

**ORDINANCE NO. 22-001**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE SAN ANTONIO BASIN  
GROUNDWATER SUSTAINABILITY AGENCY REQUIRING LANDOWNERS TO  
COMPLETE A WELL REGISTRATION FORM**

**WHEREAS**, the San Antonio Basin Groundwater Sustainability Agency (“Agency”) was formed pursuant to a joint exercise of powers agency (“JPA”) executed on May 16, 2017 between the Cachuma Resource Conservation District and the Los Alamos Community Services District;

**WHEREAS**, the Agency decided to become the exclusive Groundwater Sustainability Agency (“GSA”) for the San Antonio Creek Valley Basin (“Basin”) on June 14, 2017;

**WHEREAS**, the San Antonio Basin Water District replaced the Cachuma Resource Conservation District as a member of the JPA on May 19, 2020;

**WHEREAS**, in compliance with the Sustainable Groundwater Management Act (“SGMA”), 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**, SGMA, authorizes a local GSA to manage a groundwater basin in a sustainable manner pursuant to its groundwater sustainability plan;

**WHEREAS**, to assist in its management, Water Code Section 10725.2 authorizes GSAs such as the Agency to adopt rules, regulations, ordinances, and resolutions for the purpose of complying with SGMA and perform any act necessary or proper to carry out the purposes of SGMA;

**WHEREAS**, to effectively implement sustainable groundwater management with the Basin, the Agency desires to adopt an ordinance establishing rules and regulations in accordance with SGMA;

**WHEREAS**, pursuant to Water Code Section 10725.6, a GSA may require registration of any groundwater extraction facility, such as groundwater wells, within the Agency’s management area;

**WHEREAS**, the Plan identifies development of a groundwater extraction facility registration regulations as a Tier 1 Management Action;

**WHEREAS**, to sustainably manage the Basin, the Agency requires accurate data regarding the location and number of groundwater extraction facilities, including information on current groundwater wells and new groundwater wells; and

**WHEREAS**, to implement the Plan, the Agency finds it necessary and in the best interest of both the Agency and the Basin to adopt an ordinance requiring all landowners within the Basin to register any and all groundwater extraction facility on their property.

**NOW, THEREFORE, THE BOARD OF DIRECTORS HEREBY ORDAINS 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 SABGSA Board of Directors in its adoption of this Ordinance.

**SECTION 2. SABGSA Rules and Regulations**

The SABGSA Board of Directors adopts the “San Antonio Basin Groundwater Sustainability Agency Rules and Regulations” (“SABGSA Rules and Regulations”), attached hereto as Exhibit A and incorporated herein by reference, and finds the SABGSA Rules and Regulations are consistent with the Plan and shall promote implementation of the Plan in accordance with SGMA.

**SECTION 3. Amendment**

This Ordinance may be added to, amended, and/or repealed at any time by adoption of a subsequent ordinance of the SABGSA Board of Directors.

**SECTION 4. Effective Date**

This Ordinance shall become effective thirty (30) days after the second reading.

**SECTION 5. Actions Against SABGSA**

Nothing contained in this Ordinance shall constitute a waiver by the Agency or estop the Agency from asserting any defenses or immunities from liability as provided in law, including, but not limited to, those provided in Division 3.6 of Title 1 of the Government Code.

**SECTION 6. Administrative Authorization.**

The Agency Executive Director or designee is hereby authorized and directed to take any such actions as may be necessary and appropriate to implement the intent of this Ordinance.

**SECTION 7. Severability.**

If any section, subsection, sentence, clause, phrase, or word of this Ordinance 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 Ordinance, and each and all provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.

**SECTION 8. California Environmental Quality Act**

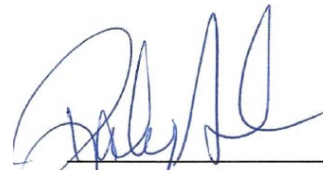
The SABGSA Board of Directors finds that adoption of this Ordinance, including the SABGSA Rules and Regulations, is exempt from the California Environmental Quality Act pursuant to Sections 15307, 15308 and 15061 subdivision (b)(3) of Title 14 of the California Code of Regulations (“CEQA Guidelines”) because the Ordinance will support implementation of the Plan by establishing rules and regulations to support groundwater management in order to prevent environmental degradation associated with groundwater overdraft and said rules and regulations will not have a significant effect on the environment.

**WE, THE UNDERSIGNED,** do hereby certify that the above and foregoing Ordinance 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 18<sup>th</sup> day of November, 2022, by the following vote:

**AYES: 6**

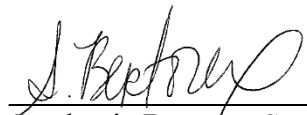
**NOES: 0**

**ABSENT: 2**



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Randy Sharer, Board President  
San Antonio Basin Groundwater Sustainability Agency

ATTEST:



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Stephanie Bertoux, Secretary  
San Antonio Basin Groundwater Sustainability Agency

## **EXHIBIT A**

# San Antonio Basin Groundwater Sustainability Agency

## Rules and Regulations

### SECTION 1. Definitions

- A. For purposes of these Rules and Regulations, the following definitions apply:
1. “AF” means acre-foot.
  2. “APN” means the Santa Barbara County Assessor’s Parcel Number for a property.
  3. “Agency” or “SABGSA” shall refer to the San Antonio Basin Groundwater Sustainability Agency.
  4. “Groundwater Extraction Facility” shall mean a groundwater well or any device or method for extraction of groundwater within the Basin.
  5. “Operator” shall mean the person responsible for operating a Groundwater Extraction Facility. The owner of the property containing the Groundwater Extraction Facility shall be conclusively presumed to be the operator unless otherwise declared on the Registration.
  6. “Property Owner” shall mean the fee title owner of land within the Agency’s boundaries, including all San Antonio Basin Water District landowners and all Los Alamos Community Services District customers, or the owner’s legal designee.
  7. “Registration” shall mean submission of the groundwater well registration information as specified in Section 2 of these Rules and Regulations to the Agency.

### SECTION 2. Groundwater Well Registration

The Property Owner and/or Operator of each Groundwater Extraction Facility within the Basin shall provide the Agency with groundwater well registration information (to the extent known to the Property Owner and/or Operator at the time of registration) by filling out and submitting a registration form issued by the Agency and returned to the Agency’s PO Box or via email.

#### A. Existing Wells

All existing Groundwater Extraction Facilities located within the boundaries of SABGSA shall be registered with the Agency within sixty (60) days of receiving a registration form and no later than March 31, 2023, whichever occurs later. The Property Owner and/or Operator of a Groundwater Extraction Facility must provide, in full, the information requested on the Agency’s registration form, which shall include but not be limited to the following:

1. Name and contact information of the Property Owner;
2. Name and contact information of the Operator, if different than the Property Owner;
3. If appropriate, a certification that the Property Owner does not have a Groundwater Extraction Facility located on their property;
4. Type of Groundwater Extraction Facility and water use;
5. Annual water use information;
6. Groundwater Extraction Facility APN and State Well Number;
7. Physical address and geographic location of each Groundwater Extraction Facility;
8. Date of construction;
9. Well depth;
10. Activity status of the Groundwater Extraction Facility;
11. List of APNs that the Groundwater Extraction Facility serves;
12. Manufacturer/model and type of Groundwater Extraction Facility measuring device, such as a flow meter (for certain users);
13. Recording units of the measuring device (for certain users);
14. Signature of the Property Owner.

**B. New Wells**

All new Groundwater Extraction Facilities located within the Boundaries of SABGSA shall be registered with the Agency, via the same form described above in Section 2.A, no later than March 31, 2023 or within sixty (60) days of well completion, whichever occurs later.

**C. Changes to Registration**

Any change to the information provided in the well registration form described above in Section 2.A, including but not limited to, a change to the Property Owner or Operator of a Groundwater Extraction Facility, must be reported within thirty (30) days of when the change takes effect.

**D. Registration Confidentiality**

The Agency shall keep the information contained in a Registration confidential to the extent permissible under applicable law.

**SECTION 3. Reserved.**

**SECTION 4. Reserved.**

**SECTION 5. Reserved.**

**SECTION 6. Reserved.**

**SECTION 7. Reserved.**

**SECTION 8. Reserved.**

**SECTION 9. Reserved.**

**SECTION 10. Penalties.**

Failure to comply with these Rules and Regulations may result in administrative and civil penalties, in accordance with Water Code Section 10732, as may be determined by the Board. Remedies identified in these Rules and Regulations are not intended to be exclusive. Any other remedy available to the Agency in law or equity may be employed at the discretion of the Board to address any circumstance related to the management of the Basin in accordance with SGMA, the Agency Plan, or other SABGSA Rules and Regulations.