



CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY STANDING ADVISORY COMMITTEE MEETING

Committee Members

Brenton Kelly (Chair)	Jake Furstenfeld	Roberta Jaffe
Brad DeBranch (Vice Chair)	Jean Gaillard	<i>Vacant</i>
Louise Draucker	Joe Haslett	<i>Vacant</i>

AGENDA

JANUARY 4, 2022

Agenda for a meeting of the Cuyama Basin Groundwater Sustainability Agency Standing Advisory Committee meeting to be held on Tuesday, January 4, 2022, at 5:00 PM. Participate via computer at: <https://global.gotomeeting.com/join/203153453>, or telephonically at (646) 749-3122, code: 203-153-453#.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Adopt Resolution No. 21-111 Authorizing Use of Teleconferencing for Public Meetings Under AB 361
5. Election of Officers
6. Update on SAC Membership
7. Approval of Minutes
8. Groundwater Sustainability Plan
 - a. Direction on Management Area Policies in the Central Basin
 - b. Direction on Adaptive Management Actions
 - c. Direction on Adding New Monitoring Wells
 - d. Approve DWR 2022 Grant Application Projects
 - e. Update on Groundwater Sustainability Plan Activities
 - f. Update on Water Year 2020-2021 Annual Report Development
 - g. Update on Monitoring Network Implementation
9. Groundwater Sustainability Agency
 - a. Report of the Executive Director
 - b. Report of the General Counsel
 - c. Board of Directors Agenda Review
10. Items for Upcoming Sessions
11. Committee Forum
12. Public Comment for Items Not on the Agenda

At this time, the public may address the Committee on any item not appearing on the agenda that is within the subject matter jurisdiction of the Committee.
13. Correspondence
14. Adjourn (7:22 p.m.)

RESOLUTION 21-111**A RESOLUTION OF
THE STANDING ADVISORY COMMITTEE OF THE
CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY
AUTHORIZING USE OF TELECONFERENCING FOR PUBLIC MEETINGS UNDER
AB 361**

WHEREAS, the Governor of the State of California (Governor) proclaimed a State of Emergency to exist as a result of the threat of COVID-19. (Governor's Proclamation of a State of Emergency (Mar. 4, 2020));

WHEREAS, the Governor's Executive Order No. N-25-20 (Mar. 12, 2020); Governor's Executive Order No. N-29-20 (Mar. 17, 2020); and Governor's Executive Order No. N-08-21 (Jun. 11, 2021) provided that local legislative bodies may hold public meetings via teleconferencing and make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body and waived the Brown Act provisions found in Government Code section 54953(b)(3) which require the physical presence of the members, the clerk, or other personnel of the body, or the public, as a condition of participation in, or quorum for, a public meeting, including the requirement that:

1. State and local bodies notice each teleconference location from which a member will be participating in a public meeting.
2. Each teleconference location be accessible to the public.
3. Members of the public may address the body at each teleconference location.
4. State and local bodies post agendas at all teleconference locations.
5. During teleconference meetings at least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction.

WHEREAS, the provisions of Governor's Executive Order No. N-25-20 (Mar. 12, 2020); Governor's Executive Order No. N-29-20 (Mar. 17, 2020); and Governor's Executive Order No. N-08-21 (Jun. 11, 2021) expired on September 30, 2021 and will no longer remain in effect thereafter;

WHEREAS, the Center for Disease Control is currently contending with the Delta Variant of the COVID-19 virus and anticipates the development of potential other strains which may further impede public agency operations and prolong the need for social distancing requirements; and

WHEREAS, recent legislation (AB 361) authorizes a local legislative body to use teleconferencing for a public meeting without complying with the Brown Act's teleconferencing quorum, meeting notice, and agenda requirements set forth in Government Code section 54953(b)(3), in any of the following circumstances:

1. The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
2. The legislative body holds a meeting during a proclaimed state of emergency for purposes of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health and safety of attendees.
3. The legislative body holds a meeting during a proclaimed state of emergency and has determined by majority vote pursuant to 2 above that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

NOW, THEREFORE, BE IT RESOLVED by the Standing Advisory Committee of the Cuyama Basin Groundwater Sustainability Agency as follows:

1. Determination of Imminent Health or Safety Risks. The Standing Advisory Committee hereby determines by majority vote that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

2. Continued Implementation of AB 361. If the state of emergency remains in effect and meeting in person would present imminent risks to the health or safety of attendees, the Board of Directors shall, to continue meeting subject to the provisions set forth in AB 361 and the Brown Act, no later than 30 days after it adopts this Resolution and every 30 days thereafter, make the following findings by majority vote:

1. The Standing Advisory Committee has reconsidered the circumstances of the state of emergency; *and*
2. Either (1) the state of emergency continues to directly impact the ability of the members to meet safely in person; or (2) state or local officials impose or recommend measures to promote social distancing.

PASSED, APPROVED AND ADOPTED this 4th day of January 2022.

Brenton Kelly, Chair

ATTEST:

Cuyama Basin Groundwater Sustainability Agency Standing Advisory Committee Meeting

October 28, 2021

Draft Meetings Minutes

PRESENT:

Kelly, Brenton – Chair
DeBranch, Brad – Vice Chair
Draucker, Louise
Furstenfeld, Jake
Gaillard, Jean
Haslett, Joe
Jaffe, Roberta
Beck, Jim – Executive Director
Brian Van Lienden, Woodard & Curran
Blakslee, Taylor – Project Manager
Dominguez, Alex – Legal Counsel
Regmi, Anita – DWR Representative

ABSENT:

None

1. Call to Order

Cuyama Basin Groundwater Sustainability Agency (CBGSA) Standing Advisory Committee (SAC) Chair Brenton Kelly called the meeting to order at 5 p.m. and Hallmark Group Project Manager Taylor Blakslee provided direction on the meeting protocols in facilitating a remote meeting.

2. Roll Call

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

3. Pledge of Allegiance

Chair Kelly led the pledge of allegiance.

4. Adopt Resolution No. 21-111 Authorizing Use of Teleconferencing for Public Meetings Under AB 361

CBGSA legal counsel Alex Dominguez presented a resolution authorizing the use of teleconferencing under assembly bill 361.

Committee Member Jaffe asked if the determination just for this meeting, and Mr. Dominguez said it was good for 30 days and would be included as a standing item to consider at the next meeting.

MOTION

Committee Member Furstenfeld made a motion to adopt Resolution 21-111 authorizing use of teleconferencing for public meetings under AB 361. The motion was seconded by Committee Member Jaffe, a roll call vote was made, and the motion passed.

AYES: DeBranch, Draucker, Furstenfeld, Gaillard, Haslett, Jaffe, Kelly
 NOES: None
 ABSTAIN: None
 ABSENT: None

5. Update on SAC Membership

Chair Kelly reported that there remain two vacancies for representatives of the Hispanic community and said if anyone knows someone that is interested in serving to let himself or Mr. Blakslee know.

6. Approval of Minutes

Chair Kelly opened the floor for comments on the August 11, 2021, CBGSA SAC meeting minutes.

Committee Member Jaffe thanked the CBGSA for the level of detail provided in the minutes and commented that it is very helpful, particularly in light of the CBGSA's every other month meeting cadence.

Chair Kelly provided an edit on page 6 where his inquiry was related to a "maximum" well density.

MOTION

Committee Member Furstenfeld made a motion to adopt the August 11, 2021, CBGSA SAC meeting minutes with minor edits. The motion was seconded by Committee Member Haslett, a roll call vote was made, and the motion passed.

AYES: DeBranch, Furstenfeld, Gaillard, Haslett, Jaffe, Kelly
 NOES: None
 ABSTAIN: Draucker
 ABSENT: None

7. Groundwater Sustainability Plan

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

CBGSA Executive Director Jim Beck provided an overview of the draft comment letter received from the California Department of Water Resources on the CBGSA's submitted Groundwater Sustainability Plan (GSP). Mr. Beck discussed the CBGSA's response letter to DWR, and the process to develop a technical memorandum to address DWR's comments.

CBGSA technical consultant Brian Van Lienden provided an overview of DWR's four primary comment areas and the CBGSA's response to each comment.

Corrective Action No. 1 – Justification for Sustainable Management Criteria

Mr. Van Lienden described the analysis that was performed to add additional details on the rationale for undesirable results statements and the basis for the criteria of 30% of wells below minimum thresholds for over two consecutive years. Additionally, he reported that they performed an assessment of production well levels compared to minimum thresholds and a Cuyama Basin numerical model assessment of Northwestern region thresholds.

He reported that a total of eight (8) wells (which represents 3 percent of the wells in the basin) are at risk of going dry if groundwater levels reach their minimum thresholds. These eight wells include four domestic wells.

He discussed that several wells were removed from the analysis as they were already dry in 2015, destroyed or noncompliant, or topographically or hydrologically removed from the monitoring network.

Committee Member Jaffe asked if the analysis was done using the model. Mr. Van Lienden said a raster of minimum thresholds was created in a graphical information service (GIS) program and compared what wells would potentially go dry.

Committee Member Jaffe asked if the analysis takes into account water flows in the basin. Mr. Beck said the analysis was done in response to DWR's question of how protective minimum thresholds are and that was the main question we were attempting to address.

Chair Kelly mentioned that several Central Basin well levels would have been brought up for this exercise and Mr. Van Lienden confirmed this. He also noted that one of the domestic wells in danger of going dry in the eastern region if groundwater levels reach minimum thresholds serves domestic users. Committee Gaillard commented that the well is not being properly maintained, and Mr. Van Lienden commented that the GSP acknowledges that there are issues with several Ventucopa wells. He asked how many wells were considered before a subset was removed for the analysis. Mr. Van Lienden replied they started with roughly 289 wells and the final analysis considered 250 of those wells.

Mr. Van Lienden discussed the other analysis in the northwestern region to evaluate minimum thresholds set. He reported that they modeled groundwater levels dropping to minimum thresholds for a 10-year period to stabilize levels. He noted that the result did not impact nearby domestic wells. He also commented that there is one Groundwater Dependent Ecosystem (GDE) that is minimally impacted, but levels are only modeled to decline by less than five feet which is not anticipated to impact the GDE significantly.

Committee Member Jaffe commented that she is concerned with the results of the modeling and does not think it will result in corrective actions.

Committee Gaillard commented that there are more wells being drilled in that area and asked why there are not more representative wells. Mr. Van Lienden replied staff evaluated the spatial density of the monitoring network in January 2021 that was reviewed with DWR and approved by the CBGSA Board.

Chair Kelly asked if there was a degree of uncertainty applied to this analysis and Mr. Van Lienden replied that the model documentation indicated roughly an uncertainty of +/-10 percent basin-wide.

Local resident Kathleen Marsh commented that she is concerned with levels potentially dropping in the northwestern region and said people need to stop pumping so much water.

Chair Kelly recommended removing the word "New" from the third bullet on page 3 of the technical memorandum.

Local stakeholder Lynn Carlisle asked for clarity on what actions will occur if 30 percent of wells over a 24-month consecutive period would trigger and recommended adding what those actions would be. Mr. Van Lienden replied that DWR was focused on the rationale of why 30 percent was chosen

as a threshold and that was addressed in the technical memo.

Chair Kelly commented that he believes it makes more sense to have triggers that are tailored for each threshold region. Mr. Van Lienden replied that the Board decided to manage the basin at a basin-wide scale and that is why the 30 percent was used over the entire basin.

Corrective Action No. 2 – Interconnected Surface Water

Mr. Van Lienden provided an overview of the proposed Interconnected Surface Water (ISW) network which includes three deeper non-representative wells in the central basin to monitor ISW in that currently disconnected area. He discussed a data gap in the proposed ISW, but mentioned staff is planning on addressing these data gaps with piezometers.

Committee Member Jaffe asked how the ISW will be protective of the northwestern region. Mr. Van Lienden said there are several shallow wells near GDE locations so the CBGSA can closely monitor potential impacts. He said while the model simulation predicted a change in stream depletion, there is uncertainty about the extent to which drawdown in the northwestern region could potentially impact stream depletions.

Chair Kelly said Table 3-1 in the technical memo shows most of the proposed ISW network wells are showing unknown screen intervals and represents a frustrating component when making decisions.

Corrective Action No. 3 – Degraded Water Quality

Mr. Van Lienden reported that staff confirmed with the Central Coast Regional Water Quality Control Board that all available water quality data is found in the GeoTracker website which is where the available data on nitrates and arsenic is summarized in the meeting materials and technical memo. Mr. Van Lienden commented that the arsenic problem was an existing condition prior to 2015 and the CBGSA does not have a regulatory obligation to make improve quality. He also noted that the CBGSA supported a new well or improvements to the townsite well.

Local stakeholder Steve Gliessman commented that he believes it is important to form partnerships with the regulators of water quality constituents, he noted the additional water quality monitoring is not a high cost and that it addresses key data gaps. Lastly, he noted that the CBGSA should be concerned with long-term accumulation of nitrates.

Chair Kelly agreed with performing regular water quality monitoring.

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

Mr. Van Lienden reported on several reasons management actions were deferred in the Ventucopa area and are summarized in the technical memorandum.

Committee Member Jaffe asked if it could be noted that Cleath-Harris is employed by pumpers in the region and Mr. Beck said they would make this change in the memo. Ms. Marsh agreed with noting Cleath-Harris' engagement with a pumper in the region.

She noted that technical studies by Santa Barbara County indicate that recharge is not occurring in the northwestern region. Mr. Van Lienden replied that recharge occurs during precipitation events throughout the basin, including the northwestern region.

Committee Member Draucker noted that recharge is dependent on precipitation and climate

change is exacerbating water conditions in the basin. Mr. Van Lienden noted that climate change was considered in the model but noted that an increase in temperature was clear, but the data did not suggest a significant decrease in precipitation.

Ms. Carlisle said it is very concerning that a non-peer reviewed study was used to support management decisions in the northwestern region.

Local stakeholder Ann Myhre commented that the recent DWR aerial electromagnetic survey will show areas where recharge is occurring.

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

Committee Member Jaffe recommended the Committee vote on the resolution for the record. Committee Member Gaillard commented that the CBGSA has time and thinks it is important to attempt to address changes in the technical memorandum.

MOTION

Committee Member DeBranch made a motion to support the technical memorandum with the inclusion of the following two edits: (1) remove the word "new" from the third bullet on page 3 in the technical memorandum, and (2) reference that Cleath-Harris is employed by a pumper in the northwestern region. The motion was seconded by Committee Member Jaffe, a roll call vote was made, and the motion passed.

AYES:	DeBranch, Draucker, Furstenfeld, Gaillard, Haslett
NOES:	Jaffe, Kelly
ABSTAIN:	None
ABSENT:	None

c. Direction on Aquifer Test Program

Mr. Van Lienden provided an overview of the aquifer test program, the schedule, purpose and general locations which is included in the SAC packet.

Mr. Marsh commented that not reducing pumping for two full years will make the overdraft significantly worse and does not believe the GSP will be approved by DWR. Committee Member Gaillard said he has noticed that irrigation has decreased in the central valley from the last 10 years and said not all news is bad in the basin.

d. Update on Groundwater Sustainability Plan Activities

Mr. Van Lienden provided an update on GSP activities and an overview of the project schedule and is provided in the SAC packet.

e. Update on Monitoring Network Implementation

Mr. Van Lienden provided an update on implementation activities which is summarized in the SAC packet.

f. Update on Monthly Groundwater Conditions Report

Mr. Van Lienden provided an update on the July 2021 groundwater conditions report.

Committee Member asked if it is appropriate to continue showing five wells as non-measurable. Mr.

Van Lienden reported that there is only one well that the consultant has had regular difficulty in measuring groundwater levels.

Chair Kelly mentioned we need to update the website with current groundwater condition reports, and staff confirmed this would be done.

Committee Member Gaillard said we need to research Opti well# 98 and determine if it is part of the cannabis grower network.

Committee Member Furstenfeld left the meeting at 7:45 p.m.

8. Groundwater Sustainability Agency

a. Report of the Executive Director

Mr. Beck reported that due to COVID, the landowner workshop has been postponed, but we will consider timing of scheduling in January 2022. He announced the release of Open ET which is a free resource for evapotranspiration data for the State.

b. Report of the General Counsel

Committee Member Jaffe asked for an update on adjudication impacts to the GSP and Mr. Dominguez reported that the adjudication and GSP implementation are currently occurring on parallel tracks. He reported that the CBGSA is moving forward with the GSP and reported that the adjudication will be moved out of Kern County to a neutral county.

c. Update on Coordination with Counties and Well Permitting Process

Mr. Blakslee provided an update on discussion with the counties and well permitting departments to increase communication of potential water management restrictions in the Cuyama Basin.

d. Approval of 2022 Meeting Calendar

Mr. Blakslee presented draft 2022 meeting dates for CBGSA SAC and Board meetings which is provided in the SAC packet.

Committee Member DeBranch asked if the SAC was willing to meeting earlier in the day. Chair Kelly said we can address the starting time at a later date.

MOTION

Committee Member DeBranch made a motion to adopt the 2022 meeting schedule for CBGSA Board and SAC meeting dates. The motion was seconded by Committee Member Draucker, a roll call vote was made, and the motion passed.

AYES: DeBranch, Draucker, Gaillard, Haslett, Jaffe, Kelly
 NOES: None
 ABSTAIN: None
 ABSENT: Furstenfeld

e. Board of Directors Agenda Review

Mr. Beck provided an overview of the November 3, 2021, CBGSA Board of Directors meeting agenda

which is provided in the SAC packet.

9. Items for Upcoming Sessions

Chair Kelly commented that he is concerned with the timeline of implementing pumping reductions in the Central Basin management area and recommends discussing this in the near future.

10. Committee Forum

Nothing to report.

11. Public Comment for Items Not on the Agenda

Committee Member Gaillard asked if there are grant opportunities to optimize representative wells that are sanding up. He said the cost may be \$10,000 per well to remove the pump and use a compressor to remove the sand. Mr. Beck replied that there are grants available for these activities, but we will need to address the broader grant administration policy at the upcoming Board meeting.

12. Correspondence

Nothing to report.

13. Adjourn

Chair Kelly adjourned the meeting at 8:23 p.m.

Minutes approved by the Standing Advisory Committee of the Cuyama Basin Groundwater Sustainability Agency the 4th day of January 2022.

STANDING ADVISORY COMMITTEE OF THE
CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

Chair: _____

ATTEST:

Vice Chair: _____



TO: Standing Advisory Committee
Agenda Item No. 8a

FROM: Jim Beck / Joe Hughes

DATE: January 4, 2022

SUBJECT: Direction on Central Management Area Policies

Issue

Discussion on Central Management Area policies.

Recommended Motion

Advisory Committee direction is requested regarding the Central Management Area policy points set forth below.

Discussion

The Cuyama Basin Groundwater Sustainability Agency's (CBGSA) Groundwater Sustainability Plan (GSP) establishes a glidepath for implementing pumping reductions in the Central Management Area (Management Area). The glidepath sets forth an initial 5 percent reduction of the overdraft beginning in 2023. There is an additional 5 percent reduction in 2024. The glidepath provides an additional 6.5 percent reduction in successive years through 2038.

The CBGSA executed an agreement with the Cuyama Basin Water District (CBWD) delegating implementation of these pumping reductions (Delegation Agreement); however, the CBWD recently informed the CBGSA that it would not accept the delegation at this time. Therefore, to comply with the GSP, an ad hoc of the Board was formed to provide a recommendation to the Board regarding the implementation of pumping reductions in the Management Area. The ad hoc identified several policy points and staff reviewed those policy points and developed implementation options for the ad hoc to consider. The ad hoc has reviewed those options. Its feedback is provided below.

Staff is requesting Board input on these policy points.

1. ALLOCATION OPTIONS

ISSUE 1A

What is the basis for the allocation?

Potential Options / Discussion

Staff presented two implementation options to the ad hoc: (1) implement an allocation in the Management Area, which is consistent with the GSP; or (2) implement an allocation in the entire basin, which would require an amendment to the GSP.

Ad hoc Feedback

The ad hoc expressed two primary opinions. First, there was disagreement with the equity of only imposing a pumping reduction in the Management Area. Second, however, the ad hoc believed that the Board would not want to review previously negotiated components of the GSP, and instead, should work on implementing what was already set forth in the GSP. Some members of the ad hoc had concerns about implementing reductions in the Management Area without ensuring there would be no further increase of pumping in other irrigated areas of the basin.

ISSUE 1B

What is the sustainable yield for the Management Area?

Potential Options / Discussion

Staff reviewed estimates of pumping with the ad hoc which included user-reported information collected from the latest groundwater extraction fee process for 2020 water use and modeled estimates of 2020 water use. The sustainable yield estimate for the Management Area is 9,600 acre-feet and is based on the original model result, which will be updated by July 2022. The calculations for estimating the acre-foot reduction required in the Management Area is based on the glidepath, current pumping rates, and the current sustainable yield estimate of the CBMA (which is summarized in Attachment 1).

Ad hoc Feedback

The ad hoc questioned whether the sustainable yield for the Management Area was calculated as a separate basin. Also, there was an opinion from one member that there are equity issues with the Management Area being charged approximately 80 percent of groundwater extraction fees (due to 80% of current pumping being in the Management Area) and potentially only receiving approximately 50 percent of the final sustainable yield of the basin.

ISSUE 1C

What is the sustainable yield allocation strategy for the Management Area?

Potential Options / Discussion

Staff presented several allocation strategies for consideration. These strategies were: (1) an allocation based on acreage (gross or irrigated); (2) an allocation based on historic pumping; (3) a hybrid approach; and (4) an approach that excludes municipal users.

Ad hoc Feedback

An opinion was expressed that “simpler is better” when administering a pumping reduction and that a simple approach would help keep costs down. There was agreement with excluding the Cuyama Community Services Districts (as described in the GSP) and there was one recommendation to exclude the Cuyama townsite, as well. One ad hoc member said that allocating based on historic pumping makes

sense because the court adjudication process is heading in that direction but indicated that an allocation based on irrigated acreage as interim approach may make sense.

2. FUNDING OPTIONS

ISSUE 2A

How can the CBGSA fund implementation of the pumping reductions in the Management Area?

Potential Options / Discussion

Staff informed the ad hoc the groundwater extraction fee cannot be used to fund the implementation of pumping reductions in the Management Area. Further, staff reported that a Prop. 218, based on either groundwater extractions or land, is the primary vehicle for collecting fees to fund these pumping reductions. Because a Prop. 218 may take over 6 months, it was suggested that the CBGSA could approach counties and/or landowners to front the money ahead of a successful Prop. 218, as has been done in the past.

Ad hoc Feedback

An ad hoc member suggested that a Prop. 218 only in the Management Area may not be appropriate because pumping reductions in that area could be viewed as benefiting other parts of the basin. An ad hoc member commented that a Prop. 218 would likely not pass without Grimmway and Bolthouse's participation. The ad hoc asked staff to (a) identify the schedule for a Prop. 218 election/majority protest and (b) provide feedback regarding what would happen if money is fronted by an entities/landowners and the Prop. 218 does not pass. An ad hoc member disagreed with the assertion that pumping reductions do not benefit the entire basin.

ISSUE 2B

How should the CBGSA handle current Management Area expenses prior to implementing a funding mechanism?

Potential Options / Discussion

As originally planned under the Delegation Agreement with the CBWD, the CBWD would have provided costs for implementing the pumping reduction in the Management Area to the CBGSA and, to afford those costs, the CBGSA staff would have administered a Prop. 218 in mid-to-late 2021. Since the CBWD has decided not to accept the delegation at this time, the CBGSA staff is developing Management Area policies to implement pumping reductions in the Management Area, scheduled to begin in 2023. Staff is working with legal to determine whether funds from the general fund can be expended on current expenses related to these activities and be repaid under a future Prop. 218.

Ad hoc Feedback

Legal and staff will advise the Board regarding funding current expenses with general funds to be repaid under a future Prop. 218.

3. HOW TO MANAGE REDUCTION

ISSUE 3A

How should the CBGSA administer the reduction of pumping in the Management Area?

Potential Options / Discussion

Staff provided a brief update on three components for implementing a reduction in the Management Area: (1) requiring water schedules from each landowner; (2) tracking methodologies (in-field, calibrated evapotranspiration (ET) vs meters); and (3) verification options including [a] trusting landowners, [b] using ET, and [c] random spot checks (in-field meter readings for meter option, or in-field visits for ET option).

Ad hoc Feedback

No specific ad hoc feedback provided.

4. INCREASED WATER USAGE OUTSIDE AND INSIDE CENTRAL MANAGEMENT AREA

ISSUE 4A

How should the CBGSA handle potential increases of water use inside and outside the Management Area?

Potential Options / Discussion

Staff advised the ad hoc that this issue is beyond the specific scope of the ad hoc and would need to be discussed with the full Board.

Ad hoc Feedback

No ad hoc feedback provided.

5. REVISED SUSTAINABLE YIELD BASED ON UPDATED MODEL

ISSUE 5A

Components of the Management Area need to be evaluated once the current modeling is complete in July 2022.

Potential Options / Discussion

Along with an update of the sustainable yield, several additional items will need to be revisited after the model update is complete, including an evaluation of the Management Area criteria and a decision on the Management Area boundary philosophy (modeled boundary vs using an operational boundary).

Ad hoc Feedback

No ad hoc feedback provided.

DRAFT

ESTIMATE OF PUMPING REDUCTION IN THE CENTRAL MANAGEMENT AREA

Model Numbers

User-Reported Numbers

(1) Groundwater Pumping Estimates/Actuals	Acre-feet
Estimate - Model 2020 Pumping (basin-wide)	56,636
Estimate - Model 2020 Pumping (Central MA)	39,845
Estimate - Model 2021 Pumping (basin-wide)	TBD
Estimate - Model 2021 Pumping (Central MA)	TBD
Water User - Reported - 2020 Water Use (ET)	28,387
Water User - Reported - 2020 Water Use (gross; calculated as 1.52 * ET)	43,148

(2) Calculations to Determine Base Amount to Reduce	Acre-feet
Pumping (basin-wide)	56,636
Pumping (Central MA) - <i>approximately 70% of basin pumping</i>	39,845
Central Management Area Sustainable Yield	9,600
Base amount to reduce from Central MA	30,245

(3) Estimated Reduction in Pumping

Year	Glide path	Amount to Reduce (af)	Maximum Annual Pumping (af)	Remaining Overdraft (af)
2023	5.0%	1,512	38,333	28,733
2024	5.0%	1,512	36,821	27,221
2025	6.5%	1,966	34,855	25,255
2026	6.5%	1,966	32,889	23,289
2027	6.5%	1,966	30,923	21,323
2028	6.5%	1,966	28,957	19,357
2029	6.5%	1,966	26,991	17,391
2030	6.5%	1,966	25,025	15,425
2031	6.5%	1,966	23,059	13,459
2032	6.5%	1,966	21,093	11,493
2033	6.5%	1,966	19,127	9,527
2034	6.5%	1,966	17,161	7,561
2035	6.5%	1,966	15,195	5,595
2036	6.5%	1,966	13,229	3,629
2037	6.5%	1,966	11,263	1,663
2038	5.5%	1,663	9,600	-
2039	0.0%	-	9,600	-
2040	0.0%	-	9,600	-

100%



TO: Standing Advisory Committee
Agenda Item No. 8b

FROM: Jim Beck / Brian Van Lienden

DATE: January 4, 2022

SUBJECT: Direction on Adaptive Management Actions

Issue

Discussion on adaptive management actions for groundwater level wells in the Cuyama basin.

Recommended Motion

Adopt the Adaptive Management Ad hoc recommendation as outlined in agenda item No. 8b.

Discussion

The Cuyama Basin Groundwater Sustainability Agency's Groundwater Sustainable Plan (GSP) established adaptive management actions for representative wells that are below their minimum threshold or within 10 percent of the minimum threshold (Section 7.6 of the GSP).

The Adaptive Management ad hoc met on June 28, 2021 , and on August 18, 2021, the Board passed a motion to adopt the ad hoc committee's recommendation to (1) make no changes to thresholds or the glide path for now, (2) continue to perform monitoring of groundwater levels, and (3) perform an analysis of nearby production wells to determine if any are in danger of going dry, including an analysis of the well in question, and provide a link on the website to allow landowners to provide information on potential groundwater level impacts to wells.

Woodard & Curran performed an analysis to determine if wells are in danger of going dry and presented the results of a technical memo to the Adaptive Management Ad hoc on November 30, 2021. A summary of the analysis and the ad hoc's recommendation is provided as Attachment 1. The detailed technical analysis memo is provided as Attachment 2.

Cuyama Basin Groundwater Sustainability Agency

Direction on Adaptive Management Actions

Jim Beck / Brian Van Lienden

January 4, 2022

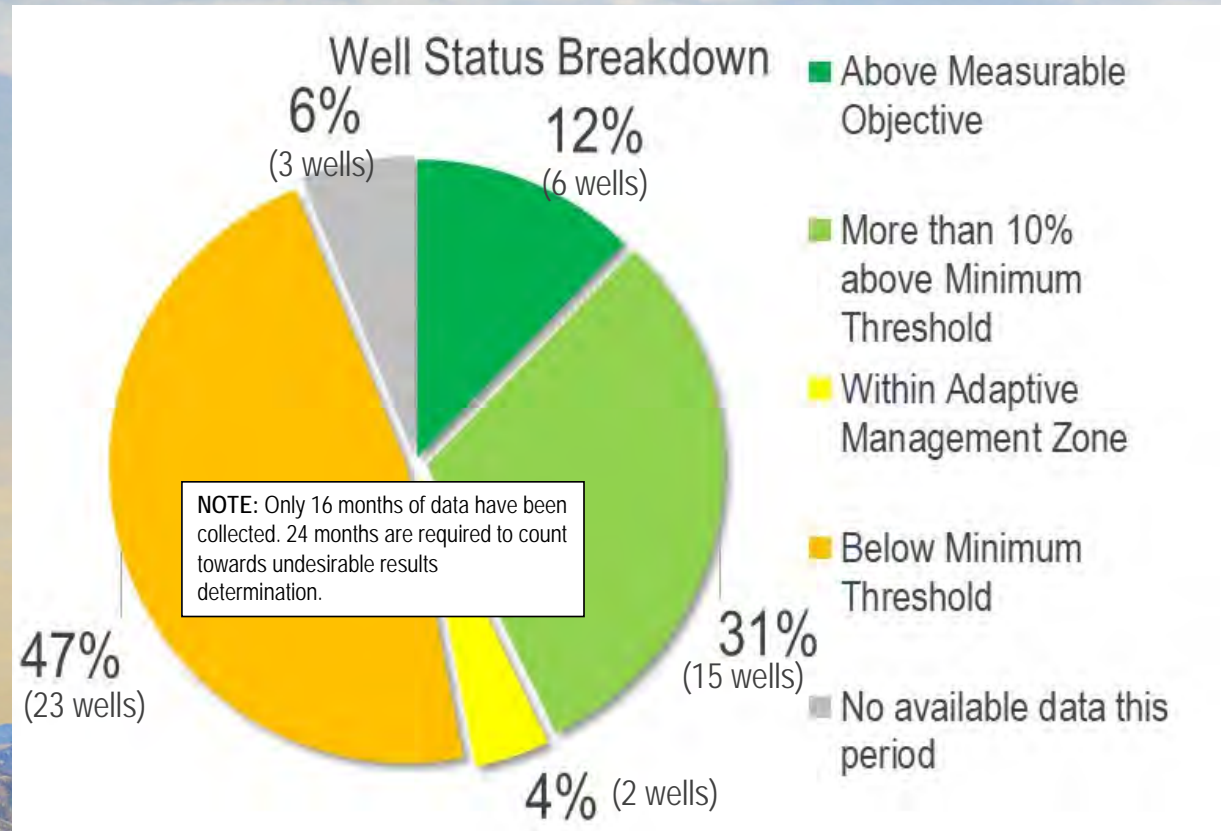


Adaptive Management Background

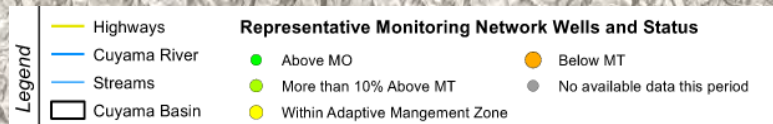
- Adaptive Management Included in the GSP (section 7.6):
 - Adaptive management triggers are thresholds that, if reached, initiate the process for considering implementation of adaptive management actions or projects. For CBGSA, the trigger for adaptive management and CBGSA's next steps would be as follows:
 - If the Basin is within the Margin of Operational Flexibility, but trending toward Undesirable Results, and within 10 percent of the Minimum Threshold: CBGSA will investigate the cause and determine appropriate actions.
- Groundwater levels monitoring report is showing some representative monitoring wells falling below minimum thresholds
- Adaptive Management Ad-hoc committee met on November 30 to discuss options for addressing issues identified to date

Summary of Oct 2021 Groundwater Well Levels as Compared To Sustainability Criteria ¹⁹

- 23 wells are currently below minimum threshold (MT)
 - 8 of these were already below MT at time of GSP adoption
- Adaptive management ad-hoc committee has been formed to discuss potential options



Status of Representative Monitoring Wells as of Oct 2021



Adaptive Management Options

- As of October 2021, 30% of wells have been below minimum threshold for 6 or more months
 - If current levels hold, we will exceed GSP limitations in 18 months (~April 2023)
- Potential Options Discussed at Nov 30 Ad-Hoc Committee Call:
 - Restrict pumping in individual wells
 - Adjust the 30% over 2 years criteria
 - Adjust thresholds (may require plan amendment)
 - Accelerate glidepath
 - Perform additional data gathering and analysis

Results of Well Status Analysis

- An analysis was performed that compared production and domestic well depths (or bottom or perforations) versus Oct 2021 monitoring well elevations

Table 1. Summary of Domestic and Production Wells Status as of October 2021

Threshold Region	Total number of wells	Domestic wells that may currently be dry	Total wells that may currently be dry	Percentage of wells that may currently be dry	Total wells that are almost dry
Northwestern	16	0	0	0%	2
Western	40	0	0	0%	0
Central	89	2	4	5%	4
Eastern	39	1	4	10%	2
Southeastern	66	1	1	2%	1
Whole Basin	250	4	9	4%	9

- Detailed results are shown in the attached memo

Direction on Adaptive Management

Ad-hoc committee recommendation:

Perform additional data gathering and analysis to confirm condition of wells identified in the well status analysis:

1. Desktop analysis and phone outreach to be performed by W&C (budget is available for this in current task order)
2. Field verification to be performed by P&P

TECHNICAL MEMORANDUM

PREPARED BY: Nolan Meyer and Brian Van Lienden, Woodard & Curran

DATE: November 23, 2021

RE: Well Status Analysis for Adaptive Management Ad-Hoc, Cuyama Basin GSA

The purpose of this document is to describe the methodology and the results of an analysis that was performed using current groundwater levels in the Cuyama Basin as of October 2021, which compares production and domestic well screened interval and depth information to recent groundwater levels at the monitoring well nearest to each production and domestic well.

1.1 Methodology

The assessment was performed using well location and construction information provided by the counties that overlie the basin, including Santa Barbara, San Luis Obispo, Ventura, and Kern. To accomplish this, the CBGSA collected all available well data from public sources and the four Counties in tabular formats. Well locations were estimated using latitude/longitude, APN, WCR, or Township Range data, as available. The bottom of the screen interval was used in the analysis where available; if unavailable, total well depth used. Using a Digital Elevation Model (DEM) from the USGS, the surface elevation of each well was estimated using its location. The elevation at the bottom of the screen interval was then estimated by subtracting the screen depth (feet below ground surface) from the surface elevation (feet above mean sea level).

Some basic filtering criteria were applied to the analysis to remove wells from consideration, including:

- Wells that are destroyed or non-compliant in the county datasets
- Wells for which neither screened interval or well depth information was available
- Wells that are far away from active groundwater management and monitoring (e.g. the Badlands region)
- wells that were already dry as of January 1, 2015

These wells are shown as "Filtered from Analysis" in the map below and are not included in the count of wells that are dry or almost dry. The filtered well data, as well as monitoring well data from Opti and associated minimum thresholds (MT), were imported to ArcGIS to perform a spatial analysis. Using the 'Near' tool in ArcGIS, the monitoring well nearest to each well was recorded, as well as the distance to that monitoring well.

For the remaining subset of production and domestic wells the groundwater level at the nearest monitoring well was then compared to the screen interval depth (or well depth) of each well and classified as follows¹:

- If the groundwater level of the nearest monitoring well is above (greater) than that of the well screen interval depth, the well is classified as "Not Dry".
- If the groundwater level of the nearest monitoring well above (greater) than that of the well screen interval depth, but the difference is less than 50 feet, the well is classified as "Almost Dry".

¹ It is important to note that this analysis may not reflect the actual status of each well, as individual well groundwater level data has not been analyzed at this time.

- If the groundwater level of the nearest monitoring well is below (less) than that of the well screen interval depth, the well is classified as “Dry”.

The results of this analysis are described in the following section.

1.2 Analysis Results

The results of the analysis are shown in the tables and figure shown below. As shown in Table 1 and Figure 1, out of a total of 250 production wells that were evaluated, a total of nine (4% of the total) may have already gone dry due to the current groundwater level conditions in the basin. Five of these nine wells are domestic wells. An additional nine wells may almost be dry (i.e. within 50 feet of the bottom of their perforations).

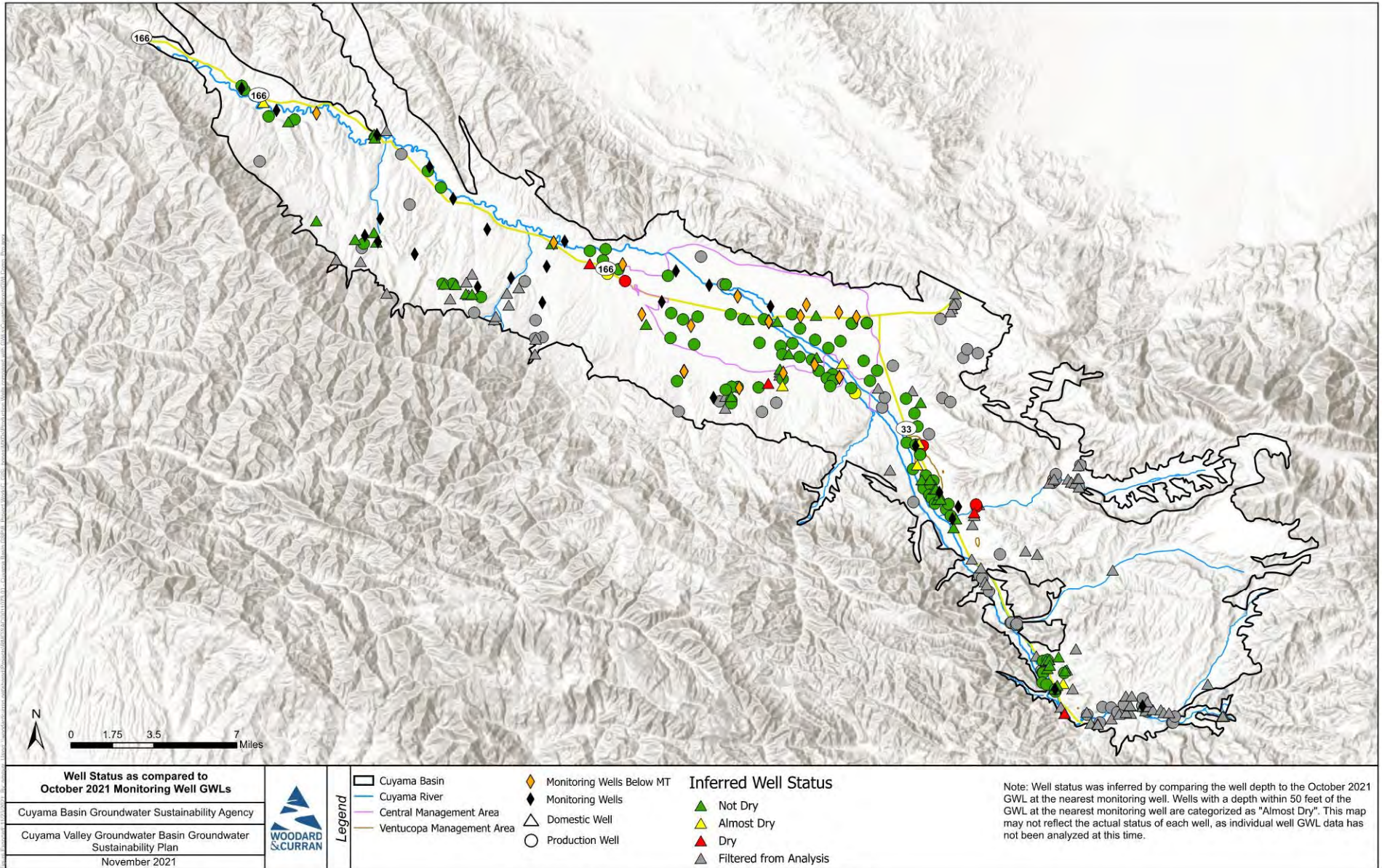
Table 1. Summary of Domestic and Production Wells Status as of October 2021

Threshold Region	Total number of wells	Domestic wells that may currently be dry	Total wells that may currently be dry	Percentage of wells that may currently be dry	Total wells that are almost dry
Northwestern	16	0	0	0%	2
Western	40	0	0	0%	0
Central	89	2	4	5%	4
Eastern	39	1	4	10%	2
Southeastern	66	1	1	2%	1
Whole Basin	250	4	9	4%	9

Tables 2 and 3 below provide detailed information on each well that is potentially dry or almost dry from the County well database and accessor's parcel number (APN) database, respectively.

Detail maps of areas where these wells are located are provided in Figures 2a through 2e.

Figure 1. Status of Production and Domestic Wells as of October 2021



Third Party GIS Disclaimer: This map is for reference and graphical purposes only and should not be relied upon by third parties for any legal decisions. Any reliance upon the map or data contained herein shall be at the users' sole risk.

Table 2. County Well Database Details for Well Status = Dry or Almost Dry (as Compared to October 2021 Monitoring Well GWLs), Cuyama GSP

Inferred Well Status Oct 2021	GIS Label #	Threshold Region	County	County ID ⁽¹⁾	Type	Depth (ft bgs)	Perforation Interval (ft bgs)	Lat	Long	Status	Construction Year	Name	Location
Dry	97	Central	Santa Barbara	WP0002729	Production	360		34.962	-119.717	Completed	2018		
	122	Central	Santa Barbara	WP0002310	Production	350		34.955	-119.702	Completed			.5 miles W/O New Cuyama, New Cuyama
	143	Central	Santa Barbara	WP0002229	Domestic	655		34.894	-119.594	Active			
	217	Central	San Luis Obispo	WP1018034	Domestic	260		34.965	-119.728	Completed	1984	Gene Machado	Alisos Canyon Road, Santa Maria
	67	Eastern	Santa Barbara	WP0002284	Production	200		34.857	-119.478	Completed	1978		Hwy 33, Maricopa
	307	Eastern	Ventura	241210	Domestic	225	100 - 200	34.816	-119.439	Active			
	344	Eastern	Ventura	09N24W33J03S	Production	230		34.821	-119.438	Active			
	345	Eastern	Ventura	09N24W33J04S	Production	275		34.820	-119.438	Active			
	300	Southeastern	Ventura	07N24W24A01S	Domestic	45		34.694	-119.370	Unknown			
Almost Dry	16	Central	Santa Barbara	WP0002244	Production	775		34.888	-119.529	Active			Santa Barbara Canyon Rd
	106	Central	Santa Barbara	WP0002073	Production	420		34.959	-119.715	Active			5840 Hwy 166, New Cuyama
	146	Central	Santa Barbara	WP0002226	Domestic	683		34.892	-119.583	Active			
	200	Central	San Luis Obispo	WP1021676	Domestic	700		34.907	-119.539	Completed	1977	Richard M. Fairchild	Hwy 166, Cuyama
	64	Eastern	Santa Barbara	WP0002275	Domestic	200		34.845	-119.482	Active	2014		6 miles S/O Hwy 166, Maricopa
	66	Eastern	Santa Barbara	WP0002279	Domestic	170		34.858	-119.481	Completed			
	211	Northwestern	San Luis Obispo	WP1016068	Domestic	48		35.061	-119.974	Completed	1988	John Rickard	Off of Highway 166, Santa Maria
	213	Northwestern	San Luis Obispo	WP1016069	Domestic	52		35.061	-119.974	Completed	1989	John Rickard	Off of Highway 166, Santa Maria
357	Southeastern	Ventura	715656	Domestic	115	45 - 115	34.712	-119.372	Active				

[1] Record ID, Log No, or SWN, as available.

Table 3. APN Details for Well Status = Dry or Almost Dry (as Compared to October 2021 Monitoring Well GWLs), Cuyama GSP

Inferred Well Status Oct 2021	GIS Label #	Threshold Region	County	APN	APN Name	APN Address	APN Address 2
Dry	97	Central	Santa Barbara	147030024	Sadiq Family Trust 12/21/04	5925 Hwy 166 Cuyama, CA 93212	5304 Star Pine Rd Carpinteria CA 93013
	122	Central	Santa Barbara	149300005	Sunridge Vineyards, LP	441 Vineland Rd Bakersfield CA 93307	[blank]
	143	Central	Santa Barbara	149160027	Lotta Perry A/Theresa	1950 Foothill Rd New Cuyama, CA 93254 0476	PO Box 476 New Cuyama CA 93254
	217	Central	San Luis Obispo	147030060	Caliente Ranch Cuyama, LLC	PO Box 340 San Lucas CA 93954	[blank]
	67	Eastern	Santa Barbara	149220026	Harrington Family Trust	Star Route 1 Box 149b Maricopa CA 93252	[blank]
	307	Eastern	Ventura	0010050165	[blank]	6626 Quatal Canyon Road Ozena	[blank]
	344	Eastern	Ventura	0010050095	[blank]	6789 Quatal Canyon Road Lockwood	[blank]
	345	Eastern	Ventura	0010050155	[blank]	[blank]	[blank]
	300	Southeastern	Ventura	0020100105	[blank]	Ozena	[blank]
Almost Dry	16	Central	Santa Barbara	149170029	Scheinert, Don	PO Box 67 New Cuyama CA 93254	[blank]
	106	Central	Santa Barbara	147030025	Parcel number not found in County database		
	146	Central	Santa Barbara	149160005	Anderson Trust Dated 2/19/98	1910 Foothill Rd Cuyama, CA 93214	2218 Margaret Ct Redondo Beach CA 90278
	200	Central	San Luis Obispo	096211063	Bolthouse Land Company LLC	11601 Bolthouse Dr 200 Bakersfield, CA 93311	[blank]
	64	Eastern	Santa Barbara	149220020	Zannon 2014 Living Trust	PO Box 21957 Santa Barbara CA 93121	[blank]
	66	Eastern	Santa Barbara	149220023	Harrington Family Trust	3770 Hwy 33 Maricopa CA 93252	[blank]
	211	Northwestern	San Luis Obispo	094391010	[blank]	Cuyama Hy	[blank]
	213	Northwestern	San Luis Obispo	094391010	[blank]	Cuyama Hy	[blank]
	357	Southeastern	Ventura	0020080180	[blank]	28510 Maricopa Highway Unincorporated	[blank]

Figure 2a. Southeastern Region Detail Map

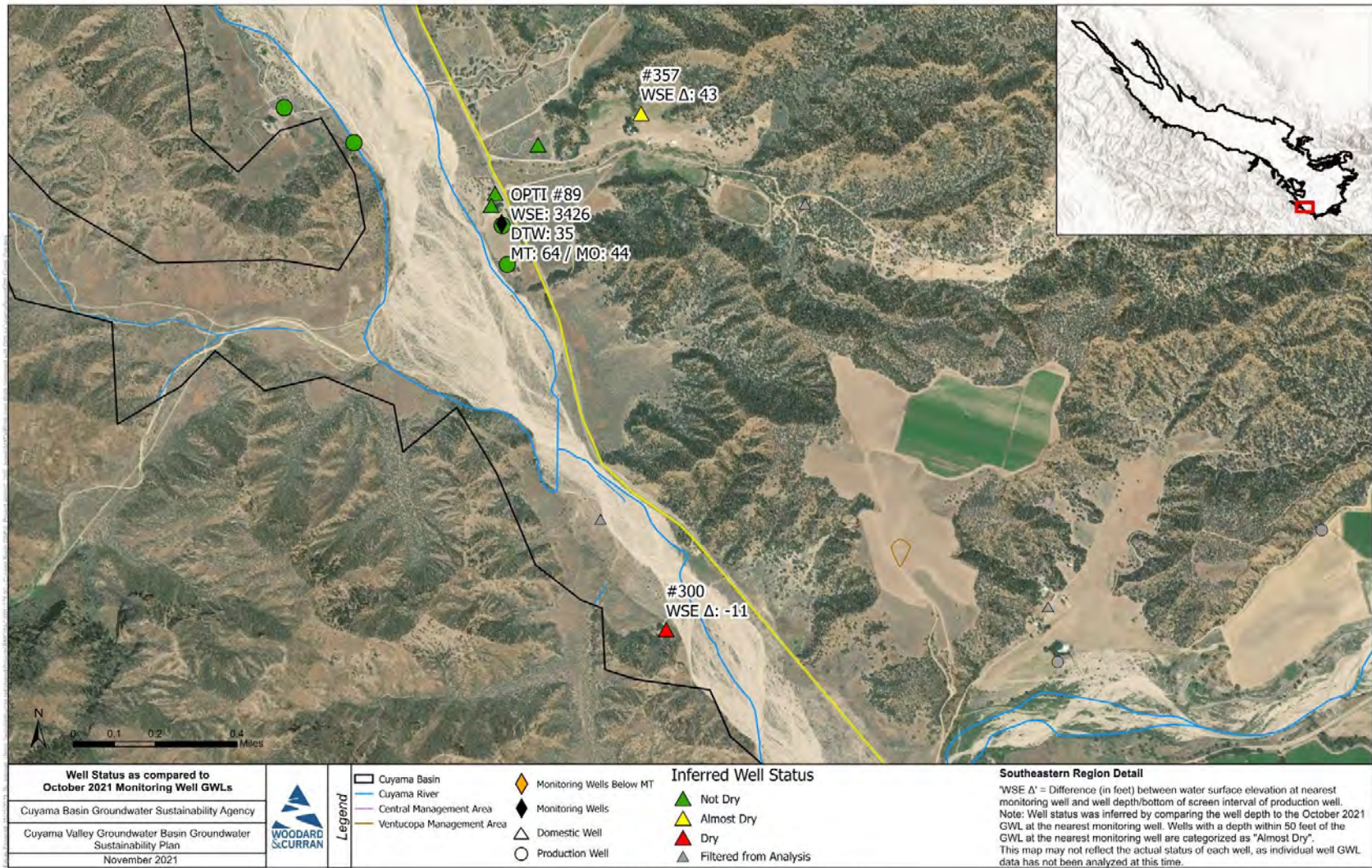


Figure 2b. Eastern Region Detail Map

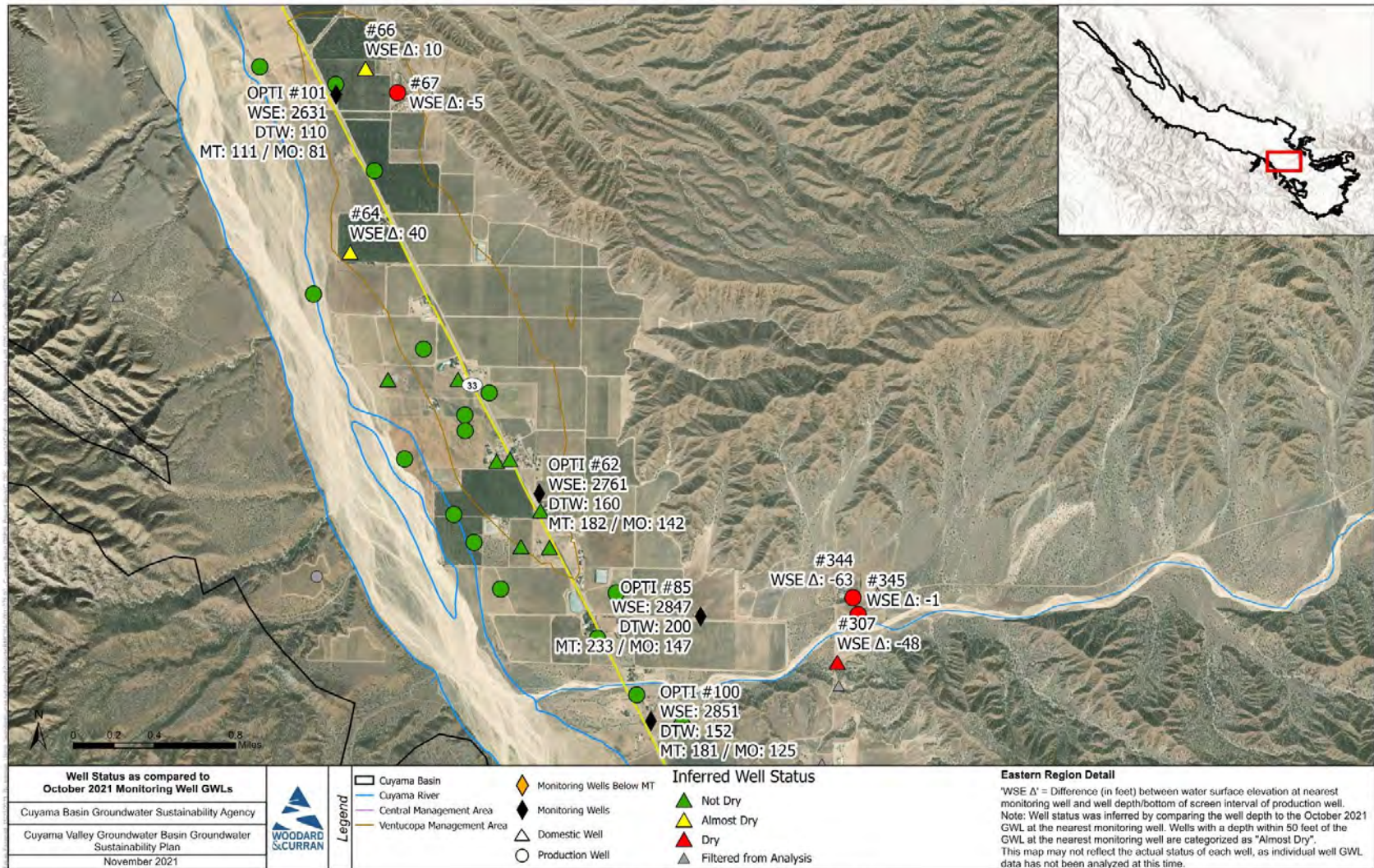
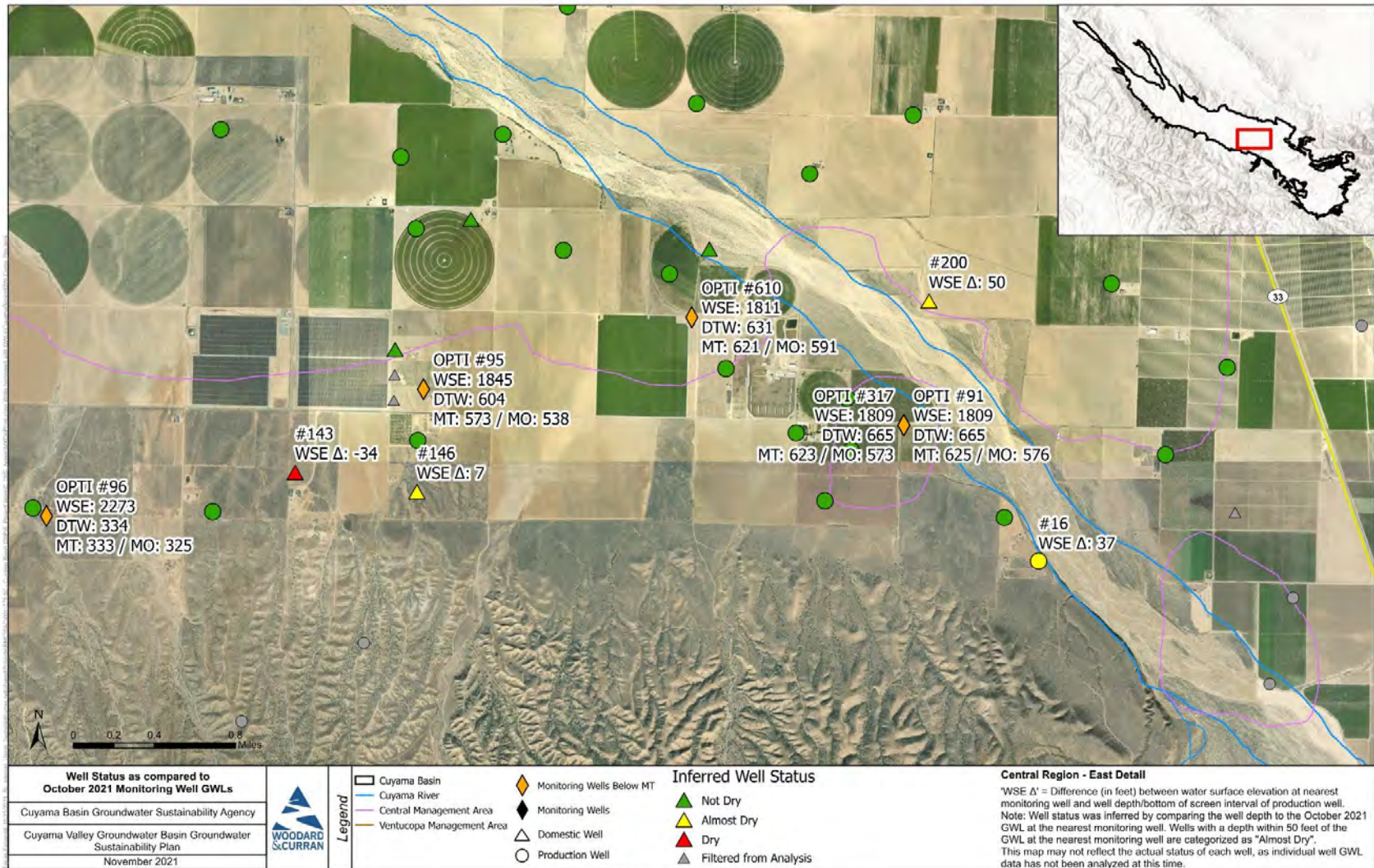


Figure 2c. Central Region - East Detail Map



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Figure 2d. Central Region - West Detail Map

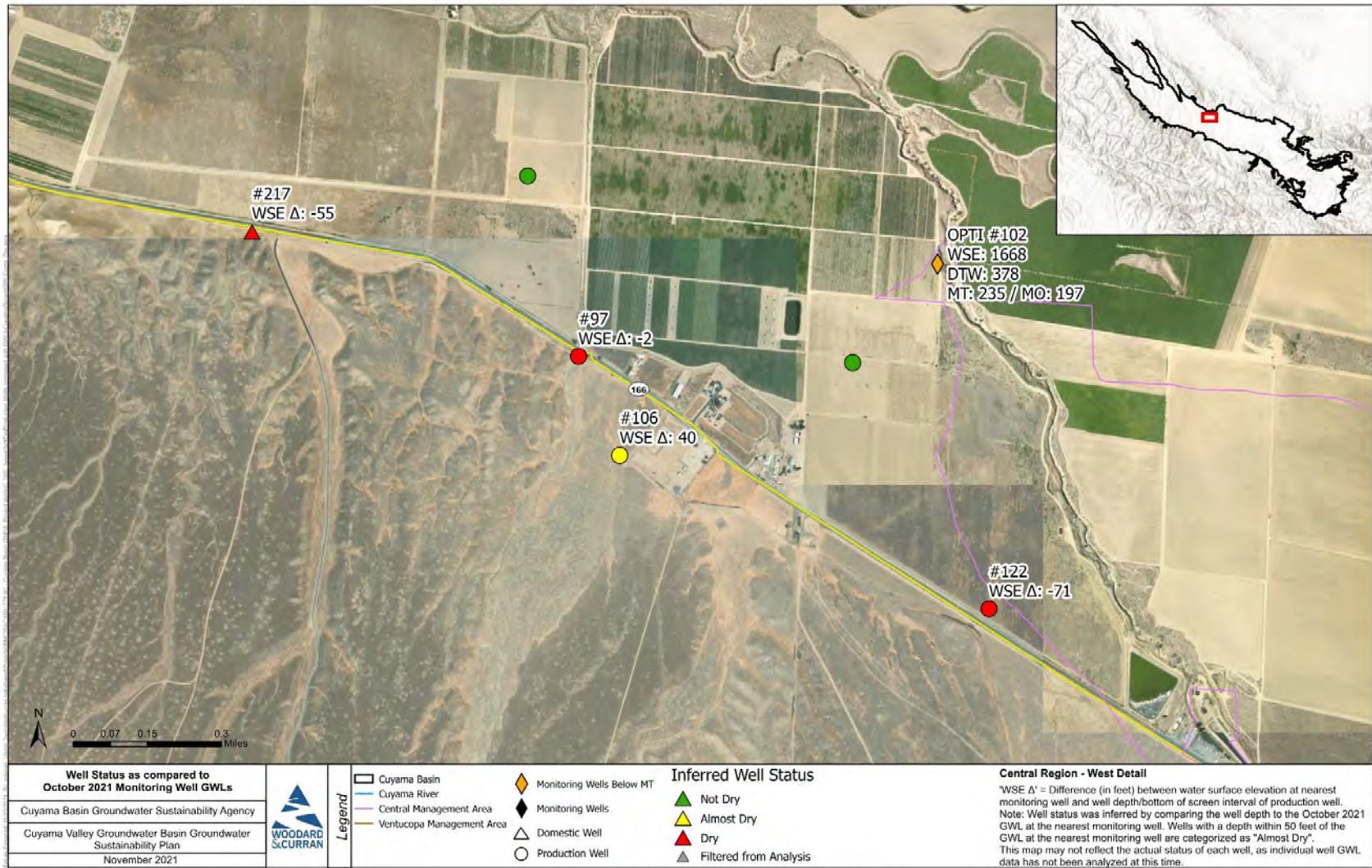
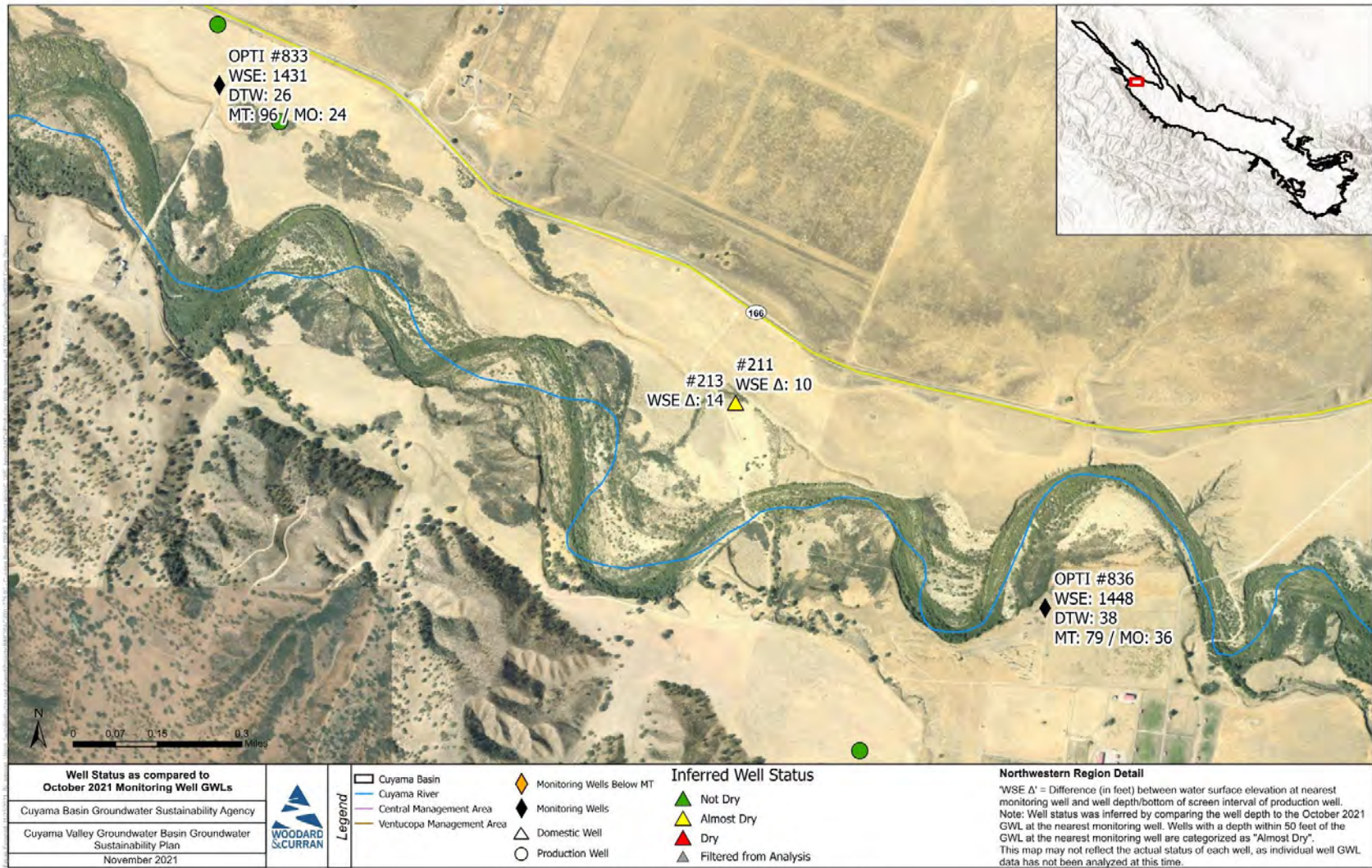


Figure 2e. Northwestern Region Detail Map



Third Party GIS Disclaimer: This map is for reference and graphical purposes only and should not be relied upon by third parties for any legal decisions. Any reliance upon the map or data contained herein shall be at the users' sole risk.



TO: Standing Advisory Committee
Agenda Item No. 8c

FROM: Jim Beck / Brian Van Lienden

DATE: January 4, 2022

SUBJECT: Direction on Adding New Monitoring Wells

Issue

Direction on adding new monitoring wells.

Recommended Motion

Direct staff to develop a draft policy for evaluating the addition of existing landowner wells to the monitoring network.

Discussion

Staff was contacted by Grimmway Farms who offered a production well that is now longer being used as a monitoring well. Since most of the groundwater level monitoring wells in the representative network are production wells, staff believes adding dedicated monitoring wells is an improvement to the monitoring network.

Staff is seeking Board direction on the policy that may be required to assess future offers from landowners to add wells to the monitoring network.

An option for developing a policy could include an evaluation of the following items by an ad hoc prior to being presented to the Board:

- Determine if the well location addresses a data gap
- Evaluate suitability of well (depth, construction information, etc.)
- Evaluate the incremental costs for monitoring this well
- Determine the type of monitoring to occur (groundwater levels and/or water quality)
- Determine if the well would be added to the representative network or considered as a supplemental well
- Other considerations

The location of the well offered by Grimmway Farms is shown below as a red dot. The surrounding blue dots are representative wells in the current groundwater levels monitoring network.

Cuyama Basin Groundwater Sustainability Agency
Agenda Item No. 8c
January 4, 2021
Page 2 of 2

Location of Potential New Monitoring Well





TO: Standing Advisory Committee
Agenda Item No. 8d

FROM: Taylor Blakslee / Brian Van Lienden

DATE: January 4, 2022

SUBJECT: Approve DWR 2022 Grant Application Projects

Issue

Approval of projects for Sustainable Groundwater Management 2022 grant application.

Recommended Motion

Approve the grant application list as outlined in agenda item No. 8d.

Discussion

The Budget Act of 2021 authorized money for Sustainable Groundwater Management Act planning and implementation projects. The California Department of Water Resources (DWR) administers the Sustainable Groundwater Management grant, and the final proposal solicitation package was released on December 17, 2021. The grant provides up to \$7.6 million per basin and requires a spending plan that totals a minimum of \$10 million worth of projects. The application is due February 18, 2022.

Staff developed a draft project list with the Grant Review Committee ad hoc and is provided as Attachment 1 for consideration of approval.

DRAFT

Preliminary SGM COD Basin Grant Proposal Components

Component	Cost (\$k)	Notes
1 Grant Administration	\$300	Perform reporting to DWR required by Grant (assume \$100k per year)
2 Perform Monitoring and Monitoring Network Enhancements		
3 Install Piezometers for GW-SW and GDE Monitoring	\$210	Install 6 piezometers for GDE & GW/SW monitoring (assume \$35k each)
4 Install Dedicated Monitoring Wells	\$2,415	Install seven new multi-completion wells. (assume \$345k per well)
5 Data Management System maint & enhancements	\$75	\$10k per year annual maint.; \$45k in improvements (develop sustainability displays and annual report module)
6 Quarterly GW levels and annual GW quality (TDS) monitoring	\$240	Perform GSP-required monitoring (\$80k per year for 3 years)
7 Perform one-time nitrate and arsenic testing	\$25	Perform one-time testing at each water quality well
8 USGS stream gage maintenance	\$165	CBGSA fee to USGS for recently installed gauges (\$55k per year for 3 years)
9 Improve Understanding of Basin Water Use		
10 Perform updated land use survey	\$30	Develop satellite-based land use for 2021 (one time cost)
11 Perform river channel survey	\$45	Field survey of river channel cross-sections (assume 8 locations)
12 Enhance existing CIMIS station & implement new stations	\$80	Improve existing CIMIS station and install five new weather stations (\$12k per station and \$8k for coordination)
13 Project & Management Action Implementation		
14 CBWRM model update and re-calibration	\$210	Perform model update and re-calibration in advance of GSP 5-year update
15 Incorporate AEM data into model update	\$80	Incorporate data from DWR AEM survey as part of model update above
16 Pumping allocation implementation	\$200	Develop water allocation framework & set up data management process for pumping allocation action
17 Analysis of management action implementation options	\$240	Simulation of up to five water management action alternatives
18 Adaptive management support	\$150	Assume \$50k per year for coordination and technical support
19 Precipitation enhancement feasibility study	\$30	Feasibility analysis to assess this approved project in the GSP
20 Flood and Stormwater Capture - water rights analysis	\$55	Water availability and water rights analysis for stormwater capture
21 GSP Implementation, Outreach, and CBGSA Management		
22 CBGSA administration and legal support	\$1,350	Overall GSA management, coordination and legal services (\$450k per year for 3 years)
23 Administration of extraction fee	\$75	Tracking of pumping amounts and ongoing administration costs (assume \$25k per year)
24 Stakeholder & board engagement	\$345	Support for SAC/Board, public workshops, ad-hocs & tech forum (\$110k in first 2 years; \$125k in year of GSP update)
25 General outreach support	\$70	General outreach support & CBGSA website maintenance (\$20k in first 2 years; \$30k in year of GSP update)
26 Outreach - domestic well owners	\$15	Targeted outreach to domestic well owners, including public workshop
27 Program management	\$160	Oversight, coordination and tracking of GSP implementation tasks (\$50k in first 2 years; \$60k in year of GSP update)
28 Prepare annual reports	\$135	Prepare annual report required by DWR (assume \$45k per year for 3 years)
29 Modify GSP in response to DWR determination	\$100	Assume \$100k for coordination and technical support, following receipt of DWR letter in Jan 2021
30 5-year GSP update	\$800	Develop updated version of GSP for submittal to DWR in Jan 2025
31 <i>Subtotal</i>	\$7,600	
32 Phase 2 Tasks		
33 Flood and Stormwater Capture - detailed feasibility study	\$1,100	Flood and stormwater capture detailed feasibility study
34 Install Dedicated Monitoring Wells in lower priority areas	\$1,380	Install 4 new multi-completion wells (in addition to 7 budgeted above). (assume \$345k per well)
35 <i>Total</i>	\$10,080	



TO: Standing Advisory Committee
Agenda Item No. 8e

FROM: Brian Van Lienden, Woodard & Curran

DATE: January 4, 2022

SUBJECT: Update on Groundwater Sustainability Plan Activities

Issue

Update on Groundwater Sustainability Plan Activities.

Recommended Motion

None – information only.

Discussion

Cuyama Basin Groundwater Sustainability Agency (CBGSA) Groundwater Sustainability Plan (GSP) activities and consultant Woodard & Curran's (W&C) accomplishments are provided as Attachment 1.

Cuyama Basin Groundwater Sustainability Agency

Update on Groundwater Sustainability Plan Activities

Brian Van Lienden

January 4, 2022



November-December Accomplishments

- ✓ Finalized memorandum with CBGSA response to DWR comment letter on GSP and submitted to DWR
- ✓ Performed technical analysis of wells in support of adaptive management program
- ✓ Worked with aquifer analysis ad-hoc committee to identify target wells and started reaching out to landowners
- ✓ Developed draft project list for DWR grant proposal
- ✓ Acquired 2021 land use data and began developing model data sets for Annual Report modeling analysis



TO: Standing Advisory Committee
Agenda Item No. 8f

FROM: Brian Van Lienden, Woodard & Curran

DATE: January 4, 2022

SUBJECT: Update on Water Year 2020-2021 Annual Report Development

Issue

Update on water year 2020-2021 annual report development.

Recommended Motion

None – information only.

Discussion

In compliance with the Sustainable Groundwater Management Act, annual reports on basin sustainability metrics and progress on Groundwater Sustainability Plan implementation must be submitted to the California Department of Water Resources by April 1st of each year.

On overview of the report requirements for the upcoming Water Year 2020-2021 annual report are provided as Attachment 1.

A draft annual report will be provided for consideration of Standing Advisory Committee and Board approval in early February/March 2022.

Cuyama Basin Groundwater Sustainability Agency

Update on Water Year 2020-2021 Annual Report Development

January 4, 2022



Annual Report Timeline

- DWR's GSP Emergency Regulations require that an Annual Report be submitted for the previous water year (Oct 1 through Sep 30), each year by April 1st
- Woodard & Curran will develop a draft Annual Report for approval by the CBGSA Board at the March 2022 Board meeting

Annual Report Components

1. Executive Summary

- a) A concise statement of the contents of the Annual Report

2. Introduction

- a) A description of the purpose of the Annual Report, CBGSA information, and a summary of the Cuyama Basin Plan Area

3. Updated Groundwater Conditions

- a) Representative monitoring network
- b) Updated groundwater contour maps
- c) Updated groundwater hydrographs

Annual Report Components

4. Estimated Water Use

- a) Includes estimates of groundwater extraction, surface water use and total water use for the preceding year (Oct 2020 – Sep 2021)

5. Change in Groundwater Storage

- d) Includes water budget estimate and change in groundwater storage map for the preceding year (Oct 2020 – Sep 2021)

6. Plan Implementation Status

- a) Includes a description of the progress towards implementation of the GSP, including progress toward achieving interim milestones and implementation of GSP projects

Data and Model Updates

- Groundwater elevations:
 - Available data collected for all wells in monitoring network through Sep 2021
- Groundwater model update
 - Historical model period will be extended through Sep 2021 (previously was simulated for 1998-2020)
 - No change will be made to the model calibration
 - Updated land use, precipitation and evapotranspiration data collected for WY 2021
 - Updated land use data has been provided for 2021 period by Bolthouse and Grimmway. Other key landowners have confirmed no change relative to 2020.



TO: Standing Advisory Committee
Agenda Item No. 8g

FROM: Brian Van Lienden, Woodard & Curran

DATE: January 4, 2022

SUBJECT: Update on Monitoring Network Implementation

Issue

Update on Monitoring Network Implementation.

Recommended Motion

None – information only.

Discussion

An update regarding the monitoring network implementation is provided as Attachment 1.

Cuyama Basin Groundwater Sustainability Agency

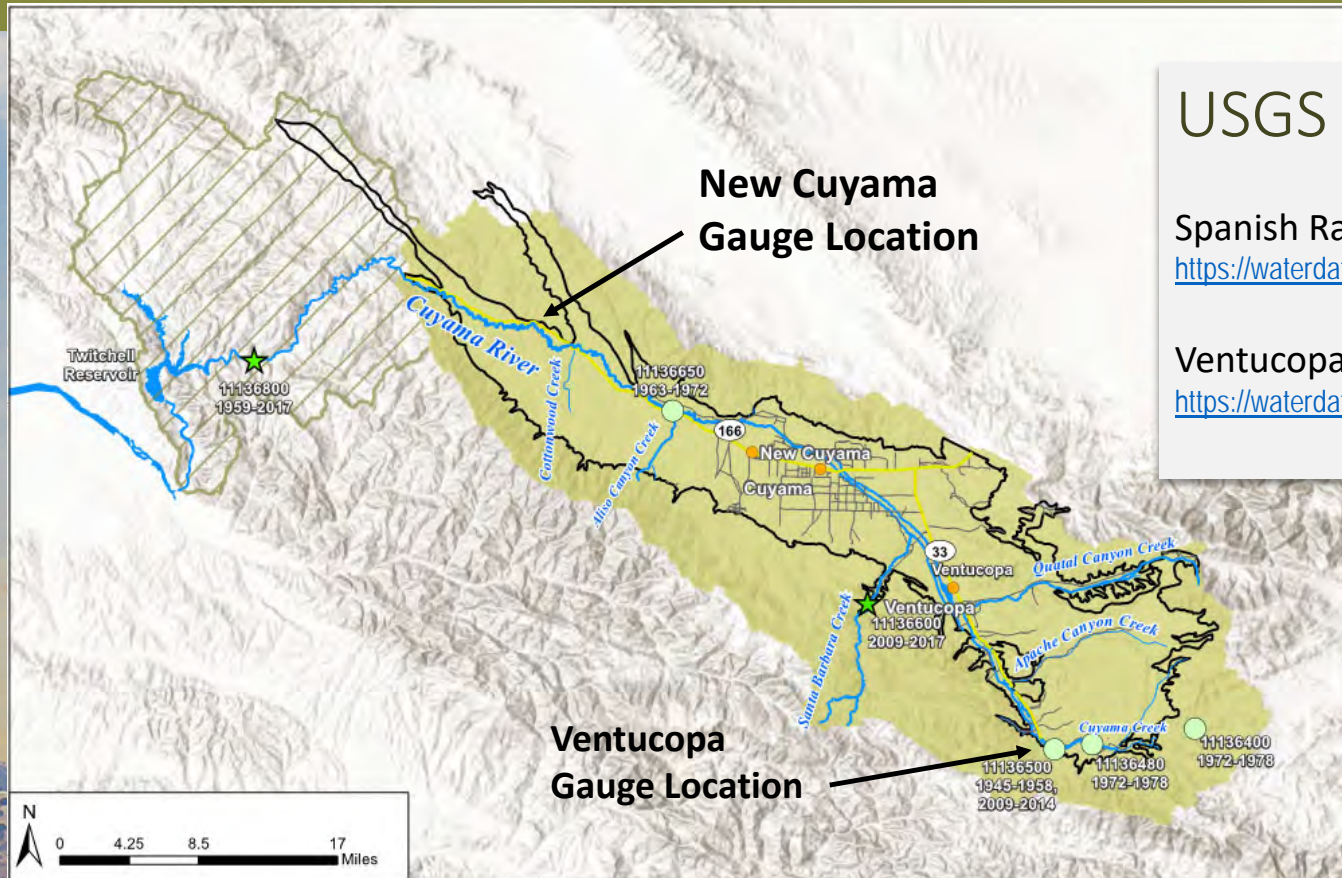
Update on Monitoring Network Implementation

Brian Van Lienden

January 4, 2022



Stream Gauge Locations



USGS DATA

Spanish Ranch Location

https://waterdata.usgs.gov/ca/nwis/uv?site_no=11136710

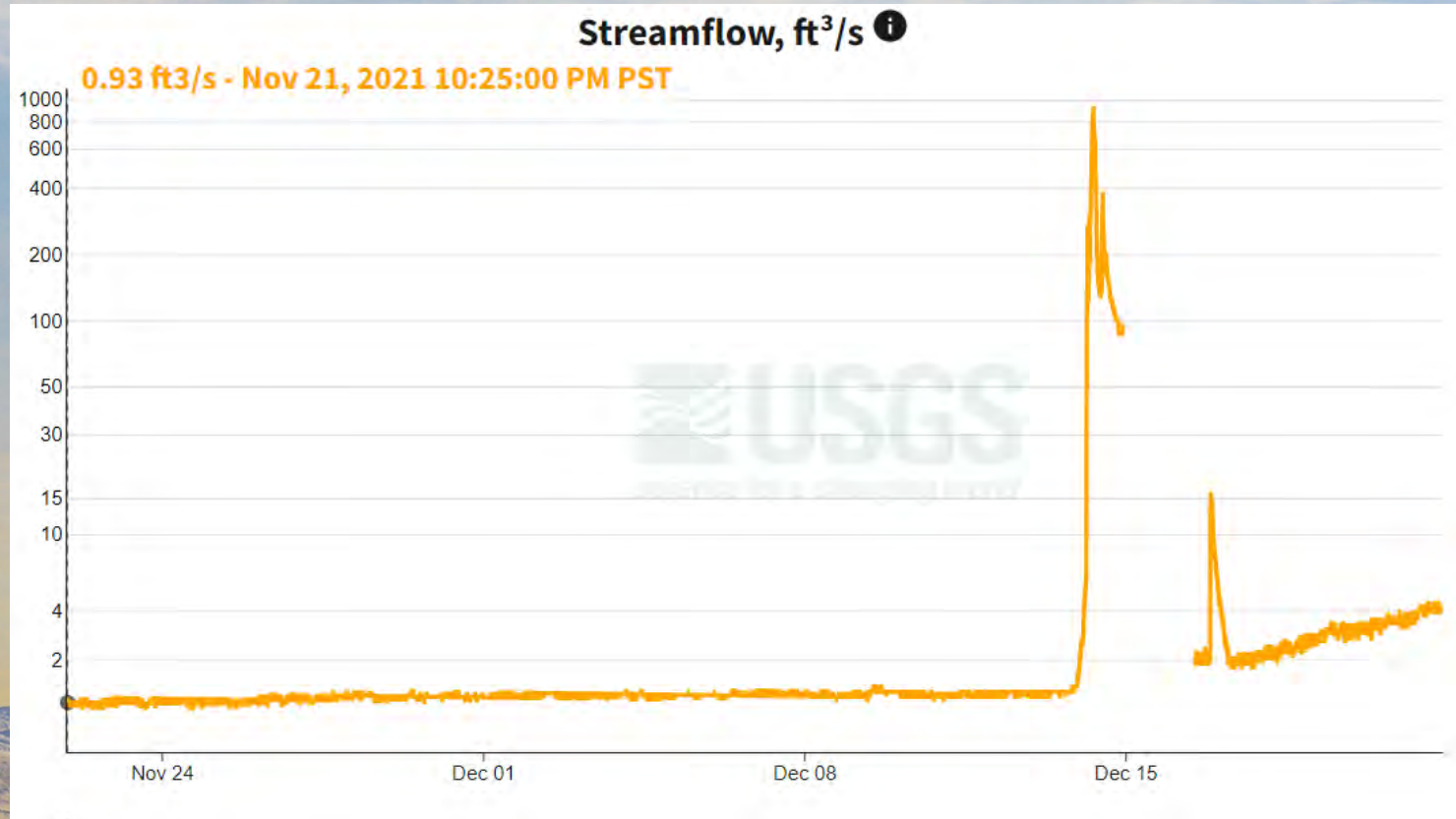
Ventucopa Location

https://waterdata.usgs.gov/ca/nwis/uv?site_no=11136500

New Cuyama Stream Gauge: Gauge Height Data



Ventucopa Stream Gauge: Discharge Data



Schedule for Cuyama Basin Monitoring in 2022

- Quarterly groundwater levels monitoring:
 - January, April, July, November
- Water quality testing:
 - Per the GSP, perform a single EC measurement in July
 - As discussed in response letter to DWR, the CBGSA would perform a single measurement and lab testing for nitrates, arsenic and TDS
 - Staff proposed performing this sampling and testing during July

Update on DWR TSS Program

- DWR install three new multi-completion monitoring wells in the Cuyama Basin in 2021
 - Staff is currently working with DWR to install transducers in these wells
- DWR has indicated that additional requests for TSS wells in the same basin would not be considered in the near future
 - However, DWR may be able to fund transducers at additional wells at some point in the future



TO: Standing Advisory Committee
Agenda Item No. 9c

FROM: Jim Beck, Executive Director

DATE: January 4, 2022

SUBJECT: Board of Directors Agenda Review

Issue

Board of Directors Agenda Review.

Recommended Motion

None – information only.

Discussion

The Cuyama Basin Groundwater Sustainability Agency Board of Directors agenda for the January 5, 2022, Board of Directors meeting is provided as Attachment 1 for review.



CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

BOARD OF DIRECTORS MEETING

Board of Directors

Derek Yurosek Chair, Cuyama Basin Water District
Lynn Compton Vice Chair, County of San Luis Obispo
Das Williams Santa Barbara County Water Agency
Cory Bantilan Santa Barbara County Water Agency
Glenn Shephard County of Ventura
Zack Scrivner County of Kern

Paul Chounet Cuyama Community Services District
Byron Albano Cuyama Basin Water District
Lorena Stoller Cuyama Basin Water District
Matt Vickery Cuyama Basin Water District
Jane Wooster Cuyama Basin Water District

AGENDA

JANUARY 5, 2022

Agenda for a meeting of the Cuyama Basin Groundwater Sustainability Agency Board of Directors to be held on Wednesday, January 5, 2022, at 4:00 PM. Participate via computer at: <https://global.gotomeeting.com/join/203153453>, or telephonically at (646) 749-3122, code: 203-153-453#.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Adopt Resolution No. 21-112 Authorizing Use of Teleconferencing for Public Meetings Under AB 361
5. Election of Officers
6. Standing Advisory Committee Meeting Report

CONSENT AGENDA

7. Approval of Minutes – November 3, 2021
8. Approval of Payment of Bills for October and November 2021
9. Approval of Financial Report for October and November 2021

ACTION ITEMS

10. Direction on Management Area Policies in the Central Basin
11. Direction on Adaptive Management Actions
12. Direction on Reimbursement for Well Owner Energy Costs related to Aquifer Analysis Program
13. Direction on Adding New Monitoring Wells
14. Direction on Potential Non-Compliance with Meter Requirement
15. Approve DWR 2022 Grant Application Projects
16. Adopt Resolution No. 2022-01 Designating the CBGSA Board Chairperson as the Authorized Representative to File an Application and Execute an Agreement with the California Department of

REPORT ITEMS

17. Administrative Updates
 - a) Report of the Executive Director
 - b) Report of the General Counsel
 - c) Report on the Fiscal Year 2020-2021 Audit
 - d) Update on Fiscal Year 2022-2023 Budget and Groundwater Extraction Fee Development
18. Technical Updates
 - a) Update on Groundwater Sustainability Plan Activities
 - b) Update on Water Year 2020-2021 Annual Report Development
 - c) Update on Monitoring Network Implementation
19. Report of the Ad Hoc Committee
20. Directors' Forum
21. Public comment for Items Not on the Agenda
22. Correspondence
23. Adjourn

Taylor Blakslee

From: K. P. March <kmarch@bkylawfirm.com>
Sent: Thursday, December 23, 2021 1:20 PM
To: Taylor Blakslee
Subject: Taylor Blakslee from KPMarch, Esq of Walking U Ranch LLC: Taylor I have heard that some big agricultural water users have filed a suit in Court, challenging the Cuyama Basin GSP, GSA needs to immediately file a motion to dismiss any such suit, for failu

122321

Taylor Blakslee of Cuyama Basin GSA, from KPMarch, Esq of Walking U Ranch LLC:

Taylor:

I have heard that some big agricultural water users have filed a suit in Court, challenging the Cuyama Basin GSP, GSA needs to immediately file a motion to dismiss any such suit, for "failure to exhaust administrative remedies". SGMA (Sustainable Groundwater Management Act) provides for an administrative process (GSAs, GSPs, etc), and that administrative process is NOT over, so IF any law suits have been filed, they are subject to being dismissed for "failure to exhaust administrative remedies".

GSA has a lawyer, and that lawyer should immediately write and file a motion on behalf of GSA to dismiss any such lawsuit for "failure to exhaust administrative remedies". If a lawsuit has been filed by big ag users, regarding the Cuyama Basin GSP, and if GSA's lawyer does NOT bring such a motion on behalf of GSA, then Walking U Ranch LLC's opinion is that GSA needs to get a different lawyer, who is interested in protecting the interests of GSA, instead of interested in protecting interests of big ag users.

Please reply to this email, tell me what suit(s) regarding Cuyama Basin GSA/GSP have been filed, in which court(s), names of all plaintiffs, when filed, case number(s).

Please distribute this email as Walking U Ranch LLC's public comment for the January 4, 2022 GSA advisory board meeting, and please distribute this email as Walking U Ranch LLC's public comment for whatever is the next GSA meeting. REPLY to confirm you will do this please. Thx.

I just phoned you, please phone me on my cell 213-700-6638, or at my law firm, 310-559-9224, to tell me what information you have, so I can look up any suits that have been filed. Thx.

KPMarch

Kathleen P. March, Esq.
Walking U Ranch LLC and The Bankruptcy Law Firm, PC
10524 W. Pico Blvd, Suite 212
Los Angeles, CA 90064
Phone: 310-559-9224
Fax: 310-559-9133
E-mail: kmarch@BKYLAWFIRM.com
Website: www.BKYLAWFIRM.com
"Have a former bankruptcy judge for your personal bankruptcy attorney"

From: Taylor Blakslee [mailto:TBlakslee@hgcpm.com]
Sent: Wednesday, December 22, 2021 7:00 AM
To: undisclosed-recipients:
Subject: Cuyama SAC Packet - Jan 4, 2022

Cuyama Stakeholder,

The Cuyama Basin GSA Advisory Committee meeting for January has been set for Tuesday, January 4, 2022 at 5 p.m. Please find attached the packet for that meeting.

The following memos are under development and the packet will be updated early next week with these updates:

- 8a – Management Area Policies in the Central Basin
- 8d – DWR Sustainable Groundwater Management grant draft project list

This will be a **remote-only** meeting and participation can be achieved via the below options:

- Computer (live view of presentation materials) – <https://global.gotomeeting.com/join/203153453>
- Telephonically – (646) 749-3122, 203153453#

Thank you,

Taylor Blakslee
Project Coordinator
(661) 477-3385



[To send me a file click here.](#)

Corporate (916) 923-1500
www.hgcpm.com

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Taylor Blakslee

From: K. P. March <kmarch@bkylawfirm.com>
Sent: Friday, December 31, 2021 2:24 PM
To: 'Joe Hughes'
Cc: Taylor Blakslee
Subject: Joe Hughes, Esq.(attorney for Cuyama Basin GSA) and to Taylor Blakslee (administrator for Cuyama Basin GSA): Please READ & REPLY to my below email, sent as counsel for Walking U Ranch LLC (a cattle ranch in Cuyama Valley, a stakeholder affected by GSA)

123121

To Joe Hughes, Esq.(attorney for Cuyama Basin GSA) and to Taylor Blakslee (administrator for Cuyama Basin GSA)

From KPMarch, Esq. counsel for stakeholder Walking U Ranch LLC (cattle ranch in Cuyama Valley)

Atty Hughes and Administrator Blakslee:

It will nullify the GSP and the actions of GSA, if big agricultural water users in the Cuyama Basin can **end run the GSA/GSP by suing in Court**, instead of being bound by the administrative process set up by SGMA.

The California SGMA statute sets up an administrative process (ie GSAs to be established all over CA, each GSA get together with the “stakeholders” and adopts a GSP (Groundwater Sustainability Plan), which GSA then submits to the appropriate CA government agency to approve, etc).

That administrative process is still going on as regards the Cuyama Basin GSA and GSP.

Therefore, my law firm (representing Walking U Ranch LLC, a cattle ranch that is a “stakeholder” in the Cuyama Valley GSP) believes that it is **premature**, at present, for anyone to file a lawsuit in any Court. Yet your below email to my law firm confirms that a couple of big agricultural water users in the Cuyama Valley have filed a lawsuit in Court attacking actions of the Cuyama Basin GSA.

It will nullify the GSP, and the actions directed by the GSA, if big agricultural water users in the Cuyama Basin can end run the GSA/GSP by suing in Court, instead of being bound by the administrative process set up by SGMA.

Therefore, your law firm, attorney Huges, as the law firm representing the Cuyama Basin Groundwater Sustainability Agency, **needs to immediately file a Motion**, on behalf of Cuyama Basin GSA, in each lawsuit that has been filed (one or more than one?) **moving to dismiss each such lawsuit for “failure to exhaust administrative remedies”**.

In my 40 + years of experience as an attorney, California Superior Court judges are eager to dismiss lawsuits for “failure to exhaust administrative remedies”.

By this email, my law firm, as counsel for Walking U Ranch LLC, requests that the Cuyama Basis GSA file a motion to dismiss any lawsuits filed in Court, relating to any aspect of the Cuyama Basin GSP, for “failure to exhaust administrative remedies”.

Please REPLY to confirm receipt. Please in your REPLY, tell me whether your law firm is going to bring that Motion, or is going to request that Cuyama Basin GSA authorize and direct your law firm to bring that Motion, as counsel for the GSA, or not.

If your law firm contends that there is some reason why it is NOT appropriate, or not necessary, to bring such a Motion, please tell me that in your REPLY to my law firm to this email, and please cite whatever legal authorities your law firm is relying on for taking that position, if that is the position your law firm is taking.

My law firm does not know of any authority your law firm could be relying on, to justify failing to file a Motion, on behalf of Cuyama Basin GSA, to dismiss any and all lawsuits that have been filed regarding the decisions of the Cuyama Basin GSA and/or Cuyama Basin GSP, for failure to exhaust administrative remedies. But if there is such authority, do send it to me in your Reply to this email, and I will analyze it. I suggest you do this before the upcoming 1/4/22 advisory board meeting, and before the 1/5/22 GSA meeting.

I am "cc"ing Taylor Blakslee on this email. Taylor, as counsel for Walking U Ranch LLC, I request that you, as administrator for GSA, make the below email from attorney Hughes, and this email of mine, my public comments to be put in the packets of materials for the 1/4/22 advisory committee meeting, and for the 1/5/22 GSA meeting.

I request that the GSA direct Hughes' law firm to make a motion to dismiss each lawsuit that has been filed, for "failure to exhaust administrative remedies". The sooner that Motion is brought, the better, because delay in bringing that Motion could give rise to the plaintiffs (big ag water users) arguing that GSA has waived right to raise failure to exhaust administrative remedies, by not making such a motion promptly.

If moving to dismiss the big ag users' lawsuit for failure to exhaust administrative remedies is appropriate, and if Hughes' law firm is unwilling to bring a motion to dismiss the big ag lawsuit for failure to exhaust administrative remedies--and by doing nothing, will be letting the big agricultural water users who have sued in Court use a Court suit to end run the authority and work of the Cuyama Basin GSA/GSP-- I respectfully suggest GSA will need to switch to using a law firm which will protect the authority and work of the Cuyama Basis GSA/GSP.

Taylor please reply to confirm you will put these emails in the packet of materials for the 1/4/22 and 1/5/22 meetings.

Attorney Hughes, I will look forward to your REPLY.

KPMarch

Kathleen P. March, Esq.
 The Bankruptcy Law Firm, PC
 10524 W. Pico Blvd, Suite 212
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 Phone: 310-559-9224
 Fax: 310-559-9133
 E-mail: kmarch@BKYLAWFIRM.com
 Website: www.BKYLAWFIRM.com
"Have a former bankruptcy judge for your personal bankruptcy attorney"

From: Joe Hughes [mailto:JHughes@KleinLaw.com]

Sent: Friday, December 31, 2021 9:41 AM

To: K. P. March <kmarch@bkylawfirm.com>

Cc: Jim Beck (jbeck@hgcpm.com) <jbeck@hgcpm.com>; Taylor Blakslee <tblakslee@hgcpm.com>; Alex Dominguez <ADominguez@kleinlaw.com>

Subject: Cuyama Basin GSA - Adjudication

Kay:

We understand you asked Taylor Blakslee for information regarding the Cuyama Basin groundwater adjudication.

Attached is the complaint filed in Kern County Superior Court and the case assignment notice following transfer of the matter to Los Angeles County Superior Court.

I believe these documents will provide you with all of the information you requested. Please let me know if I've missed anything.

Joseph D. Hughes

10000 Stockdale Highway, Suite 200 ▪ Bakersfield, CA 93311
Direct: 661-328-5217 ▪ Main: 661-395-1000 ▪ Fax: 661-326-0418

jhughes@kleinlaw.com ▪ www.kleinlaw.com



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Cuyama Basin Groundwater Sustainability Agency

Dear CBGSA,

26 August 2021

I submit this letter to the CBGSA as something that I hope will aid the agency's work in developing an effective, fair, and sustainable groundwater market and trading system. It is an article that was recently published in the May-June 2021 issue of *California Agriculture*, the well-known journal of research in progress by the University of California's Division of Agriculture and Natural Resources (*California Agriculture* 75(2):50-56. <https://doi.org/10.3733/ca.2021a0010>).

[The first SGMA groundwater market is trading: The importance of good design and the risks of getting it wrong](#)

The publication is a case study in the Fox Canyon Groundwater Basin in Ventura County, and should provide the CBGSA good information for the possible establishment of some kind of groundwater trading system in the Cuyama Basin. It would also seem that since Ventura County has a seat on the CBGSA, that we have an invaluable information resource on how to set up a functional trading system.

As the article states, there are many pitfalls and problems if a marketing system is not set up properly. A proper system includes everything from ecological-soundness, to hydrogeological connectivity, to market viability, to sound monitoring, and full transparency and honesty in management. A purely voluntary system is most likely not a good option.

I hope the GSA finds this article useful as we look forward to moving the GSP to full implementation.

Sincerely,

Steve Gliessman
UCSC Professor Emeritus of Agroecology
Farmer, Condor's Hope Ranch
Cuyama Valley