

NOTICE AND AGENDA OF MEETING

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

SPECIAL MEETING WILL BE HELD
AT 6:30 P.M. THURSDAY, JULY 22, 2021

TELECONFERENCE MEETING ONLY – NO PHYSICAL MEETING LOCATION
PUBLIC PARTICIPATION DIAL-IN NUMBER: 1-267-866-0999
MEETING ID / PASSCODE: 5452 76 7335

Public participants can view presentation materials and live video on their device

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Live Chat Text (online users only) will be enabled for questions.

If your device does not have a microphone or speakers, you can also call Phone Number & log in with Meeting ID listed above to listen while viewing the live presentation online.

Teleconference Meeting During Coronavirus (COVID-19) Emergency: 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 will occur solely via teleconference as authorized by and in furtherance of Executive Order Nos. N-29-20 and N-33-20.

Important Notice Regarding Public Participation in 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 dial-in number and passcode 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. All submittals of written comments must be received by the GSA no later than 5:00 p.m. on Wednesday, June 23, 2021, and should indicate “**June 24, 2021 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.

In the interest of clear reception and efficient administration of the meeting, all persons participating in this teleconference are respectfully requested to mute their phones after dialing-in and at all times unless speaking.

AGENDA ON NEXT PAGE

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

THURSDAY, JULY 22, 2021, 6:30 P.M.

AGENDA OF SPECIAL MEETING

- I. Call to Order and Roll Call
- II. Introductions and review of SGMA in the Santa Ynez River Valley Basin
- 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.)
- V. Review and consider approval of meeting minutes from May 27, 2021, EMA GSA meeting.
- VI. Receive update on GSP comments and correspondence received.
- VII. Receive report from the EMA Citizens Advisory Group on the EMA Draft SMCs.
- VIII. Receive presentation from GSI on the “Projects and Management Actions” and schedule for GSP document review and adoption.
- IX. Next “Regular” EMA GSA Meeting: **Thursday, August 26, 2021, 6:30 PM**
- X. EMA GSA Committee requests and comments
- XI. Adjournment

[This agenda was posted 72 hours prior to the scheduled 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 72 hours prior to the meeting will enable the GSA to make reasonable arrangements to ensure accessibility to this meeting.]

DRAFT REGULAR MEETING MINUTES

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

May 27, 2021

A Regular meeting of the Groundwater Sustainability Agency (GSA) for the Eastern Management Area (EMA) in the Santa Ynez River Valley Groundwater Basin was held on Thursday, May 27, 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 and in accordance with the latest Santa Barbara County Health Officer Order.

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

Alternate GSA Committee Member Present: Cynthia Allen, Meighan Diethofer

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

Others Present: Steve Anderson, Jeff Barry (GSI Water Solutions), Mike Burchardi, Russell Chamberlin, Tim Gorham, Gay Infanti, Curtis Lawler (Stetson Engineers), Kevin Merrill, Tim Nicely (GSI Water Solutions), Steve Slack (CDFW), Eric Tambini, and two additional members of the public whose names were not registered.

I. Call to Order and Roll Call

GSA Committee Chair, Brett Marymee called the meeting to order at 6:30 p.m. and asked Mr. Buelow to call roll. All GSA Committee Members were present.

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

Mr. Buelow announced names of phone and video attendees.

Mr. Buelow reviewed history of the Sustainable Groundwater Management Act (SGMA) requirements and what has been completed so far in the Santa Ynez River Basin. He recalled that during the last meeting, direction for Sustainable Management Criteria (SMCs) was provided by Committee Members. Thus far, the EMA GSA Committee has prepared a Stakeholder Engagement Plan, a Data Management Plan, a Draft Hydrogeologic Conceptual Model including Groundwater Conditions, and a Draft Water Budget toward completing a Draft Groundwater Sustainability Plan (GSP) and releasing the document for public review this summer followed with Public Hearings, then submitting a Final GSP to

the Department of Water Resources in January 2022. All documents are accessible on SantaYnezWater.org.

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

No additions or deletions were made.

IV. Public Comment

There was no public comment.

V. Review and Consider Approval of Minutes

The minutes of the GSA Committee meetings on February 25, March 25, April 15, April 19, and May 13, 2021 were presented for GSA Committee approval. Discussion followed.

GSA Committee Member Brad Joos made a MOTION to approve the minutes of February 25, March 25, April 15, April 19 and May 13, 2021 as presented. GSA Committee Member Joan Hartmann seconded the motion and it passed unanimously by roll call vote.

VI. Receive EMA GSA financial update and approve EMA Warrant Lists

The GSA Committee reviewed the financial reports of FY 2020-21 Periods 1 through 9 (through March 31, 2021) and the Warrant List for January, February, and March 2021. Mr. Buelow noted that expenses were fully covered by the DWR Prop 1 Grant reimbursements received on behalf of the EMA GSA.

GSA Committee Member Brad Joos made a MOTION to approve the financial reports and the Warrant List for January, February, and March 2021 as presented (No. 1023-1028) totaling \$5,895.61. GSA Committee Member Brett Marymee seconded the motion and it passed unanimously by roll call vote.

VII. Receive Report from the EMA Citizens Advisory Group on the Draft Water Budget for the EMA

Kevin Merrill reviewed the May 11, 2021 Memorandum prepared by Mary Heyden summarizing EMA Citizens Advisory Group (CAG) meeting held on May 11, 2021 regarding the Draft Water Budget for the EMA as well as the presentation by GSI dated April 29, 2021 on Draft SMCs for the EMA. The CAG Memo was included in the GSA Committee meeting packet.

Discussion followed.

VIII. Receive Presentation from GSI on the Management Actions and Projects

Mr. Jeff Barry and Mr. Tim Nicely (GSI Water Solutions) presented “Management Actions and Projects, Santa Ynez Basin - EMA, May 27, 2021” and reviewed the timeline of deliverables and meetings through January 2022.

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

- Referencing slide 7, Committee Member Brett Marymee asked what would happen if a volunteer well located in a data gap area is added to the monitoring network. Mr. Barry explained that the consultants will start monitoring water levels in the volunteer well and it could be added to the monitoring well network. He also said that wells in the monitoring network will not be replaced unless a representative volunteer well drops out.
- Committee Member Mark Infanti asked if the EMA should address links to any possible CMA unfavorable conditions before setting Minimum Thresholds for the EMA? Mr. Barry explained that the groundwater flow from EMA to CMA will be addressed and that the EMA GSA has a responsibility to manage the EMA and not compromise downstream Management Areas by a significant and unreasonable reduction in groundwater flow from EMA.
- Referencing slide 10, Steve Slack (CDFW) asked if any Groundwater Dependent Ecosystems (GDEs), including plants or trees in the area, have roots deeper than 30 feet. Mr. Barry explained that the consultants used data provided by DWR of potential GDE plants and trees present in this area to establish rooting depth needed and the consultants are confident that most plants and trees in area are supplied with water other than groundwater and rooting depth are less than 30 feet.
- Referencing slide 14, Committee Member Brett Marymee asked for clarification on possible Santa Barbara County grant funding for groundwater well meters to improve data of actual water use and asked if the funding would cover maintenance over time or only initial installation. Mr. Matt Young, Santa Barbara County Water Agency, explained that a grant funding program does not exist yet. It is in the planning stages and may possibly be a subsidy reimbursement program to cover initial installation costs and should be available county-wide. Establishment of this preliminary grant program will require Santa Barbara County Board of Supervisors approval.
- Referencing slide 12, Committee Member Brett Marymee appreciated that the process includes quantifying benefits to the EMA versus costs, reliability, permit ability, and time to implement. He suggested considering a risk-based approach (risk versus impact), rate probability (low to high), and rate risk (low to high) to determine when to take action and what action is needed. Mr. Barry explained the difference between the approaches and will review a risk-based approach with the consultant team.

- Committee Member Brad Joos asked Mr. Young for clarification about the requirement for meters in the Cuyama Basin GSA. Mr. Young explained the processes attempted and history of certain events and clarified that the Cuyama Basin GSA ultimately voted to make meters mandatory for all groundwater users in their basin by the end of this year. Committee Member Joos suggested that mandatory meters may be the best solution for the EMA GSA as well.
- Referencing slide 7, Committee Member Joan Hartmann asked for clarification about undesirable results occurring when water levels fall below Minimum Thresholds after average and above average rainfall periods in 50% of representative wells over 2 consecutive years and what happens with a long-term drought or mega drought. Mr. Barry explained that SGMA takes drought conditions into consideration and states if the basin does not begin to recover, and groundwater levels do not return to or above minimum thresholds after rainfall resumes, then management actions may need to be implemented.
- Referencing slide 10, Committee Member Joan Hartmann asked if the undesirable result and Minimum Threshold for depletion of interconnected surface water refers to rain events. Mr. Barry clarified that undesirable results are from groundwater pumping not long-term drought.
- Referencing Potential Projects on slide 18, Committee Member Brett Marymee asked if consultants toured the Santa Ynez River Valley Basin and looked at actual flow of water? Mr. Barry explained that the Santa Ynez River mainstem is a highly regulated surface water source and that capturing water upstream in certain areas may be considered diverting surface water and could affect downstream users. So, to protect downstream water rights and beneficial uses, a potential stormwater capture and recharge project would be for off channel infiltration in the upland area far from the river alluvium and only to occur during high storm flow events.
 - Mr. Nicely added that the Draft Hydrogeologic Conceptual Model includes a map titled Potential Recharge Areas (Figure 3-17). Those mapped location should be areas of focus for stormwater capture and recharge.
- Committee Member Mark Infanti commented regarding a recycled water program project that the City of Solvang reviewed in connection with its water treatment plant and found it to be very expensive to produce recycled water; plus the City of Solvang would need infrastructure and piping to deliver recycled water to locations benefitting recharge to the City and EMA. Discussion followed.
 - He explained some alternate infrastructure ideas and asked if any financial assistance is available.
 - Committee Member Joan Hartmann advised that the State of California had plans for a water bond to aid in water efficiencies and conservation including potable reuse, but the bond was pulled back for this year. However, she expects it may be available next year. State of California budget lists \$5.1 billion for a water

infrastructure bond earmarked specifically for small or disadvantaged communities.

- Matt van der Linden, City of Solvang, commented that the City of Solvang Public Works Department is tracking grant funding and anticipates significant grant funding in the next few years for recycled water treatment and distribution.
- He added that in general stormwater capture projects tend to be less expensive than recycled water but if one looks at the benefit/cost analysis then the higher monies spent on recycled water projects produce a better benefits ratio.
- Committee Member Joan Hartmann suggested, although controversial, a potential project of exploring conservation water pricing to offer incentives through pricing so that if one has more than the “reasonable” use then tiered pricing increases. She pointed out that the Irvine Water District and others in Orange County have done this to some success. She offered to provide information to consultants.
- Mr. Young emphasized that the Potential Projects is only a potential list and Management Actions are only proposed management actions which were compiled by consultants and staff in order to gather feedback from Committee members and stakeholders on what they deem reasonable for this area.
- Committee Member Joan Hartmann commented about programs with adding compost on agricultural land may help lower carbon emissions but also holds moisture and creates drought resistant soil. There is a lot of discussion at the state level about potentially paying farmers to do this and would be beneficial for this area.
- Tim Gorham commented regarding water conservation that it is worthy to note the City of Santa Barbara was able to reduce water consumption by 30% from promoting water conservation. He pointed out that local water users may not actually be conservative with water use and that local municipal boards may not have promoted conservation efforts. His local water board is currently discussing ways to promote voluntary water conservation.
 - Committee Member Joan Hartmann agreed that water conservation should be one of our potential projects and be more aggressive with conservation.
 - Mr. Barry pointed out water conservation falls under the Potential Management Action listed as “Promote Water Efficiency Program” and could be implemented right away.
- Kevin Merrill suggested looking at successful methods used by other areas like storing water in one place and piping it when needed to another area.
- Discussion continued about potential projects and management actions.

IX. Next “Special” EMA GSA Meeting: Thursday, June 24, 2021, 6:30 PM

Committee members unanimously agreed to availability for this special meeting.

X. Next “Regular” EMA GSA Meeting: Thursday, August 26, 2021, 6:30 PM

Committee members unanimously agreed to availability for this special meeting.

XI. EMA GSA Committee requests and comments

Mr. Buelow thanked Kevin Merrill for writing an article for the Santa Ynez Valley News’ May 18, 2021 edition regarding the SGMA efforts.

Committee Member Mark Infanti thanked consultants for the Next Steps calendar slide in the presentation.

Committee Member Joan Hartmann thanked everyone, especially consultants and staff, for how well they have worked together through difficult and sometimes contentious issues and discussions.

Committee Member Brett Marymee suggested that the next SGMA Newsletter include promoting the EMA GSA’s need for well information in the areas determined to have a data gap and promote the benefits of being part of the monitoring network. Mr. Buelow replied that can be added to a newsletter. Mr. Tim Nicely advised he can provide a map showing where monitoring wells are needed in the EMA and will work with Mr. Buelow on that.

Committee Member Brett Marymee also asked for clarification on “mega drought” and if the Santa Ynez Basin could be headed toward one. He referenced the unusual heatwave of June 17, 1859. Discussion followed.

Committee Member Brad Joos commented he is pleased with today’s discussion and feels the Committee has done a good job being responsible with setting minimum thresholds. He likes the initial proposed management actions discussed and in order to manage fairly, he suggests there is a need to register and meter every well in the basin.

Alternate Committee Member Diethofer announced that she attended the Central Management Area (CMA) and the Western Management Area (WMA) meetings when the GSA Committees discussed and provided guidance on Minimum Threshold levels. She said both CMA and WMA GSA Committees set conservative levels for Minimum Thresholds as did the EMA GSA.

XII. Adjournment

There being no further business, GSA Committee Member Marymee adjourned the meeting at 8:20 PM.

Brett Marymee, Chairman

William J. Buelow, Secretary



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
501 West Ocean Boulevard, Suite 4200
Long Beach, California 90802-4213

July 7, 2021

Bill Buelow, Water Resources Manager
Santa Ynez River Valley Groundwater Basin
Eastern Management Area
Groundwater Sustainability Agency
P.O. Box 719
Santa Ynez, California 93460

Re: Santa Ynez River Valley Groundwater Basin – Eastern Management Area
Groundwater Sustainability Plan Section 5 – Sustainable Management Criteria (June 18,
2021)

Dear Mr. Buelow:

Enclosed with this letter are NOAA's National Marine Fisheries Service's (NMFS) comments on the Draft Santa Ynez River Valley Groundwater Basin – Eastern Management Area Groundwater Sustainability Plan – Sustainable Management Criteria.

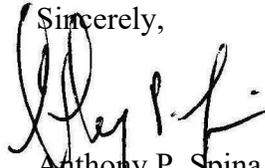
The Draft Sustainable Management Criteria are intended to meet the requirement of the California Sustainability Groundwater Management Act (SGMA). The SGMA includes specific sustainable criteria to address impacts to Groundwater Dependent Ecosystems (GDE) that have significant and unreasonable adverse impacts on all recognized beneficial uses of groundwater and related surface waters. (See Cal. Water Code §§ 10720.1, 10721, 10727.2)

As explained more fully in the enclosure, the Draft Sustainable Management Criteria do not adequately address the recognized instream beneficial uses of the Santa Ynez River, or other GDE, potentially affected by the management of groundwater within the Eastern Management Area. In particular, the Draft Sustainable Management Criteria do not adequately recognize or analyze important GDE, including the federally endangered steelhead (*Oncorhynchus mykiss*) that rely on groundwater supported surface flows.

The reasons for these conclusions are set forth in the enclosure. NMFS recommends that the revised Draft Sustainable Management Criteria be re-circulated to give interested parties an opportunity to review and comment on the Draft Sustainable Management Criteria before they are finalized.

NMFS appreciates the opportunity to comment on the Draft Sustainable Management Criteria. If you have a question regarding this letter or enclosure, please contact Mr. Mark H. Capelli in our Santa Barbara Office (805) 963-6478 or mark.capelli@noaa.gov.

Sincerely,



Anthony P. Spina
Chief, Southern California Branch
California Coastal Office

cc:

Darren Brumback, NMFS, California Coastal Office
Rick Rogers, NMFS, California Coastal Office
Ed Pert, CDFW, Region 5
Angela Murvine, CDFW, Water Branch
Annette Tennebaum, CDFW, Fresno Office
Mary Larson, CDFW, Region 5
Robert Holmes, CDFW, Sacramento
Steve Slack, CDFW, Region 5
Chris Diel, USFWS, Ventura Field Office
Chris Dellith, USFWS, Ventura Field Office
Kristie Klose, USFS, Los Padres National Forest

NOAA's National Marine Fisheries Service's Comments on Draft Eastern Management Area Sustainable Management Criteria for the Santa Ynez River, Santa Barbara County

July 7, 2021

Introduction

NOAA's National Marine Fisheries Service (NMFS) previously commented on the February 2021 draft Eastern Management Area (EMA) Groundwater – Basin Setting: Groundwater Budget (April 28, 2021). NMFS incorporates those comments herein, including those dealing with the status, recovery needs, and life history and habitat requirements of the federally listed endangered southern California steelhead (*Oncorhynchus mykiss*).

General Comments

Groundwater inputs to surface flows can perform a number of functions important to the maintenance of Groundwater Dependent Ecosystems (GDE); for example, they can buffer daily temperature fluctuations in a stream (Heath 1983, Brunke *et al.* 1996, Barlow and Leake 2012, Hebert 2016). Artificially reducing the groundwater inputs can also shrink the amount of habitat and feeding opportunities for rearing juvenile steelhead (Fetter 1997, Sophocleous 2002, Glasser *et al.* 2007, Croyle 2009), and reduce opportunities for juveniles to successfully emigrate to the estuary and the ocean (Bond 2006, Hayes *et al.* 2008, Hayes *et al.* 2011). Low summer baseflow, likely caused by both surface water diversions and pumping hydraulically connected groundwater, is recognized as a significant stress to steelhead survival in the Santa Ynez River and tributaries (NMFS 2012, p. 9-15, Table 9-2).

Specific Comments

The following specific comments on the Draft Sustainable Management Criteria (Draft Criteria) are arranged by section and page number.

5.1 Definitions

Undesirable result refers to the definition provided in § 10721(x) of SGMA

Pages 8-9

The Draft Criteria defines an undesirable result as:

Chronic lowering of groundwater levels indicating a significant and unreasonable depletion of supply if continued over the planning and implementation horizon. Overdraft during a period of drought is not sufficient to establish a chronic lowering of groundwater levels if extractions and groundwater recharge are managed as necessary to ensure that reductions in groundwater levels or storage during a period of drought are offset by increases in groundwater levels or storage during other periods. (p. 9)

However, as noted below, this definition do not recognize the adverse effects of *periodic* reduction of groundwater on GDE, including the use by spawning and rearing steelhead. The effects of periodic groundwater reductions on out-of-stream beneficial uses (*e.g.*, domestic or agricultural water supplies) may be addressed with alternative water sources. Nevertheless, instream beneficial uses such as GDE may be more vulnerable to such groundwater reductions, for which there is no alternative water source to sustain the GDE.

5.2 Sustainability Goals

Page 10

The sustainable goals are expressed explicitly and exclusively in terms of groundwater levels, and do not recognize the important relationship between groundwater levels and the surface flows (particularly base flows) that contribute to the maintenance of GDE. This is an important omission that should be corrected in the revised document because GDE for the EMA basin includes the use of surface flow by the federally listed endangered southern California steelhead for migration, spawning and rearing.

5.2.1 Qualitative Objectives for Meeting Sustainability Goals

Page 11

The sustainable objectives includes avoiding chronic reduction of groundwater, but not the adverse effects of periodic reduction of groundwater on GDE, including the use by spawning and rearing steelhead. The effects of periodic groundwater reductions on out-of-stream beneficial uses (*e.g.*, domestic or agricultural water supplies) may be addressed with alternative water sources. However, instream uses such as GDE are more vulnerable to such groundwater reductions, because there is generally no alternative water source to sustain the GDE.

5.3 Process for Establishing Sustainable Management Criteria [Section 354.26(a)]

Pages 11-12

The Draft Criteria describes the public process of receiving comments on the various draft components of the GSP; however, the Draft Criteria does not appear to, but should, reflect the comments that NMFS has previously provided on the February 2021 draft EMA Groundwater – Basin Setting: Groundwater Budget (April 28, 2021). There are no specific criteria in the Draft Criteria that deal with the GDE associated with the federally listed species (or the designated critical habitat) which utilize portion of the EMA. In fact, the word “steelhead”, “trout”, or even “fish” do not appear in the Draft Criteria. The revised document should correct this deficiency and include a description of the extensiveness of designated critical habitat for endangered steelhead that exists in the project area, as well as identify the intrinsic potential habitat (*See* Figures 1 and 2 below).

5.3.2. Criteria for Defining Undesirable Results [Sections 354.26(1) and (d)]

Pages 12 -13

The criteria for defining undesirable results do not, but should, provide meaningful guidance. Some deal with causes not effects, and the effects are expressed in terms that are simply re-statements of goals, not criteria or objectives for meeting identified goals. As a result, there is no way of knowing with a reasonable level of assurance whether identified goals have been truly attained, and whether changes in operations would be necessary to achieve the goals.

5.3.3 Information and Methodology Used to Establish Minimum Thresholds and Measurable Objectives [Sections 354.28(b)(1), (c)(1)(A)(B), and (e)]

Pages 13 -16

In reviewing the methods used to establish thresholds and objectives, it appears that all of the metrics were physical or chemical, lacking any biological metrics. As NMFS has indicated in its previous comment letter, it is essential to determine what flows adequately supports the freshwater life history phases of steelhead. Without an understanding of these hydrologic/biotic relationships, a Groundwater Sustainability Plan (GSP) cannot ensure that significant and unreasonable adverse impacts from groundwater depletion (and in the case of the Santa Ynez River, the integrally related surface water diversion/groundwater recharge program) are avoided (Heath 1983, California Department of Water Resources 2016).

5.3.3.5 Avoid Depletion on Interconnected Surface Water

Page 15

The Draft Criteria indicates that it relies on “Published documents and independent analysis that identify the extent and distribution of potential GDEs.” However the Draft Criteria, as well as the Basin Setting: Groundwater Budget appear to rely on methodology that uses vegetation as the principal means of identifying GDE (*e.g.*, The Nature Conservancy 2019). While this method may be useful for identifying select GDE, it is not adequate to identify GDE that are not defined by vegetation alone. For steelhead, the GSP should also consider the information provided in NMFS’ designated critical habitat for this species as well as in NMFS identification of intrinsic potential habitat (Boughton and Goslin 2006; *see also* Boughton *et al.* 2009) (*See* Figures 1 and 2 below for graphical presentation of this information).

5.3.4 Relationship between Individual Minimum Thresholds and Other Sustainability Indicators (Section 354.28(b)(23)]

Page 16

The Draft Criteria should also include Individual Minimum Thresholds that address GDE other than those defined by the presence of riparian vegetation. See additional comments below.

5.5 Chronic Lowering of Groundwater Levels Sustainable Management Criterion

5.5.1. Undesirable Results [Section 345.26(a)(2), (c) and (d)]

Pages 17-18

The Draft Criteria analyzes lowering groundwater levels primarily in terms of affecting groundwater supplies for out-of-stream beneficial uses, and undesirable results that would affect these uses. It does not, but should, explicitly address other instream beneficial uses, such as those associated with GDE

The Draft Criteria should be revised to include a discussion of specific GDE, including those associated with the federally listed endangered southern California steelhead.

5.5.2 Minimum Thresholds [Section 354.28(a)(b)(1)(A)(B), (d), and (e)]

Pages 19-23

As with the discussion of lowering groundwater levels, the Draft Criteria discusses minimum thresholds primarily in terms of groundwater supplies for out-of-stream beneficial uses.

For example, the Draft Criteria indicates:

“Based on the well impact analysis, the GSA Committee agreed to set the minimum threshold for representative wells screened in the Careaga Sand at 12 feet below spring 2018 groundwater levels. If groundwater levels continued to decline at current rates (2019–2021) in representative wells, minimum thresholds for the chronic lowering of groundwater levels sustainability indicator would be exceeded in 50 percent of representative wells (*See* Section 5.5.2.7), approximately four to five years following implementation of the GSP. These thresholds are not expected to cause a significant and unreasonable reduction of groundwater in storage.” (p. 22)

To develop a clear understanding of the consequence of the Committee’s minimum threshold, which is currently lacking, the Draft Criteria should be revised to include a discussion of the predicted consequences of the proposed threshold on GDE, including those associated with the federally listed endangered southern California steelhead.

5.5.2.4 Effects of Minimum Thresholds on Neighboring Basin [Section 354.28(b)(3)]

Page 24

The neighboring basins include the Santa Ynez River Valley Groundwater Basin – Central Management Area (CMA) of the Santa Ynez Basin and San Antonio Creek Valley Groundwater Basin (SACV).

The Draft Criteria recognizes that the CMA is hydrologically down gradient of the EMA and is hydrologically connected. However, the Draft Criteria indicates:

“Based on available information, groundwater gradients at the boundary between the EMA and SACV are such that groundwater does not flow between the EMA and SACV and therefore, the SACV would not be impacted by the minimum threshold for the chronic lowering of groundwater levels sustainability indicator in the EMA.” (p. 24)

As NMFS has noted in previous comments, while groundwater management actions in the mainstem of the Santa Ynez River may not directly affect flow in the tributaries to the Santa Ynez River, drawing down the groundwater near the confluence of the tributary and the Santa Ynez River can affect the hydraulic connectivity between the tributaries and the river. This hydraulic connectivity (even if only seasonal) can have implications for the movement (or migration) of a variety of fish and or amphibian species (*See* State Water Resources Control Board 2011). These tributaries, therefore, should not be considered as disconnected from the water table, but should be classified in the revised document as having interconnected surface water in accordance with the SGMA.

5.5.2.5 Effects of Minimum Thresholds on Beneficial Uses and Land Use [Section 354.28(b)(4)]

Page 25

The Draft Criteria states that, “No federal, state, or local standards exist for chronic lowering of groundwater levels.” (p. 25). While it is true that there are not numeric standards, this statement does not appear to recognize the broad standards that that are established by SGMA.

5.5.3 Measurable Objectives (Section 354.30(a), (b), (c), (d), and (g))

Pages 26-27

See comments above regarding Information and Methodology Used to Establish Minimum Thresholds and Measurable Objectives (5.3.3).

5.6.2 Minimum Thresholds [Section 354.28(a)(b)(1), (c)(2), (d), and (e)]

Pages 30-32

See comments above regarding Information and Methodology Used to Establish Minimum Thresholds and Measurable Objectives (5.3.3).

5.6.2.3 Effects on Beneficial Uses and Land Uses [Section 354.28(b)(4)]

Page 33

The beneficial uses of the surface waters of the Santa Ynez River that are associated with the GDE include: Warm Fresh Water Habitat (WARM), Cold Fresh Water Habitat (COLD), Estuarine Habitat (EST), Wildlife Habitat (WILD), Rare, Threatened, or Endangered Species (RARE), Migration of Aquatic Organisms (MIGR), and Spawning, Reproduction, and /or Early

Development of fish (SPWN) (*See*, for example, California Regional Water Quality Control Board, Central Coast Region (2019), Table 2.1. Identified Uses of Inland Surface Waters).

As noted above, the Draft Criteria, appears to focus primarily on out-of-stream beneficial uses, but should be revised to expressly and explicitly deal with all of the beneficial uses that are associated with GDG, including the federally listed endangered southern California steelhead.

5.6.3 Measurable Objective [354.30(a)(c), (d), and (g)]

Page 34

See comments above regarding Information and Methodology Used to Establish Minimum Thresholds and Measurable Objectives (5.3.3).

5.8.1 Undesirable Results [Section 354.26(a), (b)(1), (b)(2), and (d)]

Page 36

See comments above regarding Effects on Beneficial Uses and Land Uses (5.6.2.3)

5.8.2 Minimum Thresholds [Section 354.28(b)(1), (c)(4), and (e)]

Pages 38-41

See comments above regarding Information and Methodology Used to Establish Minimum Thresholds and Measurable Objectives (5.3.3).

5.8.2.5 Effects of Minimum Thresholds on Beneficial Uses and Land Use [Section 354.26(b)(3)]

Pages 42-44

See comments above regarding Information and Methodology Used to Establish Minimum Thresholds and Measurable Objectives (5.3.3).

5.9.2 Minimum Thresholds [Section 354.26(c) and 354.28(a), (b)(1), (c)(5)(A)(B), (d), and (e)]

Pages 47-51

See comments above regarding Information and Methodology Used to Establish Minimum Thresholds and Measurable Objectives (5.3.3).

5.10 Depletion of Interconnected Surface Water Sustainability Management Criterion

Pages 52 - 62

As noted above, the Draft Criteria appear to rely on methodology that use vegetation as the principal means of identifying GDE (*e.g.*, The Nature Conservancy 2019). For example, the Draft Criteria indicates:

“A sustained drop in groundwater levels below root zones caused by groundwater pumping could result in permanent loss of GDEs. Monitoring of groundwater levels near the confluence of Alamo Pintado and Zanja de Cota Creek with the Santa Ynez River will be conducted by the GSA as part of EMA monitoring programs (*See* Section 4) to assess whether there is potential for significant and unreasonable adverse impacts to a long-term decline in the health of the GDEs in the subject areas and eventual permanent habitat loss.” (p. 55)

A decrease in groundwater levels less than the depth of the root zone can result in effects to surface flows, particularly base flows (*See* Brunke and Goslin 1977, Fetter 1997). As a consequence, the Draft Criteria do not address all the potential GDE, including the federally listed endangered southern California steelhead. Also, in addition to the riparian areas in the vicinity of the confluence of Alamo Pintado and Zanja de Cota Creek with the Santa Ynez River, other reaches of the Santa Ynez River within the EMA (between Hilton Creek and Alisal Creek) are potentially affected by groundwater withdrawals. Additionally, the confluences of Alisal Creek, Quiota Creek, San Lucas Creek, and Zaca Creek (below Bradbury Dam), and Tepusquet Creek, Cachuma Creek and Santa Cruz Creek (above Bradbury) and the Santa Ynez River could be impacted by groundwater withdrawals from the EMA. *See also* comments above on Effects of Minimum Thresholds on Neighboring Basins, 5.5.2.4.

The Draft Criteria should be revised to recognize these other GDE, including those associated with the federally listed endangered southern California steelhead.

The Draft Criteria also asserts:

“The minimum threshold for depletion of interconnected surface water is set to protect habitat and sensitive species at specific locations in the EMA where there is a connection between groundwater and surface water. The minimum threshold for depletion of interconnected surface water in the EMA is not anticipated to impact sustainability in the CMA because conditions that are necessary to avoid impacts to Category A GDEs [*i.e.*, those supporting identified beneficial use in the subject areas] in the EMA will continue to support flows into the CMA.” (p. 59)

This approach does not adequately recognize all the potential GDE, or does it provide any metric for guiding groundwater withdrawals, or set any numeric standard for the maintenance of base flows necessary to support GDE.

The Draft Criteria should be revised to include specific metrics for GDE, including those associated with the federally listed endangered southern California steelhead.

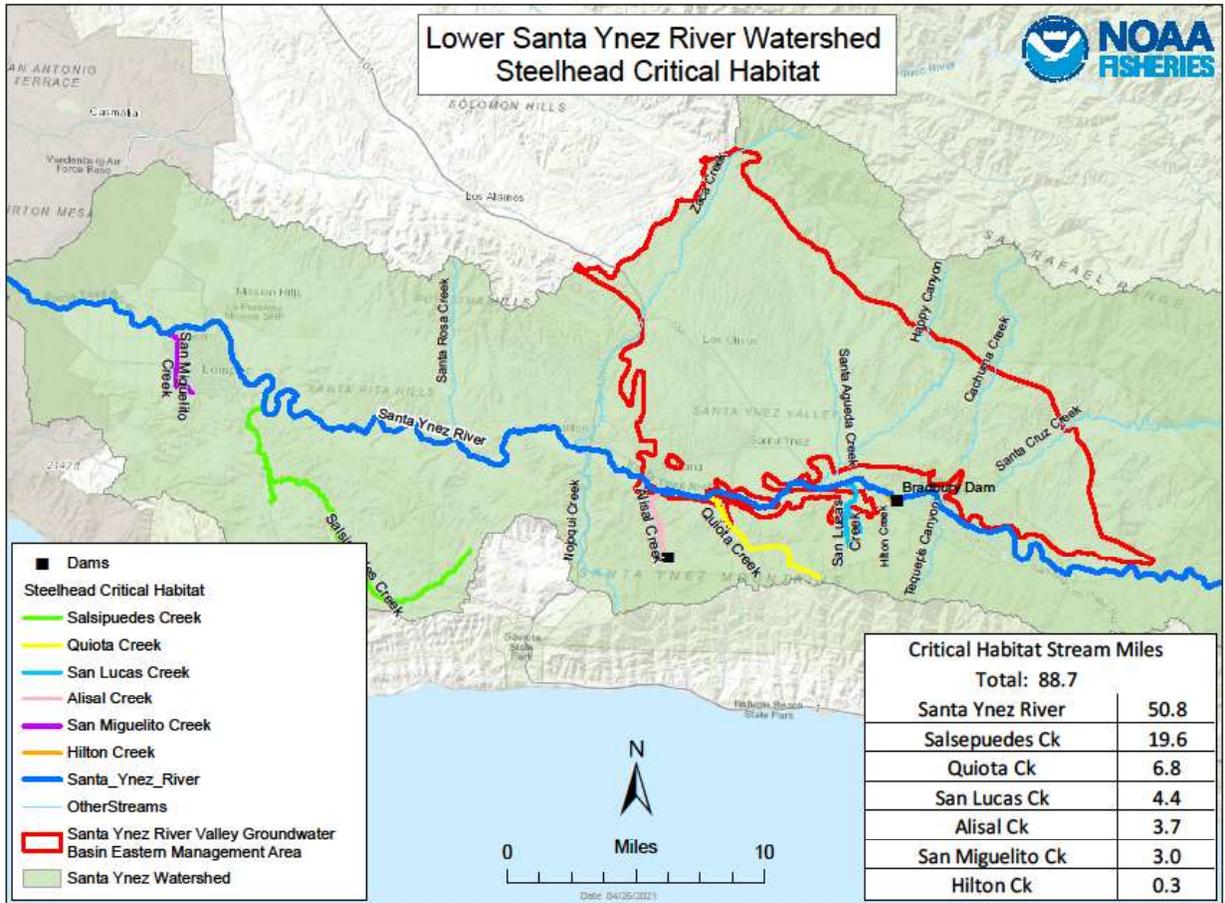


Figure 1. Lower Santa Ynez River Steelhead Critical Habitat Map. Source: 70 FR 52488). Final Rule: Endangered and Threatened Species; Designation of Critical Habitat for Seven Evolutionarily Significant Units/Distinct Population Segments of Pacific Salmon and Steelhead in California.

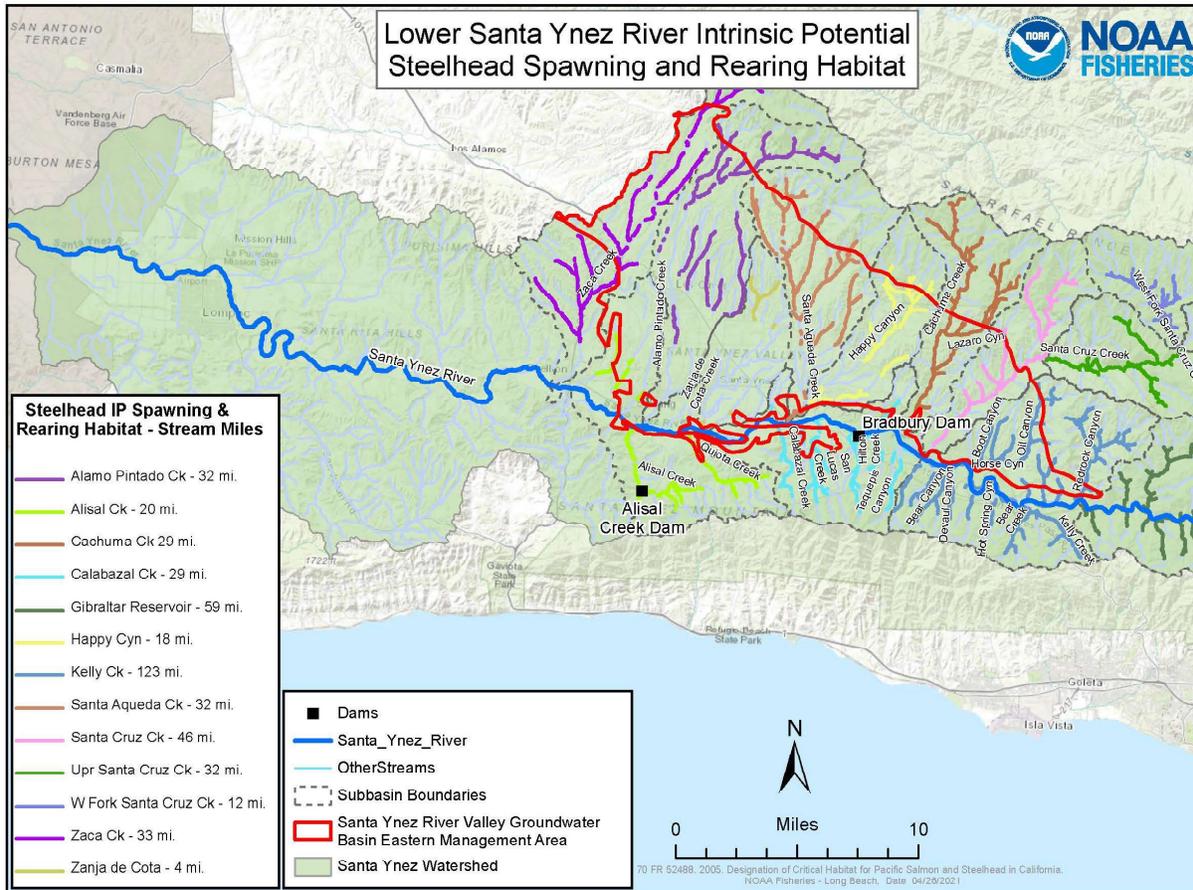


Figure 2. Lower Santa Ynez River Steelhead Intrinsic Potential Steelhead Spawning and Rearing Habitat Map. Source: Boughton and Goslin 2006.

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Central Coast Regional Water Quality Control Board

June 24, 2021

Mr. Bill Buelow, PG
Groundwater Program Manager
Santa Ynez River Water Conservation District
Eastern Management Area Groundwater Sustainability Agency
bbuelow@syrwcd.com

VIA ELECTRONIC MAIL

Dear Mr. Buelow:

RECOMMENDATION FOR COORDINATION BETWEEN EASTERN MANAGEMENT AREA GROUNDWATER SUSTAINABILITY AGENCY AND LOS OLIVOS COMMUNITY SERVICES DISTRICT, SANTA BARBARA COUNTY

The Central Coast Regional Water Quality Control Board (Central Coast Water Board) is a state agency that implements state and federal water quality laws within the central coast region. The Santa Ynez Eastern Management Area falls within the jurisdictional area of the central coast region and as such, the Central Coast Water Board has an interest in monitoring, preserving, and restoring water quality within the area. Central Coast Water Board staff has received communication from the Los Olivos Community Services District (CSD) regarding a groundwater recharge and monitoring program associated with implementation of sewer and wastewater treatment programs that may be mutually beneficial to the Los Olivos community and the Eastern Management Area Groundwater Sustainability Agency (GSA). Specifically, the Los Olivos CSD intends to collect, treat, and recycle wastewater and subsequently recharge that recycled water into the Santa Ynez groundwater basin within the Eastern Management Area. This project would require a groundwater monitoring network and would provide a source of recharge to the basin. Due to the nexus between the CSD's goals and recharge (and associated monitoring) needed by the GSA to manage the groundwater basin, the Central Coast Water Board encourages the GSA to coordinate with the CSD to identify opportunities for resource sharing (e.g., monitoring wells) and/or acquisition of mutually beneficial funding (grants, loans, etc.). For instance, the GSA may have opportunities to acquire grants or loans supporting groundwater recharge projects that are tied to the Sustainable Groundwater Management Act (e.g., Proposition 68¹) whereas such funding opportunities are not available to the CSD. Conversely, the CSD may have access to funding sources that are not available to the GSA.

¹ Proposition 68 provides a minimum of \$103 million in funds for projects that support groundwater recharge, water supply reliability, or prevent or clean up contamination of groundwater that serves as a source of drinking water.
<https://water.ca.gov/Work-With-Us/Grants-And-Loans/Sustainable-Groundwater>

The Los Olivos area has been identified as a problem area both by the Central Coast Water Board and Santa Barbara County due to the decades-long problems with wastewater disposal via on-site wastewater treatment systems (septic systems). As such, the Central Coast Water Board supports efforts to develop a communitywide wastewater collection and treatment system in Los Olivos and encourages coordination between the CSD and GSA that could ultimately benefit groundwater quality and sustainability.

The Central Coast Water Board staff thanks the Eastern Management Area GSA for its consideration on this topic and for the work being done to sustainably manage groundwater resources in the Santa Ynez groundwater basin. If you have questions or would like to discuss in greater detail, please feel free to reach out to James Bishop, Daniel Pelikan, or Diane Kukol at the Central Coast Water Board:

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Sincerely,

for Matthew T. Keeling
Executive Officer

Mr. Bill Buelow
Groundwater Program Manager
Santa Ynez River Water Conservation District

- 3 -

June 24, 2021

cc:

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Santa Ynez Water Group
c/o Doug Circle
Rancho Cañada de Los Pinos LLC
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July 5, 2021

Board of Directors, Santa Ynez River Valley Basin **Eastern Management Area GSA**
Chair: Brett Marymee, SYRWCD (Cindy Allan, Alternate)
Brad Joos, SYRWCD Improvement District #1 (Paeter Garcia, Alternate)
Karen Waite, City of Solvang (Ryan Toussaint, Alternate)
Joan Hartman, County of Santa Barbara (Meighan Diethofer Alternate)

c/o William (Bill) Buelow
Santa Ynez River Water Conservation District
3669 Sagunto Street, Suite 101
Santa Ynez, CA 93460

Transmitted via email attachment to bbuelow@syrwcd.com

Re: EMA Draft Sustainable Management Criteria "Section"

Dear Directors and Staff:

As you know the Santa Ynez Water Group (SYWG) was formed to engage on behalf of landowners with the GSAs concerning development of the Santa Ynez River Valley GSPs. SYWG includes, vineyards, vegetables, and other interests and currently represents 54 landowners and 7,853 acres in the Santa Ynez River Valley Basin.

SYWG has been consistent in its comments that the sustainable management criteria (SMC) and projects and management actions (PMA) should be developed in a manner that ensures meaningful engagement with the agricultural landowners in the Basin to ensure the most equitable and cost-effective PMAs can be developed. We are disappointed that the EMA has chosen to keep the agricultural landowners at arm's length in this process and work very closely with the City of Solvang and ID-1 on the development of SMC that are favorable for them. The unreasonably short comment period on the SMC memo – two weeks with a holiday – is the latest evidence that EMA does not intend to seriously consider the impacts on land values and agribusiness in the planning process. The unreasonably short SMC memo comment period was inadequate for meaningful stakeholder review and comment and to prepare for the corresponding Citizens Advisory Group meeting. We reserve the right to comment later in the process.

Sincerely,



Doug Circle

cc: SYWG Members

Bryan Bondy, Bondy Groundwater Consulting, Inc.

**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.