

Cuyama Basin Groundwater Sustainability Agency Board of Directors Meeting

May 1, 2024

Meeting Minutes

PRESENT:

Directors

Bantilan, Cory – Chair
Albano, Byron – Treasurer
Anselm, Arne – Secretary
Burnes, Rick
Jackson, Steve
Reely, Blaine
Yurosek, Derek
Williams, Das
Williams, Debby
Wooster, Jane
Zenger, Katelyn

Staff

Beck, Jim – Executive Director
Blakslee, Taylor – Assistant Executive Director
Van Lienden, Brian – Woodard & Curran
Hughes, Joe – Legal Counsel
Dominguez, Alex – Legal Counsel

ABSENT:

None

1. Call to Order

Cuyama Basin Groundwater Sustainability Agency (CBGSA) Chair Cory Bantilan called the meeting to order at 2:01 p.m.

2. Roll Call

Mr. Blakslee called roll (shown above) and informed Chair Bantilan that there was a quorum of the Board.

3. Pledge of Allegiance

The pledge of allegiance was led by Chair Bantilan.

4. Meeting Protocols

Mr. Blakslee provided an overview of the meeting protocols.

Incoming Director Steve Jackson introduced himself and thanked the Board for the

opportunity to serve. Mr. Jackson was recently appointed by the Cuyama Basin Water District in place of former Director Matt Vickery who resigned from the Board.

5. Election of Vice Chair

Chair Bantilan noted that a Vice Chair needs to be appointed since former Vice Chair Matt Vickery resigned from the Board.

MOTION

Director Reely made a motion to appoint Derek Yurosek as Vice Chair. The motion was seconded by Director Anselm, a roll call vote was made and passed with 100%.

- AYES: Albano, Anselm, Bantilan, Burnes, Jackson, Reely, Das Williams, Debby Williams, Wooster, Yurosek, Zenger
- NOES: None
- ABSTAIN: None
- ABSENT: None

6. Standing Advisory Committee Meeting Report

Standing Advisory Committee (SAC) Chair Brenton Kelly provided a report on the April 25, 2024, SAC meeting and is included below:

Submitted to the CBGSA Board of Directors on May 1st, 2024 By Brenton Kelly, SAC Chair The Standing Advisory Committee met at the Family Resource Center in a hybrid format, with five Committee Members present in-person and two on the conference line and one Committee Member absent. GSA Staff Taylor Blakeslee and legal counsel Alex Dominguez were present with assistance from Elijah Banda, and they were joined by Jim Beck and Brian Van Lienden on the call. Several public members were in the room and on the video conference line.

It was mentioned in public comment that the Cuyama Basin Groundwater Sustainability Agency has developed a “Cuyama Groundwater Basin Well Issue Reporting Form” that was emailed to stakeholders and is included on the CBGSA website at <https://cuyamabasin.org/resources>. This reporting, regarding dry and failing wells is vitally helpful for understanding current groundwater conditions in the basin. The Committee discussed how important it is for the GSA to pursue informing people about reporting any dry wells.

Due to an unfortunate mistake, SAC was unable to review and adopt the final edits of Chapter 3 & 5. The Committee spent more than 30 minutes in discussion of edits before a mistake was recognized that the wrong draft version was included in the Packet.

11d. Discuss and Take Appropriate Action on Data Management System Update Options

The SAC approved all the items currently planned for in the update of the DMS, like the automatic integration with publicly available GAMA, CASGEM and ILP data. A number of Committee Members were interested in the additional public facing Allocation vs. Actual Pumping Data tracker that would not violate property owners’ data privacy.

Legal Council Alex Dominges said that there are certain protections for public utilities information but if you are over an allocation it would have to be shared. Taylor said last year's Allocations Use Report is posted on the website.

Committee Member DeBranch commented these opportunities are grant funded and implementing 'bells and whistles' with grant funds may be great but the groundwater sustainability agency (GSA) will ultimately be responsible for funding programs long term.

11e. Discuss and Take Appropriate Action on Website Update Options

The SAC approved the \$9000 website update. It was agreed that a transition from the development to the Implementation phase of the GSP calls for a new web display. The Resource page is overloaded and it could be made much easier to navigate.

12a. Update on GSP Component Schedule

The SAC accepts the revised schedule and recognizes the compressed timeline to meet our submission deadline in January 2025.

12b. Authorize 90-Day Notice to Cities and Counties for an Amendment to the GSP and Set a Public Hearing on November 6, 2024

The SAC approved the required 90-day Notice for the Public Hearing on November 6th.

12c. Discuss and Take Appropriate Action on Project and Management Action Options

The SAC approved the Projects and Management Actions that are currently Included in the GSP. As for the two new projects for consideration the following opinions were shared.

New Projects for Consideration:

- *Flow Meter Recalibration Program*

Committee member Caufield questioned the realistic effort of the +/- 5% accuracy goal both technically and financially. Dave Lewis asked if the cost of this policy would fall on the pumpers. Jim Beck said that first a policy plan would need to be worked out before possible funding could be pursued. The SAC recognized the need for Quality Control of flow meter data while avoiding additional financial burdens on top of the property owners' initial cost to install the mandated flow meters. There was general concern that this could be a significant cost to property owners. Taylor replied that no cost estimates are available at this time.

- *Rangeland and Forest Management*

The Committee recognized the challenges of this project and supported Staff recommendation to not pursue controlled burning in the foothills any further. However, the discussion continued with strong support for the idea of 'Vegetative Management' in the central valley for invasive weed control using prescribed grazing instead of burning. The SAC recommends that grazing management be investigated as a possible solution.

12d. Discuss and Take Appropriate Action on Basin-Wide Water Management

It was explained to us that for this familiar item, at this time, we should focus on the geographic questions that need answers now, while being aware of the policy considerations that will need to be answered next time. The question at the moment was: How many sub-regions to develop individual water budgets for within the basin wide Groundwater Model?

The SAC expresses a variety of opinions regarding the number of sub-regions to be considered. John Caulfield asked for clarification on how the grazing lands and unirrigated croplands will be treated differently than the irrigated acreage? This was a good example of the policy questions for next time. How to track and treat different Land Use?

Robbie Jaffe reflected on how these four areas look a lot like the way we started looking at the basin going back to the USGS in 2014. The problem has always been an issue of 'Data Gaps'. Robbie hoped that the GSA can benefit from the drilling log reports from the 11,000 foot deep exploratory oil well being proposed for drilling in the northwest end of the Basin right now. This data could provide greater understanding of the regional hydrogeology. Anticipating the policy questions ahead, Robbie felt strongly that it would be necessary to identify what type of irrigation is taking place since each farming type and crop uses different amounts of water per acre. She suggests a tiered approach to identify Irrigated lands by amount of the water use

Brian reminded us that currently, Land Use is only identifies as either Irrigated or Non-Irrigated and this is what the Board directed. Taylor said this map will be refined as the land use component is refined in the model.

Joe Haslett suggested that in the west end, each tributary acts unique to the others. The northwest is where they combine with the Cuyama Groundwater at the river. Joe suggested the need to consider bifurcating the west into two or more regions because all the drainages act differently. To manage the area as a whole is not realistic since there are so many different sources and types of water across the region with different dynamics in each canyon. As an example, he highlighted Schoolhouse Canyon vs Cottonwood Canyon.

Vice Chair Brad DeBranch suggested that this subdivision was putting the cart before the horse, because the Basin needs to be managed as one whole. As we are studying the science behind connectivity across these faults, we should consider the Basin as one whole and assume its interconnected. He thought that to study how these 4 regions may be unique and how they might be managed individually was premature. He asked "how can you have multiple management areas with different budgets if they are assumed to be connected".

Brian assured the SAC that the whole Basin Water Budget could be divided up in any number of discrete parts as needed for Basin wide management. The Question was How many? How complex? How simple?

Comments from the Public:

Jane Wooster pointed out that the yellow areas were all parcels outside the orange CMA that chose to be part of the Operational Area and managed as a Farming Unit within the CMA.

Lynn Carlisle suggested that if we go forward with 4 separate water budgets there would need to be strong justification for the setting of those boundaries. The precise location of the Fault lines for example are still in discussion. It was agreed that it would be best if these lines would not need to move during implementation of the GSP.

Adam Lovgren asked If I were in the purple area and my well was being impacted by larger nearby pumpers what can I do? How to determine who is responsible for the drawdown. Answer: All the areas adjacent to the CMA are in that situation and it is a policy consideration that needs to be addressed very soon.

The Committee Members were polled on their recommendation regarding the number of Management area:

- Robbie Jaffe felt that a more granular approach with the water budget analysis would provide valuable information, especially since the western and northwestern areas are so different. She is in favor of 5 Management Areas.
- Jean Gaillard felt that the whole central area should be managed as one MA. He was in favor of only having 3 total areas.
- John Caufield agreed with Jean on 3 MAs.
- Joe Haslett felt that the CMA was the only cause of the overdraft problem and only 1 MA was needed at this point while monitoring continues basin wide.
- Karen Adams agreed with Joe that the entire valley is not evenly interconnected, and is in support of having 1 MA focused on the only place where there is an obvious problem.
- Brad DeBranch was in favor of 1 MA for the entire interconnected Basin.
- Dave Lewis abstained on a number due to other bigger policy concerns
- Chair Kelly agrees with Robbie and supports 3 or more MAs that would more accurately reflect the unique hydrological characteristics of the Cuyama Basin

12e. Discuss and Take Appropriate Action on GSP Draft Chapters: [Final Discussion] Chapter 3. Undesirable Results & Chapter 5. Sustainability Management Criteria

I wish I could report on the robust discussion SAC to adopt these two Chapters, but I can't. I can report that your Stakeholder Advisory Committee read the many pages in the packet and could not advance staff recommendation for adoption. After serious discussions of disapproval, a text version mistake was realized. Although apologies were made by Staff for the unfortunate time wasted, we wish for all of you to recognize that the SAC Members are the voluntary and unpaid local Quality Control agents of this GSA, not grant funded copy editors. And we encourage you to read the packet carefully.

14a. Technical Updates on Fault Investigation Study

As the Fault Investigation studies continue to consume time and resources, this update did not bring much clarity to the questions that persist. Such as: What effect do the fault zones have on groundwater flow? What does it mean if there is “low resistivity data to the south juxtaposed with high resistivity to the north and another subvertical steeply dipping fault or fault splay to the north” (slide 97)? It now appears that we are less confident about where the east end of the SBC Fault is even located? Shouldn’t all this be determined before Management Area boundaries are set in the new GSP? Various members of the SAC and the Public expressed frustration with the inconclusive outcome of this ongoing Investigation, and that important decisions need to be made right now anyway.

14b. Technical Update on the Water Resources Model

Staff is on track to release a new calibrated Water Resources Model by the end of June and is expecting some changes in the new outputs. The current question is why the self-reported metered pumping data was 30% less than the Model projections in both 2022 & 2023. The discrepancy appears to be in the lower water use land crops, the non-irrigated rangeland and the smaller pumpers. Brian expects the reported yield changes will impact the model but they will not likely change the Sustainably Yield

16. Directors’ Forum

Committee Member Jaffe asked about the transparency of the new well permitting process with the hydrological study and Staff review. Robbie would like to see this info appear online. Taylor reminded the SAC that the policy is only for new wells, any replacement well does not require a study or Board approval.

*Respectfully submitted,
Brenton Kelly, SAC Chairperson*

7. Approve Woodard & Curran Contract Change Order for Monitoring Well Installation Recommended Motion

Mr. Blakslee reported that the requested approval of a change order is due to unanticipated costs for the installation for the grant-funded dedicated monitoring well. He reported that the costs totaling \$177,698 is required for traffic control per Caltrans and is reimbursable by the existing grant.

Director Wooster asked if staff attempted to move the site locations onto private property, and W&C hydrogeologist Jim Strandberg reported that staff did try this avenue first, but were unable to get approval from nearby landowners and therefore ended up moving sites in the public right-of-way.

MOTION

Director Reely made a motion to approve the W&C change order. The motion was seconded by Director Debby Williams, a roll call vote was made and passed with 100%.

AYES: Albano, Anselm, Bantilan, Burnes, Jackson, Reely, Das Williams, Debby

	Williams, Wooster, Yurosek, Zenger
NOES:	None
ABSTAIN:	None
ABSENT:	None

CONSENT AGENDA

8-10. Consent Agenda

Chair Bantilan asked if any Directors wanted to move any of the consent items out to discuss in more detail.

Director Jackson said the minutes incorrectly state a motion failed with 88% and should have read it passed.

Director Yurosek asked for a report on the grant reimbursement schedule in the financials and Mr. Blakslee reported that a few invoices have been submitted later than expected to the California Department of Water Resources (DWR) and staff is ensuring futures invoices are submitted in a timely manner. He also noted that DWR grant manager Chris Martinez recently left DWR, and they are trying to backfill those positions which has also contributed to reimbursement delays.

Director Yurosek noted that the Board packet included over 100 pages of receipts and said they Board does not need to see that level of detail going forward and Chair Bantilan agreed and said they can be summarized going forward.

Director Wooster said motion on the basin-wide water management issue should have included a statement that the Cuyama Basin Groundwater Sustainability Agency (CBGSA) would be managing irrigated ground and not grazing ground. Mr. Blakslee said that should have been included in the motion and staff will check this and make the appropriate correction.

MOTION

Director Yurosek made a motion to approve the consent agenda item nos. 8-10, with the corrections noted above. The motion was seconded by Director Anselm, a roll call vote was made and passed with 100%.

AYES:	Albano, Anselm, Bantilan, Burnes, Jackson, Reely, Das Williams, Debby Williams, Wooster, Yurosek, Zenger
NOES:	None
ABSTAIN:	None
ABSENT:	None

ACTION ITEMS

11. Groundwater Sustainability Plan Implementation

a. Discuss and Take Appropriate Action on the Fiscal Year 2024-2025 Budget and Cash Flow

Mr. Blakslee provided an overview of Fiscal Year 24-25 Budget and Cash flow which is included in the packet.

Director Yurosek asked if a rate comparison was reviewed by the ad hoc. Mr. Blakslee reported that a 5 percent rate increase for W&C was reviewed by the ad hoc, but Hallmark Group rates were not reviewed. He reported that Jim Beck’s rate is not changing and his rate may have increased but he will check on that and include a rate comparison analysis for future budget ad hoc review.

MOTION

Director Anselm made a motion to approve the Fiscal Year 2024-2025 Budget and Cash Flow. The motion was seconded by Director Blaine Reeley, a roll call vote was made and passed with 100%.

- AYES: Albano, Anselm, Bantilan, Burnes, Jackson, Reely, Das Williams, Debby Williams, Wooster, Yurosek, Zenger
- NOES: None
- ABSTAIN: None
- ABSENT: None

b. Discuss and Take Appropriate Action on Strategy for Setting Future Groundwater Extraction Fees

Mr. Blakslee reported that during the Budget ad hoc review of the cash flow staff discussed the strategy of setting future fees and review several fee setting strategies with the ad hoc. The ad hoc recommended the strategy for setting future fees be discussed with the entire Board to provide policy direction for setting future fees. He also noted that ins in past fee setting discussions, the CBGSA Board directed staff to target an ending fiscal year cash flow balance of approximately \$200,000.

Steve Jackson commented he prefers to keep fees as low, for as long as possible.

Director Yurosek commented he is concerned about financing on the front end and financing for others as some landowners will be reducing quicker than others

Stakeholder Ray Shady asked about the use of cash and if there are any projects previously discussed that could be reassessed with the available cash.

Das commented that he prefers option no. one and it is better to prevent steep increases in fees.

Director Jane Wooster asked if there should be a defined benefit to the fees that are assessed. Legal Counsel Alex Dominguez responded that the current fees are set under

the Sustainable Groundwater Management Act (SGMA) for the purpose of administering the GSA and components of the Groundwater Sustainability Plan (GSP). He said there is a fine line between code section 10730, which we rely on, and 10730.2 and other mechanisms that are available to the GSA to collect fees. He said the fees we are collecting are for the administration of the GSA and project-specific costs will require an in-depth discussion regarding who is benefiting from the project.

Director Byron Albano said he prefers Option 1 and scale up steadily over time and noted he does not like option 2. He also noted that the adjudication may require the CBGSA to maintain a sufficient cash balance.

Director Jane Wooster commented that there should be a discussion of whether the ending cash balance target of \$200,000 may not be sufficient and Director Debby Williams concurred.

MOTION

Director Albano made a motion to approve option 1. The motion was seconded by Director Debby Williams, a roll call vote was made and passed with a 69% vote.

- AYES: Albano, Anselm, Bantilan, Burnes, Reely, Vickery, Das Williams, Debby Williams
- NOES: Wooster, Jackson, Yurosek, Zenger
- ABSTAIN: None
- ABSENT: None

Chair Bantilan reported that staff will bring this back up for discussion prior to approval of next Fiscal Year’s budget.

c. Discuss and Take Appropriate Action on Consultant Task Orders for Fiscal Year 2024-2025

Mr. Blakslee reported that the consultant contracts are based on the amounts approved in the budget and include rate sheets for each consultant. He also noted that due to a timing issue, Provost & Pritchard’s contract for groundwater monitoring will be brought to the Board in July 2024.

MOTION

Director Anselm made a motion to approve Hallmark Group and Woodard & Curran task orders for Fiscal Year 2024-2025. The motion was seconded by Director Reely, a roll call vote was made and passed with 100%.

- AYES: Albano, Anselm, Bantilan, Burnes, Jackson, Reely, Das Williams, Debby Williams, Wooster, Yurosek, Zenger
- NOES: None
- ABSTAIN: None
- ABSENT: None

d. Discuss and Take Appropriate Action on Data Management System Update Options

Mr. Van Lienden provided an overview of potential updates to the data management system (DMS) which are included in the Board Packet.

SAC Chair Kelly provided the SAC report on this item.

Director Wooster asked if the DMS is the same program used as other GSAs and if there is a cost savings? She also asked if there will be ongoing costs for this program. Mr. Van Lienden responded that the DMS built for Cuyama has already benefited from efficiencies of the work done for other basins and does not anticipate additional, ongoing costs once the improvements have been made.

Director Zenger asked who is completing the integration and asked for a detailed statement of work with costs for this integration.

Director Derek Yurosek commented that the DMS should not give any more information than it has to. He also said he is cautious on access and agrees with requesting a statement of work.

Director Byron Albano commented that a timeframe function would be helpful in querying data and is ok with integrating data, and querying, but not the additional options presented.

Chair Bantilan requested staff bring back a detailed statement of work at the July 2024 meeting.

e. Website Update Options

Mr. Blakslee provided an overview of the plan to update the website. He reported that the website was designed during GSP development, and the proposed redesign will transition the website to a GSP implementation phase will optimize access to data with a focus on current, relevant issues in the basin.

SAC Chair Kelly provided the SAC report on this item.

MOTION

Director Wooster made a motion to approve the website restructuring. The motion was seconded by Director Debby Williams, a roll call vote was made and passed with 100%.

AYES:	Albano, Anselm, Bantilan, Burnes, Jackson, Reely, Das Williams, Debby Williams, Wooster, Yurosek, Zenger
NOES:	None
ABSTAIN:	None
ABSENT:	None

12. Groundwater Sustainability Plan Amendment Components

a. Update on GSP Component Schedule

Mr. Blakslee provided an update on the GSP component schedule and noted that minor changes to the schedule and said the project is still on schedule, but the slack has been used up and any potential changes to the schedule may result in requiring additional special meetings.

Director Wooster noted that she is concerned with asking the Board to make decisions on basin-wide water management and boundaries issues when there is not time for peer review of the model. She said W&C will need time to perform quality control and quality assurance and is worried about the timeline proposed.

Director Anselm said this is not the only GSA that has used up all its slack in the schedule and we need to keep moving forward.

b. Authorize 90-Day Notice to Cities and Counties for an Amendment to the GSP and Set a Public Hearing on November 6, 2024

Legal Counsel Alex Dominguez provided an overview of the 90-day notice requirement to amend the GSP.

SAC Chair Kelly provided the SAC report on this item.

MOTION

Director Arnie Anselm made a motion to authorize 90-Day Notice. The motion was seconded by Director Debby Williams, a roll call vote was made and passed with 100%.

- AYES: Albano, Anselm, Bantilan, Burnes, Jackson, Reely, Das Williams, Debby Williams, Wooster, Yurosek, Zenger
- NOES: None
- ABSTAIN: None
- ABSENT: None

c. Discuss and Take Appropriate Action on Project and Management Action Options

Mr. Beck provided an overview of current projects and management actions in the GSP.

Mr. Van Lienden provided an update on two new projects being considered for the amended GSP which are (1) flow meter recalibration program, and (2) rangeland and forest management. He reported that the staff recommendation is to not include rangeland and forest management as a project due to uncertain benefits and potential wildlife and air quality impacts from burning land to increase water flow.

SAC Chair Kelly provided the SAC report on this item.

Director Anselm commented that he has managed a certified meter calibration program in the Fox Canyon Groundwater Management Agency (FCGMA) and while it can be burdensome, it is a good idea to add a consideration for low volume flows. He said he has had some users with spare meters sitting unused on the shelf and after three years they would be out of calibration even if they were not used. He also noted that if meters go out of calibration, they start measuring high so there is an incentive to keep them calibrated.

Director Jane Wooster commented that the State requires meter calibration every five years.

Chair Bantilan asked how accurate flow meters can get and Director Anselm said meters can measure within 5 percent accuracy.

Mr. Beck reminded the Board that staff is looking for direction to start the process on which programs to include in the GSP and the program does not need to be fully defined today.

Director Yurosek said the calibration is simpler, but the most important is the proper installation of a flow meter. He said the water district may have some opportunities that the CBGSA can utilize and encouraged W&C to coordinate with EKI on potential grant opportunities.

Director Albano commented that it is important to have a metering program and it will be very important to ensure the program is written correctly to achieve its objective without driving up costs.

Director Wooster said calibrating meters is important to a point, but expressed concern with creating a new regulatory requirement that may not have a benefit to all users.

Poll for Including Flow Meter Calibration:

All Directors responded yes.

Poll for Including a Rangeland/Forest Management Project:

All Directors responded no.

d. Discuss and Take Appropriate Action on Basin-Wide Water Management

Mr. Beck provided an overview of the Board direction from the March 27, 2024, meeting to “continue with cutbacks in the Central Management Area (CMA) while we create water budgets based on physical features and modeling data for the entire basin with the view to balance water in the entire basin and treat grazers different than irrigators.” He presented a draft map for Board input on how staff planned to report on water usage by different areas to assist in the discussion of basin-wide water management to occur at the July 2024 Board meeting.

Director Yurosek disagreed with the motion staff captured from the March 27, 2024 meeting and said the Board said “water budget” singular and not “water budgets.”

Chair Bantilan suggested the Board consider recording future meetings in Teams.

Director Wooster also expressed concern with the material presented to consider managing the entire basin, and not just the irrigated areas.

Legal Counsel Alex Dominguez responded that the staff interpreted the motion as best as they could and came up with the four potential areas to consider water management in the basin for the Board to consider action on developing a water budget or budgets.

Director Jackson asked staff if the basin is considered one basin, and Mr. Beck replied that

staff's understanding is that it is one basin because that is how it is defined by DWR. However, there may be discrete regions in the basin depending on the results of additional technical work being done in the basin including the fault investigation study.

Director Wooster commented that the basin is complex and described several unique geologic and hydrologic differences in the basin. She said the basin is not a bowl with a flat bottom and said it is conceivable that there are portions of the basin where water can work itself down to a deeper portion and not work its way back up and she believes this is true between Ventucopa and the CMA and the CMA and the west end. She said complicating things are numerous faults (not just the Russell or Santa Barbara Canyon faults) and springs. She said a lot of springs on the lower end have dried out because they are conceivable interconnected to the CMA and noted that Cuyama is a very complicated basin.

Director Albano said the basin may be interconnected in a variety of ways, but asked if the Ventucopa area was severely overdraft in the future would you manage just the Ventucopa area, or the entire basin? Mr. Beck responded that SGMA gives you the tools to manage discrete areas in the GSA to attain sustainability. He said if a portion of the basin becomes unsustainable in the future, he believes it would be appropriate to take discrete actions for portions of the basin and commented that SGMA gives you the tools to manage localized areas in a basin differently depending on the conditions occurring in those areas.

Stakeholder Steph Morris introduced herself and said she grew up in the Valley for 17 years and said she is a groundwater rights attorney that has done two groundwater adjudications and have been working for over 20 years. She said legislation never ends up how you want it to, and this is a very complicated piece of the law, but a good thing about SGMA is that it intends to leave control and management in the hands of the locals. She said the basin is not a giant bathtub. She said she represents clients in the Cuyama groundwater adjudication. She went on to read several documents from the CBSGA or comments that attorneys from Bolthouse made. She said in the adopted GSP, it states total basin-wide pumping may be required to be reduced by 50-67 percent with a major proportion of pumping reduction required in the CMA. She said there is already an acknowledgement of more than one management area. She noted that pumping reductions were only set in the CMA, and the GSP would need to determine the sustainable yield for this portion of the basin that is less than the sustainable yield for the entire basin. She also reported that this Board directed its staff to intervene in the adjudication and in the courts findings and said later phases of this adjudication may be used to determine whether management areas should be utilized or not and whether the Basin should be differentially or homogeneously managed. She said the Board received a letter today she surmised that subbasins and management areas are not different and the court excluded them, but they did not. She said as a public agency, it is critical to support the people who live and work in this Valley and to do the right thing for the Basin and to promote and protect the plan that you adopted.

Director Wooster asked Ms. Morris who she represented, and she said several landowners in Ventucopa including Mr. Wegis, Reyes and Albano.

The Groundwater Extraction Fee Public Hearing occurred at 4:30 p.m.

Stakeholder Ray Shady said he manages the North Fork Vineyard and Santa Barbara Highlands Vineyard. He said he was concerned with discussions on a uniform approach to preventing undesirable results and was pleased to see the discussion of management areas to come back up for discussion. He said it is important to consider the geology in the basin that creates perches of water and noted that the Ventucopa basin fills up very quickly in the rainy seasons and it is important to further study the connectivity of different areas in the basin. Chair Bantilan asked what Mr. Shady was advocating for and he responded that he would recommend the same delineations that were represented in the threshold regions.

SAC Chair Kelly provided the SAC report on this item.

Jim Wegis asked if the Board is trying to make management decisions of the entire basin without the results of all the recent technical data. Chair Bantilan said the Board has to wrestle with making a decision now or wait a number of years for now. Mr. Wegis asked what happens if the data proves the decision wrong and Chair Bantilan said the GSP can be amended to make changes based on new technical data. Director Wooster said the Board does not need to decide this issue now and should continue exploring the situation in the basin.

Stakeholder Mark Ellsworth asked if the Board is rejecting the results of phase one of the adjudication where the court rejected the concept of subbasins at the faults. Chair Bantilan responded that no, the Board is considering the issue of management areas. Mr. Ellsworth commented that areas upstream of the CMA does effect the sustainability of the CMA and is concerned that one group of pumpers will be disproportionately burdened with achieving sustainability for the entire basin.

Stakeholder Matt Vickery commented that he was surprised staff interpreted the March 2024 motion they way they did and said it feels like we are trying to speed up decisions that we are not ready for. He urged the board to wait until there is more information and the model before breaking management down by discrete areas and it should be treated as one basin until that technical work is complete.

Director Zenger said the information being presented today looks very similar to option 3 from the March 2024 meeting that did not have the majority of votes in the poll, and said she is very disappointed with what staff brought back and did not reflect the intent of Director Wooster's motion in March.

Director Derek Yurosek said he believes you need management areas for projects and management actions but is frustrated with the term "water budgets." He said the sustainable yield should be a basin-wide number that should be allocated basin-wide. He said he is not comfortable discussing management areas until the Board deals with the

native yield, safe yield or water budget for the basin. He said to get the GSP passed, the Board agreed to cutbacks in the CMA sooner to allow the rest of the basin to determine what that native yield is for the basin, and said the direction being presented by staff is significantly different.

Director Albano asked if that what we are talking about and starting to discuss how to establish the native yield for different portions of the basin to make logical management decisions on how to manage those portions of the basin. He said the Board needs to determine management for local, regional water conditions and noted that the technical forum members have been advising the Board that the faults are significant. He said if Grapevine or western growers make cuts they are irrelevant for folks in the eastern portion of the basin and said he expected the Board was going to get logical about managing water in the basin and uniform pumping reductions basin-wide will not fix the overdraft problem in the basin and water needs to be managed in different regions of the basin.

Director Anslem said the decision before the Board is not setting actions in these management areas but establishing different areas to develop management actions in the future.

Mr. Beck said to-date, there is only one sustainable yield estimate for the basin. He said the Board decided to allocate a portion of the sustainable yield to the CMA to administer groundwater allocations in the CMA. He said the Board has been clear about continuing with managing the CMA, but said staff is looking to get clarity on how the unallocated sustainable yield is managed, if at all. He said staff is not using the model to pull apart the sustainable yield by areas.

Director Wooster said there is no one on the Board that is saying only the CMA should be managed without looking at the other parts of the basin and said the issue is it should not have been sectioned off that it is presented in the packet. She said the Board is saying to keep moving forward but do so with science.

Mr. Dominguez confirmed this is not a final action today, but an attempt to get direction on how to potentially manage water in different portions of the basin.

Director Wooster said the Board did not ask staff to come up with an answer on this in July or in the following month. She said it should not be a staff-directed effort but based on science.

Mr. Beck said the model will be done at the end of June 2024 and understands the Board will review the updated CMA information. He said if you want to see any other information to direct staff and we will present that. Director Wooster replied they would like to see everything staff has, and Mr. Beck said we cannot provide the raw model data files and need to know what the Board wants.

Director Yurosek said he disagrees with Mr. Beck's statement that the Board has approved an allocation to the CMA based on the sustainable yield and said he would like to see

where the Board has provided that action. Mr. Beck said he disagrees, and staff can present how the allocation that was implemented by the Board that includes the sustainable yield portion for the CMA. Director Yurosek said the number was never agreed to by the Board, and while it was part of the math calculation for determining the ramp-down, was never agreed to.

Director Arne Anslem said he never met a hydrogeologist that has enough data and we have had technical folks that have looked at these lines. He also said the Board will not get an extension on submitting the five-year evaluation to DWR, and the Board needs to be mindful of the decisions we need to make.

Director Byron Albano said staff did take the Board's direction and looked at the physical features in the basin and the technical forum has been advising on this for some time and saying the faults are significant in the basin. He said divvying up the sustainable yield by every acre in the basin is completely inappropriate to do so.

Director Wooster said they did not instruct staff to get rid of the threshold regions but told staff we want to look at the physical features and look at data and figure out what to do. She said the data is not available yet and we need to move forward with the plan. She said she is not arguing that these two faults are not significant features, but we need to commit to analyzing the physical features and do not want staff second guessing what those are before we get the data which.

Chair Bantilan said he does not believe that is what staff did. He said they came back with a map and it is fine if we disagree with the map and can provide direction on how to look at different portions of the basin.

Director Wooster said staff has reported that the Santa Barbara Canyon fault (SBCF) has moved but are still trying to draw it on a map. Chair Bantilan noted the fault update is later in the agenda and asked W&C for a brief update.

Mr. Strandberg provided a brief update on the results of the Santa Barbara Canyon fault study and the potential movement of the fault over Hwy 33 where the USGS previously inferred the fault to be.

Director Burnes requested that staff develop options based on science and data and to do so in a clear and concise manner.

Chair Bantilan took a poll of the Board on this issue to determine how the Board would like to handle this issue in July 2024.

Board Poll

1. Director Burnes – Discussion today was good but need more data.
2. Director Jackson – Need more information on water moving across the faults and recommend no discussion in July 2024.
3. Director Katelyn – Support a basin-wide approach until the data says otherwise.
4. Director Wooster – Nothing additional to add.

5. Director Reely – Move down the road to delineate management areas based on physical features and the modeling data. Management area strategies should be considered acknowledging the differences in the basin (i.e. Ventucopa, main basin, etc.).
6. Director Debby Williams – Look at whole area and then decide what we need for management areas at a later time.
7. Director Yurosek – Said the Board needs to address the basin safe yield, native yield.
8. Director Elliott – Recommended the status quo for the GSP update and not discuss until the technical data is complete.
9. Director Albano – Agrees with Director Reely and Elliott.
10. Chair Bantilan – Agreed with pulling this off of next month’s agenda and figure out at a later date.

Mr. Beck said he wants to ensure staff has very specific direction from the Board and said he believes the following captures the wishes of the Board to come back with updated model data for two areas, (1) the CMA plus farming units modified by the model, (2) the sustainable yield for the rest of the basin, (3) staff to draft a simple addition to the pumping allocation project to say we will continue investigation of management areas.

Director Wooster said we need to include language in the GSP to reflect the March 2024 Board direction to look at other areas in the basin and look at the physical features and the modeling to see what we need to do with the water situation in those areas.

MOTION

Director Wooster made a motion to include language in the update [GSP] to reflect what we decided at the last meeting that we are going to look at the other areas of the basin and look at their physical features and the modeling to see what we need to do with the water situation in those areas. The motion was seconded by Director Debby Williams, a roll call vote was made and passed with 100%.

- AYES: Albano, Anselm, Bantilan, Burnes, Jackson, Reely, Das Williams, Debby Williams, Wooster, Yurosek, Zenger
- NOES: None
- ABSTAIN: None
- ABSENT: None

e. Discuss and Take Appropriate Action on GSP Draft Chapters

Mr. Van Lienden provided an overview of Chapters 3: Undesirable Results, and Chapter 5: Minimum Thresholds, Measurable Objectives, and Interim Milestones which are provided in the packet for consideration of approval.

Stakeholder Ray Shady commented he was concerned with the removal of any language related to threshold regions that were eliminated in setting sustainable management criteria using a common methodology.

Director Wooster said she did not feel prepared to vote on these chapters at this time.

Director Yurosek asked staff what the intent of staff is in removing the threshold regions and Mr. Van Lienden reported that the Chapters follow the Board direction from the January 2024 meeting and threshold regions are no longer applicable to the method in setting sustainable management criteria.

Director Albano said he is uncomfortable voting on these chapters at this time before the Board discusses if additional management areas are going to be created. He said he is concerned with efforts to remove references that describe the differences in the basin.

Chair Bantilan requested Chapters 3 and 5 be deferred to the July 2024 agenda.

REPORT ITEMS

13. Administrative Updates

a. Report of the Executive Director

Mr. Beck provided an update on Hallmark Group progress, next steps, and an overview of the CBGSA's expenses and budget-to-actuals, which are included in the Board packet.

b. Report of the General Counsel

Nothing to report.

14. Technical Updates

a. Fault Investigation Study

Mr. Strandberg provided an update on the fault investigation study which is included in the packet.

b. Water Resources Model Update

Mr. Van Lienden provided an update on the model timeline which is included in the Board packet.

c. Update on Groundwater Sustainability Plan Activities

Mr. Van Lienden provided an update on the accomplishments for January and February 2024 which are provided in the Board packet.

d. Update on Grant-Funded Projects

Mr. Van Lienden provided an update on grant-funded projects which is provided in the Board packet.

15. Report of Ad Hoc Committees

Nothing to report.

16. Directors' Forum

Nothing to report.

17. Public comment for Items Not on the Agenda

Nothing to report.

18. Correspondence

Nothing to report.

PUBLIC HEARING

19. PUBLIC HEARING: Groundwater Extraction Fee

Chair Bantian opened the public groundwater extraction fee hearing.

Mr. Beck reported that on May 3, 2023, the CBGSA held a public rate hearing and adopted a \$12 per acre-foot groundwater extraction fee to fund the cost of the CBGSA’s groundwater management program, including the cost of implementing, its GSP, investigation of groundwater conditions, compliance assistance, enforcement, and program administration. He said the proposed Fiscal Year 2024-2025 fee reduction to \$5 per acre-foot is based on reported 2023 water use and the Fiscal Year 2024-2025 budget. He said prior to setting a groundwater extraction fee, this public hearing will provide an opportunity for the Board to receive and consider any public comment on the proposed fee.

Mr. Blakslee reported no written comments were received.

Stakeholder Jim Wegis requested the CBGSA to think about the assessments as if you were spending your own money.

Chair Bantilan closed public comment.

20. Consider for Approval Resolution No. 2024-051 Setting a Groundwater Extraction Fee for Fiscal Year 2024-2025 and Authorize Invoicing of Landowners

Mr. Blakslee reported that resolution No. 2024-051 reduces the Fiscal Year 2024-2025 groundwater extraction fee from \$12 per acre-foot to \$5 per acre-foot.

Director Derek Yurosek commented that since there is such a high cash balance he recommends setting the fee at \$0 per acre-foot. Mr. Beck recommended avoiding a negative cash balance due to the timing of DWR reimbursements.

MOTION

Director Burnes made a motion to approve the proposed reduced fee of \$5 per acre-foot. The motion was seconded by Director Albano, a roll call vote was made and passed with 100%.

AYES: Albano, Anselm, Bantilan, Burnes, Jackson, Reely, Das Williams, Debby Williams, Wooster, Yurosek, Zenger

NOES: None

ABSTAIN: None

ABSENT: None

CLOSED SESSION

21. Closed Session

At 7:05 PM, the Board adjourned to closed session. At 8:30 PM, the Board returned from closed session at which time Legal Counsel reported to the public that there was no reportable action.

22. Adjourn

Chair Bantilan adjourned the meeting at 8:34 PM.

BOARD OF DIRECTORS OF THE
CUYAMA BASIN GROUNDWATER SUSTAINABILITY AGENCY

Chair: *Cory Bantilan*
Cory Bantilan (Oct 29, 2024 17:03 PDT)

ATTEST:

Secretary: _____