

MEETING MINUTES

Groundwater Sustainability Agency for the Eastern Management Area in the Santa Ynez River Groundwater Basin November 16, 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, November 16, 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, and Elizabeth Orona

EMA GSA Alternate Committee Members Present: Meighan Diethofer (Acting Alternate) and Mike Burchardi

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

Member Agency Staff Present (remote): Bill Buelow

Others Present (in-person): Mary Heyden and Gay Infanti

Others Present (remote): Steve Anderson, Doug Circle, Matthew Scudato,

1. Call to Order and Roll Call

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

2. Additions or Deletions to the Agenda

No additions or deletions were made.

3. Public Comment

There was no public comment.

4. Review and Consider Approval of Meeting Minutes of September 28, 2023

The minutes of the EMA GSA Committee meeting on September 28, 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 September 28, 2023, as presented. GSA Committee Member Elizabeth Orona seconded the motion. There was no discussion and the motion passed 4-0 by voice vote.

5. Review and Consider approval of Financial Statements and Warrant List

The GSA Committee reviewed the financial reports of FY 2023-24 Periods 1 through 3 (through September 30, 2023) and the Warrant Lists for July, August, and September 2023. There was no discussion or public comment.

EMA GSA Committee Member Brad Joos made a MOTION to approve July, August, and September 2023 Warrant Lists (Check Nos. 1012-1024) totaling \$15,886.46, as presented. GSA Committee Member Elizabeth Orona seconded the motion. There was no discussion and the motion passed 4-0 by voice vote.

6. Update on SGMA Governance and Draft Joint Powers Agreement for the EMA

Mr. Bill Buelow summarized the progress made toward SGMA Governance and the preparation of a draft Joint Powers Agreement for the EMA. Mr. Paeter Garcia provided additional details about the efforts and Mr. Matt Young explained the difference between public agency members of a JPA and an appointed representative to the GSA. Discussion followed and public comment was received.

7. Receive Summary of EMA CAG meeting of October 18, 2023, from Gay Infanti and Mary Heyden

Ms. Gay Infanti presented the memorandum dated November 16, 2023, from the EMA Citizen Advisory Group regarding Review of 9/23 Draft Joint Exercise of Powers Agreement (JPA) Santa Ynez River Valley Basin Eastern Management Area GSA and stated that she and Ms. Mary Heyden collaborated to create the memorandum. Discussion followed and public comment was received.

Ms. Infanti requested that when changes are made to the draft JPA document, the revised document is provided to the EMA CAG for review and comment.

8. Review of EMA Cost Share Agreement

Mr. Garcia presented the Interim Cost Sharing Agreement, Santa Ynez River Valley Groundwater Basin – Eastern Management Area, that is being considered by all member agencies as an interim mechanism for cost sharing/reimbursement to provide needed funds in order to get required Groundwater Sustainability Plan projects done. Discussion followed.

9. Review and Consider approval of Resolution No. EMA-2023-003 “EMA GSA Agreement to Provide Reimbursement to EMA GSA Agencies for Certain Shared Cost Contributions”

Mr. Garcia provided a summary of **Resolution No. EMA-2023-003** “**EMA GSA Agreement to Provide Reimbursement to EMA GSA Agencies for Certain Shared Cost Contributions**”. He explained that the resolution memorializes the agreement in the GSA Interim Cost Share Agreement to reimburse member agencies for certain cost sharing contributions.

EMA GSA Committee Member Brad Joos made a MOTION to approve **Resolution No. EMA-2023-003** “**EMA GSA Agreement to Provide Reimbursement to EMA GSA Agencies for Certain Shared Cost Contributions**”, as presented. GSA Committee Acting Alternate Member Meighan Dietenhofer seconded the motion. There was no discussion and the motion passed 4-0-0-0 by the following roll call vote:

AYES:	Dietenhofer, Joos, Marymee, Orona
NOES:	None
ABSENT:	None
ABSTAIN:	None

10. Review scope of work and cost estimate for the EMA’s Third Annual Report and receive update on contracting with GSI

Mr. Young presented the Proposal for Annual Report Water Year 2022-2023 for the Santa Ynez River Valley Groundwater Basin, Eastern Management Area from GSI Water Solutions, Inc., dated November 3, 2023. He reported that the County Water Agency will be contracting with GSI Water Solutions, Inc. for this effort, on behalf of the EMA GSA member agencies. Discussion followed.

EMA GSA Committee Member Elizabeth Orona made a MOTION to endorse the County Water Agency, on behalf of the EMA GSA member agencies, to contract with GSI Water Solutions, Inc., pursuant to the Interim Cost Share Agreement, for the Third Annual Report project, not to exceed \$57,670. Discussion followed. Ms. Orona amended the motion to include an additional 10% contingency, if needed, with a maximum not to exceed \$63,500. GSA Committee Member Brad Joos seconded the amended motion. There was no further discussion and the motion passed 4-0 by voice vote.

11. Receive Update on Proposition 68 Grant Award

Mr. Buelow provided an update on the Proposition 68 Grant Award. The dates range of eligible projects is October 2022 through April 2026. There is no anticipated cost match requirement. The grant agreement has been received and is being reviewed by SYRWCD staff and legal counsel. SYRWCD was authorized by the three GSAs to act as grantee on behalf of the GSAs for this grant. All eligible projects to be submitted for reimbursement must be completed by April 2026. There will be a photo opportunity with DWR and member agencies elected officials possibly in January 2024. Mr. Buelow will advise of the date and time, once determined. There was no discussion or public comment.

member agencies elected officials possibly in January 2024. Mr. Buelow will advise of the date and time, once determined. There was no discussion or public comment.

12. Receive Draft Schedule of Santa Ynez River Valley Groundwater Basin GSA meetings for 2024 and consider returning to quarterly regular meetings with special meetings, as needed

Mr. Buelow presented the Santa Ynez River Valley Groundwater Basin 2024 Regular GSA Meetings calendar with staff recommendation to return to quarterly regular meetings and change the other months to save the dates for special meetings, if needed. Discussion followed.

EMA GSA Committee Member Brett Marymee made a MOTION to adopt the quarterly regular meeting schedule with monthly save-the-dates for special meetings, if needed, as presented. GSA Acting Alternate Committee Member Meighan Diethofer seconded the motion. There was no discussion and the motion passed 4-0 by voice vote.

13. Discuss and set the next EMA GSA Regular Meeting, Thursday, December 14 or 21, 2023, at 6:30 PM, at the Santa Ynez CSD Community Room

EMA GSA Committee Chair Brett Marymee requested input for the next EMA GSA meeting date. Discussion followed. By consensus, the Committee Members scheduled the next EMA GSA meeting date for Thursday, December 14, 2023, at 6:30 p.m. at the Santa Ynez Community Services District Community Room, 1070 Faraday Street, Santa Ynez, CA.

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

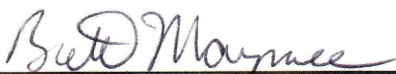
Mr. Buelow provided an update on the November 15, 2023, meeting with DWR regarding the SWRCB comment to the GSPs.

Mr. Randy Murphy reported that the City of Solvang's river well hearings have begun in Sacramento. He also reported that the Public Utilities Director job opening closed on October 30, 2023, with no qualified applicants.

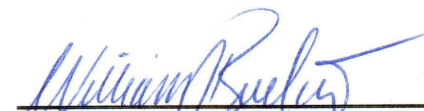
Mr. Matt Young reported the County Water Agency has a job opening for a Sustainable Groundwater Manager.

15. Adjournment

GSA Committee Chair Brett Marymee adjourned the meeting at 8:14 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**

JULY 2023 WARRANT LIST FOR COMMITTEE APPROVAL

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
1012	07/13/23	GSI Water Solutions	March 2023 EMA Annual Report WY 2021-2022	\$ 9,491.10
1013	07/13/23	Santa Barbara News Press	Legal Notices of June 22, 2023 Meeting to Revise Fee Publication dates: 6/1/2023 and 6/8/2023	\$ 84.36
1014	07/13/23	Santa Ynez CSD	Conference Room Rental (6/22/23 EMA GSA Meeting)	\$ 30.00
1015	07/13/23	GSI Water Solutions	May and June 2023 Review for Well Verifications (paid by Well Owner Deposits)	\$ 1,290.00
1016	07/13/23	Bertrum Cohen	Refund Unexpended Deposit - Well Verification Review	\$ 240.00
1017	07/13/23	Michael Greenberg (South Well)	Refund Unexpended Deposit - Well Verification Review	\$ 2.50
1018	07/13/23	Scott and Diana Osberg	Refund Unexpended Deposit - Well Verification Review	\$ 145.00
MONTH TOTAL				\$ 11,282.96

AUGUST 2023 WARRANT LIST FOR COMMITTEE APPROVAL

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
1019	08/18/23	GSI Water Solutions	July 2023 Review for Well Verifications (paid by Well Owner Deposits)	\$ 1,492.50
1020	08/18/23	Santa Ynez CSD	Conference Room Rental (8/10/23 EMA GSA Meeting)	\$ 75.00
1021	08/18/23	GSI Water Solutions	April-May 2023 EMA Annual Report WY 2021-2022 Measuring Point & Groundwater Elevation Error Task (Partial Payment of Invoice 515.005-8)	\$ 2,514.00
MONTH TOTAL				\$ 4,081.50

SEPTEMBER 2023 WARRANT LIST FOR COMMITTEE APPROVAL

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
1022	09/30/23	Onsite Computers	Office 365 Basic License (email) - ema@SantaYnezWater.org	\$ 72.00
1023	09/30/23	Santa Ynez CSD	Conference Room Rental (8/24 & 9/28/23 EMA GSA Meetings)	\$ 150.00
1024	09/30/23	Valley Bookkeeping	2023 3rd Quarter Bookkeeping (July, August, September 2023)	\$ 300.00
MONTH TOTAL				\$ 522.00

TOTAL CHECKS THIS QUARTER: \$ 15,886.46

EASTERN MANAGEMENT AREA
CITIZEN ADVISORY GROUP
MEMORANDUM

DATE: November 16, 2023
TO: EMA GSA Committee
FROM: EMA Citizen Advisory Group
Prepared by Gay Infanti
SUBJECT: Review of 9/23 Draft of Joint Exercise of Powers Agreement Santa Ynez River Valley Basin Eastern Management Area GSA

Eastern Management Area (EMA) Citizens Advisory Group (CAG) Members

Present were CAG members Mary Heyden and Gay Infanti
Also present were EMA Staff Members Bill Buelow, Paeter Garcia and Matt Young

Introduction

The EMA CAG held a meeting on October 18, 2023, in person to discuss the draft Joint Exercise of Powers Agreement Santa Ynez River Valley Basin Eastern Management Area Groundwater Sustainability Agency

Below is a summary of the CAG's comments and Discussions with Staff, by JPA section:

RECITALS

There was one clarification requested concerning Recital N, which sought clarification about the "joint or individual public hearing(s) regarding entering into this agreement". It was confirmed that these referenced meetings were the regular EMA GSA meetings.

ARTICLE 5 POWERS – There was a request for clarification re 5.2, in which Solvang was cited wherein, "in the event of Santa Barbara's withdrawal as a JPA member under this agreement, the GSA's powers would be exercised subject to those restrictions imposed on Solvang". The response means that, similar to Santa Barbara County, Solvang as an incorporated City, is required to hold public meetings using specified parliamentary procedure and subject to the Ralph M. Brown act and therefore, any Member selected to lead the JPA would be obligated to honor those restrictions.

ARTICLE 7, BOARD OF DIRECTORS – A CAG member raised an issue re 7.1(e), concerning the addition of a Non-Member, voting Director representing agricultural interests. At issue was why one stakeholder group would be given special treatment while others, including domestic well owners, mutual water companies, municipal users, and the environment were not granted the same privilege. It was brought up that other GSAs within the state, which also added agricultural members, also included other stakeholder interests, such as a director representing environmental interests.

A CAG member presented an additional perspective for agricultural membership in the JPA. Because the agricultural users produce a large portion of pumped groundwater and therefore expect to pay a significant amount of the GSA's cost associated with the GSP implementation, it may require a communication conduit directly from the JPA to achieve agricultural stakeholders' buy-in to ensure the GSP's objectives for achieving groundwater sustainability in the EMA are accomplished. It was further stated that The Santa Ynez Water Group fully intends to partner in the sustainable management of the EMA Basin. The Santa Ynez Water Group maintains the belief that none of the Agencies solely represents Agricultural interests, which they feel supports the addition of an Agricultural Representative.

Both CAG members advocated that any Non-Member Director selected to represent agricultural interests, must be a resident within the EMA GSA boundaries. GSAs are intended, by SGMA, to be local agencies.

ARTICLE 9, EXECUTIVE DIRECTOR & STAFF – There is concern about future costs and the need to plan for them at the JPA member agency level. The JPA needs to come up with budgets and associated cost sharing that can be provided in a timely manner, i.e., when member agencies are developing their agency budgets.

ARTICLE 11, VOTING –There was discussion regarding the differences between the proposed one vote, one director versus weighted voting.

ARTICLE 14, BUDGET AND EXPENSES – A request was made by one of the CAG members that each member's governing board be allowed to approve proposed JPA budgets and expenses, before the JPA Directors vote to adopt them. There was discussion concerning future sources of funds and a suggestion that the JPA begin to anticipate the need for funds as soon as possible.

There were no further comments, and the meeting was adjourned.

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

RESOLUTION NO. EMA-2023-003

RESOLUTION REGARDING EASTERN MANAGEMENT AREA GROUNDWATER SUSTAINABILITY AGENCY AGREEMENT TO PROVIDE REIMBURSEMENT TO EMA GSA AGENCIES FOR CERTAIN SHARED COST CONTRIBUTIONS

WHEREAS, on or about April 27, 2017, the Santa Barbara County Water Agency (“Water Agency”), Santa Ynez River Water Conservation District (“SYRWCD”), City of Solvang (“Solvang”), and Santa Ynez River Water Conservation District, Improvement District No.1 (“ID No.1”) entered into the “Memorandum of Agreement for Formation of a Groundwater Sustainability Agency for the Eastern Management Area in the Santa Ynez Valley Groundwater Basin under the Sustainable Groundwater Management Act” (the “2017 MOA”); and

WHEREAS, among the stated purposes of the 2017 MOA are to form a Groundwater Sustainability Agency (“GSA”) for the Eastern Management Area (“EMA”) of the Santa Ynez River Valley Groundwater Basin (“Basin”) under the Sustainable Groundwater Management Act (“SGMA”), and to develop and submit a Groundwater Sustainability Plan (“GSP”) for the EMA portion of the Basin; and

WHEREAS, in January 2022, the EMA GSA timely adopted and submitted to the California Department of Water Resources (“DWR”) its own GSP for the EMA portion of the Basin; and

WHEREAS, the EMA GSP identifies various Projects and Management Actions (“PMAs”) to be pursued in the EMA, some to be pursued in the initial years following adoption and submittal of the GSP, to help achieve sustainable groundwater management in accordance with SGMA and the GSP, where funding will be needed for the development and implementation of said PMAs; and

WHEREAS, SGMA and other applicable law authorize the imposition of fees and charges, including, but not limited to, permit fees and fees and charges on groundwater extraction or other regulated activity to fund, without limitation, the costs of a groundwater sustainability program and implementing a GSP in accordance with SGMA; and

WHEREAS, to date, the EMA GSA has not imposed any fees or charges to generate funding needed for the development and implementation of PMAs identified in the EMA GSP; and

WHEREAS, the Department of Water Resources (“DWR”) recently has awarded a Proposition 68 grant (“DWR Grant Funds”) for the three GSAs in the Basin to implement SGMA and certain PMAs identified in their respective GSPs; and

WHEREAS, the Water Agency, SYRWCD, Solvang, and ID No.1 (collectively, the “EMA GSA Agencies”) are currently involved in negotiations to form a new Joint Powers Agency (“JPA”) to serve as the EMA GSA, which JPA will have the authority under SGMA and other applicable law to adopt and impose fees and charges throughout the EMA to carry out sustainable groundwater management, including, but not limited to, the administration, development, and implementation of PMAs identified in the EMA GSP, the preparation and administration of reports and other documentation required for SGMA compliance, and the carrying out of other administrative functions for the EMA GSA; and

WHEREAS, the EMA GSA and the EMA GSA Parties recognize that a source or sources of interim funding is needed to begin administration, development, and implementation of certain PMAs identified in the EMA GSP, to prepare reports and other documentation required for SGMA compliance, and to carry out other administrative functions for the EMA GSA, where such interim funding is needed prior to the receipt of DWR Grant Funds and/or prior to when the EMA JPA has developed its own funding sources; and

WHEREAS, the EMA GSA Agencies are preparing to enter an Interim Cost Sharing Agreement that will enable the EMA GSA Agencies to collectively provide one source of funding to assist with initial efforts such as administering, developing, and implementing PMAs identified in the EMA GSP, preparing reports and other documentation required for SGMA compliance, and carrying out other administrative functions for the EMA GSA prior to the receipt of DWR Grant Funds and/or prior to when the EMA JPA has developed its own funding sources, recognizing that the Interim Cost Sharing Agreement is specifically limited in term, function, and scope as set forth in that Agreement.

NOW, THEREFORE, the EMA GSA resolves as follows:

1. The above Recitals are incorporated herein by reference.
2. The EMA GSA agrees that cost sharing amounts voluntarily paid by the EMA GSA Agencies in accordance with the Interim Cost Sharing Agreement and amendments thereto shall be reimbursed to the EMA GSA Agencies, without interest, by the EMA GSA (whether the future EMA JPA or the GSA established under the 2017 MOA and any amendment thereto) through grant funds received by or on behalf of the EMA GSA to the extent allowed by the terms of such grant(s), or through other funds generated, acquired, or otherwise held by or on behalf of the EMA GSA, including but not limited to SGMA-related fees, charges, loans, or other funding, to the extent such reimbursement is authorized by law.
3. Such reimbursement to the EMA GSA Agencies shall be made when the EMA GSA determines it has funds available for such reimbursement that may legally be used for that purpose, provided that such reimbursement shall be made to the EMA GSA Agencies no later than December 31, 2026, unless such date is extended by written agreement among the EMA GSA Agencies.
4. This Resolution shall become effective upon adoption.

PASSED AND ADOPTED by the governing body of the Eastern Management Area
Groundwater Sustainability Agency on November 16, 2023 by the following roll call vote:

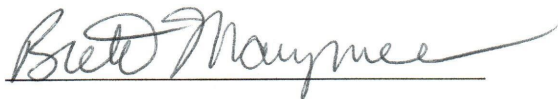
AYES: Dietenhofer, Joos, Marymee, Orona

NOES: NONE

ABSENT: NONE

ABSTAINED: NONE

ATTEST:



Brett Marymee, Chairman



William J. Buelow, Secretary