

RESOLUTION NO. 2023-001

**A RESOLUTION ADOPTING AN EMA WELL VERIFICATION POLICY
FOR ADMINISTERING REQUESTS FOR WRITTEN VERIFICATIONS
IN THE EASTERN MANAGEMENT AREA
OF THE SANTA YNEZ RIVER VALLEY GROUNDWATER BASIN**

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, in compliance with the Sustainable Groundwater Management Act (“SGMA”), on January 6, 2022, the EMA GSA adopted the EMA Groundwater Sustainability Plan (“Plan”) that establishes the EMA GSA’s groundwater management program and sustainability goal for the EMA;

WHEREAS, SGMA authorizes a local GSA to manage a groundwater basin in a sustainable manner pursuant to its groundwater sustainability plan;

WHEREAS, Water Code Section 10725.2 authorizes the EMA GSA to adopt rules, regulations, ordinances, and resolutions for the purpose of complying with SGMA, and to perform any act necessary or proper to carry out the purposes of SGMA;

WHEREAS, On July 21, 2022 the EMA GSA approved a document entitled “Process and Criteria for Administering Written Verifications Per Executive Order N-7-22” (“Process and Criteria”) for the implementation of Executive Order N-7-22, as amended under Executive Order N-5-23 (“Order”);

WHEREAS, pursuant to the Order and certain exceptions specified therein, the Santa Barbara County Environmental Health Department (County) is prohibited from approving a permit for a new groundwater well or for alteration of an existing well in the EMA without first obtaining written verification from the EMA GSA that groundwater extraction by the proposed well (1) would not be inconsistent with any sustainable groundwater management program established in the EMA GSP, and (2) would not decrease the likelihood of achieving a sustainability goal for the basin;

WHEREAS, in addition to utilizing the previously approved Process and Criteria, the EMA GSA desires to establish supplemental criteria for evaluating all new requests for written verifications under the Order.

NOW, THEREFORE, THE EMA GSA COMMITTEE HEREBY RESOLVES AS FOLLOWS:

SECTION 1. Recitals Incorporated

The above recitals are supported by substantial evidence, incorporated herein by reference and each relied upon independently by the EMA GSA governing Committee in its adoption of this Resolution.

SECTION 2. EMA GSA Supplemental Well Verification Policy

The EMA GSA governing Committee adopts the Eastern Management Area Groundwater Sustainability Agency Policy for Administering Requests for Written Verifications (“EMA Well Verification Policy”),

attached hereto as Exhibit A and incorporated herein by reference, and finds the EMA Well Verification Policy is consistent with the Plan and will promote implementation of the Plan in accordance with SGMA.

SECTION 3. Amendment

This Resolution may be added to, amended, and/or repealed at any time by adoption of a subsequent resolution of the EMA GSA governing Committee.

SECTION 4. Effective Date

This Resolution shall become effective upon adoption.

WE, THE UNDERSIGNED, do hereby certify that the above and foregoing Resolution No. EMA-2023-001 was duly adopted and passed by the governing Committee of the EMA GSA at a meeting held on April 27, 2023, by the following vote:

AYES: Meighan Diethofer, Brad Joos, Brett Marymee, Elizabeth Drona

NOES: None

ABSENT: None

ATTEST:



Brett Marymee, Chair



William J. Buelow, Secretary

EXHIBIT A

Exhibit A

Eastern Management Area Groundwater Sustainability Agency Policy for Administering Requests for Well Verifications

On July 21, 2022 the EMA GSA approved a document entitled “Process and Criteria for Administering Written Verifications Per Executive Order N-7-22” (“Process and Criteria”) for the implementation of Executive Order N-7-22 (dated March 28, 2022) as amended under Executive Order N-5-23 (“Order”) (dated March 3, 2023).

Pursuant to the Order and certain exceptions specified therein, the Santa Barbara County Environmental Health Department (County) is prohibited from approving a permit for a new groundwater well or for alteration of an existing well in the EMA without first obtaining written verification from the EMA GSA that groundwater extraction by the proposed well (1) would not be inconsistent with any sustainable groundwater management program established in the EMA GSP, and (2) would not decrease the likelihood of achieving a sustainability goal for the basin. In addition to the previously approved Process and Criteria, the EMA GSA establishes the following supplemental criteria for evaluating all new requests for written verifications under the Order.

1. Undesirable Results – The planned production and use of groundwater from the proposed well must be evaluated against the presence, imminence, or absence of undesirable results as described in the EMA GSP. The supplemental criteria for evaluating undesirable results will include the following:
 - a. Most recently reported groundwater levels compared to Minimum Thresholds (MTs) and definition of undesirable result established by the GSP. Determine whether more than 50% of the representative wells exceed MTs after two consecutive years of average or above average precipitation.
 - b. If MTs exceeded, consider the magnitude of exceedances.
 - c. Consider reported impacts to other wells in the area.
 - d. Consider other undesirable result criteria (e.g., water quality).
2. Water Budget Parameters – The planned production and use of groundwater from the proposed well must be consistent with the current and long-term water budget parameters in the GSP (Section 3). Water budget parameters to consider may include:
 - a. Projected land-uses
 - b. Total irrigated acreage
 - c. Cropping distribution
 - d. Water duty factors for different crop types.
3. Projects and Management Actions – The planned production and use of groundwater from the proposed well must be compliant with any implemented projects or management actions of the EMA GSA, and as a condition for issuance of a written verification the applicant must agree to register the well with and report production semi-annually to the EMA GSA.