

## NOTICE AND AGENDA OF SPECIAL MEETING

GROUNDWATER SUSTAINABILITY AGENCY  
FOR THE **WESTERN MANAGEMENT AREA**  
IN THE SANTA YNEZ RIVER GROUNDWATER BASIN

SPECIAL MEETING WILL BE HELD  
**REMOTE PARTICIPATION ONLY**  
AT 10:00 A.M., WEDNESDAY, AUGUST 31, 2022

### **Remote participation available via ZOOM**

Pursuant to AB361, Directors may participate in this meeting via teleconference.  
The public can only participate via teleconference. There will be no public meeting location.

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To access the meeting via telephone, please dial: 1-669-900-9128  
And/or via the Web at: <http://join.zoom.us>

**“Join a Meeting” - Meeting ID: 842 4729 6005 - Meeting Passcode: 150387**

- You do NOT need to create a ZOOM account or login with email for meeting participation.
- If your device does not have a microphone or speakers, you can call in for audio with the phone number and Meeting ID listed above to listen and participate.
- In the interest of clear reception and efficient administration of the meeting, all persons participating remotely are respectfully requested to mute their line after logging or dialing-in and remain muted at all times unless speaking.

**Video/Teleconference Meeting During Coronavirus (COVID-19) State of Emergency:** As a result of the COVID-19 pandemic, this meeting will be available via video/teleconference as recommended by Santa Barbara County Public Health and authorized by Government Code section 54953(e) (State Assembly Bill 361).

**Important Notice Regarding Public Participation in Video/Teleconference Meeting:** Those who wish to provide public comment on an Agenda Item, or who otherwise are making a presentation to the GSA Committee, may participate in the meeting using the remote access referenced above. **Those wishing to submit written comments instead, please submit any and all comments and materials to the GSA via electronic mail at [bbuelow@syrwcd.com](mailto:bbuelow@syrwcd.com).** All submittals of written comments must be received by the GSA no later than **Tuesday, August 30, 2022**, and should indicate **“August 31, 2022 GSA Meeting”** in the subject line. To the extent practicable, public comments and materials received in advance pursuant to this timeframe will be read into the public record during the meeting. Public comments and materials not read into the record will become part of the post-meeting materials available to the public and posted on the SGMA website.

### **AGENDA OF SPECIAL MEETING**

- I. Call to Order and Roll Call
- II. Consider findings under Government Code section 54953(e)(3) to authorize continuing teleconference meetings under Resolution WMA-2021-001
- III. Additions or Deletions to the Agenda

- IV. Public Comment (Any member of the public may address the Committee relating to any non-agenda matter within the Committee’s jurisdiction. The total time for all public participation shall not exceed fifteen minutes and the time allotted for each individual shall not exceed five minutes. No action will be taken by the Committee at this meeting on any public item.) *Staff recommends any potential new agenda items based on issues raised be held for discussion under Agenda Item “WMA GSA Committee requests and comments” for items to be included on the next Agenda.*
- V. Review and consider approval of meeting minutes of May 25, and August 10, 2022
- VI. Review and consider approval of Financial Statements and Warrant List
- VII. Biennial Review of WMA GSA Conflict of Interest Code
- VIII. Consider Approval of Final Documents for providing WMA GSA written verification of new well permits under Executive Order N-7-22
  - a) Comments from WMA Citizen Advisory Group
  - b) WMA Process and Criteria for Administering Written Verifications Per EO N-7-22
  - c) Indemnification Agreement
  - d) Reimbursement Agreement
  - e) Well-Permit Acknowledgement
- IX. Consider Resolution WMA-2022-002 Establishing Fee and Deposit for WMA GSA Well Verification as Required by Executive Order N-7-22 (Under Water Code Section 10730)
- X. Consider SYRWCD, City of Lompoc, MHCSD, and VVCSD develop contract with GSI Water Solutions to Evaluate Verification Requests
- XI. Update on Governance for WMA
  - a) Received correspondence from Santa Ynez Water Group
- XII. Consider Setting Regular Monthly WMA GSA Meetings Through End of 2022
- XIII. Next Regular WMA GSA Meeting, Wednesday, September 28, 2022, at 10:00 A.M.
- XIV. WMA GSA Committee requests and comments
- XV. Adjournment

[This agenda was posted 72 hours prior to the scheduled special meeting at 3669 Sagunto Street, Suite 101, Santa Ynez, California, and <https://www.santaynezwater.org> in accordance with Government Code Section 54954. In compliance with the Americans with Disabilities Act, if you need special assistance to review agenda materials or participate in this meeting, please contact the Santa Ynez River Water Conservation District at (805) 693-1156. Notification 24 hours prior to the meeting will enable the GSA to make reasonable arrangements to ensure accessibility to this meeting.]

## MEETING MINUTES

### Groundwater Sustainability Agency for the Western Management Area in the Santa Ynez River Groundwater Basin May 25, 2022

A regular meeting of the Groundwater Sustainability Agency (GSA) for the Western Management Area (WMA) in the Santa Ynez River Groundwater Basin was held on Wednesday, May 25, 2022, at 10:00 a.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 WMA-2021-001 (passed 10/20/2021, reaffirmed 3/23/2022).

GSA Directors Present: Jeremy Ball, Chris Brooks, and Steve Jordan

GSA Committee Directors Present: Ron Stassi, Kristin Worthley

Staff Present: Bill Buelow, Marliez Diaz, Amber Thompson, and Kevin Walsh

Others Present: Doug Circle, Maygan Cline, John Fio (EKI), Paeter Garcia, “BH”, Curtis Lawler (Stetson Engineers), Miles McCammon (Stetson Engineers), and Tim Nicely (GSI)

#### I. Call to Order and Roll Call

GSA Chair Chris Brooks called the meeting to order at 10:00 a.m. and asked Mr. Bill Buelow to call roll. A quorum was met with three Directors in attendance. Two Alternate Directors were also present. The Director and Alternate representing Mission Hills Community Services District were absent.

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

Mr. Buelow explained that the reasonings for State Assembly Bill 361 and adoption of Resolution WMA-2021-001, passed on October 20, 2021, and reaffirmed on March 23, 2022, which authorized teleconference public meetings were still in effect. There was no discussion.

GSA Director Steve Jordan made a MOTION to authorize continuing teleconference meetings under Resolution WMA-2021-001. GSA Director Jeremy Ball seconded the motion and it passed 3-0-1 by roll call vote, with both Director and Alternate from Mission Hills Community Services District being absent.

#### III. Additions or Deletions to the Agenda

No additions or deletions were made.

**IV. Public Comment**

There was no public comment.

**V. Review and consider approval of meeting minutes of February 23 and March 23, 2022**

The minutes of the GSA Committee meetings on February 23 and March 23, 2022, were presented for GSA approval. There was no discussion.

GSA Director Steve Jordan made a MOTION to approve the minutes of February 23 and March 23, 2022, as presented. GSA Director Jeremy Ball seconded the motion and it passed 3-0-1 by roll call vote, with both Director and Alternate from Mission Hills Community Services District being absent.

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

The GSA reviewed the financial reports of FY 2021-22 Periods 7 through 9 (through March 31, 2022) and the Warrant Lists for January, February, and March 2022. Discussion followed.

GSA Director Steve Jordan made a MOTION to approve the financial reports and the January, February, and March 2022 Warrant Lists (Nos. 1047-1053) totaling \$46,324.76, as presented. GSA Director Jeremy Ball seconded the motion and it passed 3-0-1 by roll call vote, with both Director and Alternate from Mission Hills Community Services District being absent

**VII. Update on Executive Order N-7-22**

Mr. Buelow explained Executive Order N-7-22, Santa Barbara County Urgency Order passed on May 24, 2022 and the requirements of the GSA listed in Section 9a of the Executive Order N-7-22. He advised that member agencies staff have begun working on a process and documentation to address the requirements. Discussion followed and public comments were received.

Directors, by consensus, requested member agencies staff work on developing the acknowledgement process and draft documents to address the requirements and return to the committee for consideration.

**VIII. Update on Santa Ynez River Valley Groundwater Basin Well Metering Program**

Mr. Buelow and Ms. Diaz provided an update on member agencies staff efforts to develop a Well Metering Program. Discussion followed and public comments were received. No action was taken.

**IX. Update on future governance/JPA/interim cost sharing and long-term funding for WMA expenses**

No update was provided. Discussion followed. There were no public comments. No action was taken.

**X. Update on change of GSA Financial Institution**

Ms. Thompson provided an update on the WMA GSA banking account of which some funds had been moved to a new bank. There was no discussion. No action was taken.

**XI. Next Regular WMA GSA Meeting, Wednesday, August 24, 2022, at 10:00 A.M.**

Mr. Buelow announced the next regular WMA GSA meeting will be Wednesday, August 24, 2022, at 10:00 a.m.

**XII. WMA GSA Committee requests and comments**

There were no requests or comments.

**XIII. Adjournment**

GSA Director Chris Brooks adjourned the meeting at 11:15 a.m.

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Chris Brooks, Chair

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William J. Buelow, Secretary

## MEETING MINUTES

### Groundwater Sustainability Agency for the Western Management Area in the Santa Ynez River Groundwater Basin August 10, 2022

A special meeting of the Groundwater Sustainability Agency (GSA) for the Western Management Area (WMA) in the Santa Ynez River Groundwater Basin was held on Wednesday, August 10, 2022, at 11:00 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 WMA-2021-001 (passed on 10/20/2021, reaffirmed 5/25/2022).

WMA GSA Directors Present: Jeremy Ball, Chris Brooks, Myron Heavin, and Steve Jordan

WMA GSA Alternate Directors Present: Ron Stassi, Kristin Worthley

Staff Present: Joe Barget, Bill Buelow, Marliez Diaz, Amber Thompson, and Matt Young

Others Present: Doug Circle, Ken Domako (VSFB), John Fio (EKI), Paeter Garcia, BH, Karen Kistler, Curtis Lawler, Tim Nicely (GSI Water Solutions), Dmunk, and Dianna

#### I. Call to Order and Roll Call

GSA Chair Chris Brooks called the meeting to order at 11:00 a.m. and asked Mr. Bill Buelow to call roll. A quorum was met with four Directors in attendance. Two Alternate Directors were also present.

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

Mr. Buelow reported of increased COVID infection rates in the County. State Assembly Bill 361 and adoption of Resolution WMA-2021-001, passed on October 20, 2021, and reaffirmed on May 25, 2022, authorize teleconference public meetings in such situations. There was no discussion.

GSA Director Myron Heavin made a MOTION to authorize continuing teleconference meetings under Resolution WMA-2021-001. GSA Director Steve Jordan seconded the motion, and it passed 4-0 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 did not receive any public comments in advance of the meeting.

**V. Receive, and Discuss and Consider Approval of Draft Documents for providing WMA GSA verification of new well permits under Executive Order Number 7-22**

Mr. Buelow introduced four draft documents created to provide WMA GSA written verification for new well permits as required by Executive Order Number 7-22 and scope of work proposal received from GSI Water Solutions. He explained that for consistency through the Santa Ynez River Valley Groundwater Basin, the WMA GSA draft documents were created by using the documents originally created by EMA GSA member agencies staff and attorney group as an EMA GSA response to Executive Order Number 7-22. The WMA GSA member agency staff and legal counsels have reviewed and provided comments on the WMA GSA draft documents. The draft documents also already incorporate changes due to comments received from the Santa Ynez Water Group on the EMA GSA version of these documents to align the process in all three management areas of the basin.

GSA Director Chris Brooks opened floor for questions and comments. Discussion followed and public comments were received.

**a. Draft WMA Process and Criteria for Administering Written Verifications Per EO N-7-22**

Mr. Buelow reviewed and explained the draft WMA “Process and Criteria for Administering Written Verifications per Executive Order N-7-22”. He emphasized that the WMA GSA is not approving or denying well permits. It is only administering requests for written verification per Executive Order N-7-22 and that the Santa Barbara County Environmental Health Services (EHS) is still the agency responsible for processing well applications and issuing permits for Santa Barbara County. There was no discussion. No public comments were received.

**b. Draft Written Verification Indemnification Agreement**

Mr. Buelow reviewed and explained the draft Written Verification Indemnification Agreement and has been reviewed by legal counsels for the WMA GSA member agencies. GSA Director Jeremy Ball asked for clarification on item 1c of the draft Written Verification Indemnification Agreement. Mr. Buelow or Ms. Worthley will request clarification from legal counsel for Director Ball. There was no further discussion. No public comments were received.

Director Myron Heavin, representing the Mission Hills CSD, left the meeting.

**c. Draft Deposit/Reimbursement Agreement**

Mr. Buelow reviewed and explained the draft Deposit/Reimbursement Agreement. Initial deposit proposed was \$1,200 total for 6 hours at \$200 per hour blended rate. He reported that prior to the WMA GSA setting a fee, a Proposition 26

compliant formal fee hearing is required. Discussion followed. No public comments were received.

**d. Draft Well Permit Acknowledgement Form**

There was no discussion. No public comments were received.

Mr. Buelow recommended the WMA CAG review the draft documents and requested direction from the WMA GSA Committee. There was no discussion and no public comments were received.

GSA Director Jeremy Ball made a MOTION to move forward with the draft documents, as presented, to be considered for approval and proceed to plan a fee adoption hearing to be held on August 31, 2022 with the initial deposit fee not to exceed \$1,200 or \$200 per hour. GSA Director Steve Jordan seconded the motion, and it passed by roll call vote 3-0-1, with representatives from Mission Hills CSD being absent.

**e. GSI Scope of Work - Proposal**

Mr. Tim Nicely reviewed and explained the Scope of Work proposal, dated August 9, 2022, from GSI Water Solutions. Mr. Buelow added that GSI Water Solutions provided a similar proposal for the EMA and CMA GSAs, is familiar with the WMA Groundwater Sustainability Plan (GSP) as they worked closely with Stetson Engineers on the coordination efforts for the CMA, EMA, and WMA GSPs, and is developing a team to process well verifications with a limited budget and scope of work. Discussion followed. No public comments were received.

**VI. Update on Publication of Notice Under Government Code Section 6066 and Water Code Section 10730 of Intent to Adopt Fee for Compliance with EO N-7-22**

Mr. Buelow presented a draft legal notice and reported that the required legal notices announcing the August 31, 2022 WMA GSA Committee meeting for the WMA GSA Committee to consider imposing a fee can be published in two editions of the Santa Barbara News Press, in compliance with Proposition 26, at a cost of approximately \$100. Discussion followed. No public comments were received.

GSA Director Steve Jordan made a MOTION to set policy to authorize staff to proceed and spend up to \$1,000 on any items and receive approval of expenditures on the Warrant Lists when submitted to the GSA. Consensus agreement received from the three directors, with representatives from Mission Hills CSD being absent.

**VII. Next Regular WMA GSA Meeting, Wednesday, August 24, 2022, CANCELLED**

Mr. Buelow announced the next regular WMA GSA meeting originally scheduled for Wednesday, August 24, 2022 is cancelled due to scheduling conflicts and the need for additional time to notice a public hearing to set a fee as required by Proposition 26.



**VIII. Next Special WMA GSA Meeting, Wednesday, August 31, 2022, at 10:00 a.m.**

Mr. Buelow announced the next WMA GSA meeting will be a special meeting, including a hearing on setting a fee, on Wednesday, August 31, 2022 at 10:00 a.m., most likely via Zoom. The details will be determined closer to the meeting date based on continuing health concerns presented by the COVID-19 pandemic.

Mr. Buelow explained the possible need for monthly regular meetings and asked if Directors would like a monthly schedule of meeting for the rest of 2022. Consensus received to provide a schedule of monthly regular meetings for consideration at the next meeting.

**IX. WMA GSA Committee requests and comments**

GSA Director Steve Jordan asked that preliminary organization of the GSA beyond this WMA GSA committee be on the agenda to be discussed at the next meeting.

**X. Adjournment**

GSA Chair Chris Brooks adjourned the meeting at 12:13 p.m.

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Chris Brooks, Chairman

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William J. Buelow, Secretary

SYRWCD WMA  
BALANCE SHEET  
JUNE 30, 2022

Assets

Current Assets

Five Star Checking #5978 \$27,450.40

TOTAL Current Assets 27,450.40

TOTAL Assets \$27,450.40

Liabilities AND Equity

TOTAL Liabilities .00

Net Position

Retained Earnings 143,038.46

Retained Earnings-Current Year (115,588.06)

TOTAL Net Position 27,450.40

TOTAL Liabilities AND Equity \$27,450.40

SYRWCD WMA  
INCOME STATEMENT  
FOR THE 12 PERIODS ENDED JUNE 30, 2022

	QUARTER TO ACTUAL	DATE PERCENT	YEAR TO DATE ACTUAL	DATE PERCENT
Revenue:				
Revenue				
Operating Assessments	\$14,660.00	99.7 %	91,434.00	100.0
Interest Income	38.29	.3	38.29	.0
TOTAL Revenue	14,698.29	100.0	91,472.29	100.0
TOTAL Revenue	14,698.29	100.0	91,472.29	100.0
Gross Profit	14,698.29	100.0	91,472.29	100.0
Expenses:				
Operating Expenses				
Outside Staff Support	150.00	1.0	600.00	.7
Public Relations	7.06	.0	483.83	.5
TOTAL Operating Expenses	157.06	1.1	1,083.83	1.2
Consultants				
General Consultant	.00	.0	1,528.00	1.7
Stakeholder Engagement	.00	.0	12,231.00	13.4
GSP - DMS	.00	.0	147.50	.2
GSP - HCM	.00	.0	2,334.50	2.6
GSP - Water Budget, GW Models	.00	.0	4,924.50	5.4
GSP - Monitor/Measure	.00	.0	5,600.50	6.1
GSP - Sustainable Mgt Criteria	.00	.0	9,589.00	10.5
GSP - Projects/Mgt Actions	.00	.0	15,084.25	16.5
GSP - GSP Doc	.00	.0	88,589.89	96.8
GSP - AEM Survey	409.75	2.8	32,806.53	35.9
Annual Report	28,917.85	196.7	33,140.85	36.2
TOTAL Consultants	29,327.60	199.5	205,976.52	225.2
TOTAL Expenses	29,484.66	200.6	207,060.35	226.4
Net Income from Operations	(14,786.37)	(100.6)	(115,588.06)	(126.4)
Earnings before Income Tax	(14,786.37)	(100.6)	(115,588.06)	(126.4)
Net Income (Loss)	\$(14,786.37)	(100.6) %	(115,588.06)	(126.4)

**GROUNDWATER SUSTAINABILITY AGENCY FOR THE  
WESTERN MANAGEMENT AREA (WMA)  
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>
1054	04/13/22	Stetson Engineers	February 2022 Engineering Service (Annual Report)	\$ 10,680.50
1055	04/13/22	Santa Ynez River Water Conservation District	<b>Transfer of WMA GSA funds</b> at Mechanics Bank (#8301) to WMA GSA checking account at Five Star Bank (#5978)	<b>\$ 30,000.00</b>
<b>MONTH TOTAL</b>				<b>\$ 40,680.50</b>

**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)	\$ 15,373.72
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)	\$ 7.06
<b>MONTH TOTAL</b>				<b>\$ 15,380.78</b>

**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)	\$ 3,273.38
2003	06/17/22	Valley Bookkeeping	2022 2nd Quarter Bookkeeping (April, May, June 2022)	\$ 150.00
<b>Month Subtotal - Five Star Bank</b>				<b>\$ 3,423.38</b>

**(Paid through Mechanics Bank)**

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
1056	06/14/22	Santa Ynez River Water Conservation District	<b>Transfer of WMA GSA funds</b> at Mechanics Bank (#8301) to WMA GSA checking account at Five Star Bank (#5978). Mechanics Bank Account #8301 CLOSED.	<b>\$ 5,896.27</b>
<b>Month Subtotal - Mechanics Bank</b>				<b>\$ 5,896.27</b>
<b>MONTH TOTAL</b>				<b>\$ 9,319.65</b>

<b>TOTAL CHECKS THIS QUARTER: \$ 65,380.93</b>	
Transfers of funds from Mechanics Bank to Five Star Bank:	\$ 35,896.27
<b>Total Accounts Payable This Quarter: \$ 29,484.66</b>	

# 2022 Local Agency Biennial Notice

Name of Agency: Groundwater Sustainability Agency for the Western Management Area  
in the Santa Ynez River Groundwater Basin

Mailing Address: \_\_\_\_\_

Department Head or Director

Contact Person

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Phone No: \_\_\_\_\_

Phone No: \_\_\_\_\_

Email: \_\_\_\_\_

Email: \_\_\_\_\_

**Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.**

This agency has reviewed its Conflict of Interest Code and has determined that *(Check one box)*:

**No amendment is required.**

**The following amendments are required:**

*(Check all that apply.)*

- Add new positions (including consultants) that must be designated.
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions.
- Revise based on updates to disclosure categories
- Revise the titles of existing positions.
- Other *(describe)* \_\_\_\_\_

By signing below, you are attesting to the following:

*To the best of my knowledge, the agency's code accurately designates all positions that make or participate in the making of the governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding the designated positions are reported. The code includes all other provisions required by Government Code Section 87302.*

*I have reviewed the Conflict of Interest Code requirements against the positions within my department and as indicated above, I have either determined the revised Conflict of Interest Code attached meets the filing requirements and I authorize the changes or that no amendment is required.*

\_\_\_\_\_  
Signature of Department Head or Director

\_\_\_\_\_  
Date

**The code is currently under review by the code reviewing body.**

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than October 3, 2022 to the following address:

Santa Barbara County  
Clerk of the Board of Supervisors  
Attn: Chelsea Lenzi  
105 E. Anapamu St., Room 407  
Santa Barbara, CA 93101

**GROUNDWATER SUSTAINABILITY AGENCY FOR THE  
WESTERN MANAGEMENT AREA IN THE SANTA YNEZ RIVER  
GROUNDWATER BASIN  
CONFLICT OF INTEREST CODE**

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Sec. 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the Groundwater Sustainability Agency for the Western Management Area in the Santa Ynez River Groundwater Basin (WMA).

Designated employees may file their statements online which will be submitted to the County Clerk, Recorder and Assessor. Statements will be made available for public inspection and reproduction (Gov. Code Section 81008).

Designated employees who file using a paper Form 700 shall file with the WMA. Upon receipt of the statement filed by a designated employee other than General Counsel and Consultants, a copy shall be retained with the WMA and the original shall be forwarded to the County Clerk, Recorder and Assessor. Statements filed by the General Counsel and Consultants shall be retained by the WMA. Paper statements will be made available for public inspection and reproduction (Gov. Code Section 81008).

**APPENDIX  
DESIGNATED POSITIONS AND  
DISCLOSURE CATEGORIES**

<b>I.     <u>Designated Position</u></b>	<b><u>Assigned Disclosure Category</u></b>
Directors	1, 2, 3
Secretary/Treasurer	1, 2, 3
Groundwater Sustainability Agency Coordinator	1, 2, 3
Groundwater Sustainability Agency Staff	1, 2, 3
General Counsel	1, 2, 3
 Consultants/New Positions	 *

\*Consultants/New positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation:

The Groundwater Sustainability Agency (GSA) Coordinator may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The GSA Coordinator’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code (Gov. Code Section 81008).

**Note:** The position of General Counsel is filled by outside consultants who serve in a staff capacity.

## **II. Disclosure Categories:**

### **Category 1**

A designated employee in this category must report all investments and business positions in business entities and sources of income, including receipt of gifts, loans, and travel payments, from any source that provides leased facilities, services, supplies, materials or equipment of the type utilized by the WMA.

### **Category 2**

A designated employee in this category must report all interests in real property located in whole or in part within the boundaries of the WMA or within two miles of the WMA boundaries, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property.

### **Category 3**

A designated employee in this category must report all investments and business positions in business entities, and sources of income, including receipt of gifts, loans, and travel payments, from entities that have filed a claim, or have a claim pending against the WMA.



**Western Management Area Groundwater Sustainability Agency**  
Process and Criteria for Administering Written Verifications Per Executive Order N-7-22

This document describes the process and criteria that will be used by the **Groundwater Sustainability Agency (GSA) for the Western Management Area (WMA GSA)** of the Santa Ynez River Valley Groundwater Basin (Basin) to administer requests for written verifications for new well permits under Governor Newsom’s Executive Order N-7-22. Santa Barbara County Environmental Health Services (EHS) is responsible for processing applications for well permits in the County, including the Western Management Area of the Basin. Currently EHS is processing water well applications in accordance with Executive Order N-7-22, the Temporary Water Well Permitting Ordinance adopted by the County Board of Supervisors on May 24, 2022 (Urgency Ordinance), and the County’s May 24, 2022 Revised Water Well Permit Application (County Well Application).

Section 9(a) of Executive Order N-7-22 provides that the County shall not approve a permit for a new groundwater well or for alteration of an existing well in a basin subject to the Sustainable Groundwater Management Act (SGMA) and classified as medium or high-priority without first obtaining written verification from the applicable GSA managing the basin or area of the basin where the well is proposed to be located that groundwater extraction by the proposed well (1) would not be inconsistent with any sustainable groundwater management program established in any applicable Groundwater Sustainability Plan (GSP) adopted by that GSA, and (2) would not decrease the likelihood of achieving a sustainability goal for the basin covered by the GSP.

**Process Outline:**

Requests for the WMA GSA to issue a written verification will be administered as set forth below. Those requesting a written verification must submit the following documentation to the WMA GSA:

1. Copy of completed County Well Application (including all related records and information)
2. Supplemental well-related information that may be requested by the WMA GSA
3. WMA GSA Acknowledgment Form
4. WMA GSA Indemnification Agreement
5. WMA GSA Deposit/Reimbursement Agreement

Upon receipt of all required documentation, a request for a written verification will be reviewed to initially determine if it can be administered on an expedited basis. Expedited processing may apply to requests relating to water wells located outside a principal groundwater aquifer as defined in the WMA GSP, or to Replacement Wells meeting specified criteria, as defined by EHS and as determined by the WMA GSA. Requests not subject to expedited review will undergo additional technical review by the WMA GSA to determine if groundwater extraction by the proposed well would be inconsistent with any sustainable groundwater management program established in the WMA GSP or would decrease the likelihood of achieving a sustainability goal for the basin covered by the GSP. Applicants may request the WMA GSA to reconsider a decision that denies a verification. All information and documentation submitted to the WMA GSA in connection with a request for a written verification shall be deemed public information unless specific exemptions apply as determined by the WMA GSA.

Submittals (1) – (5) above and questions about the written verification process can be sent to the Western Management Area Groundwater Sustainability Agency at P.O. Box 719, Santa Ynez, California 93460. Or sent electronically to [wma@SantaYnezWater.org](mailto:wma@SantaYnezWater.org). Telephone inquiries 805-693-1156.

*[Continued on Opposite Page]*

## **Criteria Outline:**

As set forth above, Section 9(a) of Executive Order N-7-22 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. SGMA defines sustainable groundwater management as “the management and use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing undesirable results” and the WMA GSP defines its sustainability goal as follows:

To sustainably manage the groundwater resources in the Western, Central, and Eastern Management Areas to ensure that the Basin is operated within its sustainable yield for the protection of reasonable and beneficial uses and users of groundwater. The absence of undesirable results, as defined by SGMA and the Groundwater Sustainability Plans (GSPs), will indicate that the sustainability goal has been achieved. Sustainable groundwater management as implemented through the GSPs is designed to ensure that:

1. Long-term groundwater elevations are adequate to support existing and future reasonable and beneficial uses throughout the Basin;
2. A sufficient volume of groundwater storage remains available during drought conditions and recovers during wet conditions;
3. Groundwater production, and projects and management actions undertaken through SGMA, do not degrade water quality conditions or cause seawater intrusion in order to support ongoing reasonable and beneficial uses of groundwater for agricultural, municipal, domestic, industrial, and environmental purposes.

According to these standards, groundwater extraction by a proposed well in the WMA would not be inconsistent with the sustainable groundwater management program of the WMA GSP and would not decrease the likelihood of achieving its sustainability goal if the extraction would not cause undesirable results as defined in the WMA GSP, which include:

- Chronic lowering of groundwater levels indicating a significant and unreasonable depletion of supply
- Significant and unreasonable reduction in groundwater storage
- Significant and unreasonable degraded groundwater quality
- Significant and unreasonable land subsidence that substantially interferes with surface land uses
- Depletion of interconnected surface water that have impacts on beneficial uses of the surface water.
- Significant and unreasonable sea-water intrusion

As set forth by SGMA and the WMA GSP, a key indicator of whether undesirable results exist is the actual or imminent exceedance of Minimum Thresholds as defined in the GSP. (To review a copy of the GSP, please refer to [https://www.santaynezwater.org/files/273c6a5e1/SYRVGB+SGMA+GSP++WMA+JAN+2022\\_compressed.pdf](https://www.santaynezwater.org/files/273c6a5e1/SYRVGB+SGMA+GSP++WMA+JAN+2022_compressed.pdf)) Because Minimum Thresholds are directly tied to prevailing conditions in the WMA, the presence or absence of undesirable results is subject to change, and is reviewed on an ongoing basis by the WMA GSA. Basin conditions were most recently evaluated in the First Annual Report for the WMA (2019–2021). To review that Report, please refer to: <https://www.santaynezwater.org/wma-annual-reports>. Thank you for your cooperation in this important process.

Chris Brooks  
WMA GSA Committee Chair

***Santa Ynez River Valley Groundwater Basin***  
***Western Management Area Groundwater Sustainably Agency***  
**Written Verification Indemnification Agreement**

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1. **Indemnification.** As part of the application for a water well permit from the County of Santa Barbara (“County”) and request for written verification from the Groundwater Sustainability Agency for the Western Management Area of the Santa Ynez River Valley Groundwater Basin (“GSA”) pursuant to Governor Newsom’s Executive Order N-7-22 (hereinafter collectively “Application”), \_\_\_\_\_ as the applicant for the well permit (“Applicant”) and \_\_\_\_\_ as the owner(s) of the subject property (“Owner”), if the Owner is different than the Applicant, individually and collectively agree to indemnify, defend (along with counsel separate from legal counsel representing the Owner and Applicant ), and hold harmless the GSA, the Santa Ynez River Water Conservation District, the Vandenberg Village CSD and Mission Hills CSD, the City of Lompoc, and the Santa Barbara County Water Agency, and all their respective officers, elected officials, members, employees, consultants, contractors, and agents (individually and collectively the “GSA Parties”) as follows:

- a. From and against any and all claims, demands, actions, proceedings, lawsuits, losses, damages, costs, judgments, and/or liabilities of any kind arising out of, related to, or in connection with the Application, or to attack, set aside, void, or annul, in whole or in part, an approval of any part of the Application, including but not limited to the issuance of a written verification by the GSA (hereinafter “Claim”); and
- b. For any and all costs and expenses (including but not limited to attorneys’ and consultants’ fees and costs) incurred by the GSA Parties in connection with any Claim except where such indemnification is prohibited by law.
- c. The indemnification obligation of the Owner and Applicant does not apply to the GSA Parties’ sole negligence or willful misconduct.

2. **Defense.** Unless expressly agreed to in writing by each of the GSA Parties, the GSA Parties will have legal counsel separate from legal counsel representing the Owner and Applicant. Upon receiving a Claim, the GSA Parties have the right to retain their separate legal counsel, subject to being reimbursed by the Owner and Applicant for the full cost of such separate counsel. Owner and Applicant shall permit the GSA Parties, with the GSA Parties’ unlimited discretion, to direct the GSA Parties’ counsel and participate in the defense of any Claim but such participation shall not relieve the Owner or Applicant of any obligation imposed by this Agreement.

In the alternative, the GSA Parties shall have the right not to participate in the defense.

In the event of a disagreement between the GSA Parties and the Owner and/or Applicant over litigation issues, the GSA Parties shall have the authority to control the litigation and make litigation decisions as to Claims made against the GSA Parties, including, but not limited to, the manner in which the defense is conducted by the GSA Parties’ Counsel as to such Claims.

3. **Reimbursement.** To the extent the GSA Parties use any of their resources to respond to a Claim, the Owner and Applicant shall reimburse the GSA Parties upon demand. Such resources include, but are

not limited to, consultant time, staff time, legal counsel time, court costs, and any other direct or indirect costs associated with responding to the Claim. In the event that the GSA Parties seek reimbursement hereunder, the GSA Parties shall provide, as a precondition to any obligation of the Owner and Applicant to pay, an itemized list of any time spent, costs incurred, or resources used, including calculations for how each item listed in the request is determined.

- 4. Obligations.** The obligations of the Owner and Applicant under this Agreement shall survive and apply regardless of whether any GSA approval is invalidated, set aside, expires, or is abandoned for any reason.

This Agreement and the obligations of the Owner and Applicant set forth herein shall remain in full force and effect throughout any and all stages of review, reconsideration, challenge, or litigation, including any and all appeals of any lower court decrees, orders, or judgments, and regardless of whether the Owner or Applicant has brought any claim, action, or demand against the GSA Parties.

The Owner and Applicant are solely responsible for compliance with all local, state, and federal laws and for obtaining necessary authorizations, approvals, and/or permits from other local, state, and federal agencies. Any failure of the Owner or Applicant to comply with applicable laws or to obtain necessary authorizations, approvals, and/or permits shall not invalidate this Agreement or excuse the obligations of the Owner or Applicant under this Agreement except where such indemnification is prohibited by law.

- 5. Successors and Assigns.** The obligations of Owner and Applicant under this Agreement shall be binding upon each and every of their respective successors, assigns, and transferees of any interest in the water well permit that is the subject of the Application. The Owner and Applicant shall cause all successors, assigns, and transferees to be so obligated; provided that the Owner and Applicant shall be and remain personally obligated to all of the terms of this Agreement, notwithstanding any attempt to assign, delegate, or otherwise transfer any of the obligations of this Agreement, and notwithstanding a change in ownership or any transfer or conveyance of any interest in the water well permit that is the subject of the Application.

- 6. Stipulation, Release, or Settlement.** The Owner and Applicant shall not execute, pay, or perform pursuant to, any stipulation, release, settlement agreement, or other disposition of the matter on any Claim unless the GSA Parties and the Owner and Applicant have approved the stipulation, release, or settlement agreement in writing, such approval not to be unreasonably withheld.

In no case shall the Owner or Applicant assume, admit, or assert any fault, wrongdoing, or liability on the part of the GSA Parties as a condition of or as part of any stipulation, release, settlement, or otherwise. The Owner and Applicant shall not assert any defense, claim, or complaint against the GSA Parties on any Claim as a condition of or as part of any stipulation, release, settlement or otherwise.

- 7. No Waiver.** Any failure, actual or alleged, on the part of the GSA Parties to monitor or enforce compliance with any of the requirements or provisions of this Agreement shall not be deemed as a waiver of any rights on the part of the GSA Parties.

- 8. Authority.** Each person signing this Agreement represents and warrants that such person has the power, is duly authorized, and has the capacity to enter into this Agreement and that this Agreement is a valid and legal agreement binding on the Owner and Applicant and enforceable in accordance with its terms.

- 9. **California Law.** This Agreement is governed by the laws of the State of California. Any litigation regarding this Agreement or its contents must be filed in the County of Santa Barbara, if in state court, or in the federal district court nearest to Santa Barbara County, if in federal court.
- 10. **Severability.** If any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, then such provision or provisions shall be deemed severable from the remaining provisions hereof, and such invalidity, illegality or unenforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.
- 11. **Complete Agreement.** This Agreement shall constitute the complete understanding of the parties with respect to the matters set forth herein. No party is relying on any other representation, oral or written.
- 12. **Counterparts.** This Agreement may be signed in counterparts and must be signed by all Owner(s) and Applicant.

Well Permit Written Verification Request:

APN(s): \_\_\_\_\_

**NOW THEREFORE**, the Owner and Applicant agree to be bound by the terms of this Indemnification Agreement as demonstrated by their signature(s) below:

APPLICANT:

Signed \_\_\_\_\_

Date \_\_\_\_\_

Name of Person Signing \_\_\_\_\_

Title: \_\_\_\_\_

OWNER (if different from Applicant):

Signed \_\_\_\_\_

Name of Person Signing \_\_\_\_\_

Title: \_\_\_\_\_

WMA GSA:

Signed \_\_\_\_\_

Date \_\_\_\_\_

Name of Person Signing \_\_\_\_\_

Title: \_\_\_\_\_

**DEPOSIT/REIMBURSEMENT AGREEMENT  
FOR REVIEW OF REQUEST FOR WRITTEN VERIFICATION**

**THIS DEPOSIT/REIMBURSEMENT AGREEMENT** (“Agreement”) is made and effective this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the Santa Ynez River Valley Groundwater Basin Western Management Area Groundwater Sustainability Agency (“GSA”), and \_\_\_\_\_ (“Applicant”). GSA and Applicant are each referred to as a “Party” and collectively referred to as the “Parties” in this Agreement.

**RECITALS:**

A. Applicant is submitting an Application (“Application”) to the Santa Barbara County Environmental Health Services (“EHS”) for a water well permit within the GSA’s jurisdiction.

B. Executive Order N-7-22, signed by the Governor on March 28, 2022, requires that, before EHS grant said Application, the GSA provide written verification to EHS that “groundwater extraction by the proposed well would not be inconsistent with any sustainable groundwater management program established in any applicable Groundwater Sustainability Plan ... and would not decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan.” The Applicant’s request for written verification from the GSA will be referred to herein as a “Request.”

C. Pursuant to Resolution [\_\_\_\_\_] of the GSA, review by the GSA of the Request is to be funded by fees paid by the Applicant, and before review begins Applicant must make a deposit as determined by the GSA.

D. This Agreement is intended to specify the terms of Applicant’s deposit and reimbursement for the GSA’s review of the Request.

**AGREEMENT**

**NOW, THEREFORE**, in consideration of the foregoing and the mutual covenants set forth herein, and for other consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

**1. Intent.**

This Agreement shall be liberally construed to accomplish its intent.

**The Deposit; Additional Advances.**

- a) Establishing and Supplementing Deposit. Within three (3) business days following execution of this Agreement, Applicant shall provide to the GSA an initial deposit of \$ 1,200.00 (“Initial Deposit”) to reimburse the GSA for Eligible Expenses, as defined in Section 2(b). The GSA shall monitor its expenses and the balance in the deposit account and whenever it believes, in good faith, that there will be insufficient funds to pay the GSA’s expenses for the Request for the next ninety (90) days, the GSA may make one or more written requests for additional funds (each an “Additional Advance”), which shall state the existing balance and the additional amount requested. The GSA may request the funds it reasonably believes necessary to cover a period not exceeding

ninety (90) days. The Initial Deposit and Additional Advance funds are hereinafter collectively referred to as the “Deposit.” Applicant shall make the Additional Advance within five (5) business days of the GSA’s written request therefor. If Applicant fails to timely make the Additional Advance, Applicant agrees that the GSA may cease any or all additional work on the Request until the GSA receives the Additional Advance from Applicant.

- b) Eligible Expenses. The Deposit shall be used to reimburse the GSA for costs incurred by the GSA in connection with the following (all of which shall be deemed “Eligible Expenses”): (i) the fees and expenses of the consultant(s) employed by the GSA in connection with administering the Request; and (ii) all other actions, if any, reasonably taken by the GSA in connection with administering the Request.
- c) Administration of Deposit. The Deposit may be placed in the GSA account with other funds for purposes of investment and safekeeping. The Deposit shall not accrue interest. The GSA shall administer the Deposit and use the Deposit to reimburse the GSA for Eligible Expenses. The GSA shall maintain satisfactory accounting records as to the expenditure of the Deposit at all times.
- d) Unexpended Funds. Upon the granting or denial of a Request by the GSA, the GSA shall return any then-unexpended portion of the Deposit to Applicant, without interest, less an amount equal to any unpaid Eligible Expenses previously incurred by the GSA.
- e) Statements of Account. The GSA shall provide Applicant a summary of expenditures made from the Deposit, and the unexpended balance thereof, whenever requesting any Additional Advance and within ten (10) business days of receipt by the GSA of a request therefore submitted by Applicant.

## **2. Independent Judgment of the GSA; GSA Not Liable**

The GSA shall use its independent judgment in determining whether the written verification required by the Executive Order should be issued. As further set forth by separate Indemnification Agreement, neither the GSA nor any of its member agencies shall be liable in any manner whatsoever in relation to EHS’s action on an Application or the GSA’s issuance of a written verification.

Applicant expressly understands and agrees that any consultant retained on behalf of the GSA is under contract solely on behalf of the GSA, and the GSA is free to exercise its independent judgment in making payments to the consultants or revising or accepting the consultant’s work product, without any liability whatsoever by the GSA to Applicant therefor.

## **3. Notices.**

Any notices, requests, demands, documents, approvals, or disapprovals given or sent under this Agreement from one Party to another (collectively, the “Notices”) shall be given to the Party entitled thereto at its address set forth below, or at such other address as such Party may provide to the other Party in writing from time to time, namely:

If to Applicant:

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If to The GSA:

Santa Ynez River Valley Groundwater Basin  
Western Management Area GSA  
P.O. Box 719  
Santa Ynez, CA 93460

Each such Notice shall be deemed delivered to the Party to whom it is addressed: (i) if personally served or delivered, upon delivery; (ii) if given by facsimile, upon the sender's receipt of an appropriate answerback or other written acknowledgement; (iii) if given by registered or certified mail, return receipt requested, deposited with the United States mail postage prepaid, seventy-two (72) hours after such notice is deposited with the United States mail; (iv) if given by overnight courier, with courier charges prepaid, twenty-four (24) hours after delivery to said overnight courier; or (v) if given by any other means, upon delivery at the address specified in this Section.

**4. Choice of Law; Venue.**

This Agreement, and any dispute arising from the relationship between the Parties, shall be governed by, construed in accordance with, and interpreted under the laws of the State of California. Any dispute that arises under or relates to this Agreement (whether contract, tort, or both) shall be resolved in a California State Court in the County of Santa Barbara, or if jurisdiction over the action cannot be obtained in a State Court, in a Federal Court in the Central District of California.

**5. Entire Agreement.**

This Agreement represents the full, final, and complete Agreement between the Parties hereto regarding the subject matter of this Agreement. No change or amendment to this Agreement shall be valid unless in writing and signed by both Parties.

**6. Severability.**

If a court of competent jurisdiction holds any provision of this Agreement to be illegal, unenforceable, or invalid for any reason, the validity and enforceability of the remaining provisions of this Agreement shall not be affected.

**7. Attorneys' Fees.**

In any litigation or other proceeding by which one Party seeks to enforce its rights under this Agreement (whether in contract, tort, or both) or seeks a declaration of any rights or obligations under this



Agreement, the prevailing Party shall be entitled to an award of reasonable attorneys' fees, together with any costs and expenses, to resolve the dispute and to enforce the final judgment.

**8. Ambiguities.**

Each Party and its counsel have participated fully in the review and revision of this Agreement. Any rule of construction to the effect that ambiguities are to be resolved against the drafting Party shall not be applied in interpreting this Agreement.

**9. Counterparts.**

This Agreement may be executed in any number of counterparts, each of which shall be an original, but all of which together will constitute one instrument.

**10. Authority.**

The persons executing this Agreement on behalf of the Parties warrant that: (i) such Party is duly organized and existing; (ii) they are duly authorized to execute and deliver this Agreement on behalf of said Party; (iii) by so executing this Agreement, such Party is formally bound to the provisions of this Agreement; and (iv) the entering into of this Agreement does not violate any provision of any other agreement to which said Party is bound.

**IN WITNESS THEREOF**, the Parties have caused this Agreement to be executed on the date first written above.

**WESTERN MANAGEMENT AREA  
GROUNDWATER SUSTAINABILITY  
AGENCY**

**APPLICANT**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

Acknowledgement Form

Request for Written Verification under Executive Order N-7-22

The undersigned ("Applicant") is submitting an Application ("Application") to the Santa Barbara County Environmental Health Services ("EHS") for a permit to construct a water well. Pursuant to Executive Order N-7-22, section 9, before EHS may grant said Application, the Santa Ynez River Valley Groundwater Basin Western Management Area ("WMA") Groundwater Sustainability Agency ("GSA") must provide written verification to EHS that "groundwater extraction by the proposed well would not be inconsistent with any sustainable groundwater management program established in any applicable Groundwater Sustainability Plan ... and would not decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan."

Applicant hereby requests that the WMA GSA review the Application and provide the required written verification.

TYPE OF APPLICATION (Check only one)

- Replacement Well
New or Modified Well

ACKNOWLEDGMENT (Initial the following provisions)

I acknowledge that the Sustainable Groundwater Management Act ("SGMA") requires that the WMA GSA, as the exclusive Groundwater Sustainability Agency for the Western Management Area of the Santa Ynez River Valley Groundwater Basin ("Basin"), sustainably manage the groundwater resources of the WMA.

I acknowledge that the WMA GSA is authorized by SGMA to limit extractions within its jurisdiction including extractions from a well permitted pursuant to the Application and that a well permit issued by EHS does not guarantee the extraction of any specific amount of water now or in the future.

I acknowledge that the WMA GSA is authorized to establish, and has established, specific groundwater requirements, including minimum thresholds and measurable objectives, and I agree that my groundwater use is subject to these requirements and other authorities that may be carried out under SGMA.

I acknowledge the WMA GSA cannot and does not guarantee any defined water use, water level, or water quality in the WMA or the Basin.

I acknowledge the WMA GSA is not responsible for or otherwise liable for any costs, investments, or payments related to any groundwater well permitted pursuant to the Application, including pumping fees, extraction limits, costs related to well failure, well deepening, increased maintenance, replacement, or operational costs.

I acknowledge that the proposed water well, as applicable, will be operated in compliance with all current and future laws, rules, and regulations, including, but not limited to, compliance with any applicable well registration and groundwater production reporting requirements.

Print Name of APPLICANT

Signature of APPLICANT

Date

Please take notice that on Wednesday, August 31, 2022, at 10:00 a.m., at the Lompoc Water Treatment Plant Conference Room, 601 E. North Avenue, Lompoc, California, the Santa Ynez River Valley Groundwater Basin Western Management Area (WMA) Groundwater Sustainability Agency (GSA) will hold a special meeting at which it will consider a Resolution to impose a fee under Water Code section 10730. In addition, if the meeting is conducted by remote teleconference pursuant to AB 361 due to the COVID-19 State of Emergency, the posted agenda for the meeting will provide a remote teleconference option for public participation in the meeting. Oral or written presentations may be made as part of the meeting. Persons wishing to present comments to the WMA GSA Committee may do so in person at the public meeting, and those not able to attend in person are encouraged to provide comments they may have prior to the public meeting to Bill Buelow, [bbuelow@syrwcd.com](mailto:bbuelow@syrwcd.com) no later than 5:00 p.m. August 30, 2022.

Under Executive Order N-7-22 and Santa Barbara County Urgency Ordinance No. 5158, applications for water well permits in the WMA will not be approved by Santa Barbara County Environmental Health Services without written verification of certain matters from the WMA GSA. In order for the WMA GSA to provide such written verification, the WMA GSA's technical consultant will review the well permit application and other materials as needed. The fee to be considered at the above-referenced meeting would be an hourly fee of \$200.00 per hour for the consultant to undertake such review. The fee would be charged on a time and materials basis, drawn on a deposit in an amount to be approved and adjusted from time to time by the WMA GSA. Pursuant to Water Code section 10730(b), any data on which the GSA is based that you will be able to have reviewed and approved for review at [SantaYnezWater.org](http://SantaYnezWater.org)

**WMA GSA Committee Meeting - August 31, 2022**

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AUG 17, 24 / 2022 -- 58480

## **Groundwater Sustainability Agency for the Western Management Area in the Santa Ynez River Valley Groundwater Basin**

### **RESOLUTION WMA-2022-002**

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

**WHEREAS**, effective January 11, 2017 the City of Lompoc (“Lompoc”); Mission Hills Community Services District (MHCSD); Vandenberg Village Community Services District (VVCSD); 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 Western 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 Western Management Area (“WMA”) in the Santa Ynez Valley Groundwater Basin (“Basin”); and

**WHEREAS**, the WMA GSA formed under the 2017 MOA has already developed, adopted, and submitted a Groundwater Sustainability Plan (“GSP”) for the WMA 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 WMA 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 WMA GSA has the authority to impose fees pursuant to Water Code section 10730 and other applicable law; and

**WHEREAS**, the WMA GSA held a noticed public hearing on August 31, 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 WMA 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 WMA 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 WMA 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 WMA GSA on August 31, 2022 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

ATTEST:

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Chris Brooks, Chairman

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William J. Buelow, Secretary



## Scope and Cost for Review of New and Replacement Well Applications in the Santa Ynez River Valley Groundwater Basin, Western Management Area (WMA)

**To:** Bill Buelow, Santa Ynez River Valley Groundwater Basin Western Management Area Groundwater Sustainability Agency

**From:** Tim Nicely and Jeff Barry, GSI Water Solutions, Inc.

**Date:** August 9, 2022

At your request, we have prepared this brief scope and estimated budget to review, on behalf of the Groundwater Sustainability Agency (GSA), applications requesting a permit from the County of Santa Barbara Department of Environmental Health Services (EHS) for a new or replacement well (as defined in Section 34A-23(a)(8) of the Santa Barbara County Urgency Ordinance No. 5158) within the Western Management Area (WMA). The GSA is required by Governor Newsom’s Executive Order N-7-22 and the Santa Barbara County Board of Supervisors Urgency Ordinance No. 5158 (County Urgency Ordinance) dated May 24, 2022 to determine whether a written verification can be issued by the GSA that groundwater extraction by the proposed replacement well<sup>1</sup>

1. would not be inconsistent with any sustainable groundwater management program established by the Groundwater Sustainability Plan (GSP) adopted by the WMA GSA, and
2. would not decrease the likelihood of achieving a sustainability goal for the basin covered by such GSP.

Details of the proposed scope of work for the review of permit applications for proposed wells is presented as follows.

### Scope of Work

The scope of work for reviewing new or replacement well applications include providing a verification on behalf of the GSA that constitutes the required “qualitative review that the proposed well is not inconsistent with the GSP” in response to the requirements of the Executive Order N-7-22. The scope of work includes the following activities:

- Examine the proposed well construction information and assess whether the well is located within the WMA.
- Determine whether the geologic setting and aquifer that the well would be completed in would be within a Principal Aquifer that is managed by the GSA.

<sup>1</sup> New wells are those resulting in new or additional groundwater production from the WMA portion of the Basin, or those resulting in new or additional production capacity. Replacement wells are those not resulting in new or additional groundwater production or production capacity in the WMA portion of the Basin.

- Assess groundwater conditions (e.g., water level elevations and trends, water quality) and rainfall conditions in the preceding water years in the entire WMA and within the vicinity of the proposed well site.
- Evaluate whether the well would increase production within the WMA and whether the new or replacement well would likely cause an exceedance of minimum thresholds and cause undesirable results measured at representative wells as defined in the GSP for:
  - Chronic water level decline
  - Reduction of groundwater in storage
  - Degradation of water quality
  - Subsidence
  - Depletion of interconnected surface water and impacts to GDEs
- For replacement wells, assess whether the pumping capacity of the replacement well will be a “like for like” replacement with regards to production volume relative to the original well. Information that will be reviewed includes:
  - Planned pumping rate of the replacement well and estimated or measured flow rate of the original well
  - Pump curves for both the original well pump and new pump
  - If a pump curve is not available, pump type, number of bowls, pump diameter, pump horsepower, RPM, assumed lift
  - System pressure in the discharge line and total pressure head
  - Well construction details for the proposed new well and original well including total depth, perforated or screened intervals, well diameter.
  - Estimated groundwater levels at the time of the application and at the time the original well was completed.
- Review that the proposed use of the well is consistent with the proposed location and design capacity
- Prepare a technical memorandum to the GSA that documents the information that was reviewed, presents findings from the evaluation, provides an opinion regarding the verification of consistency with the sustainability goal within the WMA, and provides a list of conditions, if warranted.

## Budget Estimate

The estimated cost to complete the scope of work described in this memorandum is \$1,200 per well application. The work will be completed on a time and materials basis at a blended rate of \$200 per hour. Should additional time be required to complete the review, the GSA will be notified, and if approved by the GSA the work will be conducted on a time and materials basis at the hourly rate shown above.

## Schedule

GSI will complete its review and provide written results of its findings within 2 weeks of receiving complete information from the applicant.

## Indemnification and Limitations of Liability

GSI does not warrant or guarantee that the new or replacement well will produce the expected amount of water nor that the GSA will not require that the extraction from the well be reduced in the future in accordance with its authority to manage the groundwater basin within the sustainability goal presented in the WMA's GSP.

GSI is not responsible for or otherwise liable for any costs, investments, lost revenue, or payments related to any groundwater well permitted or not permitted by the County pursuant to this application, including well drilling costs, pumping fees, extraction limits, costs related to well failure, well deepening, increased maintenance, replacement, or operational costs.

The GSA's issuance of a written verification and the County's issuance of a well permit to Applicant does not guarantee the extraction of any specific amount of water now or in the future or any defined water level or water quality.

The GSA and the Santa Ynez River Water Conservation District agrees to hold GSI harmless and indemnify GSI for any liability stemming from the findings presented in the GSI report or related to the County issuing or not issuing a well permit in response the Application or to the GSA issuance of a written verification related to the well permit.



## SANTA YNEZ WATER GROUP

3942 ROBLAR AVE.  
SANTA YNEZ, CA 93460

August 5, 2022

Eastern Management Area GSA  
c/o J. Brett Marymee, Chair  
Central Management Area GSA  
c/o Ed Andrisek, Chair  
Western Management Area GSA  
c/o Chris Brooks, Chair  
P.O. Box 719  
Santa Ynez, CA 93460

Re: Governance of the Santa Ynez River Valley Groundwater Basin

Gentlemen:

The purpose of this letter is to express the interests of the Santa Ynez Water Group (Group) to the Eastern Management Area Groundwater Sustainability Agency, the Central Management Area Groundwater Sustainability Agency, and the Western Management Area Groundwater Sustainability Agency (collectively, the GSAs) regarding the future governance of the GSAs and the Santa Ynez River Valley Groundwater Basin (Basin), as a whole.

The Group is a coalition of landowners, farmers, and ranchers advocating on behalf of its members to the GSAs tasked with implementing the Sustainable Groundwater Management Act within the Basin. Even before its formation, the Group's members regularly participated in GSA board meetings and Community Advisory Group meetings. And, in October of 2021, the Group commented on each of the GSA's respective groundwater sustainability plans.

As the GSAs in the Basin discuss restructuring their governance, we ask for a position on each of the ultimate governing bodies (or governing body) to be dedicated to an agricultural landowner who relies on groundwater from within the Basin.

Numerous other GSAs and groundwater management agencies (GMA) throughout the State provide interested parties with official positions on their governing bodies. For example, the Board of Directors of the Mound Basin Groundwater Sustainability Agency consists of five positions. One of those positions is dedicated to an "Agricultural Stakeholder Director." (Mound Basin GSA Joint Powers Agreement, Section 6.1.2.) This director position is limited to an individual who:

“(a) Own[s]. . . land overlying the Basin (at least partially) that is utilized for a commercial agricultural business that produces groundwater from the Basin for its agricultural operation; or

(b) Operate[s] a commercial agricultural business that itself produces groundwater from the Basin for its agricultural operations

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on land overlying the Basin and be an approved stakeholder representative by that property's owner.”  
*(Ibid.)*

This “Agricultural Stakeholder Director” is selected unanimously by the other directors from a list of individuals submitted by the Mound Basin Agricultural Water Group (MBAWG), an entity like the Santa Ynez Water Group, or the local county farm bureau if the MBAWG is unwilling or unable to nominate a potential director. (*Id.* at § 6.3.4.) And, if the other directors are unable to unanimously agree on any of the nominated candidates, then those directors can request that MBAWG bring back to the Board another list of candidates. (*Ibid.*)

A number of GSAs and GMAs have adopted a similar governance structure:

- The Board of Directors of Vina GSA consists of five members. Two of those positions are dedicated to “Stakeholder Directors.” The first “Stakeholder Director” is a non-agricultural domestic well user who is appointed by the Butte County Board of Supervisors. And the second “Stakeholder Director” is an agricultural stakeholder who is appointed by the Butte County Board of Supervisors from a list of four representatives provided by the Agricultural Groundwater Users of Butte County, an entity like the Santa Ynez Water Group.
- The Board of Directors of Fillmore and Piru Basins GSA consists of six members. Three of those positions are dedicated to “Stakeholder Directors.” (Joint Powers Agreement Creating the Fillmore and Piru Basins Groundwater Sustainability Agency, § 6.1.1.) The first “Stakeholder Director” is a Piru Basin pumper. (*Ibid.*) And second “Stakeholder Director” is a Fillmore Basin pumper. (*Ibid.*) These two director positions are nominated by the Piru Basin Pumpers Association and the Fillmore Basin Pumpers Association, respectively, or the local county farm bureau if either association is unable or unwilling to nominate a potential director. (*Id.* at § 6.4.4.) If the non-Stakeholder Directors do not accept a nominated candidate, then those directors can request that the association or the farm bureau bring back to the Board another potential candidate. (*Ibid.*) Finally, the third “Stakeholder Director” is an environmental stakeholder nominated by an identified group of environmental organizations and approved the non-Stakeholder Directors. (*Id.* at §§ 6.1.1, 6.4.4.)
- The Board of Directors of Upper Ventura River Groundwater Agency consists of seven members. (Joint Exercise of Powers Agreement Creating the Upper Ventura River Groundwater Agency, § 6.1.) Two of those positions are dedicated to “Stakeholder Directors.” (*Id.* at 6.1.2.) The first “Stakeholder Director” is an Agricultural Stakeholder. (*Id.* at 6.1.2(a).) This Agricultural Stakeholder Director is selected by the non-Stakeholder Directors from a list of three nominees submitted by the local county farm bureau. (*Id.* at 6.3.6(a).) The second “Stakeholder Director” is an Environmental Stakeholder. (*Id.* at 6.1.2(b).) This Environmental Stakeholder Director is selected by the non-Stakeholder

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Directors from a list of nominees submitted by qualifying environmental nonprofit 501(c)(3) organizations. (*Id.* at § 6.3.6(b).)

We encourage this approach. The Group can identify and nominate one or more qualified agricultural landowners to fill an agricultural landowner position on each of the ultimate governing bodies (or governing body).

We would be happy to discuss this matter further with you and GSA leadership. If you have any questions, please do not hesitate to contact me by phone at 714-742-1444 or by e-mail at [doug@circlevision.com](mailto:doug@circlevision.com).

Respectfully,

DocuSigned by:  
  
C4727FCAE6944A1...

Douglas Circle, President

cc: EMA GSA Board of Directors  
CMA GSA Board of Directors  
WMA GSA Board of Directors  
Kevin Walsh, General Manager, Santa Ynez River Water Conservation District  
William J. Buelow, PG, Groundwater Program Manager, SYRWCD  
Karla Nemeth, Director, California Department of Water Resources  
Lea Garrison, Administrative Assistant, California Department of Water Resources  
Anita Regmi, Engineer Geologist, California Department of Water Resources  
Johannah Hartley, Counsel of the County of Santa Barbara  
Dave Fleishman, Counsel for the City of Solvang  
Steve Anderson, Counsel for the Santa Ynez River Water Conservation District, ID No.  
Brett Stroud, Counsel for the Santa Ynez River Water Conservation District

**WMA GROUNDWATER SUSTAINABILITY AGENCY  
IN THE SANTA YNEZ RIVER GROUNDWATER BASIN**

PROPOSED REGULAR MEETING DATES\*  
REMAINDER OF 2022

<u>WMA</u>
September 28
October 26
November 30
December 14**

\*Meetings will be noticed with final date, time and location consistent with Government Code Section 54954

\*\* Meeting day is out of sequence of the normal fourth Thursday due to Christmas and New Year's Holidays