

WESTERN MANAGEMENT AREA  
CITIZEN ADVISORY GROUP  
MEMORANDUM

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DATE: August 29, 2022

TO: WMA GSA Committee

FROM: WMA Citizen Advisory Group  
Prepared by Jose Baer

SUBJECT: Administering Written Verifications Per Executive Order N-7-22

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**Western Management Area (WMA) Citizens Advisory Group (CAG) Members**

Jose Baer

**Introduction**

The WMA CAG held a meeting on August 29, 2022 via teleconference to discuss the administrative documents for written verifications per Executive Order N-7-22.

Below is a summary of the CAG's comments.

**CAG Comments on the GSP:**

The CAG expressed concern over the costs associated with what should be a simple administrative process. Was there some way to reduce the complexity and cost?

Staff explained that attention has been paid to reducing the complexity by using the County well application for the most part. The additional forms are simple and are necessary. The estimate for costs is reasonable, and care was taken to make sure that additional funds would not have to be gathered from the applicant.

Staff also reviewed the draft flow chart for the process, it was noted that the process can be approved expeditiously by staff if the well is deemed to be a replacement well, or a well drawing from the river alluvium. That being the case, some of the CAG's concerns were alleviated.

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

**CENTRAL MANAGMENT AREA  
CITIZEN ADVISORY GROUP  
MEMORANDUM**

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DATE: August 12, 2022

TO: CMA GSA Committee

FROM: CMA Citizen Advisory Group  
(representative Larry Lahr)

SUBJECT: Review of Documents to comply with Executive Order N-7-22

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**Attendees**

CMA CAG Members in attendance: Sharyne Merritt, Cindy Douglas, Len Fleckenstein; Sean Diggins, and Larry Lahr

Staff in attendance: Bill Buelow (SYRWCD), Marliez Diaz and Matt Young (County Water Agency)

**Purpose**

The CMA GSA Committee requested staff for the GSA agencies to coordinate meetings of the CMA CAG. Through a coordinated effort, the CAG held a meeting via teleconference. The meeting was held on August 12, 2022. The purpose of the meetings was for the CMA CAG (CAG) to discuss draft documents to comply with Executive Order N-7-22.

**Review of Proposed Documents**

The CAG was presented prior to the meeting the following proposed documents to review:

1. Draft CMA Process and Criteria for Administering Written Verifications Per EO N-7-22
2. Draft Indemnification Agreement
3. Draft Reimbursement Agreement
4. Draft Well-Permit Acknowledgement
5. Draft GSI Scope of Work

Each member of the CAG was given the opportunity to ask questions or make comments. Below is a summary of the comments and discussion.

The discussion by the CAG centered primarily on the Draft Process Criteria for Administering Written Verification document. The CAG's main discussion points on this document were as follows:

- A member of the CAG asked the role of the GSA in the issuance of the permit by the County EHS. Discussion followed.
- The CAG discussed what constituted an expedited turn around by the GSA. Also, a member of the CAG indicated that there was not a lot of guidance provided about what constitutes a well that qualifies for expedited review. Also, more clarification is needed about who is doing what. A draft process diagram was discussed.
  - The CAG discussed that surface water wells are exempt from the process and will not require a written verification from the GSA. These wells undergo an expedited review by the GSA.
  - The CAG also discussed that municipal wells are exempt from the process and do not require a written verification from the GSA.
  - The CAG discussed that domestic wells that are proposed to produce less than 2 ac/yr are exempt from the GSA process.
  - The CAG and Staff discussed that the GSA could delegate the determination of a proposed well to staff if the proposed well was a like-kind replacement well or surface water well, but all new well production would ultimately require the approval of the GSA itself.
- A member of the CAG asked about what the GSA will do if the Executive Order changes or is rescinded. The CAG was briefed by staff that the executive order is expected to be codified by the state legislature soon.
- The CAG discussed the proposed fee to be imposed by the GSA to the applicants. The proposed fee is \$200/hour with a deposit of \$1,200. The CAG felt this fee was fair and reasonable.
- The CAG had questions regarding what constituted a replacement well versus a new well. Staff responded and there was further discussion.
- A CAG member asked if an alternation to a well is the same as a modification. County staff briefed the CAG on the EHS process. There was some discussion regarding what constituted a well repair (which requires no permit from EHS) versus a well enhancement (which does require a permit from EHS).
- There was discussion by the CAG about the process flow. Staff discussed that a draft flow chart is being prepared and will be presented to the GSA at a later date.
- A CAG member expressed concern that there were too many links on the Procedures form, which may be confusing to some. Staff agreed to review the links and make it easier for the applicants.
- There was considerable discussion by the CAG regarding the approval of new wells when the CMA basin was in overdraft. The CAG discussed whether the GSA's approval should be objective (with automatic denial) or subjective, meaning approved or denial would be based upon circumstances at the time and the geologic location of the proposed well. The CAG members perspectives varied on this issue.

- The CAG asked about recourse for denied verification requests. If the GSA declines to provide a verification to an applicant, there will be a process for “reconsideration”.

There were no substantive comments on the other documents presented.

There was no further discussion, and the meeting was adjourned.

**EASTERN MANAGEMENT AREA  
CITIZEN ADVISORY GROUP  
MEMORANDUM**

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DATE: July 18, 2022

TO: EMA GSA Committee

FROM: EMA Citizen Advisory Group  
Prepared by Mary Hayden

SUBJECT: Administering Written Verifications Per Executive Order N-7-22

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

Mary Heyden, CJ. Jackson, Gay Infanti, Elizabeth Farnum, Kevin Merrill and Tim Gorham

**Introduction**

The EMA CAG held a meeting on July 18, 2022 via teleconference to discuss the administrative documents for written verifications per Executive Order N-7-22.

Below is a summary of the CAG's comments.

**CAG Comments on the GSP:**

- The CAG discussed concern over future legislation (AB 2201) and how that would affect these documents was brought up by a CAG member. Discussion continued around the flexibility built into these documents and the ability to amend them in the future if needed. Such issues would be brought up in front of the Committee for direction.
- A CAG member thought that the GSA needed its own legal representation. Each current participating Agency has potential conflicts of interest that could inhibit the future legal proceedings of the GSA. A staff member replied that is the reasoning for a future JPA that would have its own staff and legal counsel.
- The CAG agreed that there needs to be a way for the well applicants to know “where the Basin is at” and how it got there and what they could mean for their application. Each applicant needs to know what to expect of the process. A staff member suggested that the Annual Reports will inform us of the Basin's condition. There should be a very clear posting, and potential “summary” of the Annual Report.
- The CAG discussed at length the lack of clarity on how an Ag well applicant would get their permit from EHS and an “approval” from the GSA.

- The CAG agreed there needs to be one Point of Contact with the GSA with whom the applicant can submit their application and necessary supporting documents. That same point of contact would follow the application through to its end. It is this Point Person that would also interact with GSI.
- The CAG requested creating a “process flow chart” that clearly defines the process one takes to receive a “request for approval” from the GSA. Once again, people need to know what to expect. The Process Flow Chart should show who is responsible at each point and where decisions would need to be made. This could also help expediate receiving an approval and remove any bulky “bureaucracy.”
- The CAG was updated on discussions between the legal counsel of the GSA Agencies and the Santa Ynez Water Group regarding the Indemnification Agreement. Things seem to be proceeding well.
- One CAG member stated that Replacement Wells should be fast tracked, and a time limit should be placed for GSI and the GSA to “approve” the request. The CAG discussed that waiting one month for the next GSA meeting to approve the application could be catastrophic to some applicants. A staff member reminded the CAG that true replacement wells and wells in the river alluvium do not need to go in front of the GSA Committee, so approval could be given very quickly. The CAG member still felt that time limits should be placed on approval request processing.
- The CAG discussed “independent judgement” by the GSA and how it could contradict the findings of the GSA’s consultant (GSI).
  - The CAG agreed there needs to be clear reasonings behind a well not getting approval
  - The CAG agreed that the applicant should have a right to present their own hydrogeological information to the GSA
  - The CAG agreed that an applicant should be able to request a “reconsideration” of the GSA determination.
  - The CAG requested the created of a Process Flow Chart for the Verification Request Process.

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