

Cuyama Basin Groundwater Sustainability Agency Standing Advisory Committee Meeting

June 27, 2019

Meetings Minutes

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

PRESENT:

Jaffe, Roberta – Chair
Kelly, Brenton – Vice Chair
DeBranch, Brad (*telephonic*)
Draucker, Louise
Furstenfeld, Jake
Haslett, Joe
Post, Mike (*telephonic*)
Valenzuela, Hilda Leticia
Beck, Jim – Executive Director
Hughes, Joe – Legal Counsel (*telephonic*)

ABSENT:

None

1. Call to Order

Chair Roberta Jaffe called the Standing Advisory Committee (SAC) to order at 4:00 p.m.

2. Roll Call

Hallmark Group Project Coordinator Taylor Blakslee called roll of the Committee (shown above).

3. Pledge of Allegiance

The pledge of allegiance was led by Chair Jaffe.

4. Approval of Minutes

Cuyama Basin Groundwater Sustainability Agency (CBGSA) Executive Director Jim Beck presented the May 30, 2019 SAC minutes.

MOTION

Vice Chair Brenton Kelly made a motion to adopt the May 30, 2019 CBGSA SAC meeting minutes and the motion was seconded by Committee Member Jake Furstenfeld. Chair Jaffe requested two changes: (1) on page 7, third paragraph, the discussion between Chair Jaffe and Mr. Beck should be reversed, and (2) a summary of SAC actions be added to the minutes. Incorporating these edits, the motion passed unanimously.

AYES: Committee Members DeBranch, Draucker, Furstenfeld, Haslett, Jaffe, Kelly, Valenzuela

NOES: None
 ABSTAIN: None
 ABSENT: Committee Member Post

5. Groundwater Sustainability Plan

a. Groundwater Sustainability Plan Update

Woodard & Curran's (W&C) Senior Water Resource Engineer Brian Van Lienden provided an update on Groundwater Sustainability Plan (GSP) activities including the schedule and June 2019 accomplishments, which is included in the SAC packet.

i. Discussion on Updated GSP Draft and Response to Comments

Mr. Van Lienden provided an update on the GSP schedule and where we are in the process. He provided an overview of the public comments received during the 30-day public comment period and reminded the SAC that there five topics that came out of the 30-day comment period that were brought up to the Board and are reflected in the draft GSP that is on the website.

Mr. Van Lienden provided an overview of similar comments received. He said that some commenters felt like the plan needed more details and others thought it had more detail than the data supports. Mr. Van Lienden said in his opinion the plan satisfies the California Department of Water Resources (DWR) requirement.

Chair Jaffe asked if there is a way to bring up certain comments that came up routinely in the comment response matrix to the Board. Mr. Beck said bringing up certain items during the SAC report at the Board would be the appropriate place if that was what the SAC wanted to present.

Chair Jaffe asked the SAC members if they would like common comments to be brought up to the Board. Committee Member Haslett suggested bringing them up if the point of views are different. Chair Jaffe said additional water quality monitoring is one item.

Mr. Beck said Mr. Van Lienden will summarize the number of comments related to water quality and their general points of view.

Vice Chair Kelly requested an excel version of the comment response matrix and Mr. Van Lienden said he will provide this.

A representative from Kern Ridge Farms said he made a comment on safe pumping levels that he did not see in the comment response matrix. He asked how we are saying there is a correlation between standing water levels in wells and pumping. He said the science that has been done does not making any sense. He reported that the crops only remove 1% of the water used.

Mr. Beck let him know there appears to be a difference of opinion and we will bring up his concerns to the Board. Grapevine Capitals' Ray Shady offered to reach out to Sunview Vineyard's representative to explain more information on the CBGSA's approach.

Chair Jaffe asked if there is a scope for the economic analysis and if they can see it. Mr. Beck

said we can distribute that.

Vice Chair Kelly requested that groundwater dependent ecosystems be brought up to the Board as well as a common item commented on.

Chair Jaffe said she is getting a lot of calls on the cost allocation and would like to discuss with the SAC and see if they have any input/feedback on this. Committee Member Furstenfeld said he is hearing from folks and they are expressing concern that if an allocation is based on acreage a lot of people will go out of business and lose their livelihood. Committee Member Haslett said funding based on acreage should not be considered. He said it is wrong and not appropriate, and that the people that are pumping water in a sustainable manner should not be required to pay money. Committee Member Furstenfeld commented that he knows of a ranch that would be paying \$30,000 if they cost were based on acreage, however they would only pay \$200 a year if the cost were based on pumping. Cuyama Landowner Ann Myhre said the Cuyama Basin Water District discussed an allocation and a great number of people suggested an allocation based on pumping. She said some have suggested a hybrid approach. She said there appears to be a groundswell to move to a pumping charge. SAC members said a Prop 218 would not pass in the Cuyama Valley. Chair Jaffe asked the voting difference between a pumping-based fee and acreage-based fee. Legal Counsel Joe Hughes said a Prop 218 assessment or fee has to be passed via a majority vote or majority protest, for the later. If it is an extraction fee, he said it meets an exemption from Prop 68 and would be voted on by the CBGSA Board—which is a simpler process. Mr. Hughes said a number of entities end up with a hybrid approach where an acreage-based fee covers certain basin-wide costs, but an extraction fee is employed that covers additional pumping. Mr. Hughes made the point that the Legislature passed the Sustainable Groundwater Management Act (SGMA) and requires every bit of land lying over the groundwater basin to be covered by SGMA. Mr. Shady asked if Mr. Hughes expected a hybrid approach to include farmable land or all land. Mr. Hughes said he would speculate that all land would be assessed under a hybrid allocation, but you could specify the benefit to different land types. He expressed that there is a complexity to developing an allocation and is nervous when folks make things too black and white. Local resident Sue Blackshear recommended that the SAC present an allocation proposal to the Board. Ms. Myhre said she supports an extraction-based fee and expects projects would be based on extractions or an area of benefit. Committee Member Haslett said the definition of benefit is very important to him. He said all activities occurring in the Central Basin have zero effect on him. He said gradations of benefit will be very important in moving forward when developing a cost allocation.

Mr. Beck said he prepared a tool for developing a cost allocation and hopes it would be helpful. He said he has been involved in many allocations where the beneficiary pays, but that is not as straightforward in Cuyama.

Chair Jaffe said whatever approach they take should be tiered. Also, she said an allocation should be incentivized to benefit those that are using less water.

Mr. Beck said he ran a water district where they did have de minimis users that were not assessed since the cost to assess them was not worth the administration of collecting fees. Mr. Beck said there were three ways this was monitored: (1) well metering, (2) calibrated to a well's energy use, and (3) ITRC data and crop coefficients.

Committee Member Haslett said a number of landowners already are taxed a lot and one more fee may be very problematic.

The SAC presented the below views on the development of an allocation:

- Based on extraction – Committee members Haslett, Draucker, Furstenfeld, Valenzuela, Jaffe (tiered)
- Incentive for effective water use and conservation – Committee members Draucker, Kelly, Furstenfeld, Valenzuela, Post, Jaffe
- Hybrid approach (extraction and acreage-based) – Committee members DeBranch, Kelly (tiers on extraction and acreage), Post (heavily weighted on extraction)
- Water priced to the sustainable yield – Committee members Kelly, Valenzuela, Post, Jaffe

ii. **90-Day Public Comment Process**

Mr. Van Lienden provided an overview of the 90-day public comment process.

iii. **Notice of Intent to Adopt the GSP**

Mr. Van Lienden provided an overview of the intent to adopt the GSP notice.

MOTION

Vice Chair made a motion to approve the intent to adopt the GSP. The motion was seconded by Furstenfeld, a roll call vote was made, and the motion passed.

AYES:	Committee Members DeBranch, Draucker, Furstenfeld, Jaffe, Kelly, Post, Valenzuela
NOES:	Committee Member Haslett
ABSTAIN:	None
ABSENT:	None

iv. **Set Public Hearing Date**

Mr. Hughes provided an overview of the 90-day public comment period for the GSP and stated that there will be a public hearing to conclude the public comment period.

v. **Set SAC and Board Meetings through January 2020**

The SAC reached consensus to approve the meeting date changes through January 2020 with several changes that will be reflected in the updated schedule presented to the Board.

b. **Stakeholder Engagement Update**

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

6. Groundwater Sustainability Agency

a. **Report on the Standing Advisory Committee Vacancy**

Chair Jaffe reported that the Cuyama Valley Family Resource Center assisted in noticing of the vacancy for the SAC. She reported that one application was received from Jose Valenzuela Jr.

b. Report of the Executive Director

Nothing to report.

c. Board of Directors Agenda Review

Mr. Beck provided an overview of the July 10, 2019 CBGSA Board of Directors agenda.

d. Report of the General Counsel

Mr. Hughes said he will report on the definition of a de minimis user at the July 10, 2019 Board meeting.

7. Items for Upcoming Sessions

Nothing to report.

8. Committee Forum

Nothing to report.

9. Public comment for items not on the Agenda

Ms. Myhre thanked the SAC for their service and efforts to read the material and provide good feedback to the Board.

10. Correspondence

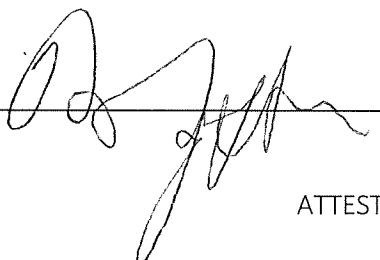
Nothing to report.

11. Adjourn

Chair Jaffe adjourned the meeting at 6:14 p.m.

Minutes approved by the Standing Advisory Committee of the Cuyama Basin Groundwater Sustainability Agency the 31 day of October 2019.

STANDING ADVISORY COMMITTEE OF THE
CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

Chair: 

ATTEST:

Vice Chair: 