

MEETING MINUTES

Groundwater Sustainability Agency for the Eastern Management Area in the Santa Ynez River Groundwater Basin February 24, 2022

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, February 24, 2022, at 6:30 p.m. As a result of the COVID-19 emergency, this meeting occurred solely via teleconference as recommended by Santa Barbara County Public Health, as authorized by State Assembly Bill 361, and Resolution EMA-2021-001 (passed on 10/21/2021, reaffirmed 1/6/2022).

EMA GSA Committee Members Present: Joan Hartmann, Mark Infanti, Brad Joos, and Brett Marymee

EMA GSA Alternate Committee Members Present: Cynthia Allen and Meighan Diethofer

Member Agency Staff Present: Jose Acosta, Bill Buelow, Paeter Garcia, Kevin Walsh, and Matt Young

Others Present: Steve Anderson, Jeff Barry (GSI Water Solutions), Russell Chamberlain, Mary Heyden, Gay Infanti, Doug Circle, Tim Gorham, C.J. Jackson, Kevin Merrill, and Tim Nicely (GSI Water Solutions)

I. Call to Order and Roll Call

EMA GSA Committee Chair Brett Marymee called the meeting to order at 6:31 p.m. and asked Mr. Buelow to call roll. Four EMA GSA Committee Members were present providing a quorum plus two EMA GSA Alternate Committee Members.

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

Mr. Buelow explained that the reasonings for State Assembly Bill 361 and adoption of Resolution EMA-2021-001, passed on October 21, 2021 and reaffirmed on January 6, 2022, which authorized teleconference public meetings were still in effect. Discussion followed.

EMA GSA Committee Member Brad Joos made a MOTION to authorize continuing teleconference meetings under Resolution EMA-2021-001. EMA GSA Committee Member Joan Hartmann seconded the motion. There was no discussion and the motion passed unanimously by roll call vote.

III. Additions or Deletions to the Agenda

No additions or deletions were made.

EMA GSA Committee Member Brad Joos thanked Member Agency staff for posting the meeting agenda by the Friday prior to the scheduled meeting and requested that, in the future, if any changes are made or more input is provided, that a phone call or text message be sent to Committee Members. He also requested that any revised editions of agendas or documents be dated so to clearly identify the most updated version.

IV. Public Comment

There was no public comment.

V. Review and consider approval of meeting minutes of November 18, 2021, December 9, 2021, and January 6, 2022

The minutes of the GSA Committee meetings on November 18, 2021, December 9, 2021, and January 6, 2022 were presented for GSA Committee approval.

GSA Committee Member Brad Joos made a MOTION to approve the minutes of November 18, 2021, December 9, 2021, and January 6, 2022, as presented. GSA Committee Member Mark Infanti 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 4 through 6 (through December 31, 2021) and the Warrant Lists for October, November, and December 2021.

Discussion followed. GSA Committee Member Brad Joos asked for a balance status of grant funds in the GSA bank account and the status of the 10% retention of grand funds held at DWR. He also requested follow up on additional grant funds available for implementation of SGMA efforts. GSA Committee Chair Brett Marymee requested an overview of the expected financial burn rate and possibility of EMA GSA running out of available funds this fiscal year. Mr. Buelow advised the Committee that funds were received from three Member Agencies, City of Solvang, ID No. 1 and Santa Ynez River Water Conservation District (Parent District) to help ensure enough funds are available to cover the costs. GSA Committee Member Brad Joos requested that staff follow up with DWR Grants department regarding requirements in order to receive the payout of retention funds without delay. GSA Committee Chair Brett Marymee requested at future meetings that staff add to the review of GSA financials the status of expected or imminent grant funding.

GSA Committee Member Brad Joos made a MOTION to approve the financial reports and the Warrant List for October, November, and December 2021 Warrant Lists (Nos. 1039-1049) totaling \$40,084.91, as presented. GSA Committee Member Mark Infanti seconded the motion and it passed unanimously by roll call vote.

VII. Review and consider approval of calendar of Regular GSA meetings for 2022 and location of Regular and Special Meetings

Mr. Buelow presented a list of Regular GSA meetings for the 2022 calendar year. He reported that the EMA GSA regularly meets on Thursday evening of the fourth week in the second month of each quarter (February, May, August, and November) but that date in November is a holiday, so the November Regular meeting is proposed to be one week earlier on November 17, 2022. Consensus was to keep the Regular meeting schedule, as presented.

Mr. Buelow presented a fee comparison on meeting locations spaces within the EMA GSA jurisdiction for use of in-person public meetings with technology available to provide remote access as well. Discussion followed. Consensus was to keep the in-person location for EMA GSA Committee meetings at the Santa Ynez CSD Conference Room due to lower per meeting cost and availability of remote participation technology.

VIII. Consider approval of printing costs for public copies of the EMA GSP

Mr. Buelow reported the cost estimate to provide a color hard copy of the GSP which was submitted to DWR in January 2022 to the local public library (Solvang Public Library) is approximately \$500. Alternatively, at no-cost, a digital version can be shared with the public library and be available to the public at the library. Discussion followed.

GSA Committee Member Brad Joos made a MOTION to provide only a digital version of the GSP to the library, not a printed copy, however, if a request for a printed copy is received, staff is directed to return to the GSA Committee for authorization prior to incurring any cost for printing of the GSP document. GSA Committee Member Mark Infanti seconded the motion and it passed unanimously by roll call vote.

GSA Committee Member Brad Joos requested that staff include cost of at least one printed copy when negotiating contracts for future documents and plans with consultants.

IX. Receive and discuss January 5, 2022, letter from Los Olivos CSD

Mr. Buelow reviewed a letter received from the Los Olivos Community Services District dated January 5, 2022 regarding Los Olivos Groundwater Monitoring Plan. Discussion followed. Public comments received. No action was taken.

X. Receive update from EMA CAG Meeting of February 4, 2022

Mr. C.J. Jackson presented a Memorandum dated February 4, 2022, summarizing the Citizen Advisory Group's (CAG) EMA Workshop and Q & A on Future Governance held on February 4, 2022, which he prepared on behalf of the EMA GSA CAG. He added to the submitted memorandum, that there have been repeated suggestions, rather passionately rendered, that the EMA GSA Committee needs to have an explicit member of the agricultural community and that the representation of this community is not currently adequate. He pointed out that "in its conclusion, the CAG tended to favor a hybrid model comprising three independent agencies representing each management area

creating an umbrella agency to facilitate and fund the necessary activities to operate the three independent GSPs while building towards a larger Joint Powers Authority model. Perhaps support could continue from the County and the Parent District (Santa Ynez River Water Conservation District) until a stand-alone agency could be crafted going forward.” Discussion followed. No action was taken.

XI. Receive presentation from GSI on the First Annual Report for the EMA

Mr. Tim Nicely presented First Annual Report Summary of the Santa Ynez Basin – EMA, dated February 24, 2022. The presentation reviewed the GSAs responses to the DWR Requirements of an Annual Report which include description and presentation of groundwater elevation, groundwater extraction, surface water supply, total water use, change in groundwater in storage, and progress towards implementing the Plan. The scope of the Annual Report covers Water Years 2019 through 2021 to bridge the gap between the submitted GSP data (1981-2018) and the most recent water year of 2021. It summarizes data collected through September 2021 and describes progress towards implementing the GSP. Discussion occurred throughout as well as after the presentation. No action was taken.

XII. Update and discussion on future governance, JPA, future projects, and funding for EMA expenses

Mr. Buelow reported that in response to direction given by the EMA GSA Committee during a prior meeting, staff and attorneys from all eight basin-wide Member Agencies recently participated in a meeting to discuss future governance that resulted in some good agreement on key ideals. There was agreement that decisions on implementing the GSPs should remain at the individual GSA level while, to the extent possible, utilize economies of scale for cost savings. County Counsel agreed to take the ideas discussed by the group and craft a future governance model for consideration and further discussion. The group agreed that the attorneys of the member agencies should meet separately to discuss legal details including migrating the current MOA structure that created the GSA to now form each GSA as an entity through a JPA and with possibly an umbrella JPA linking the three GSA entities together. More meetings of the groups are expected with intent to report back to the committees on the progress at a future meeting. Discussion followed. No action was taken.

EMA GSA Committee Chair Brett Marymee asked for an update on funding mechanisms being explored. Mr. Buelow advised there is nothing new to report on funding mechanisms as future governance needs to first be decided to proceed with a rate study, creating budgets and making decisions on which projects to consider and how to fund those projects. Discussion followed. GSA Committee Member Brad Joos expressed concern of the potential high cost of creating a big bureaucratic top-heavy organization. He encouraged everyone to consider the need to keep the budget down and costs low for the sake of the water customers in the Basin.

XIII. Review possible change of GSA Financial Institution

Mr. Buelow informed the EMA GSA Committee that EMA GSA banking account may be moved to a new bank. As the Santa Ynez River Water Conservation District (Parent District) owns the banking account for benefit of the EMA GSA at Mechanics Bank and the Parent District Board of Directors will be considering changing all of their owned accounts from Mechanics Bank to Five Star Bank at its upcoming March 9, 2022 meeting. The decision to change banking institution will not cost the EMA GSA. It will eliminate most banking fees while increasing ability to earn interest on money held in the account. Discussion followed. No action was taken.

XIV. Consider "Special" EMA GSA Meeting Thursday, March 24, 2022, at 6:30 P.M.

Mr. Buelow reported that an EMA GSA Special Meeting will be scheduled for Thursday, March 24, 2022, for the GSA Committee to review the final Annual Report and consider acceptance and submittal to DWR. Discussion followed and consensus for having the meeting through Zoom was expressed.

XV. Next Regular EMA GSA Meeting, Thursday, May 26, 2022, at 6:30 p.m.

Mr. Buelow announced the next regular EMA GSA meeting will be Thursday, May 26, 2022 at 6:30 p.m., either in person at the Santa Ynez Community Services District Conference Room or via Zoom. The details will be determined closer to the meeting date based on continuing health concerns presented by the COVID-19 pandemic.

XVI. EMA GSA Committee requests and comments

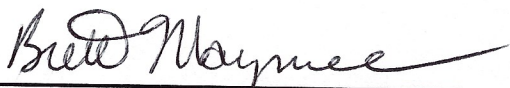
EMA GSA Committee Chair Brett Marymee asked about plans for stakeholder communications in 2022. Discussion followed regarding newsletter ideas for Newsletter issue of March 2022, possibly containing quotes from involved parties. Mr. Buelow asked for quotes to be emailed to him for consideration. Discussion followed.

Mr. Buelow thanked the County of Santa Barbara staff for issuing a Press Release on the GSP submittal.

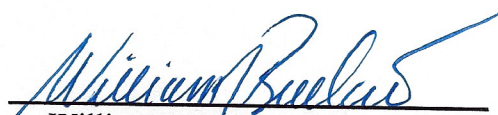
EMA GSA Committee Member Brad Joos thanked everyone for good participation and comments provided.

XVII. Adjournment

EMA GSA Committee Chair Brett Marymee adjourned the meeting at 8:48 p.m.



Brett Marymee, Chairman



William J. Buelow, Secretary

**GROUNDWATER SUSTAINABILTY AGENCY FOR THE
EASTERN MANAGEMENT AREA (EMA)
IN THE SANTA YNEZ RIVER VALLEY GROUNDWATER BASIN**

OCTOBER 2021 WARRANT LIST FOR COMMITTEE APPROVAL

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
1039	10/15/21	GSI Water Solutions	September 2021 GSP Preparation Services	\$ 18,424.00
1040	10/15/21	Inklings	Public Draft EMA GSP printed (Public access to review GSP at Solvang Library)	\$ 173.92
1041	10/15/21	Santa Barbara News Press	Public Draft GSP advertisement (9/26/21: 1 of 2 run dates) (1/3 of total paid per GSA)	\$ 50.00
1042	10/15/21	Santa Maria Times	Public Draft GSP advertisement (9/28/21 SYV News and 9/29/21 Lompoc Record) (1/3 of total paid per GSA)	\$ 156.00
1043	10/15/21	Valley Bookkeeping	2021 3rd Quarter Bookkeeping (July, August, September 2021)	\$ 150.00
MONTH TOTAL				\$ 18,953.92

NOVEMBER 2021 WARRANT LIST FOR COMMITTEE APPROVAL

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
1044	11/15/21	Santa Ynez CSD	Conference Room Rental (11/18/2021 EMA GSA Meeting)	\$ 30.00
1045	11/15/21	Santa Barbara News Press	Public Draft GSP advertisement (10/3/21: 2 of 2 run dates) (1/3 of total paid per GSA)	\$ 50.00
1046	11/15/21	Stetson Engineers	August & September 2021 Engineering Service (Basin Coordination)	\$ 3,564.75
1047	11/15/21	GSI Water Solutions	October 2021 GSP Preparation Services	\$ 15,202.85
MONTH TOTAL				\$ 18,847.60

DECEMBER 2021 WARRANT LIST FOR COMMITTEE APPROVAL

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
1048	12/14/21	Stetson Engineers	October 2021 Engineering Service (Basin Coordination)	\$ 2,133.39
1049	12/14/21	Valley Bookkeeping	2021 4th Quarter Bookkeeping (October, November, December 2021)	\$ 150.00
MONTH TOTAL				\$ 2,283.39

TOTAL THIS QUARTER: \$ 40,084.91

**EASTERN MANAGEMENT AREA
CITIZAN ADVISORY GROUP
MEMORANDUM**

DATE: February 4, 2022
TO: EMA GSA Committee
FROM: EMA Citizen Advisory Group (CAG)
Prepared by CJ Jackson
SUBJECT: EMA Workshop and Q & A on Future Governance

PRESENT: CAG Members: CJ Jackson, Gay Infanti, Sam Cohen, Elizabeth Farnum, Kevin Merrill and Tim Gorham, **Staff & Others:** Bill Buelow and Paeter Garcia (ID#1)

Introduction:

The EMA Community Advisory Group (CAG) held a meeting on February 4, 2022 via video/teleconference to discuss future governance options for the GSA

SUMMARY:

In advance of the meeting, the CAG was provided with an agenda comprising the following elements:

1. Select volunteer to write memo
2. GSP Submittal wrap up
3. Discuss Future Governance
4. Annual Report Status

Mr. Buelow opened the meeting with a welcome and a report on the completion status of the GSP to the California Department of Water Resources triggering a 60 to 75-day comment period on the Plan followed by review and analysis by DWR staff which could take anywhere from six months to two years. In effect, the plan is now live and with its cohort plans from the Western and Central Management areas, now also completed and submitted, now governs the groundwater management of the Santa Ynez Basin.

Mr. Buelow described the closing chapter of the completion of the Plan with thanks to the consultants. CJ Jackson was selected as scribe for the reporting of the meeting and the CAG was invited to discuss any issues posed by the completed plan and the wrap up provided by Mr. Buelow.

There was interest upon the part of some CAG members that some public discussion by the GSA as to how the various mitigation measures, some posing significant implications to pumpers relying on groundwater posed in the GSP might be triggered? Additional questions regarding the

reconciliation of differing responses by adjoining management areas and whether or not mitigations and fees would be born equally in the face of an emergency. The issue of how facile the GSAs might be in providing adequate warning before the initiation of mitigation measures to provide time for pumpers, particularly agriculture to attenuate to the impending mitigations.

It was suggested that perhaps these concerns might best be reconciled through the selection of a governance model for the management of the GSP or GSPs and so the CAG tabled its preceding concerns in favor of a robust discussion of the potential governance options for which staff provided four potential models inclusive of: a.) MOA (Memorandum of Agreement) whereby the management of all three GSA's are managed through an agreement by and between the three management areas; b.) Joint Powers Authority with representation of all agencies within a single GSA, c.) JPA amalgamating representation of the agencies within all three GSAs into one unified JPA or d.) hybrid model of three independent entities working towards a fruitful amalgamation in the future.

We recognized that the operation of one, three or more agencies will generate costs, staffing, legal, consultant fees etc. to name but a few. Each management area poses distinct utilizations, populations, hydrological and geotechnical considerations as well. The capacity to generating economies of scale through shared expenses while attractive from a cost perspective have to address the challenge of levying fees or instigating mitigation measures across three distinct areas. An example of the Santa Ynez Valley's unwillingness to cede authority on regional decision making is the Valley's school system of seven individual districts with individual boards, superintendent and programs, a structure that has been unwilling to unify for decades.

The Committee recognized that along the spectrum from three independent agencies functioning independently as to management and operation to a fully amalgamated Joint Powers Authority representing all agencies within the three management areas make a solution challenging particularly on the following decisions:

- a. Power to Levy Fees
- b. Well Registration and reporting
- c. Overdraft Mitigation Measures
- d. Legal Fees
- e. Coordinated response agreements
- f. Who pays for staff and overhead considerations

Another consideration as to structure is the Santa Ynez Band of Chumash Indians, a potential major pumper of groundwater, is neither obligated to, nor at this time interested in, participation in a Joint Powers Authority.

In its conclusion, the CAG tended to favor a hybrid model comprising three independent agencies representing each management area creating an umbrella agency to facilitate and fund the necessary activities to operate the three independent GSPs while building towards a larger Joint Powers Authority model. Perhaps support could continue from the County and the Parent District (Santa Ynez River Water Conservation District) until a stand-alone agency could be crafted going forward.

Respectfully submitted,

Charles "C.J." Jackson