



SAN ANTONIO BASIN GROUNDWATER SUSTAINABILITY AGENCY

NOTICE OF PUBLIC MEETING

NOTICE IS HEREBY GIVEN that the San Antonio Basin Groundwater Sustainability Agency (“Agency” or “SABGSA”) Board of Directors (“Board”) will hold its regular **Board Meeting** at **6:00 P.M.** on **Tuesday, July 19, 2022**, at the **Los Alamos Community Services District** located at **82 St. Joseph Street, Los Alamos, CA 93440**. Virtual option available for public participation.¹

Join Zoom Meeting:

<https://us06web.zoom.us/j/83252082959?pwd=SFhYWkxnaTJtZXlYQnE5VUNCUFc5QT09>

Meeting ID: 832 5208 2959 Passcode: 360900

Dial: (669) 900 6833

SAN ANTONIO BASIN GROUNDWATER SUSTAINABILITY AGENCY (SABGSA)

BOARD OF DIRECTORS MEETING AGENDA

Tuesday, July 19, 2022

1. CALL TO ORDER and ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

The Board will receive public comments on items not appearing on the agenda and within the subject matter jurisdiction of the Agency. The Board will not enter into a detailed discussion, answer questions, or take any action on any items presented during public comments. In the Board’s discretion, any issue raised during Public Comment may be referred to the Executive Director or other staff for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on specific agenda items should do so at the time specified for those items. The presiding Chair shall limit public comments to no more than three minutes.

4. CONSENT ITEMS

a. Approve Minutes from June 21, 2022, Regular Meeting

b. Agency Finances, Budget, and Training

- i. The Board will receive a report from the accountant regarding finances and expenses.
- ii. The Board will receive a report regarding training

5. INFORMATIONAL ITEMS

a. Executive Director Update

- Update on activities performed by the Executive Director

b. San Antonio Basin Water District Update

- Update on San Antonio Basin Water District activities

¹ SABGSA will make reasonable efforts to make the meeting accessible virtually; however, if one of the virtual options are unavailable due to technological issues, you are invited to take advantage of the other options, including in-person attendance.

c. Advisory Committee Updates

- Update on Advisory Committee

d. Board Member Updates

- Board members will provide any updates relevant to the SABGSA

6. DISCUSSION AND ACTION ITEMS

a. Q2 2022 Quarterly Water Level Monitoring Report for the San Antonio Creek Valley Groundwater Basin

The SABGSA has received the Q2 2022 Quarterly Water Level Monitoring Report. The Board of Directors will review and discuss the recommendations listed in the report and may take action or provide specific direction to staff and/or GSI Water Solutions related to this item.

b. Consider SABGSA Well Verification Framework – Resolution 22-001 and Well Verification Request Form – in Response to Executive Order N-7-22 and the Santa Barbara County Ordinance No. 5158, a Temporary Water Well Permit Urgency Ordinance (County Urgency Ordinance).

The Board will discuss Executive Order N-7-22, the County Urgency Ordinance and consider SABGSA actions in response, focusing on the new “written verifications” requirements for water well permits, described in Section 9 of the Executive Order. The Board will review and discuss SABGSA’s draft Well Verification Policy and Well Verification Request form. The Board may adopt Resolution No. 22-001 Approving a Well Verification Policy in compliance with Executive Order N-7-22 as well as the draft Well Verification Request form. The Board also may take other action or provide specific direction to the Ad Hoc Committee, staff, and/or SABGSA’s legal counsel related to this item.

c. Discuss the Scope of Work and Fees for SABGSA’s Review of Well Applications in the San Antonio Creek Valley Groundwater Basin and Written Verification in Response to Executive Order N-7-22 and the County Urgency Ordinance.

The Board will receive an update on the scope of work and estimated budget for SABGSA staff and GSI Water Solutions, Inc. (GSI) to review, on behalf of the SABGSA, requests for a written verification in response to Executive Order N-7-22 and the County Urgency Ordinance for wells located within the San Antonio Creek Valley Groundwater Basin. The Board also will receive an update on the process to charge a fee for the Agency’s time to process and issue written verifications.

d. SABGSA Well Registration Program Update

The Board of Directors will receive an update on the status of the draft conceptual framework for the Well Registration Program being developed by the Well Registration and Metering Ad Hoc Committee. The Board may take action or provide specific direction to the Well Registration and Metering Ad Hoc Committee, the Advisory Committee, staff and/or SABGSA’s legal counsel related to this item.

NEXT MEETING: August 19, 2022, at 6pm

7. ADJOURN

Please contact Stephanie Bertoux at admin@sanantoniobasingsa.org with any questions.



SAN ANTONIO BASIN GROUNDWATER SUSTAINABILITY AGENCY
SAN ANTONIO BASIN GROUNDWATER SUSTAINABILITY AGENCY (SABGSA)
BOARD OF DIRECTORS MEETING

DRAFT MINUTES

Tuesday, June 21, 2022

1. **CALL TO ORDER and ROLL CALL** – The meeting was called to order by President Sharer at 6:00pm at the Los Alamos Community Services District, 82 St. Joseph Street, Los Alamos, CA. Members of the public had the option to participate virtually or in-person.

Board of Directors Present: Tom Durant, Pat Huguenard, Alternate Richard Kline, Kevin Merrill, Kenny Pata, Randy Sharer, Chris Wrather

Alternates present, but not acting on behalf of a Director: Jim Stollberg

Directors Absent: Dan Chabot, Juan Gomez

2. **PLEDGE OF ALLEGIANCE**

3. **PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**

No public comments received.

4. **CONSENT ITEMS**

- a. **Approve Minutes from May 17, 2022, SABGSA Board Meeting**

Motion by Director Durant, second by Director Huguenard to approve the minutes of May 17, 2022, Board meeting as presented.

Ayes: Directors: Tom Durant, Pat Huguenard, Alternate Richard Kline, Kevin Merrill, Kenny Pata, Randy Sharer, Chris Wrather

Nos: None; **Absent:** Dan Chabot, Juan Gomez; **Abstain:** None.

- b. **Agency Finances, Budgeting, and Training**

Motion by Director Pata, second by Director Wrather to approve the financial and training reports as presented.

Ayes: Directors: Tom Durant, Pat Huguenard, Alternate Richard Kline, Kevin Merrill, Kenny Pata, Randy Sharer, Chris Wrather

Nos: None; **Absent:** Dan Chabot, Juan Gomez; **Abstain:** None.

5. **INFORMATIONAL ITEMS**

- a. **Executive Director Updates**

Executive Director Stephanie Bertoux reported that the audit for FY 2021-22 is complete and has been submitted to the County of Santa Barbara.

- b. **San Antonio Basin Water District Update**

SABWD Executive Director Donna Glass reported that the SABWD has received \$744,720 or 93% of the 2021-22 Assessments. The remaining balance is \$53,117. Any remaining assessments unpaid

by July 2022 will incur a 5% penalty and be added to the Santa Barbara County Property Tax Bill. The SABWD will consider a resolution authorizing levy and collection of 2022-23 assessment at the July 19, 2022, meeting.

c. Advisory Committee Updates

The Advisory Committee scheduled for June 5, 2022, was cancelled.

d. Board Member Updates

No report.

6. ACTION ITEMS

a. Executive Order N-7-22, Santa Barbara County Temporary Water Well Permit Urgency Ordinance (Urgency Ordinance), Santa Barbara County Well Permit Application, and Draft SABGSA Well Verification Framework

SABGSA legal counsel provided an overview of the requirements impacting groundwater sustainability agencies related to “written verifications” for water well permits, in Section 9 under Executive Order N-7-22 and reviewed the Urgency Ordinance and the Santa Barbara County Well Permit Application approved by the Santa Barbara County Board of Supervisors on May 24, 2022. SABGSA legal counsel presented SABGSA’s draft Well Verification Framework. The Board discussed the Well Verification Framework and made the following motion.

Motion by Director Merrill, second by Director Durant to direct the Ad Hoc Committee and staff to work with SABGSA legal counsel and GSI Water Solutions to continue developing SABGSA’s written well verification procedures under Executive Order N-7-22; specifically a draft well verification policy, draft well verification request form, and draft fee structure for review of well permit applications for the Board’s consideration at the July 19, 2022, Board meeting.

Ayes: Directors: Tom Durant, Pat Huguenard, Alternate Richard Kline, Kevin Merrill, Kenny Pata, Randy Sharer, Chris Wrather

Nos: None; **Absent:** Dan Chabot, Juan Gomez; **Abstain:** None.

b. Los Alamos Community Services District Termination of Membership from the San Antonio Basin Groundwater Sustainability Agency and Resignation of Director Gomez and Alternate Director Vidro and Consideration of Facilities Use and Support Services Agreement.

On May 3, 2022, the SABGSA received a letter of termination (effective June 2, 2022) from the Los Alamos Community Services District (LACSD) under section 17.1 of the Joint Exercise of Powers Agreement creating the SABGSA. SABGSA Director Gomez and Alternate Brad Vidro also submitted letters of resignation effective June 2, 2022. On May 31, 2022, the SABGSA received a letter from LACSD extending the date for termination as well as the resignations of Director Gomez and Alternate Brad Vidro for a period of 60 days (effective July 24, 2022). SABGSA legal counsel reviewed the draft Facilities Use and Support Services Agreement negotiated between the SABGSA and LACSD.

Motion by Director Merrill, second by Director Durant to approve the Facilities Use and Support Services Agreement between the SABGSA and LACSD as presented.

Ayes: Directors: Tom Durant, Pat Huguenard, Alternate Richard Kline, Kevin Merrill, Kenny Pata, Randy Sharer, Chris Wrather

Nos: None; **Absent:** Dan Chabot, Juan Gomez; **Abstain:** None.

c. SABGSA Budget Priorities for Fiscal Year 2022-23

The Executive Director presented a draft budget for fiscal year 2022-23.

Motion by Director Merrill, second by Director Wrather to approve the budget for fiscal year 2022-23 as presented.

Ayes: Directors: Tom Durant, Pat Huguenard, Alternate Richard Kline, Kevin Merrill, Kenny Pata, Randy Sharer, Chris Wrather

Nos: None; **Absent:** Dan Chabot, Juan Gomez; **Abstain:** None.

7. NEXT MEETING: July 19, 2022, at Los Alamos Community Services District

8. ADJOURN - 7:08pm

Please contact Stephanie Bertoux at admin@sanantoniobasinga.org with any questions.



TECHNICAL MEMORANDUM

San Antonio Creek Valley Groundwater Basin Quarterly Groundwater Level Monitoring – Second Quarter 2022

To: Ms. Stephanie Bertoux, Executive Director, San Antonio Basin Groundwater Sustainability Agency

From: Lee Knudtson, GSI Water Solutions, Inc.
Michael McAlpin, GSI Water Solutions, Inc.
Jeff Barry, GSI Water Solutions, Inc.

Attachments: Tables:
Table 1. Second Quarter 2022 Groundwater Level Measurements – Depth to Water
Table 2. Second Quarter 2022 Groundwater Level Measurements – Groundwater Elevation

Figures:
Figure 1. Wells Located in The Western Portion of the San Antonio Creek Valley Groundwater Basin
Figure 2. Wells Located in The Central Portion of the San Antonio Creek Valley Groundwater Basin
Figure 3. Wells Located in The Eastern Portion of the San Antonio Creek Valley Groundwater Basin

Date: July 6, 2022

Introduction

On behalf of the San Antonio Basin Groundwater Sustainability Agency (SABGSA), GSI Water Solutions, Inc. (GSI) completed the second quarter 2022 (2Q2022) San Antonio Creek Valley Groundwater Basin (Basin) groundwater level monitoring event on June 21st and 22nd, 2022. Prior to each quarterly monitoring event, GSI contacts well owners to coordinate access to the wells and request that well owners shut off the well for at least 8 hours before the monitoring event so that a static measurement can be obtained. Notifications were delivered to well owners on June 6th, 2022, by GSI via email. The attached table provides the status of each well and the maps show the well locations. The following paragraphs and attached tables summarize the results for this quarter.

Water Level Monitoring Data

The attached tables summarize the results of the 2Q2022 Basin water level monitoring event for the wells in the Basin's groundwater level monitoring network. The tables include the status of current well access agreements, depth to water measurements, and calculated groundwater elevations for all wells that were able to be accessed during the monitoring event. Wells identified as Representative Monitoring Sites (RMS) in the Basin's Groundwater Sustainability Plan (GSP) are identified in Table 2 and denoted with the respective RMS's sustainable management criteria (i.e., minimum threshold and measurable objective). The following list

summarizes some of the noteworthy events or observations that took place during the 2Q2022 monitoring event:

- Data from Q12022 and Q22022 monitoring events have been uploaded to the SGMA Monitoring Network Module (MNM). GSI observed that the MNM has some historical (pre-2019) groundwater elevation measurements that are inaccurate due to the calculated value using an inaccurate reference point elevation. These data can be made accurate by replacing the groundwater elevation values with values calculated using the most up-to-date reference point elevations.
- The data recording pressure transducer formerly deployed in SACC 5 was moved to SACC 1 (SACC 1 is an RMS in the Basin's groundwater level monitoring network).
- The data recording pressure transducer formerly deployed in SACR 5 was move to SACR 1 (SACR 1 is an RMS in the Basin's groundwater level monitoring network).
- Besides well 2M1, a groundwater level measurement was collected from all wells with active well access agreements for the second consecutive quarter.
- Well 2M1 was not monitored due to the risk of the sounder becoming stuck in the well. Groundwater level monitoring at well 2M1 is planned to resume pending the installation of a sounding tube.
- There was a substantial amount of rusty material in well 2N1 and the Mesa Vineyard well.
- Well White Hawk 1 has been capped with a thin piece of metal. The well owner approved GSI drilling a hole in the metal cap to enable groundwater level monitoring.
- The access trails to wells in the Barka Slough are overgrown. The vegetation along the trails needs to be trimmed to retain access to all the Barka Slough wells in the Basin's groundwater level monitoring program.

Recommendations

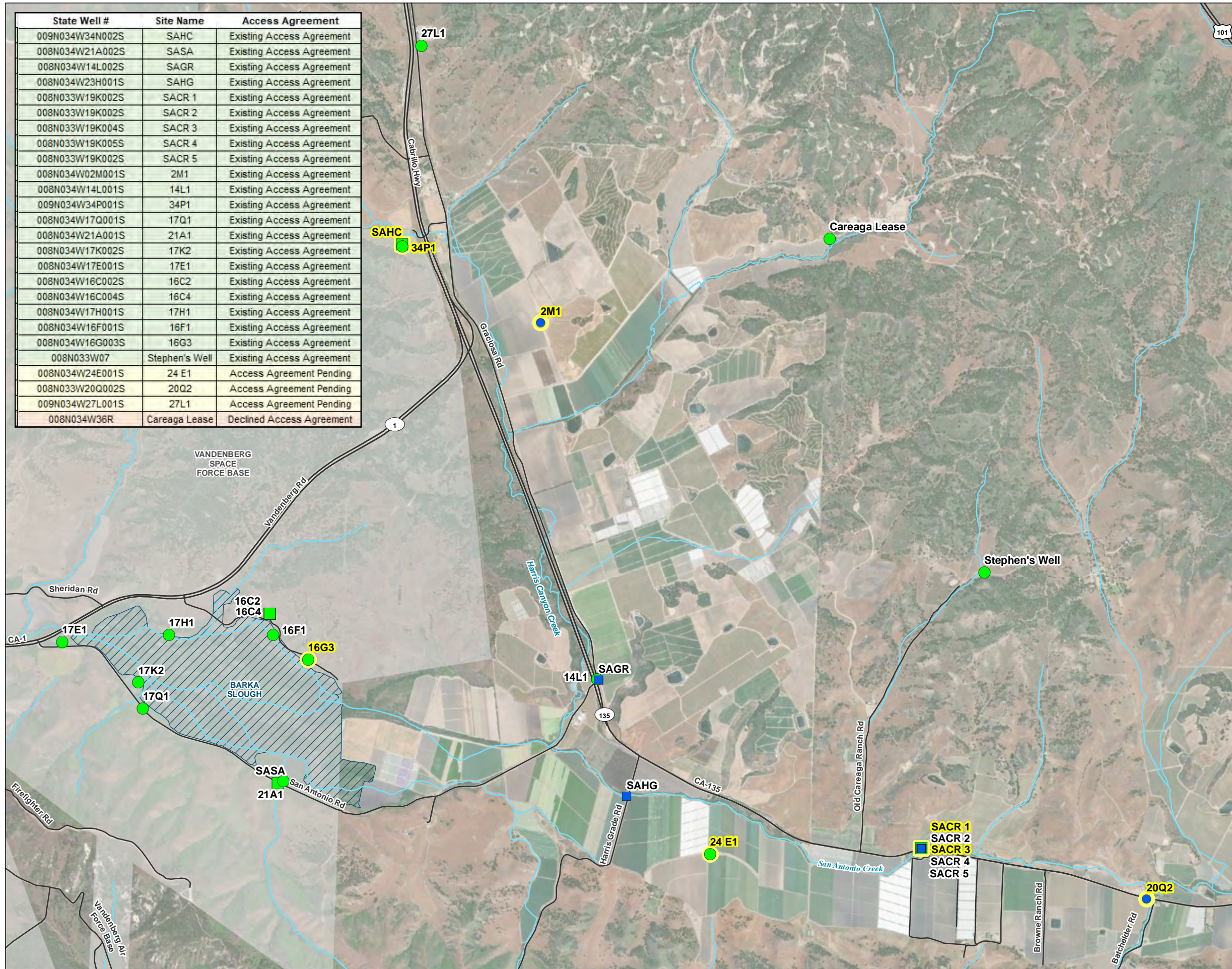
- Install a sounding tube in well 2M1.
- Continue public outreach to Basin stakeholders to discuss participation in the Basin's groundwater level monitoring network.
- Initiate ongoing maintenance of the well access trails within Barka Slough.

Tables

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FIGURE 1
Wells Located in
the Western Portion of
the San Antonio Creek Valley
Groundwater Basin
 San Antonio Creek Valley
 Groundwater Basin
 Second Quarter 2022 Report

State Well #	Site Name	Access Agreement
009N034W34N002S	SAHC	Existing Access Agreement
008N034W21A002S	SASA	Existing Access Agreement
008N034W14L002S	SAGR	Existing Access Agreement
008N034W23H001S	SAHG	Existing Access Agreement
008N033W19K002S	SACR 1	Existing Access Agreement
008N033W19K002S	SACR 2	Existing Access Agreement
008N033W19K004S	SACR 3	Existing Access Agreement
008N033W19K005S	SACR 4	Existing Access Agreement
008N033W19K002S	SACR 5	Existing Access Agreement
008N034W02M001S	2M1	Existing Access Agreement
008N034W14L001S	14L1	Existing Access Agreement
009N034W34P001S	34P1	Existing Access Agreement
008N034W17Q001S	17Q1	Existing Access Agreement
008N034W21A001S	21A1	Existing Access Agreement
008N034W17K002S	17K2	Existing Access Agreement
008N034W17E001S	17E1	Existing Access Agreement
008N034W16C002S	16C2	Existing Access Agreement
008N034W16C004S	16C4	Existing Access Agreement
008N034W17H001S	17H1	Existing Access Agreement
008N034W16F001S	16F1	Existing Access Agreement
008N034W16G003S	16G3	Existing Access Agreement
008N033W07	Stephen's Well	Existing Access Agreement
008N034W24E001S	24 E1	Access Agreement Pending
008N033W20Q002S	20Q2	Access Agreement Pending
009N034W27L001S	27L1	Access Agreement Pending
008N034W36R	Careaga Lease	Declined Access Agreement



LEGEND

Sample Method

- Transducer Well
- Manually Measured Well

Aquifer of Completion

- Careaga Sand Well
- Paso Robles Formation Well

Representative Monitoring Site

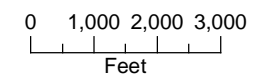
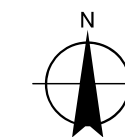
- Representative Monitoring Site

All Other Features

- ▨ Barka Slough
- Vandenberg Space Force Base
- Major Road
- ~ Watercourse

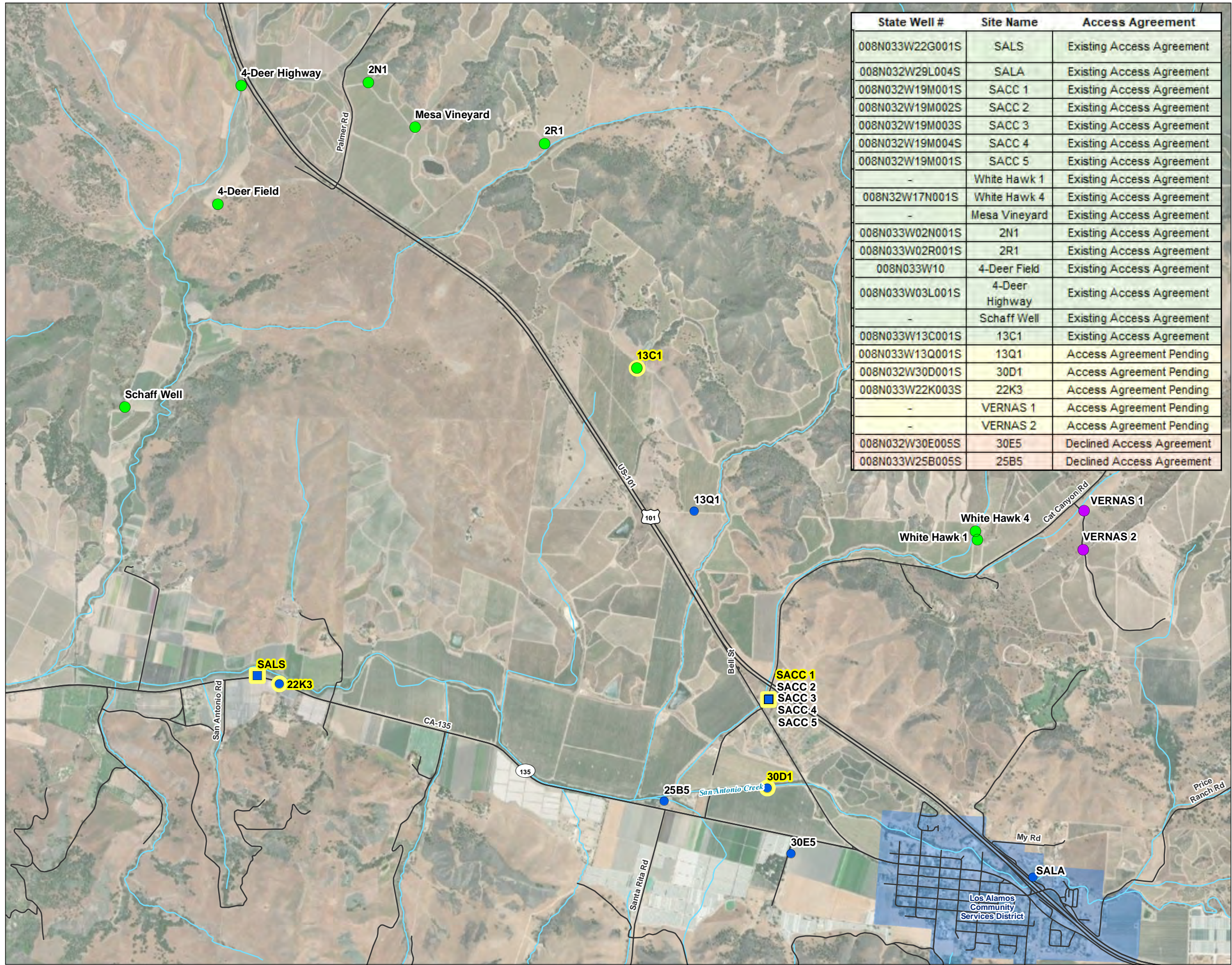
NOTES:

1. SACR 1 is screened in the Careaga Sand.
2. SACR 1, SACR 2, SACR 3, and SACR 4 depth to water measurements are collected manually on a quarterly basis.



Date: March 23, 2022
 Data Sources:





State Well #	Site Name	Access Agreement
008N033W22G001S	SALS	Existing Access Agreement
008N032W29L004S	SALA	Existing Access Agreement
008N032W19M001S	SACC 1	Existing Access Agreement
008N032W19M002S	SACC 2	Existing Access Agreement
008N032W19M003S	SACC 3	Existing Access Agreement
008N032W19M004S	SACC 4	Existing Access Agreement
008N032W19M001S	SACC 5	Existing Access Agreement
-	White Hawk 1	Existing Access Agreement
008N32W17N001S	White Hawk 4	Existing Access Agreement
-	Mesa Vineyard	Existing Access Agreement
008N033W02N001S	2N1	Existing Access Agreement
008N033W02R001S	2R1	Existing Access Agreement
008N033W10	4-Deer Field	Existing Access Agreement
008N033W03L001S	4-Deer Highway	Existing Access Agreement
-	Schaff Well	Existing Access Agreement
008N033W13C001S	13C1	Existing Access Agreement
008N033W13Q001S	13Q1	Access Agreement Pending
008N032W30D001S	30D1	Access Agreement Pending
008N033W22K003S	22K3	Access Agreement Pending
-	VERNAS 1	Access Agreement Pending
-	VERNAS 2	Access Agreement Pending
008N032W30E005S	30E5	Declined Access Agreement
008N033W25B005S	25B5	Declined Access Agreement

FIGURE 2
Wells Located in
the Central Portion of
the San Antonio Creek Valley
Groundwater Basin
 San Antonio Creek Valley
 Groundwater Basin
 Second Quarter 2022 Report

LEGEND

Sample Method

- Transducer Well
- Manually Measured Well

Aquifer of Completion

- Careaga Sand Well
- Paso Robles Formation Well
- Unassigned Aquifer Well

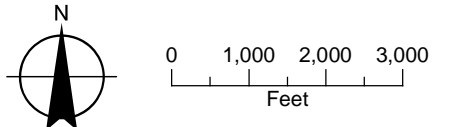
Representative Monitoring Site

- Representative Monitoring Site

All Other Features

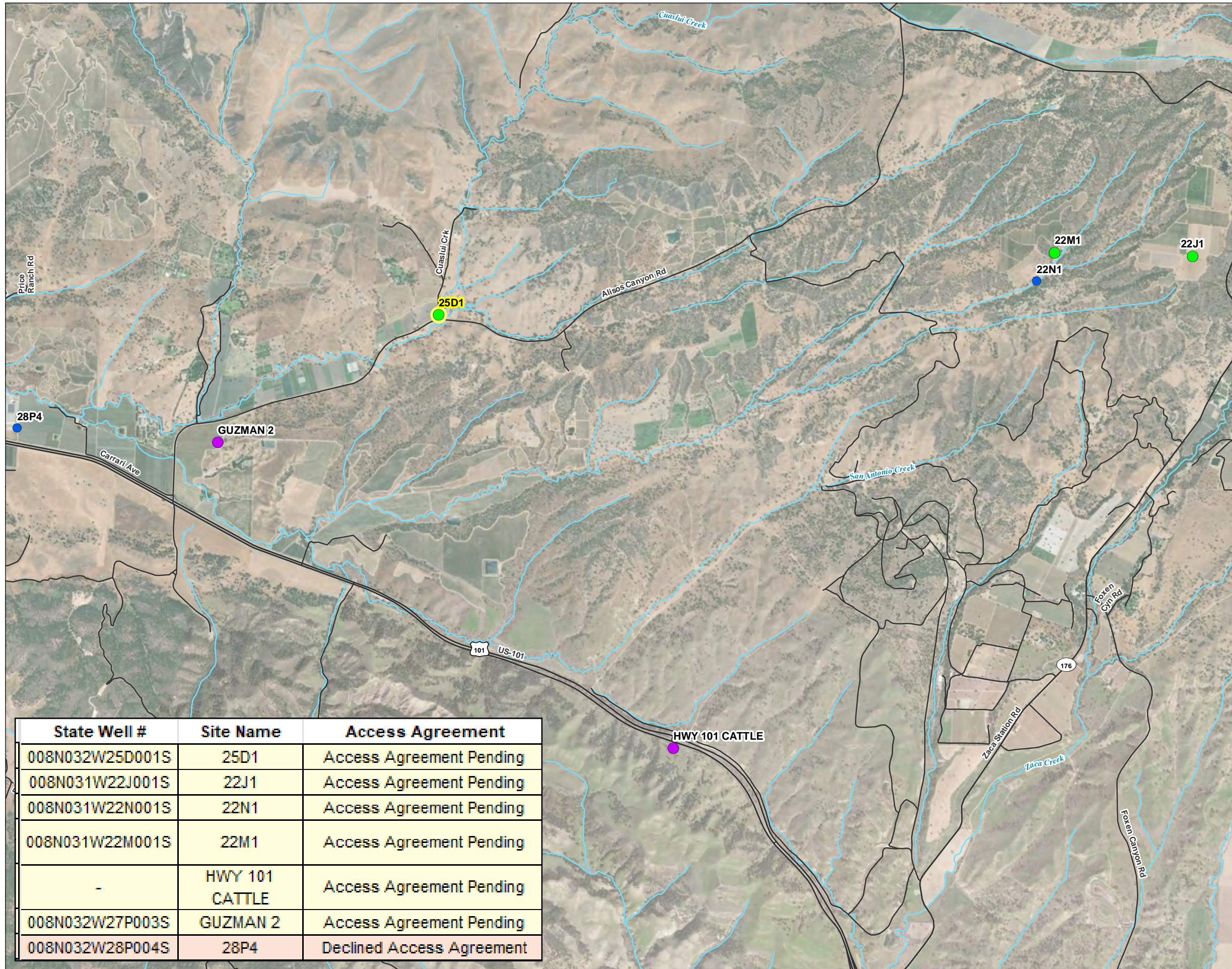
- Los Alamos Community Services District
- Major Road
- ~ Watercourse

NOTES:
 1. SACC 1, SACC 2, SACC 3, and SACC 4 depth to water measurements are collected manually on a quarterly basis.



Date: March 23, 2022
 Data Sources:

FIGURE 3
Wells Located in
the Eastern Portion of
the San Antonio Creek Valley
Groundwater Basin
 San Antonio Creek Valley
 Groundwater Basin
 Second Quarter 2022 Report



LEGEND

Sample Method

- Transducer Well
- Manually Measured Well

Aquifer of Completion

- Careaga Sand Well
- Paso Robles Formation Well
- Unassigned Aquifer Well

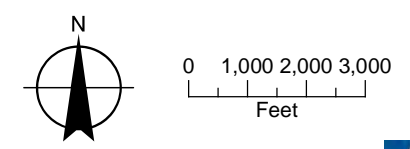
Representative Monitoring Site

- Representative Monitoring Site

All Other Features

- Major Road
- ~ Watercourse

State Well #	Site Name	Access Agreement
008N032W25D001S	25D1	Access Agreement Pending
008N031W22J001S	22J1	Access Agreement Pending
008N031W22N001S	22N1	Access Agreement Pending
008N031W22M001S	22M1	Access Agreement Pending
-	HWY 101 CATTLE	Access Agreement Pending
008N032W27P003S	GUZMAN 2	Access Agreement Pending
008N032W28P004S	28P4	Declined Access Agreement



Date: March 23, 2022
 Data Sources:

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BOARD OF DIRECTORS

SAN ANTONIO BASIN GROUNDWATER SUSTAINABILITY AGENCY

RESOLUTION NO. 22-001

**A RESOLUTION OF THE SAN ANTONIO BASIN GROUNDWATER
SUSTAINABILITY AGENCY APPROVING A WELL VERIFICATION POLICY IN
COMPLIANCE WITH EXECUTIVE ORDER N-7-22**

WHEREAS, on March 19, 2019, the Santa Barbara County (“County”) Board of Supervisors (“Board”) passed Resolution 19-93 Concern Regarding Prolonged Water Supply Shortage within Santa Barbara County, which recognized the long-term impact of the drought and the need for County water agencies, the County and residents to continue to work together to conserve and to improve water security in anticipation of future droughts;

WHEREAS, on July 8, 2021, the Governor of the State of California (“Governor”) proclaimed a State of Emergency to exist due to drought conditions in the County;

WHEREAS, on July 13, 2021, the County Board found that conditions of extreme peril warranted and necessitated a Proclamation of Local Emergency Cause by Drought Conditions;

WHEREAS, the County Board has reviewed the need for the Proclamation of Local Emergency at least every 60 days and has continued to find that the current “[d]rought conditions of extreme peril to the safety of persons and property in Santa Barbara County persist and warrant the Proclamation of Local Emergency Cause by Drought Conditions”;

WHEREAS, on March 28, 2022, the Governor signed Executive Order N-7-22 (“Executive Order”) to address emergency drought conditions;

WHEREAS, the Executive Order provides, in part, that “[t]o protect health, safety, and the environment during this drought emergency, a county, city, or other public agency shall not [a]pprove a permit for a new groundwater well or for alteration of an existing well in a basin subject to the Sustainable Groundwater Management Act and classified as medium- or high-priority without first obtaining written verification from a Groundwater Sustainability Agency managing the basin or area of the basin where the well is proposed to be located that groundwater extraction by the proposed well would not be inconsistent with any sustainable groundwater management program established in any applicable Groundwater Sustainability Plan adopted by that Groundwater Sustainability Agency and would not decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan”;

WHEREAS, the County Environmental Health and Services (“EHS”) is responsible for the issuance of permits for new wells and well modifications within the County;

WHEREAS, on May 24, 2022, the County Board adopted Ordinance No. 5158, a Temporary Water Well Permitting Urgency Ordinance (“County Urgency Ordinance”), amending Chapter 34A of the County Code to implement the Executive Order;

WHEREAS, pursuant to the Executive Order and the County Urgency Ordinance, as a prerequisite to the issuance of a permit from the County for any well within the jurisdiction of a Groundwater Sustainability Agency (“GSA”), County EHS must first obtain a written verification from the applicable GSA (“Well Verification”);

WHEREAS, the San Antonio Basin Groundwater Sustainability Agency (“Agency”) decided to become the GSA for the San Antonio Creek Valley Basin (“Basin”) on June 14, 2022;

WHEREAS, on December 7, 2021, the Agency adopted the San Antonio Basin Groundwater Sustainability Plan (“Plan”) that establishes the Agency’s groundwater management program and sustainability goal for the Basin;

WHEREAS, the Plan documents that the Basin is experiencing chronic lowering of groundwater levels and a reduction in groundwater in storage. The Basin’s water budget, documented in the Plan, indicates that the annual volume of groundwater extracted from the Basin (by pumping) has historically been greater than the Basin’s sustainable yield¹ as defined in the GSP. As set forth in the Plan, the average annual change in groundwater in storage during the Basin’s historical water budget period [1981-2018] was a decrease of 10,600 acre-feet.

WHEREAS, the Agency’s Board of Directors and the Agency’s consultant, GSI Water Solutions, Inc., reviewed the Plan and current drought conditions to determine, based on substantial evidence, that any additional extraction of groundwater from the Basin—in excess of the amount of groundwater extraction from existing wells as originally constructed—during drought conditions, as identified by the County Board and Governor, would be inconsistent with sustainable groundwater management programs established in the Plan and/or would decrease the likelihood of the Basin achieving its sustainability goal for the Basin;

WHEREAS, Water Code Section 10726.4, subdivision (a)(1) authorizes the Agency pursuant to the Plan to control groundwater extractions by regulating, limiting or suspending extractions from individual wells or extraction of groundwater wells, construction of groundwater wells, enlargement of existing groundwater wells or reactivation of abandoned groundwater wells, or otherwise establishing groundwater extraction allocations;

WHEREAS, to implement the Executive Order and County Urgency Ordinance and to ensure that County EHS well permits are consistent with the Plan, the Agency desires to establish a temporary “Well Verification Policy” that creates a process for the Agency to consider requests for Well Verification from applicants seeking a well permit from County EHS for a well within the Basin;

¹ Sustainable yield is defined in the Sustainable Groundwater Management Act (“SGMA”) as “the maximum quantity of water, calculated over a 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”. (Wat. Code, § 10721(w).)

WHEREAS, the “Well Verification Policy” contained in resolution establishes a temporary process for an applicant to County EHS for a well permit to request a written well verification (“Well Verification Request”) from the Agency and review criteria to evaluate said Well Verification Request in order to set forth clear parameters for an applicant to obtain Well Verification and to clarify for beneficial users and well permit applicants how the Agency will evaluate a Well Verification Request and issue a Well Verification;

WHEREAS, adoption of this resolution is exempt from the California Environmental Quality Act (“CEQA”) Guidelines Sections 15269(c), 15061(b)(3), 15378(b)(5), and 15307 as it is a specific action to mitigate an emergency taken by a regulatory agency for the protection of natural resources to enhance procedures and findings for protection of water resources and does not have the potential for causing a significant effect on the environment and the County remains responsible for CEQA review of each permits as the permitting agency.

THEREFORE, BE IT RESOLVED by the Board of Directors of the Agency, as follows:

1. **Incorporation of Recitals.** All the recitals in this resolution are true and correct and incorporated herein by this reference.
2. **Well Verification Request.** The Agency Board of Directors adopts the “Well Verification Request”, attached hereto as Attachment 1, and incorporated herein by this reference. A request for a Well Verification required by this resolution shall be made in writing by using the Well Verification Request, as may be modified by the Agency Executive Director. The Agency shall not issue a Well Verification unless it receives a complete and fully executed Well Verification Request.
3. **Definitions.** The capitalized terms in this resolution have the same meaning as the terms in Section 34A-23 of the County Urgency Ordinance and unless otherwise defined herein.
4. **Well Verification Policy.**
 - a. New Wells and Alteration of Existing Wells. Agency staff and/or consultants shall conduct a preliminary review of a Well Verification Request to determine whether it seeks a Well Verification for a New Well (as defined in Section 34A-23(a)(4) of the County Urgency Ordinance) or Alteration of an Existing Well (as defined in Section 34A-23(a)(1) of the County Urgency Ordinance), and if so, timely notify the applicant that the Agency finds that it cannot issue a Well Verification for a New Well or Alteration of an Existing Well until the Executive Order and County Urgency Ordinance have been rescinded (1) due to the drought conditions experienced throughout the region and (2) because both a New Well and an Alteration of an Existing Well would result in additional groundwater extraction from the Basin above the baseline extraction amounts

considered in the Plan and contribute to chronic lowering of groundwater levels and a reduction in groundwater storage in the Basin.

- b. Replacement Wells. Agency staff and/or consultants shall conduct a preliminary review of a Well Verification Request to determine whether it seeks a Well Verification for a Replacement Well (as defined in Section 34A-23(a)(8) of the County Urgency Ordinance). A Well Verification Request for a Replacement Well may be approved by the Agency's Executive Director if the Replacement Well satisfies the criteria in Section 4.d of this resolution.
- c. Modified Wells. Agency staff or consultants shall conduct a preliminary review of a Well Verification Request to determine whether it seeks a Well Verification for a Modified Well. "Modified Well" means a Modification (as defined in Section 34A-2(b)(3) of the County Code) of an existing well that increases the production capacity of an existing well to a capacity less than or equal to the capacity of the existing well as originally permitted or constructed. A Well Verification Request for Modified Well may be approved by the Agency's Executive Director if the Modified Well Modification satisfies the criteria in Section 4.d of this resolution.
- d. Technical Evaluation. The Agency's Executive Director shall only issue a Well Verification after Agency staff or consultants with a California Certified Hydrogeologist or California Professional Geologist certification determines that the applicant's Well Verification Request and supporting materials satisfy the following criteria:
 - i. The Replacement Well meets the definition of a Replacement Well in Section 34A-23(a)(8) of the County Urgency Ordinance or the Modified Well meets the definition Modified Well (as defined in Section 4.c of this resolution);
 - ii. Groundwater extraction from the Replacement Well or Modified Well would not be inconsistent with any sustainable groundwater management program established in the Plan; and
 - iii. Groundwater extraction from the Replacement Well or Modified Well would not decrease the likelihood of achieving the sustainability goal for the Basin as established in the Plan.

The Agency shall use best efforts to make a determination on the Well Verification within thirty (30) days from receipt of a complete Well Verification Request with all supporting documentation.

- e. Individual Domestic Wells and Public Water Supply Wells. As stated in Section 34A-26 of the County Urgency Ordinance and Paragraph 9 of the Executive Order, Individual Domestic Wells (as defined Section 34A-

23(a)(2) of the County Urgency Ordinance) and Public Water Supply (as defined Section 34A-23(a)(3) of the County Urgency Ordinance) Wells are exempt from this Well Verification Policy.

5. **Hardship Exemption.** The Agency Board of Directors, on a case-by-case basis, shall have the authority, upon a showing of good cause by an applicant or other individual with standing, to waive portions of this Well Verification Policy. “Good cause” shall mean a factual and evidentiary showing by the applicant that this Well Verification Policy, if not waived, will (1) deprive the applicant of substantially all reasonable economic use of its property under the Fifth Amendment of the U.S. Constitution or Article I, Section 19 of the California Constitution; or (2) result in a violation of an applicable California or federal law. All such request for a waiver shall be filed with the Agency Executive Director, including all supporting materials showing the “good cause.”
6. **Fees.** The Well Verification Request shall be accompanied by the appropriate fee established by resolution of the Agency Board of Directors. No part of said fee shall be refundable except as provided in such fee resolution.
7. **Administrative Policies.** The Agency Executive Director shall have the authority to take other such actions as may be necessary and appropriate to implement the intent of this resolution, including but not limited to coordinating with County EHS to implement the Well Verification Policy and developing administrative policies to implement the Well Verification Policy consistent with the intent of this resolution. From time to time the Agency Board of Directors may, but is not required to, consider modifications to the administrative policies developed and implemented by the Agency Executive Director.
8. **Severability.** If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held to be invalid by a court of competent jurisdiction, such decisions shall not affect the validity of the remaining portions of this resolution. The Agency Board of Directors hereby declares that it would have passed and adopted this resolution, and each and all provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.
9. **Effective Date.** This resolution shall take effect immediately upon passage and adoption and terminate upon the rescission of the Executive Order.
10. **CEQA Exemption.** The Agency’s Board of Directors finds that this resolution is exempt from the California Environmental Quality Act (“CEQA”) Guidelines Sections 15269(c), 15061(b)(3), 15378(b)(5), and 15307 as it is a specific action to mitigate an emergency taken by a regulatory agency for the protection of natural resources to enhance procedures and findings for protection of water resources and does not have the potential for causing a significant effect on the environment and the County remains responsible for CEQA review of each permits as the permitting agency.

WE, THE UNDERSIGNED, do hereby certify that the above and foregoing Resolution No. 22-001 was duly adopted and passed by the Board of Directors of the San Antonio Basin Groundwater Sustainability Agency at a meeting held on the 19th day of July, 2022, by the following vote:

AYES:
NOES:
ABSENT:

Randy Sharer, Board Chair
San Antonio Basin Groundwater Sustainability Agency

ATTEST:

, Board Secretary
San Antonio Basin Groundwater Sustainability Agency



SAN ANTONIO BASIN GROUNDWATER SUSTAINABILITY AGENCY

WELL VERIFICATION REQUEST

The undersigned Applicant¹ is submitting an application (“County Application”) to the Santa Barbara County (“County”) Environmental Health Services (“EHS”) for a permit to construct a water well. Pursuant to Paragraph 9 of Executive Order N-7-22 and County Urgency Ordinance No. 5158 (“County Urgency Ordinance”), before County EHS may grant said County Application it must obtain a written verification (“Well Verification”) from the San Antonio Basin Groundwater Sustainability Agency (“Agency”) that “groundwater extraction by the proposed well would not be inconsistent with any sustainable groundwater management program established in” the San Antonio Basin Groundwater Sustainability Plan (“Plan”) and “would not decrease the likelihood of achieving a sustainability goal for the basin.”

The Applicant hereby requests that the Agency review the County Application, and this well verification request, including the Well Verification Request Agreement, attached hereto as Attachment A, and the supplemental materials requested herein, (collectively, “Well Verification Request”) to determine whether to issue a Well Verification.

Request Type:

- New Well* (as defined in Section 34A-23(a)(5) of the County Urgency Ordinance)
- Alteration of an Existing Well* (as defined in Section 34-23(a)(1) of the County Urgency Ordinance)
- Replacement Well (as defined in Section 34A-23(a)(8) of the County Urgency Ordinance)
- Modified Well (as defined in Section 4.d of Resolution No. 22-001).

* NOTE: The Agency has determined through Resolution No. 22-001 that it cannot issue a Well Verification for a New Well or Alteration of an Existing Well because the Plan documents that the Basin is experiencing chronic lowering of groundwater levels and a reduction in groundwater in storage such that New Wells or Alteration of an Existing Wells would be inconsistent with the Plan. The Basin’s water budget, documented in the Plan, indicates that the annual volume of groundwater extracted from the Basin (by pumping) has historically been greater than the Basin’s sustainable yield² (the average annual change in groundwater in storage during the

¹ For the purposes of this well verification request, Applicant collectively refers to the individual seeking a County Application and a Well Verification Request from the Agency and the property owner (“Owner”) where the well is to be located, if different from the Applicant.

² Sustainable yield is defined in the Sustainable Groundwater Management Act (SGMA) as “the maximum quantity of water, calculated over a 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”. (Wat. Code, § 10721(w).)

Basin's historical water budget period [1981-2018] was a decrease of 10,600 acre-feet) as defined in the GSP. Therefore, a New Well or an Alteration of an Existing Well would result in additional groundwater extraction from the Basin above the baseline extraction amounts considered in the Plan and contribute to chronic lowering of groundwater levels and a reduction in groundwater storage in the Basin.

Information Required to Process Request:

Complete County Application

Site Vicinity Information:

- Map of any existing wells on the parcel, including the original well(s) that will be abandoned for a Replacement Well, relative to the proposed well
- Summary and map of proposed irrigated area and crop type information, or other information summarizing the proposed well water use

Well Information:

- Assessor's Parcel Number(s) for:
 - Original Well: _____
 - Replacement Well: _____
 - Irrigated areas(s): _____
- Pump Specifications (Replacement Well and original well(s) that will be abandoned, or Modified Well and well as originally constructed)
 - Pump Curve
If pump curve is not available, expected pump type, number of bowls, pump diameter, pump horsepower, revolutions per minute (RPM), and lift
 - Replacement Well or Modified Well system pressure in the discharge line and total pressure head of system
- Estimated groundwater levels at the time of the County Application in the Replacement Well or Modified Well and measured or estimated groundwater levels when the original well was installed.

Original Well Information (if Original Well Completion Report information is unavailable):

- Original Well Coordinates and Elevation:
 - Latitude _____; Longitude _____
 - Elevation: _____ ft amsl
- Original Well Construction Information (based on video-log or well survey)
 - Total Depth: _____ ft bgs
 - Screened Intervals: _____ ft bgs
 - Well Diameter: _____ in
- Documentation of original well production rate:
 - Estimated (method used and assumptions), or
 - Measured (method, data provided)

Well Verification Request Agreement (fully executed)

APPLICANT

Applicant Signature: _____

Applicant Name/Position: _____

Applicant Mailing Address: _____

Applicant Contact Information (phone/email): _____

APPLICANT - OWNER (if different from Applicant)

Owner Signature: _____

Owner Name/Position: _____

Owner Mailing Address: _____

Owner Contact Information (phone/email): _____

AGENT (Property Manager/Consultant)

Agent Name/Position: _____

Agent Contact Information (phone/email): _____

WELL VERIFICATION REQUEST AGREEMENT

This Well Verification Request Agreement (“Agreement”) is by and between the undersigned Applicant and the Agency.³ In consideration of the following mutual covenants set forth herein and for other consideration, including the not limited to the Agency’s time and resources spent on evaluation of the Applicant’s Well Verification Request, the receipt and sufficiency of which is hereby acknowledged, the Applicant and Agency hereby agree as follows:

1. Indemnification. As part of the County Application and Well Verification Request pursuant to Governor Newsom’s Executive Order N-7-22 and the County Urgency Ordinance, the Applicant, individually and collectively agree to indemnify, defend (with counsel approved by the Agency within its reasonable discretion), and hold harmless the Agency, the San Antonio Basin Water District, and the Los Alamos Community Services District, and all their respective officers, elected officials, members, employees, consultants, contractors, and agents (individually and collectively the “GSA Parties”) as follows:

- A. From and against any and all claims, demands, actions, proceedings, lawsuits, losses, damages, costs, judgments, and/or liabilities of any kind arising out of, related to, or in connection with the County Application, Well Verification Request and Well Verification, or to attack, set aside, void, or annul, in whole or in part, an approval of any part of the County Application, Well Verification Request and Well Verification.
- B. From any and all causes whatsoever, including the acts, errors, or omissions of the Applicant and his, her, its, and/or their respective officers, officials, employees, agents, consultants, and contractors (hereinafter “Claim”); and
- C. For any and all costs and expenses (including but not limited to attorneys’ and consultants’ fees and costs) incurred by the GSA Parties in connection with any Claim except where such indemnification is prohibited by law.

The indemnification obligation of the Applicant does not apply to the GSA Parties’ sole negligence or willful misconduct.

2. Defense. Applicant shall permit the GSA Parties, with the GSA Parties’ sole discretion, to direct and participate in the defense of any Claim, including but not limited to, use of GSA Parties’ counsel to defend the Claim, but such participation shall not relieve the Applicant of any obligation imposed by this Agreement. In the alternative, the GSA Parties shall have the right not to participate in the defense.

3. Obligations. This Agreement and the obligations of the Applicant set forth herein shall remain in full force and effect throughout any and all stages of review, reconsideration, challenge, or litigation, including any and all appeals of any lower court decrees, orders, or judgments, and regardless of whether the Applicant has brought any claim, action, or demand against the GSA Parties. The obligations of the Applicant under this Agreement shall survive and apply regardless of whether any GSA approval is invalidated, set aside, expires, or is abandoned for any reason.

³ Capitalized terms have the same meaning as the terms defined in the Well Verification Request and Agency Resolution No. 22-001 unless otherwise defined herein.

The Applicant is solely responsible for compliance with all local, state, and federal laws and for obtaining necessary authorizations, approvals, and/or permits from other local, state, and federal agencies. Any failure of the Applicant to comply with applicable laws or to obtain necessary authorizations, approvals, and/or permits shall not invalidate this Agreement or excuse the obligations of the Applicant under this Agreement except where such indemnification is prohibited by law.

4. Successors and Assigns. The obligations of Applicant under this Agreement shall be binding upon each and every of their respective successors, assigns, and transferees of any interest in the water well permit or water well that is the subject of the County Application. The Applicant shall cause all successors, assigns, and transferees to be so obligated; provided that the Applicant shall be and remain personally obligated to all of the terms of this Agreement, notwithstanding any attempt to assign, delegate, or otherwise transfer any of the obligations of this Agreement, and notwithstanding a change in ownership or any transfer or conveyance of any interest in the water well permit or water well that is the subject of the County Application.

5. Stipulation, Release, or Settlement. The Applicant shall not execute, pay, or perform pursuant to, any stipulation, release, settlement agreement, or other disposition of the matter on any Claim unless the Agency and GSA Parties have approved the stipulation, release, or settlement agreement in writing, such approval not to be unreasonably withheld. In no case shall the Applicant assume, admit, or assert any fault, wrongdoing, or liability on the part of the GSA Parties as a condition of or as part of any stipulation, release, settlement, or otherwise.

6. Acknowledgments. The Applicant and acknowledges by their initials the following as understood and true:

_____ I acknowledge that the SGMA requires that the Agency, as the exclusive GSA for the Basin, sustainably manage the groundwater resources of the Basin.

_____ I acknowledge that the Agency is authorized by SGMA to limit extractions within its jurisdiction including extractions from a well permitted pursuant to the County Application and that a well permit issued by County EHS does not guarantee the extraction of any specific amount or quality of water now or in the future. (Wat. Code, § 10726.4(a)(1).)

_____ I acknowledge the Agency cannot and does not guarantee any defined water use, water level, or water quality in the Basin.

_____ I acknowledge and agree to pay the reasonable cost, as determined by the Agency by resolution, to review the County Application and Well Verification Request.

_____ I acknowledge the Agency is not responsible for or otherwise liable for any costs, investments, or payments related to any groundwater well permitted pursuant to the County Application, including pumping fees, extraction limits, costs related to well failure, well deepening, increased maintenance, replacement, or operational costs.

_____ I acknowledge that the proposed water well, as applicable, will be operated in compliance with all current and future laws, rules, and regulations, including, but not limited to,

compliance with any applicable provisions of the Plan such as well registration, well metering and groundwater production reporting requirements.

_____ I acknowledge that, if the Agency issues a Well Verification, the Agency does not make any representation, assurance or warrant as to whether the use of the well permitted by County EHS, once constructed, will be or become inconsistent with any sustainable groundwater management program established in the Plan and/or decrease the likelihood of achieving the sustainability goal for the Basin.

_____ I acknowledge and certify that to the best of my knowledge that the information contained in the County Application and Well Verification Request is true and accurate.

_____ I acknowledge that any Well Verification issued by the Agency is based on the information contained in the County Application and Well Verification Request and on the representations of the Applicant set forth therein. Any Well Verification is made only upon information known at the time it is made. The Department of Water Resources has not yet approved the Plan for the Basin and the Agency may be required to revise or amend the Plan in a manner that impacts any Well Verification issued by the Agency.

7. No Waiver. Any failure, actual or alleged, on the part of the GSA Parties to monitor or enforce compliance with any of the requirements or provisions of this Agreement shall not be deemed as a waiver of any rights on the part of the GSA Parties.

8. Authority. Each person signing this Agreement represents and warrants that such person has the power, is duly authorized, and has the capacity to enter into this Agreement and that this Agreement is a valid and legal agreement binding on the Applicant and enforceable in accordance with its terms.

9. California Law. This Agreement is governed by the laws of the State of California. Any litigation regarding this Agreement or its contents must be filed in the County of Santa Barbara, if in state court, or in the federal district court nearest to Santa Barbara County, if in federal court.

10. Severability. If any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, then such provision or provisions shall be deemed severable from the remaining provisions hereof, and such invalidity, illegality or unenforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

11. Complete Agreement. This Agreement shall constitute the complete understanding of the parties with respect to the matters set forth herein. No party is relying on any other representation, oral or written.

12. Counterparts. This Agreement may be signed in counterparts and must be signed by all Applicant(s).

The Applicant and Agency agree to be bound by the terms of this Agreement as of the last date signed below.

APPLICANT:

Signed _____
Name of Person Signing _____
Title: _____
Date: _____

APPLICANT - OWNER (Owner, if different than Applicant):

Signed _____
Name of Person Signing _____
Title: _____
Date: _____

AGENCY

Signed _____
Name of Person Signing _____
Title: _____
Date: _____