

MEETING MINUTES

Groundwater Sustainability Agency for the Eastern Management Area in the Santa Ynez River Groundwater Basin July 22, 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, July 22, 2021 at 6:30 p.m. As a result of the COVID-19 emergency and Governor Newsom's Executive Orders to protect public health by issuing shelter-in-home standards, limiting public gatherings, and requiring social distancing, this meeting occurred solely via video and teleconference as authorized by and in furtherance of Executive Order Nos. N-29-20 and N-33-20.

EMA GSA Committee Members Present: Meighan Diethofer (Acting as Alternate),
Mark Infanti, Brad Joos, Brett Marymee

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

Others Present: Steve Anderson, Jeff Barry (GSI Water Solutions), Bryan Bondy, Doug Circle, Mary Heyden, Gay Infanti, CJ Jackson, Curtis Lawler (Stetson Engineers), Blaine Reely (GSI), and two additional members of the public whose names were not registered.

I. Call to Order and Roll Call

GSA Committee Member Brett Marymee called the meeting to order at 6:32 p.m. and asked Mr. Bill Buelow to call roll. Three GSA Committee Members and one acting Alternate Committee Member were present. A quorum was met.

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

Mr. Buelow announced names of video and phone attendees. He announced that the draft Sustainable Management Criteria (SMC) section of the draft Groundwater Sustainability Plan (GSP) was recently open for public review and comment and the Citizen Advisory Group (CAG) for the Eastern Management Area (EMA) met to discuss the section. The next phase to address is Projects and Management Actions.

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

No additions or deletions were made.

IV. Public Comment

Mr. CJ Jackson said he read an article in Noozhawk that the Cuyama Groundwater Sustainability Plan (GSP) was rejected by the State of California Department of Water Resources (DWR). He asked if any of the issues that caused DWR to reject their plan

have been resolved and can their experience help with the development of the EMA GSP plan.

Ms. Mary Heyden said she was invited to an online presentation about SGMA efforts in the Santa Ynez Basin which was made to WEWatch and the Santa Ynez Natural History Society. She received the invitation too late for her to attend but is glad presentations are being made to the general public and asked that these presentations continue to the general public and suggested that they be advertised to the general public at least a week in advance.

V. Review and Consider Approval of Minutes

The minutes of the GSA Committee meeting on May 27, 2021 were presented for GSA Committee approval. There was no discussion.

Acting Alternate GSA Committee Member Meighan Dietenhofer made a MOTION to approve the minutes of May 27, 2021 as presented. GSA Committee Member Mark Infanti seconded the motion and it passed unanimously by roll call vote.

VI. Receive Update on GSP Comments and Correspondence Received

Mr. Buelow introduced and reviewed three public comment letters written to the EMA GSA that were received in addition to many individual comments received via the online groundwater communication portal regarding draft sections of the draft GSP document.

A letter received from U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS) commented on the draft SMC section of the draft GSP and is being reviewed by consultants and member agency staff.

A letter received from the Central Coast Regional Water Quality Control Board requested coordination between the EMA GSA and the newly formed Los Olivos Community Services District (LOCSD). Mr. Buelow contacted Lisa Palmer, President of the LOCSD, and signed her up as an Interested Party to receive all future EMA notices and communications.

A letter received from Doug Circle, on behalf of the Santa Ynez Water Group, expressed disappointment in the short amount of time recently allotted for public comment on the draft SMC section of the draft GSP. Mr. Buelow explained the public comment process in place for draft sections, assured everyone that the full draft GSP document will be available for public review and comment for six weeks before submittal of the final document to DWR followed by DWR posting the submitted final document for a 60-day comment period.

VII. Receive Report from the EMA Citizens Advisory Group on the EMA Draft SMCs

Ms. Gay Infanti presented a memorandum from the EMA CAG regarding their July 7, 2021 meeting at which they discussed the draft Sustainable Management Criteria for the EMA GSA. Committee Members Brett Marymee and Brad Joos both thanked the EMA

CAG for their input and thanked Ms. Infanti for providing an excellent and thorough report. There was no discussion.

VIII. Receive Presentation from GSI on the “Projects and Management Actions” and schedule for GSP document review and adoption

Mr. Jeff Barry and Mr. Blaine Reely (GSI Water Solutions) presented “Projects and Management Actions, Santa Ynez Basin – EMA, July 22, 2021”, an introduction to and summary of proposed Management Actions and Projects. Consultants discussed recommendations for projects and management actions to address the estimated annual 1,800 AFY deficit and requested that the EMA GSA Committee provide direction to identify the correct list, sequencing, and implementation schedule to be included in draft GSP.

Public comment, GSA Committee Member discussion, and follow-up from the consultants and staff occurred during and after the presentation.

- Committee Member Brett Marymee asked for clarification on slides 9 and 11 as to the breakdown of costs to implement the proposed programs. Mr. Reely said most of the costs are for doing the studies and developing the programs for well registration and meter program and water use efficiency programs. Estimated costs do not include cost of meter or meter installation both of which is expected to be paid for by well owners
- Committee Member Mark Infanti asked if there is intention to respond to the letter received from NOAA/NMFS about steelhead, a potential Groundwater Dependent Ecosystem (GDE). Mr. Barry advised that the letter mostly addresses GDE, endangered species and steelhead in the mainstem of the Santa Ynez River and will be responded to. He pointed out that surface water and the underflow associated with the river are both surface water and not considered GDE. Tributaries as possible habitat for listed species are also being evaluated.
- Acting Alternate Committee Member Meighan Dietenhofer asked for clarification on proposed timing of Tier 1 management actions and projects. Mr. Reely proposed that work on all Tier 1 projects begin at the time of GSP submittal to DWR with expected completion during year one.
- Acting Alternate Committee Member Meighan Dietenhofer asked if meter program includes de minimis groundwater users (i.e. small domestic well users). Mr. Reely replied that by SGMA standards a de minimis user is one using less than two acre-feet of water per year. He proposed that if the GSA does not require a meter for de minimis users, they set up other method to determine and report water use.
- Committee Member Brad Joos asked, assuming double charging fees will be avoided, does establishing fees for groundwater extraction need to have voter approval before fees can be charged? Mr. Reely replied that if a fee is established as a tax, then there a vote by the people is needed and if the fee is an extraction fee, then it is subject to the Prop. 218 processes. Either way, a regulatory action requirement is needed to put a fee in place.

- Committee Member Brad Joos recommended that a good method of proof (via calculating use with a meter or by electrical usage) should be established for an extraction fee so fees will be accurate and equitable to all users. He appreciated idea of all users to purchase their own meters. Mr. Barry added there should be a standard operating procedure and guidance document developed as part of a metering program.
- Mr. Bryan Bondy asked if the Tier 1 proposed action of confirming well construction by video logs would be done for all wells and expressed concern this may cause unneeded excess cost to GSA. Mr. Barry confirmed this action applies only to well where well construction is unknown, not to all wells.
- Mr. Bondy shared that a meter requirement for de minimis users could risk spending of a lot of money to quantify small amounts of water. He mentioned efforts done by Fox Canyon GMA in Ventura.
- Mr. Bondy commented that pumping allocation and groundwater market program has a lot of positives and certain outcomes with low prospective costs since are non-administrative actions with no administrative overhead costs.
- Ms. Gay Infanti asked for clarification on the letter received from NMFS about steelhead and Mr. Barry response regarding GSAs position regarding groundwater versus surface water. She recommended the response include if pumping in the uplands affects water flow from the tributaries into the Santa Ynez River. She noted that Hilton Creek is referenced in the letter and asked if steelhead are in Hilton Creek. Mr. Matt Young responded that steelhead are in Hilton Creek and surface water releases are made from Cachuma reservoir to sustain that fish population, so they fed by native streamflow but managed by the Bureau of Reclamation through their releases. Hilton Creek is heavily managed surface water. He assured the received letter is not being dismissed. Ms. Infanti recommended the GSP directly reflect that the steelhead population has been considered during the development of the plan.
 - Mr. C.J. Jackson is skeptical of NFMS and agreed should take their comments seriously but be thorough in the evaluation.
- Mr. Jackson asked if there will be an efficacy feedback loop of Tier 1 fee strategies and ask if any strategies have succeeded or failed. Mr. Barry replied that examinations will occur every year during the required DWR status report including documentation of effectiveness of strategies. He agreed that transparency and feedback loop are important. Mr. Jackson requested that GSA clearly understand timelines necessary to implement changes to fee strategies in the GSP.
 - Committee Member Brad Joos agreed fee strategies should be reviewed yearly.
- Committee Member Brad Joos asked for clarification on costs to the GSA for fallowing strategy and where does money come from to pay people to fallow their land. Mr. Reely advised that proposed costs listed are for development of program and administrative infrastructure of a fallowing program. The proposed program would be voluntary fallowing with no financial incentive but assurances in place that

long term water rights are not put at risk. If financial incentives are offered, then how to fund those would need to be established by GSA.

- Committee Member Brad Joos asked regarding Tier 3's supplemental conditions strategy if there is any benefit to limit new wells being installed. Mr. Barry explained that there is a fairness issue with established well owners reducing use but new well permits continuing to be issued. He suggested GSA create financial impacts or conditions to disincentivize development of new wells. Committee Member Brad Joos agreed the GSA needs a way to protect the farms and current well users.
- Discussion continued about proposed projects and management actions and impacts if drought continues to worsen. Mr. Barry advised that the GSP is meant to be adaptive so that the GSA can choose to accelerate projects and management actions. Mr. Matt Young added that DWR has built-in adaptive management to SGMA, such as yearly GSP evaluation and a requirement to re-write the GSP every 5 years.
- Ms. Mary Heyden asked if there are grants available for any of these proposed projects and management actions. Mr. Barry confirmed grants will be available to basins with approved GSPs most likely for implementation projects such as monitoring, monitoring equipment, meters, installation of monitoring wells as needed or similar projects. Mr. Buelow added that Round 3 of Prop 1 grants will open for applications shortly after the GSP is submitted in January 2022.
- Committee Member Brett Marymee likes the Santa Barbara County precipitation enhancement program and suggested grouping storm water managed aquifer recharge with precipitation enhancement program to maximize return. Matt Young replied that the county has done this program since the 1970s but even though opportunities exist to keep it going, local agency participants in recent years have pulled out so program has stopped. He suggested that if the GSA were to become a participant, the program may continue but the current program is targeted to enhance precipitation and runoff to Gibraltar and Cachuma for storage.
- Acting Alternate Committee Member Meighan Dietenhofer advised that the Tier 4 projects involving recharge basins is favored by Supervisor Hartmann especially since it can improve water quality, where it is feasible.
- Committee Member Mark Infanti advised that the Solvang City Council is currently discussing a program increase recycle wastewater through the wastewater treatment facility for beneficial recharge to the EMA GSA specifically they have the space but not the money and thinks the \$5 million estimate listed may be too low.
- Mr. Jackson thanked everyone for the most lucid discussion so far in this process.
 - Regarding Tier 4 projects, he thinks that storm water is currently not managed very well in the Santa Ynez Valley. He encouraged the GSA to pursue better control of managing storm water.
 - He suggested that increased silt and vegetation growth in the Santa Ynez River may be limiting the recharge capacity to the basin.

- He asked how widely the understanding that groundwater users know their water rights and the protection of them really is. Mr. Barry replied that issue of landowner water rights comes up with scarcity and regulations placed on pumping.
 - Ms. Infanti asked for clarification on specific water rights when everyone shares water in the same basin. Mr. Barry explained the most common water right is for a landowner to pump water as long as it is put to beneficial use and is not wasted.
 - Mr. Doug Circle agreed that understanding the deeded water right to landowners is important.
- Mr. Circle asked why conservation methods in projects seem directed at agriculture users. He would like to see more equitable conservation projects toward all water users. He suggested a cap-and-trade program to create water credits and allowing market forces to encourage conservation has been successful in other areas.
- Mr. Barry reviewed the remaining planned GSP schedule.

IX. Next “Regular” EMA GSA Meeting

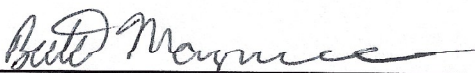
Committee Member Director Brett Marymee stated the next EMA GSA Committee Regular Meeting is scheduled for Thursday, August 26, 2021 at 6:30 p.m. via video/teleconference.

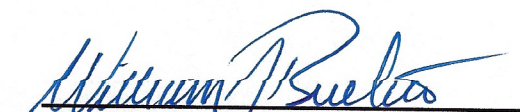
X. EMA GSA Committee requests and comments

Committee Member Director Brett Marymee thanked consultants for a great presentation and thanked the public and CAG members for great feedback. All directors agreed that the meeting and presentation were great and thanked all participants for a positive and robust discussion.

XI. Adjournment

There being no further business, GSA Committee Member Marymee adjourned the meeting at 8:30 p.m.


 Brett Marymee, Chairman


 William J. Buelow, Secretary

EASTERN MANAGEMENT AREA
CITIZEN ADVISORY GROUP
MEMORANDUM

DATE: July 7, 2021

TO: EMA GSA Committee

FROM: EMA Citizen Advisory Group
Prepared by Gay Infanti

SUBJECT: Draft Sustainable Management Criteria for the EMA

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

Gay Infanti, Sam Cohen, Mary Heyden, Elizabeth Farnum, Tim Gorham, Kevin Merrill

Introduction

The EMA CAG held a meeting on July 7, 2021 via teleconference to review the Draft Sustainable Management Criteria (SMC) Section for the EMA prepared by the consultant GSI.

Below is a summary of the CAG's comments.

CAG Comments on the Draft SMCs for the EMA:

Some CAG members expressed a sense of urgency regarding the current drought and believe that the EMA needs to take immediate action to prevent additional deficits in groundwater storage resulting in the possibility that shallower domestic, mutual, and municipal wells, serving human populations, could quickly reach minimum thresholds, lose production capacity, or dry up due to current levels of pumping during ongoing lack of rain and increasing temperatures.

A concern was also expressed that the GSP seems to assume the basin will return to historically frequent wet periods and relies too much on historical data. We can't afford to be wrong. In addition, the GSP doesn't adequately address the hotter temperatures more recently experienced.

The GSI consultant responded that these are valid concerns but SGMA does not necessarily require action to be taken in response to current drought. However, he said the GSA could use more aggressive projections and it would not be unreasonable to do something now, e.g., if we continue to experience below average rainfall, if the GSA members elect to do so.

Another CAG member asked if the County is doing anything to encourage water conservation. A staff member responded concerning the County Water Agency's Regional Water Efficiency

Program's initiatives, which address conservation. The CAG member also asked if there are enough monitoring wells because there are still areas in the basin lacking them. The GSI consultant replied that more wells are needed, and it was hoped that more well owners would come forward voluntarily to share their well data for monitoring purposes. If not, funding may be needed to drill additional monitoring wells. This issue will need to be addressed in the management plans and projects section to be available soon, along with the water conservation issues this CAG member raised.

Some CAG members wanted to reserve the opportunity to revisit the MTs and SMCs once the draft management actions are available.

Several CAG members held off making their comments, wishing to wait until the draft management actions are available. There is concern about the cost of management actions.

Another CAG member, who also expressed concern about the cost of management actions, felt that actions/projects should be undertaken only when there are current significant and unreasonable results occurring.

It was mentioned by several CAG members that the Draft SMC section of the document was repetitive and confusing to read. The consultant explained that the document follows a DWR formula to ensure all requirements are addressed in the GSP and to facilitate DWR's subsequent review of the GSP once it is submitted.

Comments were made concerning water quality standards, found in Table 5.2, which the GSI consultant explained were the responsibility of Federal and State agencies. The GSA's responsibility is to ensure that water quality is not worsened by groundwater pumping or any actions it takes or fails to take to sustainably manage the basin.

A concern was expressed by one CAG member that Ag/Ranching interests were not being heard and that GSA efforts could be driven by the municipal and mutual water agencies. The member urged the GSA to move slowly, i.e., not to get too restrictive too quickly and said that all stakeholders would have to do their fair share.

One CAG member asked several questions concerning the planning horizon, how long before a significant and undesirable result occurs must action be taken, and how often the GSP is monitored? The GSI consultant explained that the GSA is required to do annual reporting to DWR, and that every 5 years the GSP will be updated. This member also asked if there is another source of definitions or terms used in this draft section. The consultant responded that they are trying to capture terms for a glossary of acronyms that will be used in the final GSP document.

There was some discussion about the GDEs and whether they were adequately covered in the GSP, as well as the mechanism for monitoring groundwater levels relative to identified GDEs.

The representative from CDFW commented that he was happy to hear CAG comments and discussion about the GDEs, asked about the EMA's monitoring network for progress related to

SMCs, and asked about when MTs and SMCs can be readdressed. The GSI consultant responded that the GSP can be updated regarding future planning, if there's a good reason, whenever the GSA decides. Bill Buelow added that the draft chapter of the monitoring network section will be available for comment soon.