

MEETING MINUTES

Groundwater Sustainability Agency for the Central Management Area in the Santa Ynez River Groundwater Basin August 22, 2022

A regular meeting of the Groundwater Sustainability Agency (GSA) for the Central Management Area (CMA) in the Santa Ynez River Groundwater Basin was held on Monday, August 22, 2022, at 10:00 a.m. As a result of the COVID-19 emergency, this meeting occurred solely via video/teleconference as recommended by Santa Barbara County Public Health, as authorized by State Assembly Bill 361, and Resolution CMA-2021-001 (passed on 10/20/2021, reaffirmed 8/2/2022).

CMA GSA Committee Directors Present: Art Hibbits, John Sanchez (Acting Alternate), and Meighan Dietenhofer (Acting Alternate)

CMA GSA Committee Alternate Directors Present: Cynthia Allen

Member Agency Staff Present: Bill Buelow, Marliez Diaz, Rose Hess, Amber Thompson, and Matt Young

Others Present: Doug Circle, Larry Lahr, Dianna

I. Call to Order and Roll Call

CMA GSA Committee Chair Art Hibbits called the meeting to order at 10:00 a.m. and asked Mr. Buelow to call roll. One CMA GSA Director and one Acting Alternate Director were present providing a quorum. In addition, two Alternate Directors were present.

II. Consider findings under Government Code section 54953(e)(3) to authorize continuing teleconference meetings under Resolution CMA-2021-001

Mr. Buelow explained that the reasonings for State Assembly Bill 361 and adoption of Resolution CMA-2021-001, passed on October 20, 2021, and reaffirmed on August 2, 2022, which authorized teleconference public meetings were still in effect. There was no discussion.

CMA GSA Acting Alternate Director John Sanchez made a MOTION to authorize continuing teleconference meetings under Resolution CMA-2021-001. GSA Director Art Hibbits seconded the motion and it passed unanimously by roll call vote.

III. Additions or Deletions to the Agenda

No additions or deletions were made.

IV. Public Comment

There was no public comment. Mr. Buelow announced he received one public comment letter and recommended it be discussed under Agenda Item XI.

V. Review and consider approval of meeting minutes of May 23 and August 2, 2022

The minutes of the GSA Committee meetings on May 23 and August 2, 2022 were presented for GSA Committee approval. Discussion followed. The meeting dates in which Resolution CMA 2021-001 was reaffirmed were corrected in both sets of minutes.

CMA GSA Acting Alternate Director John Sanchez made a MOTION to approve the minutes of May 23 and August 2, 2022, as amended. GSA Director Art Hibbits seconded the motion and it passed unanimously by roll call vote.

VI. Review and consider approval of Financial Statements and Warrant List

The GSA Committee reviewed the financial reports of FY 2021-22 Periods 10 through 12 (through June 30, 2022) and the Warrant Lists for April, May, and June 2022. Ms. Thompson reported that the amount for check number 1053 should be corrected to be \$9,769.00 causing a revision in the total amount of checks for the quarter to be \$57,894.70 and total accounts payable for the quarter to be \$20,944.52. Discussion followed.

CMA GSA Acting Alternate Director John Sanchez made a MOTION to approve the financial reports and the April, May, and June 2022 Warrant Lists (Mechanics Bank Check Nos. 1053-1055 and Five Star Bank Check Nos. 2000-2003) totaling \$57,894.70, as amended. GSA Director Art Hibbits seconded the motion and it passed unanimously by roll call vote.

VII. Biennial Review of CMA GSA Conflict of Interest Code

The GSA Committee reviewed the CMA GSA Conflict of Interest Code. Discussion followed.

CMA GSA Acting Alternate Director John Sanchez made a MOTION to file the 2022 Local Agency Biennial Notice designating “no amendment is required” with the Santa Barbara County Clerk of the Board of Supervisors. GSA Committee GSA Director Art Hibbits seconded the motion. There was no discussion and it passed unanimously by roll call vote.

VIII. Consider Approval of Final Documents for providing CMA GSA written verifications of new well permits under Executive Order N-7-22

Mr. Buelow reported that member agency staff presented draft documents to the Committee at the last CMA GSA Committee meeting on August 2, 2022. The Committee reviewed the documents, conditionally adopted each of the draft documents, and directed staff to meet with the CMA Citizens Advisory Group for review and comment.

a. Comments from CMA Citizen Advisory Group

Mr. Larry Lahr reviewed the CMA Citizen Advisory Group (CAG) memorandum, dated August 12, 2022 regarding the CMA CAG review of draft documents created to comply with Executive Order N-7-22. Discussion followed.

Mr. Buelow left the meeting and Ms. Hess began moderating the meeting.

b. CMA Process and Criteria for Administering Written Verifications Per Executive Order Number-7-22

Ms. Hess presented CMA process and criteria for administering written verifications per Executive Order N-7-22. A process flow diagram is being created by staff as a pictorial way to present the same information. Discussion followed.

c. Indemnification Agreement

Ms. Hess presented Written Verification Indemnification Agreement. There was no discussion and no public comments received.

d. Reimbursement Agreement

Ms. Hess presented Deposit/Reimbursement Agreement for Review of Request for Written Verification. There was no discussion and no public comments received.

e. Well Permit Acknowledgement

Ms. Hess presented the Santa Ynez River Valley Groundwater Basin Central Management Area Groundwater Sustainability Agency Acknowledgement Form Request for Written Verification under Executive Order N-7-22. There was no discussion and no public comments received.

CMA GSA Acting Alternate Director John Sanchez made a MOTION to approve CMA process and criteria for administering written verifications per Executive Order N-7-22; Written Verification Indemnification Agreement; Deposit/Reimbursement Agreement for Review of Request for Written Verification; and Deposit/Reimbursement Agreement for Review of Request for Written Verification, all as presented. He requested that staff add a diagram flow chart to simplify following the process. GSA Committee GSA Director Art Hibbits seconded the motion. Further discussion followed and it passed unanimously by roll call vote.

IX. Consider Resolution CMA-2022-002 Establishing Fee and Deposit for CMA GSA Well Verification as required by Executive Order N-7-22 (Under Water Code Section 10730)

Ms. Hess reviewed the Resolution establishing a fee and deposit of \$1,200 which was prepared by Santa Barbara County counsel in coordination with the member agencies attorney group. The August 22, 2022 meeting was properly noticed in both the August 8,

2022 and August 15, 2022 editions of the Santa Barbara News Press. There was no discussion or public comment.

CMA GSA Acting Alternate Director John Sanchez made a MOTION to waive reading and adopt GROUNDWATER SUSTAINABILITY AGENCY FOR THE CENTRAL MANAGEMENT AREA IN THE SANTA YNEZ RIVER VALLEY GROUNDWATER BASIN RESOLUTION CMA-2022-002 RESOLUTION ESTABLISHING FEE AND DEPOSIT FOR CMA GSA WELL VERIFICATION AS REQUIRED BY EXECUTIVE ORDER N-7-22. GSA Committee GSA Director Art Hibbits seconded the motion and it passed unanimously by roll call vote.

X. Consider Santa Ynez River Water Conservation District and City of Buellton develop contract with GSI Water Solutions to Evaluate Verification Requests

Mr. Young summarized the GSI Water Solutions Proposed Scope of Work for a time and materials contract. He reported that the work product will be a Technical Memo and will summarize the costs. Discussion followed. There was no public comment.

CMA GSA Acting Alternate Director John Sanchez made a MOTION requesting the Santa Ynez River Water Conservation District and the City of Buellton, on behalf of the CMA GSA, develop and execute a multi-party contract with GSI Water Solutions to evaluate written verification requests. GSA Committee Director Art Hibbits seconded the motion. There was no discussion and it passed unanimously by roll call vote.

XI. Update on Governance for CMA GSA

Ms. Hess introduced a letter received from Santa Ynez Water Group, dated August 5, 2022, regarding governance of the Santa Ynez River Valley Groundwater Basin. Mr. Young explained contents of the letter. Mr. Larry Lahr, as a member of the Santa Ynez Water Group, provided public comment. Discussion followed.

XII. Consider Setting Regular Monthly CMA GSA Meetings Through End of 2022

Ms. Thompson reviewed the proposed monthly regular meeting schedule. Ms. Hess explained that the intent is for staff to cancel the additional meetings if there is nothing for Committee to address. Discussion followed. Mr. Young added that the EMA GSA voted to do the same.

CMA GSA Acting Alternate Director John Sanchez made a MOTION to schedule monthly regular meetings with an expectation that the additional meetings be cancelled if there is nothing for the Committee to address. GSA Committee Director Art Hibbits seconded the motion. There was no further discussion and it passed unanimously by roll call vote.

XIII. Next Regular CMA GSA Meeting, Monday, September 26, 2022, at 10:00 a.m.

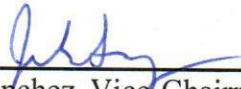
The next scheduled regular CMA GSA meeting will be Monday, September 26, 2022 at 10:00 a.m.

XIV. CMA GSA Committee requests and comments

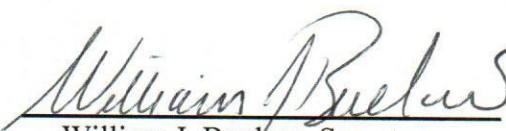
There were no requests or comments.

XV. Adjournment

GSA Committee Chair Art Hibbits adjourned the meeting at 11:14 a.m.



John Sanchez, Vice-Chairman



William J. Buelow, Secretary

**GROUNDWATER SUSTAINABILITY AGENCY FOR THE
CENTRAL MANAGEMENT AREA (CMA)
IN THE SANTA YNEZ RIVER VALLEY GROUNDWATER BASIN**

APRIL 2022 WARRANT LIST FOR COMMITTEE APPROVAL

(Paid through Mechanics Bank)

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
1053	04/13/22	Stetson Engineers	February 2022 Engineering Service (Annual Report)	\$ 10,680.50
1054	04/13/22	Santa Ynez River Water Conservation District	Transfer of CMA GSA funds at Mechanics Bank (#5472) to CMA GSA checking account at Five Star Bank (#5943)	\$ 30,000.00
MONTH TOTAL				\$ 40,680.50

MAY 2022 WARRANT LIST FOR COMMITTEE APPROVAL

(Paid through Five Star Bank)

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
2000	05/13/22	Stetson Engineers	March 2022 Engineering Service (AEM work & Annual Report)	\$ 8,654.72
2001	05/13/22	Santa Ynez River Water Conservation District	Reimburse costs for SantaYnezWater.org website domain paid by SYRWCD 3/29/2022 (\$21.17 split 1/3 per GSA)	\$ 7.05
MONTH TOTAL				\$ 8,661.77

JUNE 2022 WARRANT LIST FOR COMMITTEE APPROVAL

(Paid through Five Star Bank)

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
2002	06/14/22	Stetson Engineers	April 2022 Engineering Service (Annual Report & AEM Survey Work)	\$ 2,363.75
2003	06/17/22	Valley Bookkeeping	2022 2nd Quarter Bookkeeping (April, May, June 2022)	\$ 150.00
Month Subtotal - Five Star Bank				\$ 2,513.75

(Paid through Mechanics Bank)

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
1055	06/14/22	Santa Ynez River Water Conservation District	Transfer of CMA GSA funds at Mechanics Bank (#5472) to CMA GSA checking account at Five Star Bank (#5943). Mechanics Bank Account #5472 CLOSED.	\$ 6,950.18
Month Subtotal - Mechanics Bank				\$ 6,950.18
MONTH TOTAL				\$ 9,463.93

TOTAL CHECKS THIS QUARTER: \$ 58,806.20

Transfers of funds from Mechanics Bank to Five Star Bank: \$ 36,950.18

Total Accounts Payable This Quarter: \$ 21,856.02

**CENTRAL MANAGMENT AREA
CITIZEN ADVISORY GROUP
MEMORANDUM**

DATE: August 12, 2022

TO: CMA GSA Committee

FROM: CMA Citizen Advisory Group
(representative Larry Lahr)

SUBJECT: Review of Documents to comply with Executive Order N-7-22

Attendees

CMA CAG Members in attendance: Sharyne Merritt, Cindy Douglas, Len Fleckenstein; Sean Diggins, and Larry Lahr

Staff in attendance: Bill Buelow (SYRWCD), Marliez Diaz and Matt Young (County Water Agency)

Purpose

The CMA GSA Committee requested staff for the GSA agencies to coordinate meetings of the CMA CAG. Through a coordinated effort, the CAG held a meeting via teleconference. The meeting was held on August 12, 2022. The purpose of the meetings was for the CMA CAG (CAG) to discuss draft documents to comply with Executive Order N-7-22.

Review of Proposed Documents

The CAG was presented prior to the meeting the following proposed documents to review:

1. Draft CMA Process and Criteria for Administering Written Verifications Per EO N-7-22
2. Draft Indemnification Agreement
3. Draft Reimbursement Agreement
4. Draft Well-Permit Acknowledgement
5. Draft GSI Scope of Work

Each member of the CAG was given the opportunity to ask questions or make comments. Below is a summary of the comments and discussion.

The discussion by the CAG centered primarily on the Draft Process Criteria for Administering Written Verification document. The CAG's main discussion points on this document were as follows:

- A member of the CAG asked the role of the GSA in the issuance of the permit by the County EHS. Discussion followed.
- The CAG discussed what constituted an expedited turn around by the GSA. Also, a member of the CAG indicated that there was not a lot of guidance provided about what constitutes a well that qualifies for expedited review. Also, more clarification is needed about who is doing what. A draft process diagram was discussed.
 - The CAG discussed that surface water wells are exempt from the process and will not require a written verification from the GSA. These wells undergo an expedited review by the GSA.
 - The CAG also discussed that municipal wells are exempt from the process and do not require a written verification from the GSA.
 - The CAG discussed that domestic wells that are proposed to produce less than 2 ac/yr are exempt from the GSA process.
 - The CAG and Staff discussed that the GSA could delegate the determination of a proposed well to staff if the proposed well was a like-kind replacement well or surface water well, but all new well production would ultimately require the approval of the GSA itself.
- A member of the CAG asked about what the GSA will do if the Executive Order changes or is rescinded. The CAG was briefed by staff that the executive order is expected to be codified by the state legislature soon.
- The CAG discussed the proposed fee to be imposed by the GSA to the applicants. The proposed fee is \$200/hour with a deposit of \$1,200. The CAG felt this fee was fair and reasonable.
- The CAG had questions regarding what constituted a replacement well versus a new well. Staff responded and there was further discussion.
- A CAG member asked if an alternation to a well is the same as a modification. County staff briefed the CAG on the EHS process. There was some discussion regarding what constituted a well repair (which requires no permit from EHS) versus a well enhancement (which does require a permit from EHS).
- There was discussion by the CAG about the process flow. Staff discussed that a draft flow chart is being prepared and will be presented to the GSA at a later date.
- A CAG member expressed concern that there were too many links on the Procedures form, which may be confusing to some. Staff agreed to review the links and make it easier for the applicants.
- There was considerable discussion by the CAG regarding the approval of new wells when the CMA basin was in overdraft. The CAG discussed whether the GSA's approval should be objective (with automatic denial) or subjective, meaning approved or denial would be based upon circumstances at the time and the geologic location of the proposed well. The CAG members perspectives varied on this issue.

- The CAG asked about recourse for denied verification requests. If the GSA declines to provide a verification to an applicant, there will be a process for “reconsideration”.

There were no substantive comments on the other documents presented.

There was no further discussion, and the meeting was adjourned.

Groundwater Sustainability Agency for the Central Management Area in the Santa Ynez River Valley Groundwater Basin

RESOLUTION CMA-2022-002

RESOLUTION ESTABLISHING FEE AND DEPOSIT FOR CMA GSA WELL VERIFICATION AS REQUIRED BY EXECUTIVE ORDER N-7-22

WHEREAS, effective January 11, 2017 the City of Buellton (“Buellton”); the Santa Barbara County Water Agency (“Santa Barbara”); and the Santa Ynez River Water Conservation District (“SYRWCD”); (collective the Members) entered into a “Memorandum of Agreement for Formation of a Groundwater Sustainability Agency for the Central Management Area in the Santa Ynez Valley Groundwater Basin under the Sustainable Groundwater Management Act” (“2017 MOA”); and

WHEREAS, the 2017 MOA established the Members as the participating agencies of the Groundwater Sustainability Agency (“GSA”) for the Central Management Area (“CMA”) in the Santa Ynez Valley Groundwater Basin (“Basin”); and

WHEREAS, the CMA GSA formed under the 2017 MOA has already developed, adopted, and submitted a Groundwater Sustainability Plan (“GSP”) for the CMA to the California Department of Water Resources as required by the Sustainable Groundwater Management Act (“SGMA”); and

WHEREAS, Section 9(a) of Governor Newsom’s Executive Order N-7-22, dated March 28, 2022, requires a written verification from the applicable GSA to address whether groundwater extraction by a proposed well would be inconsistent with any sustainable groundwater management program established in any applicable GSP adopted by the GSA, or would decrease the likelihood of achieving a sustainability goal for the basin covered by the GSP; and

WHEREAS, the CMA GSA has developed a Process and Criteria for Administering Written Verifications Per Executive Order N-7-22 and seeks to establish fee(s) and deposit(s) to cover the costs of this process; and

WHEREAS, the CMA GSA has the authority to impose fees pursuant to Water Code section 10730 and other applicable law; and

WHEREAS, the CMA GSA held a noticed public hearing on August 22, 2022, regarding the fee(s) and deposit(s) necessary to cover the costs for the Process and Criteria for Administering Written Verifications Per Executive Order N-7-22, at which oral and written presentations were allowed; and

WHEREAS, the CMA GSA finds that the fees set forth in this Resolution are exempt from CEQA review pursuant to 14 CCR §§ 15273 and 15378(b)(5) and Public Resources Code Section 21080 (b)(8)(A) and (B), in that the fees will be used for reimbursement for consultants time and costs.

NOW, THEREFORE, the CMA GSA resolves as follows:

1. The foregoing recitals are true and correct.
2. A fee of \$200 per hour is hereby established for all requested written verifications from the CMA GSA. The Committee finds that the amount of the fee is no more than necessary to cover the reasonable costs of the process, and that the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor's burdens on, or benefits received from, the governmental activity.
3. An initial deposit in the amount of \$1,200 shall be submitted for all requested written verifications and the deposit will be spent and supplemented in accordance with the Deposit/Reimbursement Agreement for Review of Well Permit Applications.

PASSED AND ADOPTED by the governing Committee of the CMA GSA on August 22, 2022 by the following roll call vote:

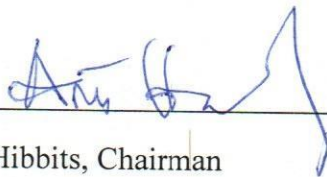
AYES: Art Hibbits and John Sanchez

NOES: None


ABSENT: None

ABSTAINED: None

ATTEST:



Art Hibbits, Chairman



William J. Buelow, Secretary