which is provided in the SAC packet. He noted that he will review and confirm the criteria used for setting the minimum threshold for well 118.

12. Administrative Updates

a. Report of the Executive Director

Nothing to report.

b. Report of the General Counsel

Nothing to report.

c. Board of Directors Agenda Review

Mr. Blakslee briefly noted that January 15, 2025, CBGSA Board Meeting agenda is provided in the SAC packet.

13. Items for Upcoming Sessions

Nothing to report.

14. Committee Forum

Nothing to report.

15. Correspondence

Nothing to report.

16. Adjourn

Chair Kelly adjourned the meeting at 8:42 p.m.

STANDING ADVISORY COMMITTEE OF THE
CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

Chair Kelly: *Brenton Kelly*
Brenton Kelly (Mar 4, 2025 13:46 PST)

ATTEST:
Vice Chair Haslett: *Joe Haslett*
Joe Haslett (Feb 28, 2025 11:16 PST)