

NOTICE AND AGENDA OF SPECIAL MEETING

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

WILL BE HELD AT THE
AT **06:30 P.M.**, THURSDAY, JANUARY 6, 2022

TELECONFERENCE MEETING ONLY – NO PHYSICAL MEETING LOCATION

Remote participation also available via ZOOM

You do NOT need to create a ZOOM account or login with email for meeting participation.

ZOOM.us - “Join a Meeting”

Meeting ID: 844 6536 8273 Meeting Passcode: 991006

DIRECT LINK: <https://us02web.zoom.us/j/84465368273?pwd=bGs0RmM1SmtJRnlrdWJ4MVVCMGFiUT09>

DIAL-IN NUMBER: 1-669-900-9128

PHONE MEETING ID: 844 6536 8273# Meeting Passcode: 991006#

If your device does not have a microphone or speakers, you can call in for audio to the phone number and use the Meeting ID and Passcode listed above to listen and participate while viewing the live presentation online.

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 at all times unless speaking.

Teleconference Meeting During Coronavirus (COVID-19) Pandemic: As a result of the COVID-19 pandemic, this meeting will be available via teleconference as recommended by Santa Barbara County Public Health, authorized by State Assembly Bill 361, and Resolution EMA-2021-001 (passed 10/21/2021, reaffirmed 12/09/2021).

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 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.** All submittals of written comments must be received by the GSA no later than **Wednesday, January 5, 2022**, and should indicate **“January 6, 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 ON NEXT PAGE

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

THURSDAY, JANUARY 6, 2022, 6:30 P.M.

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 EMA-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 “EMA GSA Committee requests and comments” for items to be included on the next Agenda.*
- V. Public Hearing on the Groundwater Sustainability Plan for the Eastern Management Area of the Santa Ynez River Valley Groundwater Basin (EMA GSP) (6:30 p.m)
- VI. Consider Resolution Number EMA-2022-001 adopting the Groundwater Sustainability Plan for the Eastern Management Area of the Santa Ynez River Valley Groundwater Basin
- VII. Update and discussion on EMA GSP and Future Governance Options
- VIII. Update on EMA Annual Report and Annual Report Cost Share
- IX. Next Regular EMA GSA Meeting, Thursday, February 24, 2022 at 6:30 P.M.
- X. EMA GSA Committee requests and comments
- XI. 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 72 hours prior to the meeting will enable the GSA to make reasonable arrangements to ensure accessibility to this meeting.]

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

RESOLUTION EMA-2021-001

RESOLUTION INITIALLY AUTHORIZING REMOTE TELECONFERENCE MEETINGS UNDER AB 361

WHEREAS, meetings of the governing Committee (“Committee”) of the **Groundwater Sustainability Agency for the Eastern Management Area in the Santa Ynez River Valley Groundwater Basin** (EMA GSA) are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the EMA GSA conduct its business;

WHEREAS, Government Code section 54953(e), added by Assembly Bill 361 (2021) (“AB361”), provides for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to certain conditions and requirements; and

WHEREAS, the EMA GSA wishes to invoke the provisions of AB361 to authorize teleconference meetings subject to the provisions of Government Code section 54953(e);

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. Findings. The Committee hereby finds as follows:

- (a) As provided by Government Code section 54953(e)(1), a proclaimed state of emergency exists under the California Emergency Services Act, as declared by the Governor on March 4, 2020.
- (b) As provided by Government Code section 54953(e)(1), the County of Santa Barbara Health Department has imposed or recommended measures to promote social distancing, specifically Santa Barbara County Health Order No. 2021-10.5 (see also Santa Barbara County Public Health Department Health Officials AB 361 Social Distance Recommendation issued September 28, 2021).

Section 2. Procedures for Teleconference Meetings. The EMA GSA shall hold meetings to allow for teleconference participation pursuant to the requirements of Government Code section 54953(e).

Section 3. Effective Date. This resolution shall take effect immediately upon its adoption.

Section 4. Renewal. Pursuant to Government Code section 54953(e)(3), the EMA GSA may consider findings regarding the state of emergency every 30 days.

PASSED AND ADOPTED by the governing Committee of the EMA GSA on October 21, 2021 by the following roll call vote:

AYES: Meighan Dietenhofer (Acting Alternate), Mark Infanti, Brad Joos, Brett Marymee

NOES: None

ABSENT: None

ABSTAINED: None

ATTEST:

A handwritten signature in blue ink, appearing to read "Brett Marymee", written over a horizontal line.

Brett Marymee, Chairman

A handwritten signature in blue ink, appearing to read "William J. Buelow", written over a horizontal line.

William J. Buelow, Secretary



Public Health Administration

300 North San Antonio Road ♦ Santa Barbara, CA 93110-1316
805/681-5100 ♦ FAX 805/681-5191

Van Do-Reynoso, MPH, PhD *Director*
Suzanne Jacobson, CPA *Chief Financial Officer*
Paige Batson, MA, PHN, RN *Deputy Director*
Darrin Eisenbarth *Deputy Director*
Dana Gamble, LCSW *Interim Deputy Director*
Polly Baldwin, MD, MPH *Medical Director*
Henning Ansorg, MD *Health Officer*

HEALTH OFFICIALS AB 361 SOCIAL DISTANCE RECOMMENDATION

Issued: September 28, 2021

COVID-19 disease prevention measures, endorsed by the Centers for Disease Control and Prevention, include vaccinations, facial coverings, increased indoor ventilation, handwashing, and physical distancing (particularly indoors).

Since March 2020, local legislative bodies-such as commissions, committees, boards, and councils- have successfully held public meetings with teleconferencing as authorized by Executive Orders issued by the Governor. Using technology to allow for virtual participation in public meetings is a social distancing measure that may help control transmission of the SARS-CoV-2 virus. Public meetings bring together many individuals (both vaccinated and potentially unvaccinated), from multiple households, in a single indoor space for an extended time. For those at increased risk for infection, or subject to an isolation or quarantine order, teleconferencing allows for full participation in public meetings, while protecting themselves and others from the COVID-19 virus.

Utilizing teleconferencing options for public meetings is an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 disease. This recommendation is further intended to satisfy the requirement of the Brown Act (specifically Gov't Code Section 54953(e)(1)(A)), which allows local legislative bodies in the County of Santa Barbara to use certain available teleconferencing options set forth in the Brown Act.

A blue ink signature of Henning Ansorg, written over a horizontal line.

Henning Ansorg, MD
Public Health Officer
County of Santa Barbara

A blue ink signature of Van Do-Reynoso, written over a horizontal line.

Van Do-Reynoso, MPH, PhD
Public Health Director
County of Santa Barbara

**HEALTH OFFICER ORDER NO. 2021-10.7
COUNTY OF SANTA BARBARA**

**FOR THE CONTROL OF COVID-19
FACE COVERINGS
WITHIN SANTA BARBARA COUNTY**

**Health Officer Order No. 2021-10.7 Supersedes and Replaces Health Officer Order
No. 2021-10.6**

Effective Date: December 3, 2021, 5:00pm PT

(Changes are underlined.)

Please read this Order carefully. Violation of or failure to comply with this Order may constitute a misdemeanor punishable by fine of up to \$1,000, imprisonment, or both, or result in administrative fines. (Health and Safety Code §§ 101029, 120295 et seq.; County Ord. No. 5120.) Violators are also subject to civil enforcement actions including fines or civil penalties per violation per day, injunctive relief, and attorneys' fees and costs.

This Health Officer Order No. 2021-10.7 supersedes and replaces Health Officer Order No. 2021-10.6 that was effective November 4, 2021. Nothing in this Health Officer Order supersedes State Executive Orders or State Health Officer Orders or guidance provided by the California Department of Public Health available at:

<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Guidance.aspx#>

Summary: As of December 1, 2021, the community transmission level of COVID-19 in Santa Barbara County is categorized as “Substantial” based on the US Centers for Disease Control and Prevention’s (CDC) Indicators. The significantly more transmissible SARS-CoV-2 B.1.617.2 (Delta) variant of COVID-19 is the predominant strain in the US and in Santa Barbara County. To control the spread of COVID-19, this Health Officer Order orders all individuals in the County of Santa Barbara – whether vaccinated or unvaccinated – to wear a Face Covering at all times in all Indoor Public Settings, and while inside any Business, with limited exemptions, and recommends that Businesses make face coverings available to individuals entering the Business. This Health Officer Order also allows students to participate in indoor School-Based Extracurricular Activities (as defined) without a Face Covering when it is impracticable so long as the student actively participating is routinely tested for COVID-19.

WHEREAS, on March 4, 2020, Governor Newsom declared a state of emergency for conditions caused by a novel coronavirus, COVID-19, and on March 11, 2020, the World Health Organization declared COVID-19 a global pandemic, and on March 12, 2020, the County of Santa Barbara declared a local emergency and a local health emergency in relation COVID-19 in the community; and

WHEREAS, in the County of Santa Barbara (“County”) as well as throughout California and the nation, there are insufficient quantities of critical healthcare infrastructure, including

hospital beds, ventilators and workers, capable of adequately treating mass numbers of patients at a single time – should the virus spread unchecked; and

WHEREAS, in direct response to the lack of healthcare infrastructure, governments across the nation are taking actions to slow the spread of COVID-19 in order to “flatten the curve” of infection and reduce the numbers of individuals infected at any one time by minimizing situations where the virus can spread; and

WHEREAS, the CDC categorizes COVID-19 community transmission in four categories: Low, Moderate, Substantial, and High; and

WHEREAS, per the CDC “for people infected with the Delta variant, similar amounts of viral genetic material have been found among both unvaccinated and fully vaccinated people”; and

WHEREAS, since April 2021, the Delta variant has been circulating in the County. This variant is highly transmissible in indoor settings and requires multicomponent prevention strategies to reduce spread. Despite high vaccination rates, the County is experiencing substantial levels of community transmission due to the Delta variant. While the risk for COVID-19 infection is highest among unvaccinated persons, the incidence of infection among fully vaccinated persons may also occur. Hospitalizations remain elevated from levels prior to the implementation of this Order, primarily among unvaccinated persons; and

WHEREAS, the COVID-19 vaccines authorized in the United States are highly safe and effective. These vaccines provide protection to individuals and communities, particularly against severe COVID-19 disease, hospitalization, and death, and are recommended by the CDC for all populations authorized to receive them by the U.S. Food and Drug Administration. The Health Officer strongly recommends that all eligible persons in the County be vaccinated. Vaccines are available for all persons over 5 years of age. Information on obtaining a COVID19 vaccine in the County of Santa Barbara is available here: <https://publichealthsb.org/vaccine>; and

WHEREAS, since July 19, 2021, the Health Officer has recommended that fully vaccinated persons wear masks in public indoor settings, considering the apparent increased transmissibility of the Delta variant; and

WHEREAS, since July 28, 2021, the California Department of Public Health (CDPH) has required face coverings in specific indoor public settings regardless of vaccination status, and for those that are not fully vaccinated. The CDPH also recommends universal masking indoors statewide, as “an extra precautionary measure for all to reduce the transmission of COVID-19, especially in communities currently seeing the highest transmission rates” (<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx>); and

WHEREAS, as of August 13, 2021 and updated October 25, 2021, the CDC recommends those not fully vaccinated and aged 2 or older should (1) wear a face covering in indoor public places; and (2) in areas with high numbers of COVID-19 cases, consider wearing a mask in crowded outdoor settings and for activities with close contact with others who are

not fully vaccinated (<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/about-face-coverings.html>); and

WHEREAS, as of September 1, 2021 and updated October 15, 2021, the CDC recommends fully vaccinated individuals wear a face covering in public indoor settings in areas with Substantial or High community transmission rates (<https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated-guidance.html>); and

WHEREAS, as of August 4, 2021 and updated November 5, 2021, the CDC recommends “universal indoor masking for all students, staff, teachers, and visitors to K-12 schools, regardless of vaccination status.” When community transmission is “Substantial” the CDC recommends screening testing for participants of high-risk sports and high-risk extracurricular activities, especially when conducted indoors, twice per week for participants that are not fully vaccinated. When community transmission is “Moderate” the CDC recommends screening testing for participants of high-risk sports and high-risk extracurricular activities, especially when conducted indoors, at least once per week for participants that are not fully vaccinated. (<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html>); and

WHEREAS, as of November 24, 2021, the CDPH updated its COVID-19 Public Health Guidance for K-12 Schools in California, 2021-22 School Year, requiring face coverings for indoor School-Based Extracurricular Activities and recommending weekly testing for activities when masks (Face Coverings) or “bell covers” are not practicable (<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/K-12-Guidance-2021-22-School-Year.aspx>); and

WHEREAS, as of December 1, 2021, according to the CDC, COVID-19 community transmission level is categorized as “Substantial” in California and Santa Barbara County. As of November 26, 2021, the County has a case rate of 7.0 per 100,000 and a test positivity of 4.0%; and

WHEREAS, the CDC and the CDPH find the use of face coverings may reduce asymptomatic transmission of COVID-19 and reinforce physical distancing, and that wearing a face covering combined with physical distancing of at least six feet, and frequent hand washing, will lessen the risk of COVID-19 transmission by limiting the spread of respiratory droplets; and

WHEREAS, universal indoor use of face coverings, also known as masking, is the least disruptive and most immediately impactful additional measure to take to limit the spread of the COVID-19 Delta variant. This Order is part of a strategy to support the continued operations of Businesses, activities, and schools; and

WHEREAS, the County Health Officer finds (1) a significant portion of individuals with COVID-19 are asymptomatic and can transmit the virus to others; (2) those who may develop symptoms can transmit the virus to others before showing symptoms; (3) the incidence of infection among fully vaccinated persons continues to occur; (4) scientific evidence shows COVID-19 is easily spread and public activities can result in transmission of the virus; (5) face coverings are necessary because COVID-19 is highly contagious and

is spread through respiratory droplets that are produced when an infected person coughs, sneezes, or talks. These droplets may land on other people or be inhaled into their lungs, may land on and attach to surfaces where they remain for days, and may remain viable in the air for up to three hours, even after the infected person is no longer present; (6) indoor School-Based Extracurricular Activities lead to increased exhalation and respiratory droplet production; (7) Face Coverings cannot be practicably worn during some indoor School-Based Extracurricular Activities; (8) when worn properly, face coverings have the potential to slow the spread of the virus by limiting the spread of respiratory droplets; and (9) distinctions made in this Order are to minimize the spread of COVID-19 that could occur through proximity and duration of contact between individuals; and

WHEREAS, the intent of this Order is to temporarily require the use of Face Coverings to slow the spread of COVID-19 in Santa Barbara County to the maximum extent possible. All provisions of this Order should be interpreted to effectuate this intent.

ACCORDINGLY, UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, TITLE 17 CALIFORNIA CODE OF REGULATIONS SECTION 2501, THE HEALTH OFFICER OF THE COUNTY OF SANTA BARBARA ORDERS:

1. This Order 2021-10.7 is effective 5:00 p.m. (PT) December 3, 2021 and continuing until 5:00 p.m. (PT), on January 2, 2022 or until it is extended, rescinded, superseded, or amended in writing by the County of Santa Barbara Health Officer (“Health Officer”). This Order applies in the incorporated and unincorporated areas of Santa Barbara County (“County”).
2. This Order orders that in the County Face Coverings must be worn over the mouth and nose – regardless of vaccination status – in all Indoor Public Settings, and while inside any Business, as defined below, including but not limited to: offices, retail stores, restaurants and bars, theaters, family entertainment centers, conference and event centers, State and local government offices serving the public, educational entities, and schools K-12.
3. Individuals, Businesses, venue operators, hosts, and others responsible for the operation of Indoor Public Settings must:
 - a. Require all individuals to wear Face Coverings regardless of vaccination status while indoors; and
 - b. Post clearly visible and easy-to-read signage at all entry points to communicate the Face Covering requirements.
4. Exemptions. Individuals are not required to wear Face Coverings in the following circumstances:
 - a. While working alone in a closed office or room;
 - b. While actively eating and/or drinking;
 - c. While swimming or showering;

- d. While obtaining a medical or cosmetic service involving the head or face for which temporary removal of the Face Covering is necessary to perform the service;
- e. Performers at indoor live events such as theater, opera, symphony, religious choirs, and professional sports may remove Face Coverings while actively performing or practicing, though such individuals should maximize physical distancing as much as practicable;
- f. Individuals in indoor religious or cultural gatherings may remove Face Coverings when necessary to participate in religious or cultural rituals;
- g. Individuals actively engaged in water-based sports (e.g., swimming, swim lessons, diving, water polo) and other sports where masks create imminent risk to health (e.g., wrestling, judo). All other indoor recreational sports, gyms, and yoga studios shall comply with this Order;
- h. Students actively participating in School-Based Extracurricular Activities (as defined below), when practicing, conditioning, or competing in indoor sports or exercise, where due to heavy exertion, Face Coverings are not practicable, so long as those participating students undergo COVID-19 testing either once weekly with an FDA-approved PCR testing, or twice weekly with an FDA-approved antigen testing. Face Coverings are required at all other times including when not actively practicing, conditioning, competing, or on the sidelines, in team meetings, within locker rooms, or in weight rooms;
- i. Students actively participating in School-Based Extracurricular Activities (as defined below), using instruments indoors that cannot be played with a Face Coverings (e.g., wind instruments) may perform without a Face Covering if bell coverings are used AND a minimum of 3 feet of physical distancing is maintained between participants. If bell covers are not used, then participating students shall undergo COVID-19 testing either once weekly with an FDA-approved PCR testing, or twice weekly with an FDA-approved antigen testing. Face Coverings are required at all other times when not actively practicing or performing;
- j. Persons younger than two years old must not wear a Face Covering because of the risk of suffocation;
- k. Persons with a medical condition, mental health condition, or disability that prevents wearing a Face Covering. This includes persons with a medical condition for whom wearing a Face Covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a Face Covering without assistance;
- l. Persons who are hearing impaired, or communicating with a person who is hearing impaired, when the ability to see the mouth is essential for communication; and
- m. Persons for whom wearing a Face Covering would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines.

5. Persons exempted from wearing a Face Covering due to a medical condition, mental health condition, or disability must wear a non-restrictive alternative, such as a face shield with a drape on the bottom edge.
6. Workplaces subject to the Cal/OSHA COVID-19 Emergency Temporary Standards (ETS) and/or the Cal/OSHA Aerosol Transmissible Diseases Standards should consult the applicable regulations for additional requirements. The ETS allows local health jurisdictions to mandate more protective measures. (8 CCR § 3205(a)(2).) This Order, which requires Face Coverings for all individuals in Indoor Public Settings, and while inside any Business, regardless of vaccination status, takes precedence over the more permissive ETS regarding employee face coverings.
7. “Business” or “Businesses” for the purpose of this Health Officer Order is defined to mean any institution, establishment, public or private agency, for-profit, non-profit, or educational entity, whether an organization, corporate entity, partnership, or sole proprietorship. Business does not include a place when used exclusively by one or more individuals for a private gathering or other personal purpose.
8. “Face Covering” means a covering made of a variety of materials such as cloth, fabric, cotton, silk, linen, or other permeable materials, that fully covers the tip of a person’s nose and mouth, without holes, including cloth face masks, surgical masks, towels, scarves, and/or bandanas. This Order does not require the public to wear medical-grade masks, including masks rated N95, KN95, and their equivalent or better.

A face covering with a one-way valve (typically a raised plastic cylinder about the size of a quarter on the front or side of the mask) that provides a preferential path of escape for exhaled breath shall not be used as a face covering under this Order because the valve permits respiratory droplets to easily escape which places others at risk.

9. “Indoor Public Setting” or “Indoor Public Settings” for the purpose of this Health Officer Order is defined to mean an enclosed area whether privately or publicly owned, to which the public have access by right or by invitation, expressed or implied, whether by payment of money or not, but not a place when used exclusively by one or more individuals for a private gathering or other personal purpose.
10. “School-Based Extracurricular Activities” for the purpose of this Health Officer Order is defined to mean all extracurricular activities that are operated or supervised by public or private schools K-12 and involve singing, shouting, band, or exercise at a school site, whether or not the activity occurs during school hours.
11. Except as otherwise set forth herein, the June 28, 2021 Guidance for the Use of Face Coverings issued by the CDPH (<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx>) as may be amended from time to time, continues to apply throughout the County of Santa Barbara.

12. The Health Officer strongly encourages that individuals, Businesses, venue

operators, hosts, and others responsible for the operation of Indoor Public Settings to provide Face Coverings at no cost to individuals required to wear them.

13. If you cannot afford a face covering one will be provided to you free-of-charge at the following locations:
- a. Santa Barbara County Administration building lobby, 105 E Anapamu St, Santa Barbara
 - b. Santa Barbara Health Care Center, 345 Camino del Remedio, Santa Barbara
 - c. Santa Maria Health Care Center, 2115 Centerpointe Parkway, Santa Maria
 - d. The Health Officer requests cities within the County of Santa Barbara provide face coverings free-of-charge to those cannot afford them.

This Order is issued as a result of the worldwide pandemic of COVID-19 which has infected at least 263,435,245 individuals worldwide, in 222 countries and territories, including 45,691 cases, and 548 deaths in the County, and is implicated in over 5,238,270 worldwide deaths.

This Order is issued based on evidence of increasing transmission of COVID-19 both within the County and worldwide, scientific evidence regarding the most effective approach to slow transmission of communicable diseases generally and COVID-19 specifically, as well as best practices as currently known and available to protect the public from the risk of spread of or exposure to COVID-19.

This Order is issued because of the propensity of the virus to spread person to person and also because the virus physically is causing property loss or damage due to its proclivity to attach to surfaces for prolonged periods of time.

This Order is intended to reduce the likelihood of exposure to COVID-19, thereby slowing the spread of COVID-19 in communities worldwide. As the presence of individuals increases, the difficulty and magnitude of tracing individuals who may have been exposed to a case rises exponentially.

This Order may be rescinded when the County's Case Rate per 100,000 in population is 7 or less for 21 consecutive days, and hospitalizations are low and stable (20% or more staffed ICU beds are available) for 3 consecutive days.

This Order is issued in accordance with, and incorporates by reference: the March 4, 2020 Proclamation of a State Emergency issued by Governor Gavin Newsom; the March 12, 2020 Declaration of Local Health Emergency and Proclamation of Emergency based on an imminent and proximate threat to public health from the introduction of novel COVID-19 in the County; the March 17, 2020 Resolution of the Board of Supervisors ratifying the County Declaration of Local Health Emergency and Proclamation of Emergency regarding COVID-19; the March 13, 2020 Presidential Declaration of a National Emergency due to the national impacts of COVID-19; the March 22, 2020, Presidential Declaration of a Major Disaster in California beginning on January 20, 2020 under Federal Emergency Management Agency (FEMA) Incident DR-4482-CA; CDPH / Cal-OSHA Interim Guidance for Ventilation, Filtration, and Air Quality in Indoor Environments issued February 26, 2021; the State Public Health Order issued June 11, 2021; Governor Gavin Newsom's Executive Order N-07-21 of

June 11, 2021; Governor Gavin Newsom’s Executive Order N-08-21 of June 11, 2021; the State Public Health Order issued July 26, 2021; the July 28, 2021 California Department of Public Health Guidance for the Use of Face Coverings; the October 15, 2021 guidance issued by the Centers for Disease Control and Prevention titled Interim Public Health Recommendations for Fully Vaccinated People; and the October 25, 2021 guidance issued by the Centers for Disease Control and Prevention titled Your Guide to Masks; the November 5, 2021 guidance issued by the Centers for Disease Control and Prevention titled Guidance for COVID-19 Prevention in K-12 Schools; and the November 24, 2021 California Department of Public Health Guidance for K-12 Schools in California, 2021-22 School Year.

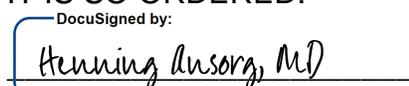
This Order is made in accordance with all applicable State and Federal laws, including but not limited to: Health and Safety Code sections 101040 and 120175; Health and Safety Code sections 101030 et seq., 120100 et seq.; and Title 17 of the California Code of Regulations section 2501.

If any provision of this Order or the application thereof to any person or circumstance is held to be invalid by a court of competent jurisdiction, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

The violation of any provision of this Order constitutes a threat to public health. Pursuant to Government Code sections 26602 and 41601 and Health and Safety Code sections 101029 and 120295, the Health Officer requests that the Sheriff and all chiefs of police in the County ensure compliance with and enforce this Order. Per Health and Safety Code section 101029, “the sheriff of each county, or city and county, may enforce within the county, or the city and county, all orders of the local health officer issued for the purpose of preventing the spread of any contagious, infectious, or communicable disease. Every peace officer of every political subdivision of the county, or city and county, may enforce within the area subject to his or her jurisdiction all orders of the local health officer issued for the purpose of preventing the spread of any contagious, infectious, or communicable disease. This section is not a limitation on the authority of peace officers or public officers to enforce orders of the local health officer. When deciding whether to request this assistance in enforcement of its orders, the local health officer may consider whether it would be necessary to advise the enforcement agency of any measures that should be taken to prevent infection of the enforcement officers.”

Copies of this Order shall promptly be: (1) made available at the County Public Health Department; (2) posted on the County Public Health Department’s website (publichealthsb.org); and (3) provided to any member of the public requesting a copy of this Order.

IT IS SO ORDERED:

DocuSigned by:


Henning Anisorg, M.D.
Health Officer
Santa Barbara County Public Health Department

RESOLUTION NO. 706

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
APPROVING ADOPTION OF GROUNDWATER SUSTAINABILITY PLAN
FOR THE EASTERN MANAGEMENT AREA
OF THE SANTA YNEZ RIVER VALLEY GROUNDWATER BASIN**

WHEREAS, the Santa Ynez River Water Conservation District is a member of the Groundwater Sustainability Agency for the Eastern Management Area in the Santa Ynez River Valley Groundwater Basin (“GSA”), formed by Memorandum of Agreement dated April 27, 2017 (“MOA”);

WHEREAS, the GSA prepared a Draft Groundwater Sustainability Plan (“Draft GSP”) for the Eastern Management Area, which was published for public comment on September 9, 2021;

WHEREAS, after the close of public comment, the GSA prepared a Final Groundwater Sustainability Plan (“Final GSP”), which has been presented to the Santa Ynez River Water Conservation District for its approval;

WHEREAS, under the MOA, the Santa Ynez River Water Conservation District is represented on the GSA Committee, which must approve and adopt the Final GSP;

WHEREAS, the Santa Ynez River Water Conservation District finds that the Final GSP complies with the requirements of the Sustainable Groundwater Management Act (“SGMA”); and

NOW THEREFORE, the Board of Directors of the Santa Ynez River Water Conservation District hereby resolves as follows:

- 1) Each of the recitals above is true and correct and is incorporated herein by reference.
- 2) The Board of Directors finds that the Final GSP, as presented, is consistent with the requirements of SGMA.
- 3) The Board of Directors hereby instructs its representative(s) on the GSA Committee to vote, on the Santa Ynez River Water Conservation District’s behalf, to adopt the Final GSP in substantially the form presented to the Board of Directors, subject to such minor changes as are approved by the representative(s).

The foregoing resolution being on motion of Director Marymee, seconded by Director Jordan, was authorized by the following vote:

AYES, and in favor thereof, Directors:

Cynthia Allen
Mark Altshuler
Art Hibbits
Steve Jordan
Brett Marymee

NOES, Directors:

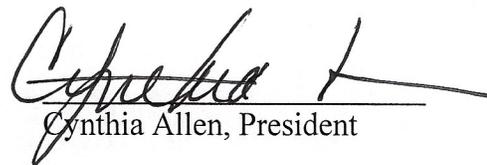
None

ABSENT/ABSTAINING, Directors:

None

I HEREBY CERTIFY that the foregoing resolution is the resolution of said district as duly passed and adopted by said Board of Directors the 1st of December 2021.


Amber Thompson, Secretary


Cynthia Allen, President



County of Santa Barbara BOARD OF SUPERVISORS

Minute Order

November 9, 2021

Present: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY

File Reference No. 21-01002

RE: Consider recommendations regarding the Santa Ynez River Valley Groundwater Basin - Eastern Management Area Groundwater Sustainability Plan, Third and Fifth Districts, as follows:

Acting as the Board of Directors, Water Agency:

- a) Approve the Eastern Management Area Groundwater Sustainability Plan for the Santa Ynez River Valley Groundwater Basin Eastern Management Area;
- b) Authorize the Board's representative and alternate representative on the Eastern Management Area Groundwater Sustainability Agency Committee to take all actions necessary to approve and submit the Groundwater Sustainability Plan; and
- c) Determine that the proposed actions are not a project under the California Environmental Quality Act, pursuant to Guidelines Section 15378(b)(5), organization or administrative activities that will not result in a direct or indirect physical change in the environment, and Water Code section 10728.6.

A motion was made by Supervisor Hartmann, seconded by Supervisor Lavagnino, that this matter be acted on as follows:

Acting as the Board of Directors, Water Agency:

- a) **Approved;**
- b) **Authorized; and**
- c) **Approved.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

B. SUSTAINABLE GROUNDWATER MANAGEMENT ACT:

1. Eastern Management Area Update

The Board packet included various materials relating to the Eastern Management Area Groundwater Sustainability Agency (GSA).

Mr. Garcia reported on the topics discussed at the October 28, 2021 Regular Meeting of the EMA GSA, which included a PowerPoint presentation discussing the GSP development timeline. He indicated that the draft GSP has been circulated to the public and written comments have been received. Mr. Garcia reported that the EMA is currently preparing responses to the written comments which will become part of the final GSP to be sent to the Department of Water Resources in January 2022. He also discussed ongoing stakeholder outreach and the EMA Citizen Advisory Committee meeting that took place on October 11, 2021. He stated that the next meeting of the EMA GSA is scheduled to be held on November 18, 2021.

2. Public Draft Eastern Management Area Groundwater Sustainability Agency - Groundwater Sustainability Plan - Website <https://www.santaynezwater.org/eastern-management-area-groundwater-sustainability-plan>

The Executive Summary of the Public Draft Eastern Management Area Groundwater Sustainability Agency Groundwater Sustainability Plan was included in the Board packet.

Mr. Garcia reported that the Public Draft Groundwater Sustainability Plan (GSP) for the Eastern Management Area was posted for public review and comment on September 8, 2021 and that the public comment period closed on October 24, 2021. He explained that various public comments have been received by the EMA GSA and that responses to comments are being developed and will be incorporated into the final GSP. Mr. Garcia referred to the Executive Summary of the Draft GSP as contained in the Board packet and explained that a complete copy of the Draft GSP has been posted on the SGMA website (santaynezwater.org) and made available at the public library and other designated areas. Mr. Garcia encouraged all Trustees and members of the public to review the electronic version of the draft GSP and to submit any public comments they may desire through the SGMA website. He reported that the EMA GSA will review and consider adoption of the final EMA GSP at its December 2021 or January 2022 meeting prior to submitting the final GSP to the Department of Water Resources by the January 31, 2022 due date. Mr. Garcia reported that each member agency of the EMA GSA must review and consider the GSP prior to the EMA GSA's approval and adoption of the final GSP. Trustee Joos provided comments relating to the public comments submitted on the Draft GSP, future costs of implementing SGMA, and future management of the GSP.

Mr. Garcia recommended the ID No.1 Board concur with an action by the Eastern Management Area Groundwater Sustainability Agency to approve and adopt the final Groundwater Sustainability Plan for the Eastern Management Area in a form substantially similar to the Public Draft GSP, subject to the finalization of the responses to public comments, and that the ID No.1 Board authorize Trustee Joos to cast his vote as a member of the EMA GSA Committee in favor of approving and adopting the final GSP.

It was **MOVED** by Trustee Parker, seconded by Trustee Burchardi and carried by a 4-0-0 roll call vote, with Trustee Holzer absent, that SYRWCD, ID No.1 concurs with an action by the Eastern Management Area Groundwater Sustainability Agency to approve and adopt the final Groundwater Sustainability Plan for the Eastern Management Area in a form substantially similar to the Public Draft Groundwater Sustainability Plan, subject to the finalization of the responses to public comments; and that the Board of Trustees

authorizes Trustee Joos to cast his vote as a member of the Eastern Management Area Groundwater Sustainability Agency Committee in favor of approving and adopting the final Groundwater Sustainability Plan that will be submitted to the State of California, Department of Water Resources, in January 2022.

Mr. Garcia reported that once the final GSP is adopted, the EMA GSA will be required to prepare and submit a first annual report to DWR by April 2022. He reviewed the potential costs related to the annual report and provided information relating to the next steps in the process to set up a new formal governance structure that will address the financial participation of each of the parties and other groundwater producers within the EMA.

C. HEXAVALENT CHROMIUM MAXIMUM CONTAMINANT LEVEL:

1. Notice of Preparation of a Draft Program Environmental Impact Report

The Board packet included a Notice of Preparation of a Draft Program Environmental Impact Report.

Mr. Garcia discussed the history of the California State Water Resources Control Board's regulation of Hexavalent Chromium, referred to as Chromium 6. He reported that the State Board has issued a Notice of Preparation (NOP) of a Draft Program Environmental Impact Report for the preparation of a new Maximum Contaminant Level (MCL) for Chromium 6 in drinking water, where a range of 17 possible MCLs will be evaluated. Mr. Garcia indicated that the public comment period for the NOP opened on November 5, 2021 and closes on December 6, 2021. He reported there is a working group convened through the Association of California Water Agencies (ACWA) that is specific to Chromium 6 which is currently working on a comment letter that will be submitted to the State Board. Mr. Garcia stated he would provide further information to the Board as it becomes available.

D. AMENDMENT TO RULES & REGULATIONS AND CAPITAL FACILITIES CHARGES:

1. Draft Resolution No. XXX: A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement No. 1 Approving the Automatic Annual Adjustments to the Capital Facilities Charges and Meter Installation Fees Contained in Attachment of Appendix "C" and Appendix "D" of the District's Rules and Regulations

The Board packet included a draft Resolution for the automatic annual adjustment to the District's capital facilities charges and meter installation fees pursuant to District Resolution No. 422 and Sections 603 and 709 of the District's Rules and Regulations. The automatic adjustments will take effect on January 1, 2022.

Mr. Garcia explained that the draft Resolution was being provided for advance review by the Board because adjustments to the District's Capital Facilities Charges are implemented through amendments to Appendix "C" and Appendix "D" of the District's Rules and Regulations. He explained that the Board must be provided at least 20-days advance written notice of any proposed amendments or changes to the Rules and Regulations. He stated there was no action required at this time and the draft Resolution would be presented for consideration and action at the December meeting.

11. REPORTS BY THE BOARD MEMBERS OR STAFF, QUESTIONS OF STAFF, STATUS REPORTS, ANNOUNCEMENTS, COMMITTEE REPORTS, OBSERVATIONS AND OTHER MATTERS AND/OR COMMUNICATIONS NOT REQUIRING BOARD ACTION:

RESOLUTION NO. 21 -1152

**A RESOLUTION OF THE CITY OF SOLVANG, COUNTY OF SANTA BARBARA,
APPROVING THE GROUNDWATER SUSTAINABILITY PLAN (GSP) FOR
THE EASTERN MANAGEMENT AREA OF
THE SANTA YNEZ RIVER VALLEY GROUNDWATER BASIN**

WHEREAS, the California legislature passed a statewide framework for sustainable groundwater management, known as the Sustainable Groundwater Management Act (California Water Code § 10720 et seq.) as amended, which became effective January 1, 2015; and

WHEREAS, City of Solvang is a member of the Groundwater Sustainability Agency for the Eastern Management Area in the Santa Ynez River Valley Groundwater Basin (“GSA”), formed by Memorandum of Agreement dated April 27, 2017 (“MOA”); and

WHEREAS, pursuant to the Sustainable Groundwater Management Act (SGMA), sustainable groundwater management is intended to occur pursuant to Groundwater Sustainability Plans (GSP) that are created and adopted by local Groundwater Sustainability Agencies (GSA); and

WHEREAS, the GSA prepared a Draft Groundwater Sustainability Plan (“Draft GSP”) for the Eastern Management Area, which was published for public comment on September 8, 2021; and

WHEREAS, after the close of public comment, the GSA prepared a Final Groundwater Sustainability Plan (“Final GSP”), which has been presented to the City of Solvang for its approval; and

WHEREAS, under the MOA, the City of Solvang is represented on the GSA Committee, which must approve and adopt the Final GSP; and

WHEREAS, City of Solvang finds that the Final GSP complies with the requirements of the Sustainable Groundwater Management Act;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOLVANG DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Each of the recitals above is true and correct and is incorporated herein by reference.

SECTION 2. The City Council finds that the Final GSP, as presented, is consistent with the requirements of SGMA.

SECTION 3. The City Council hereby approves the Final GSP in substantially the form presented to the City Council.

SECTION 4. The City Council hereby instructs its representative on the GSA Committee to vote, on the City of Solvang’s behalf, to adopt the Final GSP in substantially the form presented to the City Council, subject to such minor changes as are approved by the representative.

SECTION 5. This resolution shall be effective immediately upon adoption.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution and shall cause a certified copy to be filed in the book of original resolutions.

PASSED, APPROVED, AND ADOPTED this 22nd day of November 2021.

DocuSigned by:
Charles D. Uhrig
AA641F9AC73D48C...

Charlie Uhrig, Mayor

APPROVED AS TO FORM:

ATTEST:

DocuSigned by:
Dave Fleishman
8CACE76DAD12485...

Dave Fleishman, City Attorney

DocuSigned by:
Annamarie Porter
2EFC6CE62C12406...

Annamarie Porter, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA)ss
CITY OF SOLVANG)

I, Annamarie Porter, City Clerk of the City of Solvang, California do hereby certify that Resolution No. 21-1152 was passed and adopted by the City Council of the City of Solvang at a regular meeting of said City Council held on the 22ND day of November 2021, and thereafter signed and approved by the Mayor and attested by the City Clerk, and that said resolution was adopted by the following vote:

AYES: INFANTI, ORONA, THOMAS, UHRIG

NOES: NONE

ABSTAIN: NONE

ABSENT: CLARKE

DocuSigned by:

2EFC6CE62C12406...

Annamarie Porter, City Clerk



**MINUTES OF THE REGULAR MEETING OF THE
SOLVANG CITY COUNCIL**

November 22, 2021
Monday
6:30 p.m.

CALL TO ORDER

Mayor Uhrig called the meeting to order at 6:30 p.m. in the City Hall Council Chamber, 1644 Oak Street, Solvang, California.

ROLL CALL

Present: Mayor Charlie Uhrig; Mayor pro tem Claudia Orona; Councilmembers Mark Infanti, Jim Thomas.

Absent Councilmember Robert Clarke

Staff: City Manager Xenia Bradford, City Attorney David Fleishman, City Clerk Annamarie Porter.

PLEDGE OF ALLEGIANCE

Led by Mayor pro tem Orona

CEREMONIAL ITEMS/COMMENDATIONS - None

PRESENTATIONS - None

1. PUBLIC COMMUNICATIONS – NON-AGENDA AND CONSENT AGENDA ITEMS WRITTEN OR VERBAL

City Clerk Porter invited members of the public to comment on items not in the agenda.

Susan Lee discussed Visitor Center operations; reported it is ready for Christmas; noted some of the lights on the pillars are not working; announced the start of candlelight tours and addressed the need for masks for indoor events.

Mayor pro tem Orona suggested holding the meet-and-greet, outdoors.

There were no other public comments.

2. CITY MANAGER REPORT

City Manager Bradford narrated a PowerPoint presentation addressing Julefest events, an upcoming General Plan Community Workshop, and upcoming Commission and Committee meetings; discussed the Drought Stage 2 mandates and presented details of the Advance Calendar.

3. COUNCIL COMMENTS, REQUESTS AND ADVANCE CALENDAR

Councilmember Infanti reported attending an Econ Alliance event and discussed an upcoming report.

6. APPROVE THE GROUNDWATER SUSTAINABILITY PLAN AND RESOLUTION NO. 21-1152

Adopt Resolution No. 21-1152 approving the Groundwater Sustainability Plan (GSP) for the Eastern Management Area of the Santa Ynez River Valley Groundwater Basin

City Manager Bradford introduced the item; addressed recommendations and deferred to Bill Buelow with the Santa Ynez River Water Conservation District for a presentation.

Mr. Buelow narrated a PowerPoint presentation on the Sustainability Groundwater Management Act and the requirement to develop a Groundwater Sustainability Plan.

Discussion followed regarding Members of the Citizen Advisory Committee, participation by the Chumash, representation by Janin Acres, undesirable results to be addressed, remediating water-quality issues, and plans if the drought continues.

Mayor Uhrig invited public comments. There was no response and Mayor Uhrig closed public comments.

Motion by Councilmember Infanti to adopt Resolution No. 21-1152 approving the Groundwater Sustainability Plan (GSP) for the Eastern Management Area of the Santa Ynez River Valley Groundwater Basin, seconded by Mayor pro tem Orona, and carried with a roll call vote of 4-0, with Councilmember Clarke, absent.

7. UTILITY RATE STUDY PROCESS AND INITIAL ANALYSIS (WATER AND WASTEWATER)

Receive a presentation on Utility Rate Study process and initial analysis. Provide staff with policy direction.

City Manager Bradford introduced the item and deferred to the City's Consultant Shawn Koorn, HDR Engineering, for a presentation.

Consultant Shawn Koorn narrated a PowerPoint presentation of the utility rate study process and initial analysis of water and sewer.

Discussion followed regarding transitioning slowly into new rates, Proposition 218, plans for commercial and hotel rates and required minimum reserves.

City Manager Bradford spoke about reviewing the pros and cons about moving the large project out one or two years.

Councilmember Infanti commented on the possibility of the City borrowing from the General Fund and setting a schedule for repayment.

Consultant Koorn continued with his presentation addressing a cost-of-service analysis, a generic water and sewer cost of service methodology, the rate structure and cost relationships, rate design, rate setting goals and objectives, current water rate structures, tiered versus non-tiered structures, local and regional residential water bill comparisons, current sewer rate structures, local and regional residential sewer bill comparisons and next steps.

Mayor Uhrig invited public comments. There was no response and Mayor Uhrig closed public comments.

City Council took no action on this item.

Motion by Councilmember Thomas to continue the meeting beyond 9:30 p.m., seconded by Councilmember Infanti, and carried with a roll call vote of 3-1, with Mayor pro tem Orona, opposed and Councilmember Clarke, absent.

8. RECEIVE JULEFEST PROGRAM UPDATE

Receive an update from IDK Events LLC (Cogs & Marvel) on Julefest program for 2021

Legal Notice of Public Hearings that was published in Santa Barbara News Press
Editions on Friday, December 17, 2021 and Friday, December 24, 2021

Notice of Public Hearings for adoption of the Groundwater Sustainability Plans for the Santa Ynez River Valley Groundwater Basin

Pursuant to California Water Code Section 10728.4, the Groundwater Sustainability Agencies (GSAs) of the Santa Ynez River Valley Groundwater Basin (Basin) (DWR Bulletin 118 Groundwater Basin: 3-015) will hold Public Hearings to accept public comment and consider adoption of the Final Groundwater Sustainability Plan (GSP) for the respective management area of the Basin.

- **Central Management Area (CMA) GSP: Monday, January 3, 2022 at 10:00 am**
- **Western Management Area (WMA) GSP: Wednesday, January 5, 2022 at 10:00 am**
- **Eastern Management Area (EMA) GSP: Thursday, January 6, 2022 at 6:30 pm**

Public participation will be available via Zoom. For additional information on methods of participation in the Public Hearings, GSA Committee meetings and to review the Final Groundwater Sustainability Plans, visit SantaYnezWater.org. The public hearings may be continued to subsequent meetings of the GSA Committees.

The GSPs were prepared in response to passage of the Sustainable Groundwater Management Act of 2014 and applies to areas within the three management areas of the Basin. The public, agencies and other interested parties are invited to attend the public hearings and provide written and verbal comments. Comments received during the public hearing will be considered by the GSA Committee for its determination to adopt the proposed GSP. For more information, contact Bill Buelow at (805) 693-1156 or email BBuelow@SYRWCD.com.

DEC 17, 24 / 57842

DIRECTORS:

DIVISION 1
CYNTHIA ALLEN, President
Lompoc

DIVISION 2
STEPHEN E. JORDAN
Lompoc

DIVISION 3
MARK ALTSHULER
Vandenberg Village - Mission Hills

DIVISION 4
ART HIBBITS
Buellton - Lompoc

DIVISION 5
J. BRETT MARYMEE
Solvang - Santa Ynez

Santa Ynez River

WATER CONSERVATION DISTRICT

P.O. Box 719 - 3669 Sagunto Street, Suite 101

Santa Ynez, California 93460

Telephone: (805) 693-1156

FAX: (805) 693-4607

August 6, 2021

GENERAL MANAGER:

KEVIN D. WALSH

SECRETARY:

AMBER M. THOMPSON

TREASURER:

WILLIAM J. BUELOW, PG

CONSULTANTS:

STEVE TORIGIANI
General Counsel

STETSON ENGINEERS
Engineer

VIA ELECTRONIC MAIL

Ms. Xenia Bradford, City Manager
City of Solvang
1644 Oak Street
Solvang, CA 93463

Ms. Jacquelyne Alexander, Clerk of the Board
Santa Barbara County
105 East Anapamu Street
Santa Barbara, CA 93101

RE: Notice of Proposed Groundwater Sustainability Plan for the Eastern Management Area of the Santa Ynez River Valley Groundwater Basin Groundwater Sustainability Agency [Water Code § 10728.4 Notice per SGMA]

Dear Ms. Bradford and Ms. Alexander:

The Santa Ynez River Water Conservation District (District) is the coordinating agency for three Groundwater Sustainability Agencies (GSA) in the Santa Ynez River Valley Groundwater Basin (Basin). The three GSAs are preparing Groundwater Sustainability Plans (GSP) pursuant to the Sustainable Groundwater Management Act, Water Code section 10720 et seq. (SGMA). As provided in Water Code section 10728.4, SGMA requires each GSA proposing to adopt a GSP to provide notice of the proposed GSP to any city or county within the area of the GSP at least 90 days before holding a public hearing regarding adoption of the GSP.

The GSA for the Eastern Management Area (EMA) of the Basin is hereby providing notice to the City of Solvang and the County of Santa Barbara of the proposed adoption of a GSP for the EMA portion of the Basin. Sections of the Draft GSP are available on the SGMA website at www.santaynezwater.org or by contacting me at the District. This notice is provided pursuant to Water Code section 10728.4. As required by that section, the EMA GSA shall review and consider any comments from the City or County and consult with the City and County if they request such consultation within 45 days of receiving this notice. Following a public hearing, the EMA GSA will consider adopting the GSP. While subject to change, the public hearing on the GSP is currently scheduled to occur on or after December 9, 2021. Please let me know if you have any questions or concerns. I can be reached at 805-620-7985.

Sincerely,

**SANTA YNEZ RIVER WATER
CONSERVATION DISTRICT**



William J. Buelow, P.G.
Groundwater Resources Manager

cc: EMA GSA Committee/Staff

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

RESOLUTION EMA-2021-002

**RESOLUTION AUTHORIZING THE EMA CHAIRPERSON TO SIGN THE SANTA
YNEZ RIVER VALLEY GROUNDWATER BASIN COORDINATION AGREEMENT**

WHEREAS, the Groundwater Sustainability Agency for the Eastern Management Area in the Santa Ynez River Valley Groundwater Basin (“GSA”), formed by Memorandum of Agreement dated April 27, 2017 (“MOA”), is the exclusive GSA for the Eastern Management Area of the Santa Ynez River Valley Groundwater Basin (Bulletin 118 Basin No. 3-015) (“Basin”);

WHEREAS, the GSA has prepared a Groundwater Sustainability Plan (“GSP”) for the Eastern Management Area;

WHEREAS, Water Code section 10727.6 requires each GSA to “coordinate with other agencies preparing a groundwater sustainability plan within the basin to ensure that the plans utilize the same data and methodologies”;

WHEREAS, Water Code section 10727(b)(3) requires that multiple GSPs implemented by multiple GSAs must be coordinated pursuant to a coordination agreement that covers the entire Basin;

WHEREAS, in February 2020, the individual member agencies of the three GSAs in the Basin executed that Intra-Basin Administrative Agreement for Implementation of the Sustainable Groundwater Management Act in the Santa Ynez River Valley Groundwater Basin, dated February 26, 2020 (“Intra-Basin Agreement”);

WHEREAS, in the Intra-Basin Agreement, the member agencies of the Parties agreed to develop and execute a Coordination Agreement in accordance with Water Code sections 10727(b)(3), 10727.6, and 10733.4(b)(3), and California Code of Regulations, title 23, Section 357.4;

WHEREAS, a Coordination Agreement has been prepared in consultation with staff of the member agencies of all three GSAs in the Basin and presented to this GSA for approval; and

WHEREAS, the GSA finds that the Coordination Agreement complies with the requirements of the Sustainable Groundwater Management Act (“SGMA”).

NOW THEREFORE, the GSA hereby resolves as follows:

- 1) Each of the recitals above is true and correct and is incorporated herein by reference.
- 2) The GSA finds that that the Coordination Agreement complies with the requirements of SGMA.

- 3) The GSA hereby authorizes and instructs its Chairperson to execute the Coordination Agreement in substantially the form presented to the GSA, subject to such minor changes as are approved by the Chairperson.

PASSED AND ADOPTED by the governing Committee of the EMA GSA on November 18, 2021 by the following roll call vote:

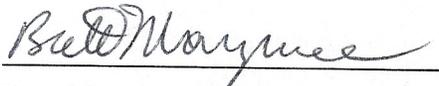
AYES: Brad Joos, Joan Hartmann, Mark Infanti, Brett Marymee

NOES: None

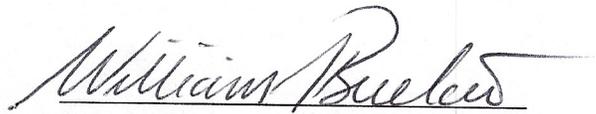
ABSENT: None

ABSTAINED: None

ATTEST:



Brett Marymee, Chairman



William J. Buelow, Secretary

Santa Ynez River Valley Groundwater Basin Coordination Agreement

This Coordination Agreement (“Agreement”) is made by and between the Santa Ynez River Valley Groundwater Basin Western Management Area Groundwater Sustainability Agency (“WMA GSA”), the Santa Ynez River Valley Groundwater Basin Central Management Area Groundwater Sustainability Agency (“CMA GSA”), and the Santa Ynez River Valley Groundwater Basin Eastern Management Area Groundwater Sustainability Agency (“EMA GSA”) pursuant to the Sustainable Groundwater Management Act (Water Code, div. 6, part 2.74) (“SGMA”). WMA GSA, CMA GSA, and EMA GSA are referred to herein collectively as the “Parties” and individually as a “Party” or a “GSA.” This Agreement shall be effective as of January 1, 2022 (“Effective Date”).

Recitals

A. WHEREAS, SGMA requires all groundwater basins designated as high or medium priority by the California Department of Water Resources (“DWR”) to be managed by one or more Groundwater Sustainability Agencies (“GSAs”) pursuant to one or more Groundwater Sustainability Plans (“GSPs”).

B. WHEREAS, the Santa Ynez River Valley Groundwater Basin (DWR Bulletin 118 Basin Number 3-015) (“Basin”) has been designated as a medium-priority basin by DWR.

C. WHEREAS, the WMA GSA was formed by the City of Lompoc, the Vandenberg Village Community Services District, the Mission Hills Community Services District, the Santa Ynez River Water Conservation District, and the Santa Barbara County Water Agency pursuant to that Memorandum of Agreement for Formation of a Groundwater Sustainability Agency for the Western Management Area in the Santa Ynez River Valley Groundwater Basin Under the Sustainable Groundwater Management Act, dated January 11, 2017 (“WMA MOA”).

D. WHEREAS, the CMA GSA was formed by the City of Buellton, the Santa Ynez River Water Conservation District, and the Santa Barbara County Water Agency pursuant to that Memorandum of Agreement for Formation of a Groundwater Sustainability Agency for the Central Management Area in the Santa Ynez River Valley Groundwater Basin Under the Sustainable Groundwater Management Act, dated January 11, 2017 (“CMA MOA”).

E. WHEREAS, the EMA GSA was formed by the City of Solvang, the Santa Ynez River Water Conservation District, Improvement District No. 1, the Santa Ynez River Water Conservation District, and the Santa Barbara County Water Agency pursuant to the Memorandum of Agreement for Formation of a Groundwater Sustainability Agency for the Eastern Management Area in the Santa Ynez River Valley Groundwater Basin Under the Sustainable Groundwater Management Act, dated April 27, 2017 (“EMA MOA”).

F. WHEREAS, each Party is authorized to prepare and adopt a GSP under SGMA for a portion of the Basin, and pursuant to the WMA MOA, the CMA MOA, and the EMA MOA, each Party determined to prepare a separate GSP for its respective Management Area in the Basin.

G. WHEREAS, in February 2020, the individual member agencies of the Parties executed that Intra-Basin Administrative Agreement for Implementation of the Sustainable Groundwater Management Act in the Santa Ynez River Valley Groundwater Basin, dated February 26, 2020 (“Intra-Basin Agreement”).

H. WHEREAS, Water Code section 10727.6 requires each GSA to “coordinate with other agencies preparing a groundwater sustainability plan within the basin to ensure that the plans utilize the same data and methodologies.”

I. WHEREAS, Water Code section 10727(b)(3) requires that multiple GSPs implemented by multiple GSAs must be coordinated pursuant to a coordination agreement that covers the entire Basin.

J. WHEREAS, in the Intra-Basin Agreement, the member agencies of the Parties agreed to develop and execute this Agreement in accordance with Water Code sections 10727(b)(3), 10727.6, and 10733.4(b)(3), and California Code of Regulations, title 23, Section 357.4.

K. WHEREAS, throughout the process of developing the three GSPs for the Basin, numerous activities were undertaken within each Management Area and among the Management Areas and Parties pursuant to Water Code section 10727.6 to coordinate on a full range of topics relevant to SGMA, including, without limitation, the following:

1. Shared data and methodologies for the topics listed in Water Code section 10727.6
2. Description of geologic units in each Management Area
3. Description of principal aquifers and proposed management under SGMA
4. Methodology for assessing factors such as agricultural and municipal water demands, groundwater and surface water production, irrigation return flow, irrigation efficiencies, crop water use factors, mountain front recharge, stream infiltration, septic return flow, evapotranspiration, municipal water use (inside and outside), non-municipal domestic water use, and discharge from wastewater treatment plants, including manner of disposal
5. Groundwater model domain, layering, layer elevations and thicknesses, ground surface digital elevation model, and numerical model code
6. Precipitation and streamflow data including existing and discontinued gauges
7. Historical water level data
8. Deliveries and use of imported State Water Project (“SWP”) water
9. Deliveries and use of Cachuma Project water
10. Diversions and use of Santa Ynez River water
11. Phreatophyte water use
12. Parameters for each principal aquifer, including transmissivity, storativity, and porosity
13. Land use survey datasets and trends throughout the Basin
14. Groundwater flux between Management Areas and the adjacent groundwater basin

15. Base period for water budgets
16. Mountain front recharge
17. Geophysical investigations
18. Criteria for selection of monitoring networks and sustainable management criteria
19. Estimates of funding needs for implementation of the GSPs

L. WHEREAS, consultants for the Parties, including GSI Water Solutions, Inc., Stetson Engineers Inc., and Geosyntec Consultants, participated in at least 35 meetings to discuss the development and coordination of technical elements of the three GSPs for the Basin, in addition to numerous meetings of Citizens' Advisory Groups in each Management Area.

Agreement

Now, therefore, the Parties agree as follows:

Article 1. Purpose

The purpose of this Agreement is to comply with SGMA coordination agreement requirements, ensure that the multiple GSPs within the Basin have been prepared utilizing the same data and methodologies for designated assumptions, as required under Water Code section 10727.6 and California Code of Regulations, title 23, sections 350 et seq. ("SGMA Regulations"), and ensure that the elements of the GSPs are appropriately coordinated to support sustainable groundwater management throughout the Basin.

The Parties intend that this Agreement be a description of how the multiple GSPs, developed by the individual GSAs, are implemented together to satisfy the requirements of SGMA. Each Party will include this Agreement as part of its individual GSP.

Article 2. Plan Manager and Point of Contact – § 357.4(b)(1)

§2.1 Designation of Plan Manager

- (a) The Parties designate the current Groundwater Program Manager of the Santa Ynez River Water Conservation District ("SYRWCD") to serve as the Plan Manager for the GSAs, as defined in SGMA Regulations section 351(z). In the event (i) said Plan Manager ceases to be employed by SYRWCD, (ii) SYRWCD elects to discontinue said designation of Plan Manager, or (iii) any Party requests the designation of a new Plan Manager, the Parties shall consider the designation of a new Plan Manager.
- (b) The designation of a new Plan Manager requires unanimous agreement by the Parties. Any failure to obtain unanimous agreement shall be subject to the dispute resolution procedures set forth in this Agreement.

§2.2 Responsibilities of Plan Manager

- (a) The Plan Manager shall serve as the point of contact for DWR as specified in SGMA Regulations section 357.4(b)(1).

- (b) The Plan Manager shall submit or direct the submittal of all GSPs, GSP amendments, supporting information, monitoring data, other pertinent information, annual reports, and periodic evaluations to DWR as required by SGMA and the SGMA Regulations.
- (c) The Plan Manager has no authority to take any action on behalf of the GSAs or a particular GSA without the specific direction and authority of the GSAs or the particular GSA, respectively.

Article 3. Responsibilities and Procedures – § 357.4(b)(2)

§3.1 Responsibility of the Parties

The Parties shall work collaboratively to comply with SGMA, the SGMA Regulations, and this Agreement in the implementation of their GSPs. This Agreement does not otherwise affect each Party's responsibility to implement the terms of its respective GSP. Rather, this Agreement is a mechanism through which the Parties will coordinate portions of the multiple GSPs to ensure such GSP coordination complies with SGMA and the SGMA Regulations.

§3.2 Procedure for Timely Exchange of Information

The Parties will continue to exchange information through collaboration and/or informal requests made among staff for the member agencies of the Parties. Nothing in this Agreement shall be construed to prohibit any Party from requesting or exchanging information with any other Party by any other informal or formal means.

§3.3 Procedure for Dispute Resolution

- (a) The Parties agree to mediate any claim or dispute arising under this Agreement or concerning a Party's compliance with the requirements of SGMA before filing any court action ("Dispute"). Any Party may elect not to mediate a Dispute, but if a Party commences a court action without first attempting to resolve the matter through mediation that Party will not be entitled to recover attorneys' fees or costs, even if such fees or costs would otherwise be available to that Party in any such action. A Party will satisfy the requirement for "first attempting to resolve the matter through mediation" by proceeding or otherwise participating in accordance with the entire process set forth in this article.
- (b) In the event of a Dispute, or where the Parties cannot reach agreement on any matter arising under this Agreement or concerning a Party's compliance with the requirements of SGMA, any Party may issue a Notice of Dispute to the other Parties that describes in detail the claim or disputed matter. Within twenty (20) calendar days from the date of the Notice of Dispute, at least one meeting shall be conducted among the Parties who choose to participate as a good faith attempt to resolve the Dispute informally ("Informal Dispute Resolution").
- (c) In the event the Dispute is not resolved through Informal Dispute Resolution within forty-five (45) calendar days from the date of the Notice of Dispute, the Party that issued the initial Notice of Dispute shall provide

a separate written notification to all Parties that participated in the Informal Dispute Resolution process which identifies three mediator candidates, each of whom must be an attorney, engineer, or hydrogeologist experienced and familiar with SGMA, to mediate the Dispute (“Formal Dispute Resolution”). All mediator candidates must be unbiased neutrals who are not participants in any of the GSAs in the Basin and who are not officials, officers, employees, contractors, consultants, or agents of any of the Parties to this Agreement or a Parties’ member agencies. Within ten (10) days of receiving a written notification initiating Formal Dispute Resolution, all Parties that elect to participate in such Formal Dispute Resolution may provide a written response consenting to one or more of the mediator candidates or identifying up to three additional qualified neutral mediator candidates. Thereafter, if a mediator is not mutually agreed upon by said participating Parties from the combined list within fifteen (15) calendar days, each Party will submit two potential mediators that they would approve and a mediator will be picked by a non-Party through random selection from the Parties’ combined lists of remaining mediators. Once initiated, the Formal Dispute Resolution will conclude within forty-five (45) calendar days.

- (d) Mediation fees, if any, will be equally divided among the Parties that elect to participate in a mediation. Each Party involved in the mediation will be responsible for its own attorneys’ fees and costs.
- (e) This article shall not preclude any Party from meeting and conferring with any other Party or Parties to mutually resolve a Dispute prior to requesting or participating in the mediation processes described in this article. This article shall not preclude any Party from seeking a preliminary injunction or other interlocutory relief if necessary to avoid irreparable harm or damages.
- (f) For purposes of this article, the Parties agree that up to two (2) representatives from each member agency of each Party may participate in any meetings or discussions related to Informal Dispute Resolution or Formal Dispute Resolution processes.
- (g) If the Parties to this Agreement enter into any agreement for the joint exercise of powers or amendment to the Inter-Basin Agreement, they may provide in such agreement or amendment for dispute resolution procedures that may replace, revise, or supplement the procedures in this article.

Article 4. Groundwater Level Data and Monitoring Network – § 357.4(b)(3)(A)

§4.1 Coordinated Monitoring Networks

The Parties have developed coordinated monitoring networks in accordance with SGMA Regulations sections 354.32 through 354.40. The monitoring networks comprise wells included in the California Statewide Groundwater Elevation Monitoring (“CASGEM”) Program and other existing monitoring networks maintained by federal, state, and local agencies. Wells were selected

based on their adequacy under DWR's regulations and Best Management Practices. A map of the combined network, as well as a table of the included wells, is attached hereto as Appendix 1. A Party may add or remove wells from the monitoring network in its respective GSP by providing written notice to the other Parties and to the Plan Manager. The coordinated monitoring networks are intended to accomplish the following objectives:

- (a) demonstrate progress toward achieving measurable objectives described in the respective GSPs;
- (b) monitor potential impacts to beneficial uses and users of groundwater in the Basin;
- (c) monitor changes in groundwater conditions relative to measurable objectives and minimum thresholds described in the respective GSPs; and
- (d) monitor and quantify annual changes in water budget components.

§4.2 Groundwater Elevation Data

Groundwater elevation data to be used for the purposes of estimating changes in groundwater storage, evaluating sustainable management criteria, preparing annual reports, and measuring groundwater sustainability will be collected via the coordinated monitoring networks described in article 4.1 above and Appendix 1 to this Agreement.

Article 5. Coordinated Water Budgets – § 357.4(b)(3)(B)

§5.1 Coordinated Budgets

In accordance with SGMA Regulations section 354.18, the Parties have prepared coordinated water budgets for the Basin, relying on common assumptions and sources of data. The historical water budget in each GSP uses data from water years 1982-2018. The current water budget in each GSP uses data from water years 2011-2018. The projected water budget in each GSP analyzes conditions for water years 2018-2072.

§5.2 Groundwater Extraction Data

Groundwater extractions within the boundaries of the SYRWCD are subject to reporting requirements imposed by SYRWCD under the Water Conservation District Act (Wat. Code, §§ 74000, *et seq.*). The water budgets utilize those reported numbers within those boundaries. For lands outside the boundaries of SYRWCD, the water budgets estimate extractions by calculating crop evapotranspiration for particular land uses, relying on the same crop duty factors used by the SYRWCD. In addition, for small public water systems (pumping outside of SYRWCD), reported pumping data was utilized from the California Drinking Water Information Clearinghouse ("DRINC"). All Management Areas currently have plans to require well metering, or an alternative approved method, to increase the accuracy of reported groundwater extraction data.

§5.3 Surface Water Supply

The water budgets utilize streamflow gages for the Santa Ynez River and certain tributaries maintained by the United States Geological Survey. For data regarding the Cachuma Project (including releases from Bradbury Dam), the water budgets use data from the United States Bureau

of Reclamation. For data regarding State Water Project deliveries, the water budgets use data from the Central Coast Water Authority (“CCWA”).

§5.4 Total Water Use

Total water use in the water budgets is calculated using assumptions based on historical estimates provided in Stetson Engineers (1992) *Santa Ynez River Water Conservation District, Water Resources Management Planning Process, Phase I: Baseline Data and Background Information* and groundwater extraction data reported to the SYRWCD. In addition, surface water use for State Water Project and Cachuma Project deliveries are based on records from the CCWA and Reclamation, respectively.

§5.5 Change in Groundwater Storage

The water budgets calculate change in groundwater storage using the data described in this article. For deep percolation of precipitation, the water budgets use the United States Geological Survey’s Basin Characterization Model (May 2017; Retrieved October 2020). For subsurface inflows and outflows, modeling was coordinated between the GSAs and the flows across Management Area boundaries are consistently accounted for across the water budgets. Change of groundwater in storage in each Management Area is calculated by 1) developing water level elevation contour maps using representative wells for each reporting period, 2) computing a change in elevation between reporting periods, 3) computing the volume of aquifer this represents, and 4) multiplying a storage coefficient value by the aquifer volume to compute the volumetric change in storage (positive or negative relative to the previous reporting period).

Article 6. Sustainable Yield and Undesirable Results – § 357.4(b)(3)(C)

§6.1 Determination of Sustainable Yield

Sustainable yield is defined in SGMA as “the maximum quantity of water, calculated over a base period representative of long-term conditions in the basin and including any temporary surplus that can be withdrawn annually from a groundwater supply without causing an undesirable result.” As further set forth in the GSPs, each Party has estimated the sustainable yield of its respective Management Area in the Basin by using a calculated water budget and related adjustments based on particular circumstances in each Management Area that may create undesirable results as defined by SGMA and established by the respective GSAs in the Basin.

§6.2 Estimate of Sustainable Yield

The respective GSPs estimate the sustainable yield of the Basin to be 42,070 acre-feet per year (AFY), with 12,870 AFY in the EMA, 2,800 AFY in the CMA, and 26,400 AFY in the WMA. This estimate is subject to future revision based on changes in conditions and additional data regarding water budget components and the potential for undesirable results in the respective Management Areas.

Article 7. Process for Submissions to DWR – § 357.4(d)

§7.1 GSP and Coordination Agreement Submission

The Parties shall submit their respective GSPs to DWR through the Plan Manager in accordance with SGMA and the SGMA Regulations. In accordance with SGMA Regulations section 357.4(c), the Parties intend that adherence to the provisions and procedures set forth in

articles 1 through 7 of this Agreement, along with adherence to the provisions and procedures of the Intra-Basin Agreement and the respective GSPs, will provide the necessary platform and mechanisms to ensure that the GSPs, implemented together, will satisfy the requirements of SGMA (including but not limited to Water Code sections 10727.2, 10727.4, and 10727.6) and ensure sustainable groundwater management for the entire Basin.

§7.2 Periodic Evaluations and Plan Amendments

The periodic evaluations required by SGMA Regulations section 356.4, as well as any amendments to any GSP, shall be submitted to DWR through the Plan Manager. A Party intending to amend its GSP shall endeavor in good faith to provide the other Parties with as much advance notice of such activity as practically possible, but in any event no less than what SGMA and the SGMA Regulations require for public notice.

§7.3 Monitoring Data

As provided by SGMA Regulations section 354.40, the Plan Manager shall submit monitoring data on forms provided or approved by DWR and included in the Annual Reports.

§7.4 Annual Reports

Each Party, for its respective GSP, shall endeavor to provide the data and information required by SGMA Regulations section 356.2 to the Plan Manager by January 31 of the year in which an Annual Report is due. Draft annual reports shall be provided by the Plan Manager to the Parties for approval, and the final reports shall be submitted to DWR by the Plan Manager after final approval by the Parties.

Article 8. Coordinated Data Management Systems – § 357.4(e)

The Parties have developed two separate Data Management Systems, one for the EMA and the other for the CMA and WMA, that are capable of storing and reporting information relevant to the development and implementation of the respective GSPs, including Basin monitoring. The Parties will coordinate with the Plan Manager to ensure that these systems collect, store, and report the data necessary for implementation of the GSPs and reporting to DWR.

Article 9. Adjudicated Areas and Adopted Alternatives - § 357.4(f)

As of the Effective Date of this Agreement, no portions of the Basin have been adjudicated or have submitted an alternative to a GSP for DWR approval pursuant to Water Code section 10733.6.

Article 10. Duration, Modification, and Termination

§10.1 Duration of Agreement

This term of this Agreement shall begin on the Effective Date and continue until modified or terminated as provided for in this article.

§10.2 Review and Modification

This Agreement shall be reviewed by the Parties as part of each five-year assessment of the GSPs and may be supplemented, amended, or modified only by the unanimous written agreement of the Parties.

§10.3 Adding Parties

By unanimous written agreement of the existing Parties, a new or additional GSA or GSAs may be added to this Agreement if such entity or entities will submit a GSP within the Basin.

§10.4 Termination/Withdrawal

This Agreement may be terminated by the unanimous written approval of the Parties. Upon thirty (30) calendar days written notice to the other Parties, any Party may withdraw from this Agreement, and the Agreement shall remain in effect for the remaining Parties.

Article 11. Groundwater Rights

The Parties agree that nothing in this Agreement represents or should be construed as the determination of any claim or assertion of a groundwater right; specifically, the Parties agree that the coordinated water budget information or data does not amount to an allocation, or otherwise represent a determination, validation, or denial of any claimed or asserted groundwater right.

Article 12. General Provisions

§12.1 Entire Agreement

This Agreement incorporates the entire and exclusive agreement of the Parties with respect to the matters described herein and supersedes all prior negotiations and agreements (written, oral, or otherwise) related thereto; provided, however, this Agreement does not amend or modify the WMA MOA, the CMA MOA, the EMA MOA, or the Intra-Basin Agreement, as those documents may be amended or supplemented. The Recitals set forth above are hereby incorporated into this Agreement.

§12.2 Execution in Counterparts

This Agreement may be executed in two or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

§12.3 Notices

Any formal notice required or other formal communication given under the terms of this Agreement will be in writing to all of the Parties and will be given personally, by electronic mail (email), by certified mail (postage prepaid and return receipt requested), or by express courier (with confirmation of receipt). The date of receipt of any written notice provided hereunder will be the date of actual personal service, email, or courier service, or three days after the postmark on certified mail.

§12.4 Counsel

The Parties recognize that as of the Effective Date, independent legal counsel has not been retained to represent any of the three Parties. The Parties agree that the participation of counsel for any individual member agency of a Party in matters related to this Agreement will not be construed to create an attorney-client relationship or a duty of loyalty between the attorney and any Party, and no such relationship will be deemed to arise by implication as a result of this Agreement. The provisions of this article will not be affected in the event that any or all of the Parties determine(s) to retain independent legal counsel.

Date: 12-14-21

Chris Brooks

Western Management Area GSA

By: Chris Brooks

Its: Chairperson

Date: 12/14/2021

E. Andrisek

Central Management Area GSA

By: Edward Andrisek

Its: Chairperson

Date: 12/20/2021

J. Brett Marymee

Eastern Management Area GSA

By: J. Brett Marymee

Its: Chairperson

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

RESOLUTION EMA-2022-001

RESOLUTION ADOPTING GROUNDWATER SUSTAINABILITY PLAN FOR THE EASTERN MANAGEMENT AREA OF THE SANTA YNEZ RIVER VALLEY GROUNDWATER BASIN

WHEREAS, the Sustainable Groundwater Management Act (“SGMA”) requires that each groundwater basin in the state be managed by a Groundwater Sustainability Agency (“GSA”), or multiple GSAs, and that such management be pursuant to an approved Groundwater Sustainability Plan (“GSP”), or multiple GSPs;

WHEREAS, the Groundwater Sustainability Agency for the Eastern Management Area in the Santa Ynez River Valley Groundwater Basin (“EMA GSA”), formed by Memorandum of Agreement dated April 27, 2017 (“EMA MOA”), is the exclusive GSA for the Eastern Management Area of the Santa Ynez River Valley Groundwater Basin (Bulletin 118 Basin No. 3-015) (“Basin”);

WHEREAS, the EMA GSA has prepared a Groundwater Sustainability Plan (“GSP”) for the Eastern Management Area;

WHEREAS, on August 6, 2021, the EMA GSA gave notice under Water Code section 10728.4 to the City of Solvang and to Santa Barbara County regarding its intent to adopt the GSP;

WHEREAS, on September 09, 2021, the EMA GSA released the Public Draft GSP (dated September 2021), requesting comments from interested persons and agencies by October 24, 2021;

WHEREAS, on December 17 and December 24, 2021, notice was published in the Santa Barbara News Press of the public hearing on adoption of the GSP to be held at 10:00 a.m. on January 3, 2022;

WHEREAS, the Final GSP, with responses to public comments received, was presented to the EMA GSA Committee in a public hearing at 06:30 p.m. on January 6, 2022;

WHEREAS, the EMA GSA, together with the other two GSAs in the Basin, has entered into the Santa Ynez River Valley Groundwater Basin Coordination Agreement (“Coordination Agreement”), effective January 1, 2022; upon adoption of the GSP, Water Code Section 10733.4 requires that the GSP be submitted to DWR for review on or before January 31, 2022

NOW THEREFORE, the EMA GSA hereby resolves as follows:

- 1) Each of the recitals above is true and correct and is incorporated herein by reference.
- 2) The GSA finds that that the GSP and Coordination Agreement comply with the requirements of SGMA.
- 3) Pursuant to Water Code section 10728.4, the EMA GSA hereby adopts the GSP as the GSP for the Eastern Management Area of the Santa Ynez River Valley Groundwater Basin
- 3) The GSA hereby authorizes and instructs the Plan Manager designated under the Coordination Agreement to submit or direct the submittal of the GSP to the Department of Water Resources (“DWR”) as required by SGMA and the SGMA Regulations. The Plan Manager is authorized to make any minor, administrative changes to the GSP that are required for submittal to DWR.
- 4) Should DWR require substantive changes to the GSP adopted herein, the Plan Manager shall bring such changes back to the EMA GSA Committee for review and adoption.

DRAFT