

SPECIAL MEETING MINUTES

Groundwater Sustainability Agency for the Eastern Management Area in the Santa Ynez River Groundwater Basin October 28, 2021

A special meeting of the Groundwater Sustainability Agency (GSA) for the Eastern Management Area (EMA) in the Santa Ynez River Groundwater Basin was held on Thursday, October 28, 2021 at 6:30 p.m. As a result of the COVID-19 emergency, this meeting occurred solely via teleconference in accordance with the latest Santa Barbara County Health Officer Order, as authorized by State Assembly Bill 361, and Resolution EMA-2021-001 (passed on 10/21/2021).

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

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

Member Agency Staff Present: Bill Buelow, Paeter Garcia, Amber Thompson, Matt van der Linden, Kevin Walsh, and Matt Young

Others Present: Steve Anderson, Jeff Barry (GSI Water Solutions), Bryan Bondy, Mike Burchardi, Doug Circle, Elizabeth Farnum, Mary Heyden, Gay Infanti, Tim Nicely (GSI Water Solutions), Brett Stroud (Young Wooldridge), and Eric (last name not registered).

I. Call to Order and Roll Call

GSA Committee Chair Brett Marymee called the meeting to order at 6:37 p.m. and asked Mr. Buelow to call roll. All GSA Committee Members were present providing a quorum.

II. Introductions and Review of SGMA in Santa Ynez River Valley Basin

Mr. Buelow announced names of phone and video attendees.

III. Additions or Deletions, if any, to the Agenda

No additions or deletions were made. A typographical error on Agenda Item IX was corrected to read "EMA" not "CMA".

IV. Public Comment

There was no public comment.

V. Review and consider approval of meeting minutes of August 26, and October 21, 2021

The minutes of the GSA Committee meetings on August 26 and October 21, 2021 were presented for GSA Committee approval. There were no comments or discussion.

GSA Committee Member Brad Joos made a MOTION to approve the minutes of August 26, 2021, as presented. GSA Committee Member Mark Infanti seconded the motion, and the minutes passed 3-0-1 by roll call vote with GSA Committee Member Brett Marymee abstaining.

GSA Committee Member Mark Infanti made a MOTION to approve the minutes of October 21, 2021, as presented. GSA Committee Member Brad Joos seconded the motion, and the minutes passed unanimously by roll call vote.

VI. Review comment letter from Santa Ynez Water Group legal counsel dated 09-21-2021

Mr. Buelow announced that public comment letters received on the Public Draft GSPs are posted to SantaYnezWater.org as well as a pdf document showing the downloaded public comments made via the portal.

He introduced a letter received from Joseph D. Hughes, attorney with Klein DeNatale Goldner, on behalf of the Santa Ynez Water Group, expressing concerns on landowner representation, implementation of Projects and Management Actions, and consideration of overlying groundwater rights. There were no comments and no discussion followed.

VII. Receive update on SGMA Stakeholder Outreach

Mr. Buelow reviewed stakeholder outreach efforts made on behalf of the GSAs. Press Releases were sent out. Paid advertisements were placed in three local newspapers: Lompoc Record, Santa Barbara News Press and Santa Ynez Valley News. In addition, SGMA Newsletter Issue # 5, published in English and Spanish, was distributed by member agencies with utility billings. A request was made to KCLU, local public radio, to add GSPs public comment periods to the Community Calendar. A presentation was made to Solvang City Council. Discussion followed.

VIII. Receive update on Citizen Advisory Group meeting of October 11, 2021

Ms. Elizabeth Farnum presented the EMA Citizen Advisory Group (CAG) Memorandum dated October 11, 2021, which she prepared on behalf of the EMA CAG, regarding the EMA CAG's review and discussion of EMA Public Draft of GSP and discussion of future governance. Discussion followed.

- GSA Committee Member Brett Marymee asked if optimal timing of management actions with respect to impacts on agriculture was discussed. He suggested proactive communication with the public to reduce negative impact. Ms. Farnum replied that the CAG did not discuss in detail just that a concern was expressed during the meeting.

- Upon being asked for his opinion, Mr. Doug Circle recommended conducting a study for annual crops versus permanent crops since they have different water timing and needs.
- GSA Committee Member Mark Infanti asked for clarification if different amounts of measurement and different source of funding would be needed for each of the two different minimum thresholds? Mr. Jeff Barry explained that monitoring wells are completed in the two formations so water level measurements will be taken on regular basis so measure against the Sustainable Management Criteria. The data collection and reporting will be same even though the minimum thresholds for the two formations are different.
- GSA Committee Member Mark Infanti asked about funding and cost reimbursement for management actions. If there is a fee program in future, will there be a different cost or fee structure for different formations. Mr. Matt Young replied that typically basic costs are lumped together but if some issue arises in one formation that will have a localized benefit, then may implement a localized cost to support. He advised that funding for GSA activities is yet to be determined and will be the subject of many meetings to come.
 - Mr. Doug Circle expressed concern that agriculture interests are not currently represented on the GSA Committee and requested that agriculture interests be represented in discussions on fee structures. He requested that agriculture interests be added as supplement to be part of GSA.
 - GSA Alternate Committee Member Meighan Dietenhofer pointed out that farmers are committee member representatives on the WMA GSA and CMA GSA. Mr. Buelow said the SGMA statute ruled that GSA member agencies were required to be a local agency involved in water. Agriculture representation in the Basin is primarily through Santa Ynez River Water Conservation District (SYRWCD). Therefore, the two farmers who are Board Directors for the SYRWCD were specifically seated as SYRWCD representatives to the GSA Committees.
 - Mr. Paeter Garcia added that there is an amendment to the SGMA statute to allow mutual water companies to join the GSA leadership. In other Basins, agriculture interests formed governmental agencies like a mutual water company in order to be eligible for a leadership position in those GSAs. He added that the Santa Barbara County represents landowners, including agriculture, that lie outside SYRWCD and the other member agencies boundaries.
 - Ms. Mary Heyden responded that although Mr. Art Hibbits and Mr. Steve Jordan are farmers, she felt their main responsibility would be to SYRWCD not representing individual farmers. She hoped the county would appoint an agriculture person the GSA committees that was vetted through Farm Bureau or Cattlemen's Association for future governance structure so there will be direct representation on the GSAs.

- Mr. Doug Circle suggested that agricultural interests were added to other GSA boards in Ventura County and San Antonio Basin and may be eligible to be member of GSA leadership through supplemental SGMA regulations.

IX. Workshop and Q&A on Public Draft EMA GSP and Future Governance Options

Jeff Barry & Tim Nicely presented slides “GSP Development Timeline and Overview of Public Comments, Santa Ynez Basin – EMA, October 28, 2021”. He reviewed the timeline of EMA GSP Development since January 2020. Discussion followed.

- GSA Committee Member Brett Marymee requested a recap of responses to the public comments so that representatives on the EMA GSA committee could provide feedback or response as well. Discussion followed.
 - Mr. Barry offered to provide the red-line version of Public Draft GSP after changes were made based on public comments received. GSA Committee Member Brett Marymee liked that idea.
 - Mr. Matt Young asked committee members to provide staff with a list of the public comments they would like to respond to or a list of the consultant responses to public comments they do not agree with so staff can work on those before the next meeting.
 - GSA Committee Member Mark Infanti requested common comments with the responses be organized together in a concise list for ease in reviewing.
 - GSA Committee Member Joan Hartmann agreed that a list with comments organized by specific categories would be helpful including specifying certain categories to be addressed at a later date to keep immediate focus on the GSP.
- GSA Committee Member Brett Marymee asked if there could be anything possibly missed in the GSP based on DWRs SGMA requirements. Mr. Barry said no because both staff and consultants have been deliberate and diligent with following the DWR requirements. He advised that not everyone will be happy with outcomes but that is to be expected. He reminded everyone that the GSP is an adaptive plan that will be reviewed and revised every five years.
- GSA Committee Member Mark Infanti asked for clarification on the GSP approval process. Mr. Buelow explained that the GSA approves and adopts the GSP. The member agency representatives to the committee need to come to the GSA meeting with authority from their agency to vote on adopting the GSP. Authority to vote on the GSP approval will need to be documented by member agency resolution or meeting minutes stating to accept or accept with changes made. Mr. Matt van der Linden explained the plan for City of Solvang is to have a staff report and presentation on the EMA GSP and have a Resolution from Solvang City Council to approve and authorize Council Member Mark Infanti, as their representative to the EMA GSA, to vote for approval.

- GSA Committee Member Mark Infanti requested a copy of presentation slides from tonight and a template resolution to review before the Solvang City Council meeting.
- GSA Committee Member Brad Joos asked about the odds for DWR approval of the submitted GSP on first submission based on what Mr. Barry has seen with other submitted GSPs. Mr. Barry advised that based on the problems other GSPs were having, the consultants have adjusted some areas in the EMA GSP to show consideration for those topics and have been watching the DWR replies to other submitted GSPs. He felt consultants have done the best effort to cover the requirements and responding to public comments. Mr. Barry said overall he felt the GSP is on track.
- GSA Committee Member Brad Joos asked who does the state allow to be members of the GSA as voting members.
- GSA Committee Member Joan Hartmann thanked Mr. Barry and Mr. Nicely for the summary and looks forward to seeing the responses to the public comments. She asked if the EMA GSA committee will vote on adequacy of responses to public comments. Mr. Barry said consultants are working quickly to respond to public comments so that staff can distribute.
- GSA Committee Member Joan Hartmann suggested the need for more meetings and preferred to meet in person. GSA Committee Member Brad Joos agreed more meetings may be needed. Mr. Buelow explained the flexibility for public meetings provided by AB361 is applicable to the EMA GSA because they adopted the resolution initially authorizing remote teleconference meetings under AB361 on October 21, 2021. Discussion followed.
- GSA Committee Member Brett Marymee asked if fees, water rates and governance options could be organized with pros and cons. Mr. Matt Young advised that some comments received are not specifically related to the GSP and advised committee members that since fees and fee planning are not a part of GSP those comments should be addressed later. He requested committee to focus on comments or issues that may change the Plan.
 - GSA Committee Member Brad Joos agreed with Mr. Young and requested fellow committee members to focus on GSP related comments.
 - GSA Committee Member Brett Marymee suggested a brainstorming session to address future governance options and fee structures in the upcoming future. Discussion followed.
- GSA Committee Member Brad Joos reminded everyone that once the GSP is submitted to DWR there will be another comment period. Mr. Jeff Barry confirmed another 60-day comment period will be open after GSP submittal to DWR with those comments made directly to DWR. Mr. Matt Young clarified further revisions to the GSP based on public comments received during that 60-day comment period will not

be made until after the two-year DWR review process is complete and if revisions are required by DWR.

- There were no comments or discussion regarding Future Governance Options.

X. Next Regular EMA GSA Meeting: Thursday, November 18, 2021, 6:30 PM

Mr. Buelow announced the next regular meeting for the EMA GSA Committee will be on Thursday, November 18, 2021 at 6:30 pm. The EMA GSA Committee Members requested the meeting be a hybrid format allowing for both in-person and teleconference participation and asked staff to secure a physical location that will also provide ability for participation through ZOOM video/teleconference. Discussion followed.

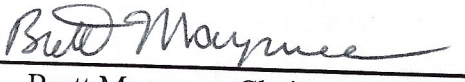
A potential special meeting to be held on December 9, 2021 was discussed and need will be determined during the November 18, 2021 meeting.

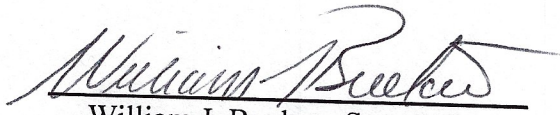
XI. EMA GSA Committee requests and comments

There were no requests or comments.

XII. Adjournment

There being no further business, GSA Committee Member Brett Marymee adjourned the meeting at 8:14 pm


Brett Marymee, Chairman


William J. Buelow, Secretary

EASTERN MANAGEMENT AREA
CITIZEN ADVISORY GROUP
MEMORANDUM

DATE: October 11, 2021

TO: EMA GSA Committee

FROM: EMA Citizen Advisory Group
Prepared by Elizabeth Farnum

SUBJECT: EMA Public Draft of GSP and Discussion of Future Governance

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

CJ. Jackson, Gay Infanti, Sam Cohen, Mary Heyden, Elizabeth Farnum, and Tim Gorham,

Introduction

The EMA CAG held a meeting on October 11, 2021 via teleconference to review the Public Draft of the Groundwater Sustainability Plan (GSP) and discuss future governance options for the GSA.

Below is a summary of the CAG's comments.

CAG Comments on the GSP:

As at previous CAG meetings, some members indicated that the GSP does not reflect the urgency of the moment, i.e., continuing drought and climate change. Because the GSP does not include data from the past three years, two of which have been drought years, there is a cognitive dissonance to a reader from the general public. An average of data from 1989-2018 doesn't reflect current weather trends. The well hydrograph section in Appendix D shows a significant water level drop in some wells. The consultant pointed out that the GSP requires an annual report, which will update information each year. This annual update/review will allow for GSP adaptation based on, for example, a continued drought.

A CAG member observed that in light of a projected increased deficit, the GSP doesn't seem proactive.

While some CAG members felt that the GSP overall was well done, others worried that the public would have trouble understanding how it operates in real time. Planning for an agricultural operation requires knowing how and when management actions would be applied. Other CAG members commented that the GSP is too complex and long for most people to read.

The highlighted SGMA citations are confusing. The consultant explained that the GSP format adheres to SGMA requirements. The GSP is written for DWR which is a very different type of audience than the general public.

It was suggested by the CAG that the overview of the GSP presented to the GSA on August 26, 2021, would provide the general public with a higher-level understanding of the GSP. Staff noted that the presentation is available on the website. A CAG member remarked that flow charts are helpful as well.

A CAG member questioned the absence of language in the GSP regarding a prohibition on new wells. The consultant acknowledged that recording requirements for new wells is an issue in all the basins and that there is a lot of new drilling. The GSA doesn't have the authority to stop this.

Another CAG member expressed a concern that although the agricultural community's water rights will be affected greatly by the management actions, it has no direct representation on the GSA.

A CAG member asked if the GSP would create redundancies between GSA staff and SYRWCD staff regarding the collection of well data. Another redundancy might occur in the creating/funding of water efficiency programs between the GSA staff and the Cachuma Resource Conservation District.

The CAG discussed the 20- and 40-year SGMA reporting horizons and commented this time frame seemed too long for achieving sustainability. The consultant responded that the GSP uses five-year increments and interim milestones to measure progress or to reassess and possibly correct the course by adjusting management actions.

CAG Comments on Future Governance:

The CAG discussed governance options 3 and 4 as the most reasonable, but staff guidance on this is needed. Most CAG members did not understand how the JPA structure would work in practice. All supported the goal to develop a structure that would allow for the most cost sharing.

The CAG did not have time to discuss funding mechanisms. Members questioned the budget numbers associated with each management action. There was further discussion that estimates for some management actions contained a pretty wide range of costs. One CAG member noted that a budget would have to change to be consistent with a GSP that is constantly updated.

Staff mentioned that more well owners are voluntarily adding their wells to the monitoring network. This would significantly reduce costs in the first set of management actions. The CAG discussed that it is very important to convince well owners to participate in the volunteer monitoring program.

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