

MEETING MINUTES

Groundwater Sustainability Agency for the Eastern Management Area in the Santa Ynez River Groundwater Basin April 27, 2023

A regular meeting of the Groundwater Sustainability Agency (GSA) for the Eastern Management Area (EMA) in the Santa Ynez River Groundwater Basin was held on Thursday, April 27, 2023, at 6:30 p.m. at Santa Ynez Community Services District Community Room, 1070 Faraday Street, Santa Ynez, California.

EMA GSA Committee Members Present: Brad Joos, Brett Marymee, Elizabeth Orona, and Meighan Diethofer (Acting Alternate)

EMA GSA Alternate Committee Members Present: Cynthia Allen

Member Agency Staff Present (in-person): Bill Buelow, Paeter Garcia, Amber Thompson, and Matt Young

Member Agency Staff Present (remote): Jose Acosta

Others Present (in-person): Doug Circle, Denise El Amin, and Fahmee El Amin

Others Present (remote): Steve Anderson, Gay Infanti, Brian Macy, Kevin Merrill, and Anita Regmi

I. Call to Order and Roll Call

EMA GSA Committee Chair Brett Marymee called the meeting to order at 6:30 p.m. and asked Mr. Buelow to call roll. Three EMA GSA Committee Members and one Acting Alternate Committee Member were present providing a quorum. One EMA GSA Alternate Committee Member was also present.

II. Additions or Deletions to the Agenda

No additions or deletions were made.

EMA GSA Committee Chair Brett Marymee requested that Agenda Item No. 7 be moved prior to Agenda Item No. V. The Committee unanimously agreed.

III. Public Comment

Ms. Denise El Amin made a public comment. Mr. Buelow announced he did not receive any public comments in advance of the meeting.

IV. Review and Consider Approval of Meeting Minutes of March 23, 2023

The minutes of the EMA GSA Committee meeting on March 23, 2023 were presented for GSA Committee approval. There was no discussion or public comment.

EMA GSA Committee Member Brad Joos made a MOTION to approve the minutes of March 23, 2023, as presented. GSA Committee Member Elizabeth Orona seconded the motion. There was no discussion and it passed unanimously.

V. Review Revised Draft Policy Options and Scenarios for Well Verification Requests

Agenda Item No. VII was addressed prior to Item No. V (see below).

Mr. Matt Young, Santa Barbara County Water Agency, provided a PowerPoint presentation entitled “EMA Well Verification Policy Option 4” which included an overview of possible hypothetical scenarios. Discussion occurred and public comments were received during and after the presentation.

VI. Consider Approving Resolution EMA-2023-001 A Resolution Adopting an EMA Well Verification Policy for Administering Requests for Written Verifications in the Eastern Management Area of the Santa Ynez River Valley Groundwater Basin

Mr. Buelow reviewed Resolution EMA-2023-001 A Resolution Adopting an EMA Well Verification Policy for Administering Requests for Written Verifications in the Eastern Management Area of the Santa Ynez River Valley Groundwater Basin. Public comment was received and discussion followed to clarify the following:

- The well verification process will not change for pending requests that have been submitted to the EMA GSA prior to adoption of Resolution EMA-2023-001.
- The newly adopted well verification policy under Resolution EMA-2023-001 will apply to all written verification requests received after April 27, 2023.
- Because an updated fee deposit for the new policy has not been approved, all written verification requests received after April 27, 2023 will need to wait to be processed until an updated fee deposit is developed and approved by the EMA GSA.
- Setting a new fee deposit for administering requests for written verifications under the new policy is subject to applicable substantive and procedural requirements, including but not limited to publishing notice of a public hearing on the proposed new fee deposit. A cost proposal and scope of work for administering requests for written verifications under the new policy is being prepared by GSI Water Solutions.

EMA GSA Committee Member Brad Joos made a MOTION to waive the reading and approve RESOLUTION EMA-2023-001 A RESOLUTION ADOPTING AN EMA WELL VERIFICATION POLICY FOR ADMINISTERING REQUESTS FOR WRITTEN VERIFICATIONS IN THE EASTERN MANAGEMENT AREA OF THE SANTA YNEZ RIVER VALLEY GROUNDWATER BASIN, as presented. GSA Committee Member

Elizabeth Orona seconded the motion. Public comment was received. Discussion followed. The resolution passed 4-0-0 by the following roll call vote:

AYES: Diethofer (Acting Alternate), Joos, Marymee, and Orona

NOES: None

ABSTAIN: None

VII. Review and Consider Request for EMA GSA Written Verification under Executive Order N-7-22 in the EMA for APN 137-390-025 Osberg

Agenda Item No. VII was addressed prior to Item No. V.

Mr. Buelow reviewed GSI Water Solutions, Inc.'s Review of New Well Application in the Santa Ynez River Valley Groundwater Basin, Eastern Management Area (EMA), dated April 25, 2023 for APN 137-390-025, WP#0005354. He noted that the report has a typo in the address of the property and the final report will be corrected to read Quail Valley Road. Discussion followed. There was no public comment.

EMA GSA Committee Member Brad Joos made a MOTION to approve the Written Verification Request, as corrected. GSA Committee Member Elizabeth Orona seconded the motion. There was no discussion and the motion passed unanimously.

VIII. Received Written Communications

- a. **Letter to Committee Chairs of the EMA, CMA and WMA from Sheldon Bosio, President, Santa Barbara County Farm Bureau, dated April 5, 2023**
- b. **Letter to DWR from Natalie Stork, Supervising Engineering Geologist, Groundwater Management Program, Office of Research Planning and Performance, California State Water Resources Control Board, dated April 14, 2023**
- c. **E-mail to Staff and Committee Members of the EMA, CMA and WMA from Alison Laslett, CEO, Santa Barbara Vintners, dated April 24, 2023**

The Committee received the written communications and discussion followed. Staff advised that the Letter to DWR from Natalie Stork was received by DWR through the SGMA portal on GSPs after the comment period ended. The letter is being reviewed by various staff and attorneys from the GSA member agencies and a response will be forthcoming. The other two letters are informational and request agricultural representation on the GSAs for the EMA, CMA, and WMA.

By consensus, Committee Members requested staff send a brief communication to DWR advising them that the letter from Natalie Stork was received, is being reviewed and a response will be forthcoming.

IX. Next EMA GSA Regular Meeting, Thursday, May 25, 2023, at the Santa Ynez Community Services District Community Room, 1070 Faraday Street, Santa Ynez, CA

EMA GSA Committee Chair Brett Marymee announced the next EMA GSA meeting is scheduled for Thursday, May 25, 2023, at 6:30 p.m. at the Santa Ynez Community Services District Community Room, 1070 Faraday Street, Santa Ynez, CA.

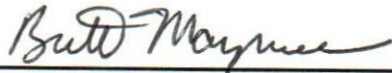
Discussion followed regarding possible cancellation of the meeting and scheduling of a special meeting later to allow for receipt of a cost proposal from GSI for administering requests for well verifications under the new policy, which will require proper noticing for an updated fee deposit.

X. EMA GSA Committee Reports and Requests for Future Agenda Items

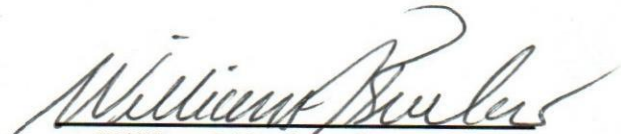
EMA GSA Committee Chair Brett Marymee requested a discussion regarding ag representation and future governance be on a future agenda. He recommended that the idea of an ag representative be discussed with the Citizens Advisory Group (CAG).

XI. Adjournment

GSA Committee Chair Brett Marymee adjourned the meeting at 7:58 p.m.



Brett Marymee, Chairman



William J. Buelow, Secretary

RESOLUTION NO. 2023-001

**A RESOLUTION ADOPTING AN EMA WELL VERIFICATION POLICY
FOR ADMINISTERING REQUESTS FOR WRITTEN VERIFICATIONS
IN THE EASTERN MANAGEMENT AREA
OF THE SANTA YNEZ RIVER VALLEY GROUNDWATER BASIN**

WHEREAS, the Groundwater Sustainability Agency for the Eastern Management Area in the Santa Ynez River Valley Groundwater Basin (“EMA GSA”), formed by Memorandum of Agreement dated April 27, 2017 (“EMA MOA”), is the exclusive GSA for the Eastern Management Area of the Santa Ynez River Valley Groundwater Basin (Bulletin 118 Basin No. 3-015) (“Basin”);

WHEREAS, in compliance with the Sustainable Groundwater Management Act (“SGMA”), on January 6, 2022, the EMA GSA adopted the EMA Groundwater Sustainability Plan (“Plan”) that establishes the EMA GSA’s groundwater management program and sustainability goal for the EMA;

WHEREAS, SGMA authorizes a local GSA to manage a groundwater basin in a sustainable manner pursuant to its groundwater sustainability plan;

WHEREAS, Water Code Section 10725.2 authorizes the EMA GSA to adopt rules, regulations, ordinances, and resolutions for the purpose of complying with SGMA, and to perform any act necessary or proper to carry out the purposes of SGMA;

WHEREAS, On July 21, 2022 the EMA GSA approved a document entitled “Process and Criteria for Administering Written Verifications Per Executive Order N-7-22” (“Process and Criteria”) for the implementation of Executive Order N-7-22, as amended under Executive Order N-5-23 (“Order”);

WHEREAS, pursuant to the Order and certain exceptions specified therein, the Santa Barbara County Environmental Health Department (County) is prohibited from approving a permit for a new groundwater well or for alteration of an existing well in the EMA without first obtaining written verification from the EMA GSA that groundwater extraction by the proposed well (1) would not be inconsistent with any sustainable groundwater management program established in the EMA GSP, and (2) would not decrease the likelihood of achieving a sustainability goal for the basin;

WHEREAS, in addition to utilizing the previously approved Process and Criteria, the EMA GSA desires to establish supplemental criteria for evaluating all new requests for written verifications under the Order.

NOW, THEREFORE, THE EMA GSA COMMITTEE HEREBY RESOLVES AS FOLLOWS:

SECTION 1. Recitals Incorporated

The above recitals are supported by substantial evidence, incorporated herein by reference and each relied upon independently by the EMA GSA governing Committee in its adoption of this Resolution.

SECTION 2. EMA GSA Supplemental Well Verification Policy

The EMA GSA governing Committee adopts the Eastern Management Area Groundwater Sustainability Agency Policy for Administering Requests for Written Verifications (“EMA Well Verification Policy”),

attached hereto as Exhibit A and incorporated herein by reference, and finds the EMA Well Verification Policy is consistent with the Plan and will promote implementation of the Plan in accordance with SGMA.

SECTION 3. Amendment

This Resolution may be added to, amended, and/or repealed at any time by adoption of a subsequent resolution of the EMA GSA governing Committee.

SECTION 4. Effective Date

This Resolution shall become effective upon adoption.

WE, THE UNDERSIGNED, do hereby certify that the above and foregoing Resolution No. EMA-2023-001 was duly adopted and passed by the governing Committee of the EMA GSA at a meeting held on April 27, 2023, by the following vote:

AYES: Meighan Diethofer, Brad Joos, Brett Marymee, Elizabeth Drona

NOES: None

ABSENT: None

ATTEST:



Brett Marymee, Chair



William J. Buelow, Secretary

EXHIBIT A

Exhibit A

Eastern Management Area Groundwater Sustainability Agency Policy for Administering Requests for Well Verifications

On July 21, 2022 the EMA GSA approved a document entitled “Process and Criteria for Administering Written Verifications Per Executive Order N-7-22” (“Process and Criteria”) for the implementation of Executive Order N-7-22 (dated March 28, 2022) as amended under Executive Order N-5-23 (“Order”) (dated March 3, 2023).

Pursuant to the Order and certain exceptions specified therein, the Santa Barbara County Environmental Health Department (County) is prohibited from approving a permit for a new groundwater well or for alteration of an existing well in the EMA without first obtaining written verification from the EMA GSA that groundwater extraction by the proposed well (1) would not be inconsistent with any sustainable groundwater management program established in the EMA GSP, and (2) would not decrease the likelihood of achieving a sustainability goal for the basin. In addition to the previously approved Process and Criteria, the EMA GSA establishes the following supplemental criteria for evaluating all new requests for written verifications under the Order.

1. Undesirable Results – The planned production and use of groundwater from the proposed well must be evaluated against the presence, imminence, or absence of undesirable results as described in the EMA GSP. The supplemental criteria for evaluating undesirable results will include the following:
 - a. Most recently reported groundwater levels compared to Minimum Thresholds (MTs) and definition of undesirable result established by the GSP. Determine whether more than 50% of the representative wells exceed MTs after two consecutive years of average or above average precipitation.
 - b. If MTs exceeded, consider the magnitude of exceedances.
 - c. Consider reported impacts to other wells in the area.
 - d. Consider other undesirable result criteria (e.g., water quality).
2. Water Budget Parameters – The planned production and use of groundwater from the proposed well must be consistent with the current and long-term water budget parameters in the GSP (Section 3). Water budget parameters to consider may include:
 - a. Projected land-uses
 - b. Total irrigated acreage
 - c. Cropping distribution
 - d. Water duty factors for different crop types.
3. Projects and Management Actions – The planned production and use of groundwater from the proposed well must be compliant with any implemented projects or management actions of the EMA GSA, and as a condition for issuance of a written verification the applicant must agree to register the well with and report production semi-annually to the EMA GSA.