

Cuyama Basin Groundwater Sustainability Agency (GSA)

Final Board of Directors Meeting Minutes

October 9, 2017

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

The Cuyama Basin GSA Board of Directors met in a special session at 4:00 pm.

PRESENT: Directors: Paul Chounet, Lynn Compton, Jane Wooster, Byron Albano, Das Williams, Derek Yurosek, Cory Bantilan, Glenn Shephard, David Couch, George Capello, Tom Bracken

ABSENT: Directors: [None]

1. Call to order

Chair Yurosek calls the meeting to order at approximately 4 PM.

2. Roll call

Interim Secretary Young calls roll of the Board (shown above).

3. Pledge of allegiance

The pledge of allegiance is led by Chair Yurosek.

4. Board interview of GSA Executive Director candidates.

The length of each interview will be 45 minutes and will begin at the estimated times shown below, with a break of 10 minutes between interviews. Interview questions for consideration by the Board incorporated public comments received by Staff on Friday, October 6th by 5:00 pm. Interview questions were presented by Staff.

4.1 Richard Sweet

1) *A. What makes you uniquely qualified to lead our team as we develop a Groundwater Sustainability Plan?*

Mr. Sweet mentioned governance, time spent in special districts, and engineering experience, but noted that he is not a SGMA expert. He has perspective on Santa Maria Groundwater Basin issues and perspective on Santa Barbara water issues.

B. Please indicate specific experiences or qualifications that would prove valuable to us, and which would enable you to move forward efficiently, if you were to take this job.

Mr. Sweet mentioned that he runs the South San Luis Obispo County Sanitation District and was requested by the District to return and lead, experience writing Requests for Proposals.

2) *A. What are your thoughts about how you would ensure a successful relationship between yourself and the Board?*

Mr. Sweet mentioned that the short timeframe for finding a solution, explains ideas for facilitation meetings for choosing consultants and ways to incorporate Board input into the plan,

references agency's goal to narrow solution focus.

B. What experience have you had in dealing with Boards?

Mr. Sweet mentioned experience with multiple boards and councils; including currently the South San Luis Obispo County Sanitation District.

C. Describe to us how you would facilitate the GSA Board processes, such running meetings?

Mr. Sweet mentioned that he would structure discussions to allow input and obtain decisions. He also prepares agendas and minutes.

3) *A. What is your level of knowledge with respect to the legislation that governs the operation of this type of agency? B. What is your knowledge of and experience with SGMA?*

Mr. Sweet mentioned that he is not a SGMA expert, concerns about Department of Water Resources' flexibility, has worked with adjudicated basins only, chair of the Twitchell Management Authority, and has relationships with agriculture and municipal providers.

C. How will SGMA address the groundwater issues in the Cuyama Valley?

Mr. Sweet mentioned that Cuyama Valley basin should be sustainable, balanced, 20 years after the plan is in place.

4) *A. Do you or your firm have any affiliation or conflict of interest with the Cuyama GSA Board of Directors? B. Do you have any current connections or affiliations to other public agencies? C. What is your current or most recent role?*

Mr. Sweet mentioned that he previously worked for Cities of Santa Maria and several water purveyors in Santa Barbara County. Presently working at the South County Sanitation District.

5) *A. Please explain your community engagement strategy as outlined in your proposal, and what experience you have in conducting such community or stakeholder engagement activities?*

Mr. Sweet mentioned that he has spent his entire career in public government, notes the benefit of an interested community in this case. He would try mailing and "coffee klatch" outreach, discuss issues, and discover connections.

6) *A. How do you plan to keep the community involved in decision making processes and GSP development?*

Mr. Sweet mentioned that he would have a personal relationship with the advisory committee and give feedback to Executive Director.

B. What do you consider to be the role of the Cuyama Basin Stakeholder Advisory Committee?

Mr. Sweet mentioned that the advisory committee is good for releasing information.

C. How much time do you plan on allocating for public outreach?

Mr. Sweet mentioned that time depends on the effectiveness of the committee and the process, it will take sufficient time to meet the goals.

- 7) A. *What 'checks or methods' are important to ensure programs are on the right track and meeting their objectives?*

Mr. Sweet mentioned goals, objectives, and a list to track them, as well as timelines.

- 8) A. *When should the draft GSP be complete?*

Mr. Sweet mentioned that the first draft should be prepared six months earlier than GSP due date.

B. *Given this short timeframe, what do you hope to accomplish in 180 days as executive director?*

Mr. Sweet mentioned that he would accomplish substantial interface with community in first two months, a Request for Proposal to prepare the GSP, and hire an expert to monitor the GSP development or Executive Director.

C. *Do you have enough time among other projects/ roles to perform the role of Cuyama executive director?*

Mr. Sweet mentioned that the only major role is South County San Luis Obispo Sanitation District, which ends in January. This would be the primary role.

- 9) Board follow up:

Director Chounet: What do you mean when you say you would interface with the community?

Mr. Sweet mentioned that those in the community who are interested includes the Board, advisory committee, and other people.

Vice Chair Compton: Do you have any experience with water banking?

Mr. Sweet mentioned that he does have experience in water banking for Santa Maria.

Director Williams: Can you describe a few things that would be important in managing a GSP consultant?

Mr. Sweet mentioned that the timeframe and direction is important to make sure that the consultant is going in the direction the Board wants, in the timeframe allotted, and under budget.

Chair Yurosek: What would be your approach to the budget?

Mr. Sweet mentioned that he has low fees. The Board will direct him on the time spent on tasks and defer to the Board to choose how much time to spend on outreach, etc.

4.2 Bryan Bondy

- 1) A. *What makes you uniquely qualified to lead our team as we develop a Groundwater Sustainability Plan?*

Mr. Bondy mentioned that he has a unique blend of public agency and hydrogeology experience. He is working on the Calleguas Municipal Water District Aquifer Storage and Recovery (ASR) Project, which is a blend of technical analysis and public policy.

B. Please indicate specific experiences or qualifications that would prove valuable to us, and which would enable you to move forward efficiently, if you were to take this job.

Mr. Bondy is working with ag stakeholders for the Las Posas Valley Basin on behalf of Calleguas. Works on the technical question of how ASR affects groundwater, but also helping show ag stakeholders how it works. Some similarity to SGMA; engagement with landowners in a subdivided basin with an allocation system.

- 2) *A. What are your thoughts about how you would ensure a successful relationship between yourself and the Board?*

Mr. Bondy stated that relationships are important, it may be difficult with an 11-member board. The job is not to take sides but take direction from the whole board and work toward consensus in decisions. He plans to educate the board on new regulations as part of the SGMA process and give a range of options for addressing topic, such as basin characterization, defining sustainability, and identifying options for augmenting supply.

B. What experience have you had in dealing with Boards?

Mr. Bondy has an executive advisor role in upper Ventura and is developing the board relationship currently. Previously worked with three other boards that had conflicting issues.

C. Describe to us how you would facilitate the GSA Board processes, such running meetings?

Mr. Bondy routinely develops agendas, staff reports, and communicates with the board.

- 3) *A. What is your level of knowledge with respect to the legislation that governs the operation of this type of agency?*

Mr. Bondy has extensive knowledge from working in 7 basins: technical, stakeholder, and executive roles; and knows regulations. He has been through the SGMA regulations and BMPs numerous times. Mr. Bondy worked with DWR to help develop Groundwater Dependent Ecosystems guidance.

B. What is your knowledge of and experience with SGMA?

Mr. Bondy started working first on SGMA with Fox Canyon. He served on the technical advisory committee, nominated by the ag group.

C. How will SGMA address the groundwater issues in the Cuyama Valley?

Mr. Bondy mentioned that it is up to the board and community to decide. He also stated that the basin needs to meet SGMA requirements of sustainability and be developed by the people with the consultant.

- 4) *A. Do you or your firm have any affiliation or conflict of interest with the Cuyama GSA Board of Directors?*

Mr. Bondy mentioned that he is not aware of affiliation or conflict of interest with other directors. However, he is involved with Upper Ventura GSA, but is not under contract with the County or Ag entities, to the best of his knowledge.

B. Do you have any current connections or affiliations to other public agencies? C. What is your current or most recent role?

Mr. Bondy is working with Ventura County on a groundwater monitoring program, a one-time project and nothing contractual.

- 5) *A. Please explain your community engagement strategy as outlined in your proposal, and what experience you have in conducting such community or stakeholder engagement activities?*

Mr. Bondy led the Las Posas group through two years of negotiations over allocation and is operating in similar capacity for landowner groups in other basins. He has performed community outreach at Fox Canyon Groundwater Management Agency. However, he expects the GSP consultant will have professional facilitator when brought on board.

- 6) *A. How do you plan to keep the community involved in decision making processes and GSP development?*

Mr. Bondy stated that he would rely on the Board's approach for reaching out to landowners, local community. He said that the web is an approach for disseminating information, but face to face works the best. He stated that we need to cast a wide net, identify the right mix of stakeholder working group to each type of situation, and give stakeholders a specific task.

B. What do you consider to be the role of the Cuyama Basin Stakeholder Advisory Committee?

Mr. Bondy mentioned that advisory committees are critical to SGMA process: most work has been with groups serving in this role. Its role is to be a place for people to get informed and provide input on issues. Allows dissenters to be part of process in a real and tangible way. He would encourage the board to view it as more than a committee.

C. How much time do you plan on allocating for public outreach?

Mr. Bondy mentioned that he will spend as much time as the Board thinks is necessary and will update the cost estimate as the process continues.

- 7) *A. What 'checks or methods' are important to ensure programs are on the right track and meeting their objectives?*

Mr. Bondy mentioned that the project needs to be managed carefully to meet the two-year timeframe. He will use basic project management tools, schedule and budget, adjust as needed. He will work with DWR to identify items that do not need to be fully developed and lots of check-ins with consultant, regular reporting to board and stakeholders. It is all about

communication.

8) *A. When should the draft GSP be complete?*

Mr. Bondy mentioned that he looks at project as having components. He would compartmentalize phases – produce draft documents that can be reviewed early in the process. Complete early as possible and break it into pieces.

B. Given this short timeframe, what do you hope to accomplish in 180 days as executive director?

Mr. Bondy mentioned that the GSA needs a GSP consultant on board by April, insurance needs to be in place, engage in stakeholder process under SGMA, know if the Proposition 1 grant is awarded, and manage the grant implementation.

C. Do you have enough time among other projects/ roles to perform the role of Cuyama executive director?

Mr. Bondy mentioned that he has time, this is a large contract, and he is a one-man company.

9) Board follow up:

Vice Chair Compton: Why cut the cost proposal in half?

Mr. Bondy stated that the initial estimate was based on heavy burn rate and that the committee gave feedback that the original estimate was high. He revised the cost for the estimated initial startup from the feedback. The initial estimate included a lot of time present in the basin and his original cost was an estimate of peak effort.

Vice Chair Compton: Any involvement in the Paso Robles basin?

Mr. Bondy mentioned that several years ago, he did work for GSI water solutions for some private water users. He also provided education on groundwater work in Shandon area.

Director Williams: What are your priorities and role in managing a GSP consultant?

Mr. Bondy mentioned that SGMA lays out what is needed in the GSP. He would prioritize what their focus would be and verify that the Consultant understands the work with the USGS model. He would determine the level of comfort with the model, what changes need to be made, and once we get past that point tasks will become clearer. He mentioned that contingencies are needed because it will be challenging to meet deadlines.

Director Williams: Is it possible to time work with upper Ventura to coincide with Cuyama GSA to save money?

Mr. Bondy sad that this is not likely. However, there is economy of scale in that the roles are similar. Opportunity to work with DWR on behalf of both agencies.

Director Couch: Given your experience, could you write the GSP yourself?

Mr. Bondy stated that he could write the GSP, but would need support because of the scale of the GSP.

Director Couch: How would you handle the relationship between districted land and undistracted lands for supervisors?

Mr. Bondy mentioned that white space landowners can have a non-profit to give a single voice, but there will be conflict with issues with water rights, property values, similar concerns to landowners in water districts. He also mentioned that the adjudication should be looked at as a business decision and it may be more cost effective to try to work together first.

Director Capello: What is the staff time for clerical work?

Mr. Bondy would charge \$100-hour rate for admin hours. He may hire contractor services to support the company or look for opportunities within one of the counties or the CSD.

Director Capello: Can you go over your modeling experience?

Mr. Bondy stated that he built a groundwater model for the San Diego River Valley and models in Paso Robles, Morro Bay, USGS alternatives for ocean intake desalination. Reviewed USGS regional model for Ventura County and discovered critical issues that led to scrapping the model and develop a new one.

Chair Yurosek: What are the sizes of the basins you work on?

Mr. Bondy discussed the following basin sizes that he has worked on: Oxnard Plain with 30,000 acres of irrigated ag plus cities, Pleasant Valley with 10,000 acres, Las Posas with approximately 70,000 acres irrigated ag total, Fox Canyon with 140,000 acre-feet, and Ventura River with 5,000 acre-feet/year irrigated ag and public wells. He has also worked on small basins.

Chair Yurosek: Are you better qualified to be Executive Director or local project lead for the GSP?

Mr. Bondy would rather be the Executive Director. He mentioned that he would have a greater impact and aligns with career goals and interests.

Vice Chair Compton: What are your thoughts on private property rights, how do you protect overlying property use?

Mr. Bondy mentioned that rights are correlative with other land owners, no process for establishing specific right. There is opportunity for landowners to try to agree on a management scheme without spending a lot of money on lawyers. Protecting groundwater rights is important.

Director Capello: Are you affiliated with a company?

Mr. Bondy is affiliated with Hydrometrics.

4.3 Jim Beck

- 1) A. *What makes you uniquely qualified to lead our team as we develop a Groundwater Sustainability Plan?*

Mr. Beck said that he has 32 years in the water industry with technical expertise in groundwater modeling, monitoring plans, database management, hydrologic models including Kern River.

B. Please indicate specific experiences or qualifications that would prove valuable to us, and which would enable you to move forward efficiently, if you were to take this job.

Mr. Beck said that he has an administrative background as the director of Kern County Water Agency (KCWA), spent 2-3 years working on the groundwater management plan, used stakeholder involvement and captured all stakeholder interests. He also has a unique position as a general manager that also did groundwater modeling.

- 2) A. *What are your thoughts about how you would ensure a successful relationship between yourself and the Board?* B. *What experience have you had in dealing with Boards?*

Mr. Beck mentioned his role as general manager in Kern County Water Agency and assistant general manager in a special district where he directly interacted with the board. He also worked with stakeholder boards and other boards, and mentioned that the Executive Director's job is to facilitate the actions of the Board of Directors.

C. Describe to us how you would facilitate the GSA Board processes, such running meetings?

Mr. Beck stated that the Executive Director is to make the meeting run smoothly, give the Board information in a timely manner, help set the agenda, and perhaps working in a subcommittee. He would also ensure reports are formatted so that they best suit the Board's needs, create monthly action items, and have staff present documents that are needed.

- 3) A. *What is your level of knowledge with respect to the legislation that governs the operation of this type of agency?*

Mr. Beck mentioned that he is very knowledgeable of SGMA and its development.

B. What is your knowledge of and experience with SGMA?

Mr. Beck participated directly in efforts to address deficiencies in SGMA legislation, expressed agency's concerns to legislature, was involved in SGMA during its drafting, and has close relationships with those in DWR who oversee SGMA. He was in the initial phases of implementing SGMA in Kern County, until he retirement in 2016. He participated in legislative policy and board meetings for GSA development until he retirement, but continues to attend meetings and follow progress.

C. How will SGMA address the groundwater issues in the Cuyama Valley?

Mr. Beck discussed that SGMA will provide guidelines for the basin and groundwater issues will be addressed by the Board and stakeholders, working together. He mentioned that the development of sustainability guidelines, definition of adverse impacts, tools for

groundwater management, critical thresholds and metrics, allocation of water supplies will all be determined by the Board and stakeholders.

- 4) A. *Do you or your firm have any affiliation or conflict of interest with the Cuyama GSA Board of Directors?* B. *Do you have any current connections or affiliations to other public agencies?*

Mr. Beck said that he is a consultant for the Hallmark Group. The Hallmark Group has a contract with Grimmway Farms in Kern County area and worked with David Couch in the past, but there is no conflict. He has also worked with Tejon Ranch and Tejon-Castac Water District in Kern County. The Hallmark group was the primary managers for the California WaterFix.

C. *What is your current or most recent role?*

Mr. Beck's most recent role is that he is retired from the Kern County Water Agency.

- 5) A. *Please explain your community engagement strategy as outlined in your proposal, and what experience you have in conducting such community or stakeholder engagement activities?*

Mr. Beck mentioned that the development of the outreach process would be in conjunction with Board and GSP consultant, and his revised submittal contains an outreach plan. He mentioned that the outreach will be interactive and that the proposal will be revised to show efforts in outreach, such as weekly newsletters, email distribution, open house with opportunity for public questions, and optional development of a webpage. He also mentioned using direct one on one communication with specific important individuals over phone for GSP development.

- 6) A. *How do you plan to keep the community involved in decision making processes and GSP development?*

Mr. Beck mentioned that his involvement starts with the selection of the GSP consultant and technical discussions will be accessible to the public. Regular meetings will be properly noticed, have appropriate agendas, and information will be released in advance.

B. *What do you consider to be the role of the Cuyama Basin Stakeholder Advisory Committee?*

Mr. Beck mentioned that "Whatever the Board decides" is the easy answer and his role is to provide a voice for stakeholders and to assist the board with key technical and policy issues. He also mentioned that the Board is looking for input as well as specific responses to questions that come before the board.

C. *How much time do you plan on allocating for public outreach?*

Mr. Beck mentioned that he will do public outreach whenever asked. He is always prepared to represent the interest of the GSA; such as attend meetings, send mailers, develop a website, and hold office hours with board consent and within the budget.

- 7) A. *What 'checks or methods' are important to ensure programs are on the right track and meeting their objectives?*

Mr. Beck mentioned that metrics are needed and there must be a target to hit. He suggests using a monthly program management dashboard of tasks to meet the GSP deadline, monthly budget summaries, and third-party activities, such as DWR workshop with board member attendance.

- 8) A. *When should the draft GSP be complete?*

Mr. Beck discussed the draft GSP should be done by the end of 2018 and that time will be needed for unforeseen events. He also mentioned that if the GSA puts forward a unique approach for DWR to consider. It is better to be the first GSP to be reviewed.

B. *Given this short timeframe, what do you hope to accomplish in 180 days as executive director?*

Mr. Beck mentioned that in 90 days a GSP consultant will need to be selected and engaged and by the beginning of 2018 the GSP consultant should have a schedule and strategy for the rest of the year. He mentioned that the stakeholders input is important and that the GSP should be completed by the end of October with November/December to finalized the GSP efforts.

C. *Do you have enough time among other projects/ roles to perform the role of Cuyama executive director?*

Mr. Beck mentioned that he has enough time, two existing clients don't even take half of his time. If selected, he would make sure other work is secondary.

- 9) Board follow up:

Director Chounet: What experience do you have with a similarly diverse group, including agriculture and domestic users?

Mr. Beck mentioned working with smaller landowners on district boards. KWCA has a flood control agency in a small community of 300 people, attended workshops with those people to explain flood control, assessments, and engagement. Also, he worked with drinking water and dealing with water complaints from individual homeowners. He likes that part of the job is to assuage fears and water complaints.

Director Albano: Will you have a full rate on travel time?

Mr. Beck mentioned that he would have the full rate on travel time, 60-mile distance from house, but he plans to minimize the travel.

Director Williams: Can you explain why your Grimmway affiliation wasn't disclosed earlier in the process?

Mr. Beck assumed that the Board already new about the Grimmway affiliation because Grimmway informed him of the position. He has attended public meeting on their behalf in Kern County and assumed this was public knowledge. He spoke with legal counsel and doesn't see conflict. He will discuss any concerns and is not trying to hide anything.

Director Couch: Could you write the GSP yourself?

Mr. Beck mentioned that he could write the GSP by himself.

Director Couch: Can you advise Supervisors who represent both undistracted and districted lands on how to deal with the situation?

Mr. Beck mentioned that there are two types of stakeholders: those who fall under the Cuyama Basin Water District and everyone else. Those in white areas should go to supervisors for representation. Conflicts are inevitable, especially when there is allocation of water. He recommends having discussions directly with the stakeholders you represent and each supervisor will need to determine how to engage the stakeholders they represent.

Chair Yurosek: What do you see as your role in engaging with the advisory committee?

Mr. Beck mentioned that he will put time into the budget for facilitating advisory committee meetings, such as organizing, setting agendas, making sure the advisory committee gets information, and providing a summary of recommendations.

Director Chounet: What about the conflict between large districts and small districts?

Mr. Beck mentioned that conflict resolution will be needed between large districts and small districts. The Board will need to work with stakeholders to resolve issues. He will help facilitate the discussions and rely on GSP consultant to facilitate as well.

5. Discussion on Before Closed Session

Counsel laid out the process for closed session in compliance with Brown Act. Can be used for hiring of employees or independent contract. Executive Director falls within personnel exception of the Brown Act.

Director Chounet: Can members of the public address the board before the closed session?

Chairman Yurosek: Yes

Director Couch: We will be discussing the interviews and having a discussion.

Public Comment:

Lynne Carlisle: Concerned about conflict of interest issues. Asks if Mr. Beck or others have conflicts of interest, how would their recusal work and how the Board would address it. Asks how future conflicts of interest can be prevented.

Brenton Kelley: Still has concerns about conflict of interest for Mr. Beck.

Casey Walsh: Thinks Mr. Bondy is a strong candidate. Likes that his background is in a region not closely connected with Cuyama.

Anne Myhre: Likes ideas about early completion timelines. Mentions Mr. Bondy's timeline seemed to not be conservative enough.

Sue Blackshear: Concerned with Mr. Beck's long involvement with other water boards.

Motion by: Director Couch: Closed session for consideration of candidates.

Second by: Director Chounet.

Motion passes unanimously.

Closed session begins: 7:20 PM

6. Consideration of executive director candidates and possible action to approve a professional services contract: 8:00 PM

Motion by: Director Couch: Three really qualified candidates and two stood out. Both have technical and management expertise. Back office support from Hallmark and Mr. Becks' ability and experience with DWR: move selection of the Hallmark Group as Executive Director.

Second by: Director Bracken.

Motion passes: Directors Wooster, Albano, Yurosek, Shephard, Couch, Capello, and Bracken - Ayes.

Legal Counsel: Staff will review the contract and work through final issues.

Motion by: Director Albano moved to direct staff to work through contract and have Chair Yurosek sign.

Second by: Director Couch.

Motion passes unanimously.

7. Public comment for items not on the Agenda: None.

8. Adjourn

Chair Yurosek adjourns the Cuyama Basin GSA Board of Directors meeting at approximately 8:05 PM.

I, Cathy Martin, temporary Secretary to the Cuyama Basin Groundwater Sustainability Agency Board of Directors, do hereby certify that the foregoing is a fair statement of the proceedings of the SPECIAL meeting held on Monday, October 9, 2017, by the Cuyama Basin Groundwater Sustainability Agency Board of Directors.

CATHY MARTIN

Dated: October 26, 2017