



## AGENDA

### REGULAR MEETING OF THE BOARD OF DIRECTORS OF CARPINTERIA GROUNDWATER SUSTAINABILITY AGENCY

CARPINTERIA CITY HALL  
5775 CARPINTERIA AVENUE  
CARPINTERIA, CA 93013

Wednesday, December 14, 2022 at 5:40 p.m.



#### Join Zoom Meeting

<https://us06web.zoom.us/j/86027667078?pwd=OW52UjNIOTRjeExQMvY9YQTdlWC8vZz09>

Meeting ID: 860 2766 7078

Passcode: 994181

Or

Dial by Phone: 1-669-444-9171

1. CALL TO ORDER
2. **\*\*Consider adopting of Resolution 020 proclaiming a local emergency, ratifying the proclamation of a State of Emergency by Governor Newsom's order dated March 4, 2020, and authorizing remote teleconference meetings of the legislative bodies of the Carpinteria Groundwater Sustainability Agency for the period of December 14, 2022, to January 14, 2023 (for action, Executive Director McDonald).**
3. PUBLIC FORUM (Any person may address the Board of Directors on any matter within its jurisdiction which is not on the agenda).
4. APPROVAL ITEMS
  - A. **\*\*Minutes for the Meeting of the Board held on November 9, 2022 (for action, Executive Director McDonald)**
  - B. **\*\*Disbursement Report**
5. UNFINISHED BUSINESS – none
6. NEW BUSINESS
  - A. **\*\*Consider Adopting Resolution 021 Creating the Groundwater Sustainability Plan Advisory Committee (for action, Executive Director Bob McDonald).**
  - B. **\*\*Consider Groundwater Sustainability Plan Advisory Committee selection process & schedule (for action, Executive Director Bob McDonald).**

\*\*Indicates attachment of document to agenda packet.

**C. \*\*Consider Draft Bylaws for Groundwater Sustainability Plan Advisory Committee (for information, Executive Director Bob McDonald).**

**D. Consider GSP Community Meetings (for information, Executive Director Bob McDonald).**

**7. ADJOURNMENT.**

*Robert McDonald, Secretary*

The above matters are the only items scheduled to be considered at this meeting.

Note: The above Agenda was posted at Carpinteria Valley Water District Administrative Office in view of the public no later than 5:00 p.m., December 11, 2022. The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied benefits of, the District's programs, services, or activities because of any disability. If you need special assistance to participate in this meeting, please contact the District Office at (805) 684-2816. Notification at least twenty-four (24) hours prior to the meeting will enable the District to make appropriate arrangements. Materials related to an item on this Agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection in the Carpinteria Valley Water district offices located at 1301 Santa Ynez Avenue, Carpinteria during normal business hours, from 8 am to 5 pm.

\*\*Indicates attachment of document to agenda packet.

**RESOLUTION NO. 020**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CARPINTERIA GROUNDWATER SUSTAINABILITY AGENCY PROCLAIMING A LOCAL EMERGENCY PERSISTS, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM'S ORDER DATED MARCH 4, 2020, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF CARPINTERIA GROUNDWATER SUSTAINABILITY AGENCY FOR THE PERIOD DECEMBER 14, 2022 TO JANUARY 14, 2023 PURSUANT TO BROWN ACT PROVISIONS.**

WHEREAS, the Carpinteria GROUNDWATER SUSTAINABILITY AGENCY is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of Carpinteria GROUNDWATER SUSTAINABILITY AGENCY's legislative bodies 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 District's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provision 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 the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District, and the Board of Directors has done so; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency to exist in California due to the threat of COVID-19; despite sustained efforts, the virus, and its variants, continues to spread and has impacted nearly all sectors of California; and

WHEREAS, on September 5, 2021, the Santa Barbara County Health Officer issued Order 2021-10.4, requiring face coverings in all public indoor settings in response to the rise in SARS-CoV-2 Delta Variant; and

WHEREAS, the Carpinteria GROUNDWATER SUSTAINABILITY AGENCY Governing Board does hereby find that the rise in SARS-CoV-2 Delta Variant has caused, and will continue to cause, conditions of peril to the safety of persons within Carpinteria GROUNDWATER SUSTAINABILITY AGENCY's jurisdictional boundaries that are likely to be beyond the control of services, personnel, equipment, and facilities of Carpinteria GROUNDWATER SUSTAINABILITY AGENCY, and acknowledges and ratifies the proclamation of a state of emergency by the Governor of the State of California and the Santa Barbara County Health Officer's Order 2021-10.4; and

WHEREAS, as a consequence of the local emergency, the Carpinteria GROUNDWATER SUSTAINABILITY AGENCY Governing Board does hereby find that meeting in person would pose imminent risks to the health or safety of attendees; and

WHEREAS, the Carpinteria GROUNDWATER SUSTAINABILITY AGENCY Governing Board does hereby find that Carpinteria GROUNDWATER SUSTAINABILITY AGENCY shall continue to conduct its meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, all meeting agendas, meeting dates, times and manner in which the public may participate in the public meetings of Carpinteria GROUNDWATER SUSTAINABILITY AGENCY and offer public comment by telephone or internet-based services options, including video conference, are posted on the Carpinteria GROUNDWATER SUSTAINABILITY AGENCY website and physically within Carpinteria GROUNDWATER SUSTAINABILITY AGENCY's jurisdictional boundaries.

WHEREAS, on March 25, 2020 the Board was presented with the COVID19 Operational Continuity and Social Distancing Plan.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF Carpinteria GROUNDWATER SUSTAINABILITY AGENCY DOES HEREBY RESOLVE AS FOLLOWS:

1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference
2. Proclamation of Local Emergency. The Board hereby proclaims that a local emergency now exists throughout the District, and COVID-19 has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District.
3. Risks to Health and Safety of Attendees. The Governing Board hereby determines that meeting in person would present imminent risks to the health and safety of attendees.
4. Ratification of Governor's Proclamation of a State of Emergency. The Governing Board hereby acknowledges and ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.
5. Remote Teleconference Meetings. Carpinteria GROUNDWATER SUSTAINABILITY AGENCY staff are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.
6. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) December 14, 2022, or such time the Governing Board adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of Carpinteria GROUNDWATER SUSTAINABILITY AGENCY may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of Carpinteria  
GROUNDWATER SUSTAINABILITY AGENCY, this 14<sup>th</sup> day of December, 2022, by  
the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Case Van Wingerden, President

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Robert McDonald, Board Secretary

|                       |  |   |
|-----------------------|--|---|
|                       | <b>MINUTES OF THE REGULAR MEETING<br/>OF THE BOARD OF DIRECTORS OF CARPINTERIA<br/>GROUNDWATER SUSTAINABILITY AGENCY</b>   |   |
|                       | <b>November 9, 2022</b>  |   |
|                       | Chairman Van Wingerden called the regular meeting of the Carpinteria Groundwater Sustainability Agency Board of Directors held in the Carpinteria City Hall Chamber to order at 5:38 p.m., Wednesday, November 9, 2022.  |   |
|                       | Directors Present; Holcombe, Van Wingerden, Roberts, Stendell, and Johnson   |   |
|                       | Director Absent: None  |   |
|                       | Others Present: Bob McDonald   |   |
|                       | Cari Ann Potts<br>Norma Rosales<br>Don Thompson<br>Andrew Hart   | Betty Songer<br>Madeleine Bear<br>Scott Van Der Kar |
| <b>RESOLUTION 016</b> | <p>Executive Director McDonald presented to consider adopting Resolution 016 proclaiming a local emergency, re-ratifying the proclamation of a State of Emergency by Governor Newsom’s order dated March 4, 2020, and re-authorizing remote teleconference meetings of the legislative bodies of the Carpinteria Groundwater Sustainability Agency for the period of November 9, 2022, to December 9, 2022.</p> <p>Following discussion, Director Roberts moved, and Director Stendell seconded the motion to approve the adoption of Resolution 016. The motion carried by a 5-0 vote. The motion was approved by roll call as follows;</p> <p>Ayes: Johnson, Holcombe, Roberts, Stendell &amp; Van Wingerden<br/>Nays: None<br/>Absent: None</p> |   |
| <b>PUBLIC FORUM</b>   | <p>Scott Van Der Kar addressed the Board concerning a typo on the October 12, 2022 minutes on a comment that will be amended. He also requested information regarding the next Community Workshop as well as progress regarding the Advisory Committee and hired Consultant.</p> <p>Executive Director McDonald gave a verbal response.</p>  |   |

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|                                       | <p>Don Thompson addressed the Board regarding missed Community Workshops and asked if recordings are available for viewing.<br/>Executive Director McDonald gave a verbal response.<br/>Recording are available on GSA website.</p>   |
| <p><b>MINUTES</b></p>                 | <p>Following discussion, Director Johnson moved, and Director Roberts seconded the motion to approve the amended minutes of the Board meeting held on October 12, 2022. The motion carried by a 4-0-1 vote with Director Stendell abstaining. The minutes were approved by roll call as follows;</p> <p>Ayes: Johnson, Holcombe, Roberts and Van Wingerden<br/>Nayes/Abstain: Stendell<br/>Absent: None</p>   |
| <p><b>DISBURSEMENT REPORT</b></p>     | <p>Following discussion, Director Holcombe moved, and Director Stendell seconded the motion to approve the monthly bills for the period of September 16, 2022 through October 15, 2022. The motion carried by a 5-0 vote. The motion was approved by roll call as follows;</p> <p>Ayes: Holcombe, Van Wingerden, Johnson, Stendell and Roberts<br/>Nayes: None<br/>Absent: None</p>   |
| <p><b>DRAFT FEE APPEAL POLICY</b></p> | <p>Executive Director McDonald presented to discuss the Draft Appeal Policy for GSA Groundwater Fee.</p> <p>Steps:</p> <ul style="list-style-type: none"> <li>- Develop Draft Policy</li> <li>- Conduct Public review (Sept 28, Oct 12 &amp; Nov 9)</li> <li>- Finalize Draft Policy and Adopt (Nov 9)</li> <li>- Implement Policy (Nov 14)</li> </ul> <p>The Draft Fee Appeal Policy will provide a process for property owners who believe that the fee is applied incorrectly to their Parcel.</p> <p>Examples:</p> <ul style="list-style-type: none"> <li>- Incorrect acreage used to calculate fee</li> <li>- Land use is not subject to fee (i.e. road parcel or conservation easement)</li> <li>- Parcel not within the GSA Boundary (published boundary produced by the state)</li> </ul> |



|                              |   |
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|                              | <ul style="list-style-type: none"> <li>- Other exemptions – ex: A parcel that does not extract, divert or receive groundwater from CGB, directly or indirectly, and does not plan to do so before the GSP is completed can apply for an exemption to the parcel acreage-based fee.</li> </ul> <p>Executive Director McDonald addressed a letter from Madeleine Bear re: GSA fee and requested she contact him directly.</p>   |
| <p><b>PUBLIC HEARING</b></p> | <p>Following discussion of the Draft Fee Appeal policy, Chairman Van Wingerden opened the Public Hearing.</p> <ol style="list-style-type: none"> <li>1. Opening of Public Hearing by Chairman Van Wingerden at 6:00 p.m.</li> <li>2. Receipt of Public Comment – <ul style="list-style-type: none"> <li>• Scott Van Der Kar addressed the Board.</li> </ul> </li> </ol> <p>Scott Van Der Kar commented on the following:</p> <ul style="list-style-type: none"> <li>- Low Workshop Meeting attendance on 11/16/22.</li> <li>- Concerns of CVWD and GSA board being the same.</li> <li>- Requested steps of appeal and if/when it goes to the State Level and issues with current criteria process.</li> <li>- GSA cost on Property Tax Bill – option to note that payment is made under protest and appeal through the Property Tax system.</li> </ul> <p>Executive Director McDonald gave a verbal response.</p> <ol style="list-style-type: none"> <li>3. Closing of Public Hearing by Chairman Van Wingerden at 6:07 p.m.</li> <li>4. Director Comments – Executive Director McDonald addressed comments from Directors.</li> </ol> <p>Don Thompson addressed the Board and commented on the following:</p> <ul style="list-style-type: none"> <li>- Requested more information regarding GSA having authority of any future wells which will be discussed in Item D. of agenda.</li> </ul> <p>Andrew Hart addressed the Board via Zoom and commented on the following:</p> <ul style="list-style-type: none"> <li>- Request to consider moving from an acreage based fee to a Groundwater Pumping Fee, possible sliding tier based on groundwater availability would be more useful</li> </ul> <p>Executive Director McDonald gave a verbal response.</p> |
| <p><b>RESOLUTION 017</b></p> | <p>Following discussion, Director Roberts moved, and Director Stendell seconded the motion to adopt Resolution 017 authorizing an Appeal Policy for the Fee for Operation and Administrative Costs of the CGSA. The motion carried by a 5-0 vote. The motion was approved by roll call as follows;</p>  |

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|                              | <p>Ayes: Johnson, Holcombe, Roberts, Stendell and Van Wingerden<br/> Nays: None<br/> Absent: None</p>  |
| <p><b>RESOLUTION 019</b></p> | <p>Executive Director McDonald presented to consider and discuss adopting Resolution 019 authorizing a policy with respect to California’s EO N-7-22 (9a) requiring a GSA verification letter for new well permits.</p> <p>Executive Order N-7-22 States:</p> <p>9. To protect health, safety, and the environment during this drought emergency, a county, city, or other public agency shall not:</p> <p>a. Approve 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</p> <p>Scott Van Der Kar commented on the following:</p> <ul style="list-style-type: none"> <li>- Important to have concerns on record.</li> <li>- Concerns regarding CVWD and GSA board being the same.</li> <li>- Confirmation that there will be a policy in place and the GSA will be authorized to consider well applications</li> <li>- If Groundwater Basin is being overdrafted and pumpers need to cut back, CVWD will also have to cut back – Will CVWD have to go through the same verification letter approval process – a problem if CVWD &amp; GSA board are the same.</li> </ul> <p>Don Thompson commented on the following:</p> <ul style="list-style-type: none"> <li>- Currently when anyone drills a well it is affecting and decreasing the future of the basin as a whole, at what point will the GSA deny new well drilling to save the basin and is there a plan in place?</li> </ul> <p>Executive Director McDonald gave a verbal response.</p> <p>Following discussion, Director Holcombe moved, and Director Johnson seconded the motion to adopt Resolution 019. The motion carried by a 5-0 vote. The motion was approved by roll call as follows;</p> <p>Ayes: Johnson, Holcombe, Roberts, Stendell and Van Wingerden<br/> Nays: None</p> |

|                       |   |
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|                       | Absent: None  |
| <b>RESOLUTION 018</b> | <p>Executive Director McDonald presented to consider and discuss adopting Resolution 018, authorizing CVWD to apply for SGMA Implementation Grant Program on behalf of the GSA.</p> <p>CGSA Resolution 018:</p> <ul style="list-style-type: none"> <li>- Authorizing CVWD to apply for SGMA Implementation Grant on behalf of the CGSA</li> <li>- Projects in the SGMA Grant application will include CAPP &amp; Seawater Barrier Well Assessment Study.</li> <li>- Grant program can provide a maximum of \$20 M in funding.</li> <li>- Resolution of Authorization required if agency other than the GSA is applying in a high or medium priority basin.</li> </ul> <p>Following discussion, Director Holcombe moved, and Director Roberts seconded the motion to adopt Resolution 019. The motion carried by a 5-0 vote. The motion was approved by roll call as follows;</p> <p>Ayes: Johnson, Holcombe, Roberts, Stendell and Van Wingerden<br/> Nays: None<br/> Absent: None</p> <p>Scott Van Der Kar commented on the following:</p> <ul style="list-style-type: none"> <li>- Regarding well questionnaires that have been mailed, are they from GSA or CVWD? When will the outcome be complete?</li> </ul> <p>Executive Director McDonald gave a verbal response.</p> |
| <b>ADJOURNMENT</b>    | <p>Chairman Van Wingerden adjourned the meeting at 6:45 p.m.</p> <hr/> <p>Robert McDonald, Secretary</p>  |



**Monthly Disbursement Report  
Carpinteria Groundwater Sustainability Agency**

Payment Date: 10/16/22 - 11/15/22

**Disbursement Report**

**Carpinteria Groundwater Sustainability Agency Account - Check Report**

| Vendor   | Description                             | Payment Number | Payment Date         | Payment          |
|--|---|----------------|----------------------|------------------|
| <b>CARPINTERIA LIONS PARK AND EVENT CENTER</b>   |   |                |                      | <b>750.00</b>    |
|  | CGSA COMMUNITY MEETING 111622           | 1065           | 10/26/2022           | 750.00           |
| <b>COASTAL VIEW NEWS</b>                         |   |                |                      | <b>692.00</b>    |
|  | GSA - GSP COMMUNITY MEETING AD - 100622 | 1064           | 10/19/2022           | 346.00           |
|  | GSA - COMMUNITY WORKSHOP AD 101322      | 1066           | 10/26/2022           | 346.00           |
| <b>GARY LEE ATKINS</b>                           |   |                |                      | <b>245.00</b>    |
|  | SOUND TECH - GSA WORKSHOP #1 101922     | 1071           | 11/2/2022            | 245.00           |
| <b>GROUNDWATER SOLUTIONS, INC.</b>               |   |                |                      | <b>17,858.50</b> |
|  | GSP DEVELOPMENT - SEPTEMBER             | 1067           | 10/26/2022           | 17,858.50        |
| <b>INFOSEND INC</b>                              |   |                |                      | <b>3,390.98</b>  |
|  | GSA MEETING POSTCARDS                   | 1072           | 11/2/2022            | 3,390.98         |
| <b>MONTGOMERY &amp; ASSOCIATES</b>               |   |                |                      | <b>24,852.50</b> |
|  | GSP DEVELOPMENT - SEPTEMBER             | 1068           | 10/26/2022           | 24,852.50        |
| <b>PUEBLO WATER RESOURCES, INC</b>               |   |                |                      | <b>24,402.50</b> |
|  | GSA - GSP DEVELOPMENT - SEPTEMBER       | 1073           | 11/2/2022            | 24,402.50        |
| <b>RAFTELIS</b>                                  |   |                |                      | <b>2,535.00</b>  |
|  | GSA COMMUNICATIONS SUPPORT - SEPTEMBER  | 1069           | 10/26/2022           | 2,535.00         |
| <b>SOUTH COAST COMMUNITY MEDIA ACCESS CENTER</b> |   |                |                      | <b>1,293.75</b>  |
|  | GSA - COMMUNITY WORKSHOP                | 1063           | 10/19/2022           | 431.25           |
|  | GSA - COMMUNITY WORKSHOP                | 1070           | 10/26/2022           | 862.50           |
|  |   |                | <b>Report Total:</b> | <b>76,020.23</b> |

**Resolution No. 021**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE CARPINTERIA  
GROUNDWATER SUSTAINABILITY AGENCY (“CGSA”) ESTABLISHING THE  
GROUNDWATER SUSTAINABILITY PLAN ADVISORY COMMITTEE**

WHEREAS, the Sustainability Groundwater Management Act of 2014, Water Code sections 10720-10737.8, (“SGMA”) was signed into law on September 16, 2014; and

WHEREAS, in 2020, the CGSA was formed through a Joint Powers Authority Agreement (the “Agreement”) between the Carpinteria Valley Water District, County of Santa Barbara Water Agency, City of Carpinteria, and County of Ventura to manage the sustainability of the groundwater basin identified as the Carpinteria Groundwater Basin (the “Basin”); and

WHEREAS, the CGSA is the exclusive groundwater sustainability agency for the Basin, previously approved by the California Department of Water Resources (“DWR”) in 2020; and

WHEREAS, the Basin is an alluvial groundwater basin designated in 2018 as High Priority by DWR, which primarily underlies Santa Barbara County but also underlies a small portion of Ventura County; and

WHEREAS, by direction of the DWR, the CGSA must complete and approve a Groundwater Sustainability Plan (“GSP”) for the Basin in 2024. Further, during its preparation of the GSP, statutory law mandates that the CGSA “consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing groundwater sustainability plans.” (Water Code, § 10723.2.); and

WHEREAS, the Board of Directors of the CGSA (the “Board”), pursuant to authority conferred by the Agreement and its Bylaws, and in an effort to address the interests of all beneficial uses and users of the Basin groundwater, desires to create an ad hoc citizens advisory committee comprised of the diverse interests of stakeholders of, and parties interested in the management of, the Basin in both Ventura and Santa Barbara Counties; and

WHEREAS, bylaws governing the composition and operation of GSPAC are currently in draft form and will be brought to the Board for review, comment and approval once complete.

NOW, THEREFORE, the Board of Directors for the Carpinteria Groundwater Sustainability Agency hereby resolves as follows:

1. The Board hereby finds the facts set forth in the Recitals to this Resolution are true and correct and establish a factual basis for the CGSA’s adoption of this Resolution, and incorporates those Recitals by reference.
2. The Board hereby establishes the Groundwater Sustainability Plan Advisory Committee (the “GSPAC”).

a. The GPSAC shall provide input and community perspective to assist the CGSA's development of the GSP by providing advice and recommendations to the GSPAC, which may include and relate to, but are not limited to, the following: development, adoption or amendment of the GSP; sustainability goals and objectives; inter-Basin coordination activities; projects and management actions to achieve sustainability; community outreach; engagement and education of stakeholders and the general public; fee proposals; and other topics as directed by the Board.

b. The GSPAC shall consist of eight members representing the diverse interests in and beneficial uses and users of the Basin groundwater. As required by the Agreement and the CGSA's Bylaws, one such member shall be a Director on the Board.

c. The selection of members of the GSPAC shall be left to the sole discretion of the Board.

3. Legal counsel for CGSA is directed to complete preparation of Bylaws of the GSPAC for the Board's review, comment and approval at a later meeting.

4. The Board ratifies the CGSA Staff's posting and making available to the public, the GSPAC membership applications assessing the representative interests in the Basin of candidates for GSPAC.

**PASSED AND ADOPTED** by the Board of Directors of the CGSA on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, by the following roll call vote:

AYES:  
NAYES:  
ABSENT:  
ABSTAIN:

APPROVED:

\_\_\_\_\_  
Case Van Wingerden, Board Chairperson

ATTEST:

\_\_\_\_\_  
Robert Mc Donald, Secretary



**CARPINTERIA GSA**  
GROUNDWATER SUSTAINABILITY AGENCY

To: CGSA Board of Directors

From: Bob McDonald, Executive Director

Date: December 8, 2022

**For Consideration:**

**6.B** Consider Advisory Committee selection process & schedule (for action, Executive Director Bob McDonald).

**Background**

In 2014, the state legislature passed into law the Sustainable Groundwater Management Act (SGMA). This new law requires that local agencies form a special agency to plan and implement groundwater sustainability in their high or medium priority groundwater basins. This agency, known as a Groundwater Sustainability Agency (GSA), whose primary work is to develop and implement a Groundwater Sustainability Plan (GSP) was formed for the Carpinteria Groundwater Basin in 2020. The agency is called the Carpinteria Groundwater sustainability Agency (CGSA)

SGMA has certain requirements for a GSP, including:

- a. Defining groundwater sustainability; and
- b. Setting metrics to measure sustainability; and
- c. Developing projects and management action to maintain or achieve sustainability.

SGMA requires consideration of the interests of diverse, social, cultural, and economic elements of the populations within the basin during GSP development. Specifically, consideration of the interests of beneficial uses and users of groundwater in the basin is important. A collaborative and inclusive processes will make the GSP more resilient by increasing buy-in and trust, improving compliance, and enhancing the quality of information on which the GSP based.

The Carpinteria GSP development will require balancing different interests. The CGSA desires to engage a diverse group of stakeholders to serve on an advisory committee that will help inform the GSP preparation Staff and the GSA Board on matters of groundwater sustainability.

**Analysis**

An application to serve on the committee was made available on December 8<sup>th</sup> with a closing application window of January 6<sup>th</sup>, 2023. On Dec 14<sup>th</sup> the CGSA Board will consider creating the advisory committee and consider draft bylaws. In January the Staff and CGSA Board will review applications received and consider applicants. If interviews are necessary, Staff will schedule those interviews. The goal is to make committee member selections at the 25<sup>th</sup> Board meeting so that the Committee can meet starting in February.

**Recommendation**

This item requires no action and is for information only.



**Carpinteria Groundwater Sustainability Agency  
Groundwater Sustainability Plan Advisory Committee  
Application**

**Submittal Deadline: January 6, 2023 at 5 PM**

**Return Application to:**

Attn: Robert Mc Donald at 1301 Santa Ynez Ave,  
Carpinteria, CA 93013 or

Email to: GSP\_Adv\_Com@cvwd.net

Completed applications are considered public  
records per Government code §6252

Date Received *(Clerk's Use)*

**Background:** This application is for the Carpinteria **Groundwater Sustainability Plan Advisory Committee** (GSPAC) for 2023.

The Carpinteria Groundwater Sustainability Agency (CGSA) is preparing a Groundwater Sustainability Plan (GSP) for the Carpinteria Groundwater Basin. To assist with this effort, the CGSA is seeking members to join the **GSPAC** to provide input and feedback to aid the CGSA in the development of the GSP.

The aim of this application process is to identify interested candidates and ensure that the GSP is developed in consideration of the interests of all beneficial uses and users of groundwater in the Carpinteria Groundwater Basin.

Advisory Committee members are expected to commit to attend monthly meetings in 2023, starting in February. Each meeting will be scheduled for two to three hours, and some review work before the meetings will be necessary.

**APPLICANT INFORMATION**

Name:

Residential Address:

Mailing Address (if different):

Contact Telephone:

Email:

**NOTE: All correspondence will be sent via e-mail (or U.S. mail when email is not provided)**

**EXPERIENCE/BACKGROUND**

**(Additional page(s) of information may be attached to this application.)**

Education:

Current occupation and/ or employer:

Memberships in organizations, boards and committees (Please specify if you represent an organized group or interest)

Please indicate the interests you generally represent (check all that apply):

- Residential/ Urban      if checked explain;
- Business                      if checked explain;
- Agricultural                      if checked explain;
- Environmental                      if checked explain;

Do you own or operate agricultural lands in Carpinteria Valley?

Yes                       No

- a. If yes, what crop do you primarily produce? \_\_\_\_\_
- b. If yes, is the property primarily located in Ventura County or Santa Barbara County?  
Ventura County                       Santa Barbara County

Do you pump groundwater from the Carpinteria Groundwater Basin?

Yes                       No

- a. If yes, what is the pumped groundwater used for? \_\_\_\_\_

Do you receive water from Carpinteria Valley Water District?

Yes                       No

Please describe your interest in Carpinteria Valley and why you are interested in participating in the Carpinteria Groundwater Sustainability Advisory Committee.

**CARPINTERIA GROUNDWATER SUSTAINABILITY AGENCY**  
**Groundwater Sustainability Plan Advisory Committee**

**BYLAWS**

**Article 1**  
**NAME**

This ad hoc citizens advisory committee shall be designated the Groundwater Sustainability Plan Advisory Committee, referred to hereafter as the “GSPAC.”

**Article 2**  
**PURPOSE**

2.1 In 2020, the Carpinteria Groundwater Sustainability Agency (the “Agency”) was formed through a Joint Powers Authority Agreement between the Carpinteria Valley Water District, County of Santa Barbara Water Agency, City of Carpinteria, and County of Ventura to manage the sustainability of the groundwater basin identified as the Carpinteria Groundwater Basin (the “Basin”) in compliance with the Sustainable Groundwater Management Act (“SGMA”). The Agency acts as the exclusive groundwater sustainability agency for the Basin, and is governed by the Agency’s Board of Directors (the “Board”).

2.2 The Board has formed a technical team of Agency staff and consultants (the “Technical Team”) for the purpose of developing the Groundwater Sustainability Plan (“GSP”) mandated by SGMA.

2.3 To assist the Technical Team and Board’s consideration of the interests of beneficial uses and users of groundwater in the Basin, stakeholder engagement and education of both stakeholders and the general public, the Board has formed, by resolution, the GSPAC. (Water Code, § 10723.2.) The purpose of the GSPAC is to provide input and community perspective to assist the Technical Team and Board in their development of the GSP. As information supporting the GSP is prepared by the Agency, these items will be brought before the GSPAC for discussion, analysis, and input.

2.4 Advice and recommendations of the GSPAC may include and relate to, but are not limited to, the following: development, adoption or amendment of the GSP; sustainability goals and objections; inter-Basin coordination activities; projects and management actions to achieve sustainability; community outreach; engagement and education of stakeholders and the general public; fee proposals; and other topics as directed by the Board. The intent of the GSPAC is to provide community perspective and inclusive participation in the Agency.

**Article 3**  
**ROLES AND RESPONSIBILITIES**

3.1 Board

3.1.1 The Agency Board has been established for and authorized to oversee compliance with SGMA for the Basin, including the development and implementation of a GSP. The decision-making responsibilities are vested in Board. Notwithstanding, the Board places extraordinary value on the opinions and insight that will be provided by the GSPAC and will consider GSPAC recommendations when making its policy decisions. In addition to Agency staff and consultants, the GSPAC will include at least one Board member, who will serve as the Chair of the GSPAC.

### 3.2 GSPAC

3.2.1 The GSPAC is a non-partisan, non-sectarian, non-profit advisory organization. The role of the GSPAC is to incorporate community and stakeholder interests into consensus recommendations on SGMA implementation in the Basin for the Board to consider in its decision-making process.

3.2.2 The role of the GSPAC is advisory only. The GSPAC is not empowered to render a binding decision of any kind on behalf of the Agency, or to authorize or direct the use of Agency funds.

3.2.3 The Board will consider GSPAC recommendations when making its policy decisions but is not required to implement or utilize any specific GSPAC recommendation. The adoption or implementation of any GSPAC recommendations by the Agency will be performed by, and within the sole consideration and discretion of, the Board.

### 3.3 Agency Staff

3.3.1 In addition to particular duties assigned to Agency staff by these Bylaws, Agency staff will assist the GSPAC with discrete tasks authorized by the Board.

## **Article 4 ELIGIBILITY AND MEMBERSHIP.**

4.1 GSPAC members shall be appointed by and serve at the sole discretion of the Board. The Board shall also have the sole discretion to admonish or remove any appointed member or members of the GSPAC in accordance with Article 6.

4.2 GSPAC members represent the diverse interests of the beneficial uses and users of groundwater in the Basin. The criteria for GSPAC membership include, but are not limited to, the following: serving as a strong and effective advocate; working collaboratively with others; committing time needed for ongoing discussions; collectively reflecting the diversity of interests in the Basin.

4.3 Composition. The Agency considered Department of Water Resources (“DWR”) guidelines for the engagement of diverse stakeholders throughout the Basin during its consideration of the composition of the GSPAC. Accordingly, the GSPAC shall be comprised of a maximum of eight members representing the various interests of Basin stakeholders in the following guidelines:

- 4.3.1 One (1) member representing the public at large and shall be a resident of CGSA’s jurisdiction;
- 4.3.2 One (1) member should be a representative of at least one of the public agencies with interests in the priorities of the Basin and the creation of the GSP;
- 4.3.3 Two (2) members representing the interests of nurseries overlying the Basin;
- 4.3.4 Two (2) members representing the interests of avocado growers overlying the portion of the Basin that sits in Santa Barbara County;
- 4.3.5 One (1) member shall represent the interests of properties located in the portion of the Basin that sits in Ventura County; and
- 4.3.6 One (1) member shall be a CGSA Director concurrently serving on the Board.

4.4 Interest or application submission that is inadequate to fill an eight-member committee shall not impede the formation or viability of the GSPAC. Rather, the limits imposed in Section 4.3 shall constitute maximum limits imposed on the composition of the GSPAC, not minimum requirements.

4.5 Appointment. Interested members of the public that meet the criteria for GSPAC membership shall submit an application demonstrating the nature of their interest in the Basin. (Water Code, § 10723.2.) The information requested, and any analysis of that information required to determine whether an applicant represents the interests of a group of Basin stakeholders, will be subject to the sole discretion of the Board and/or designated Agency staff. All efforts will be made to create a balanced GSPAC, representative of the interests of beneficial uses and users of groundwater in the Basin, including well and non-well owners.

## **Article 5**

### **TERM**

Each GSAC member shall serve a term, which shall run until completion of the GSP. Similarly, the GSPAC shall continue until approval of the Agency’s GSP by the Department of Water Resources.

**Article 6**  
**RESIGNATION, REMOVAL AND VACANCIES**

- 6.1 Resignation. Any appointed member may resign by giving written notice to the GSPAC.
- 6.2 Removal. A member of the GSPAC will be subject to involuntary removal if they:
- 6.2.1 Have more than three unexcused absences from scheduled GSPAC meetings in a single calendar year;
  - 6.2.2 Are absent from three consecutive GSPAC meetings;
  - 6.2.3 Regularly fail to abide by discussion principles and goals set forth in Section 7.1;
  - 6.2.4 Violate the Ralph M. Brown Act (Government Code section 54950, et seq.) (the “Brown Act”);
  - 6.2.5 Fail to exercise the purpose and authority of the GSPAC as described in Articles 2 and 3; and/or
  - 6.2.6 No longer fulfill the criteria for representing the pool of interests for which the member was selected.
- 6.3 Vacancies. The Board shall use the procedure set forth in Section 4.5 when filling a vacant position.

**Article 7**  
**ORGANIZATIONAL PROCEDURES**

- 7.1 The following principles and goals shall govern members’ discussion at GSPAC meetings:
- 7.1.1 Members shall strive to create a problem-solving environment;
  - 7.1.2 Members shall use common conversational courtesy;
  - 7.1.3 All ideas and points of view shall have unique value;
  - 7.1.4 Members shall explain the bases for their opinions and interests to each other, and shall strive to consider the bases for the opinions and interests of other members;
  - 7.1.5 Members shall strive to be concise;
  - 7.1.6 Members shall think innovatively and welcome new ideas;
  - 7.1.7 Conversations should be forward focused;

- 7.1.8 Members shall be given equal opportunities for participation;
- 7.1.9 Members shall avoid ascribing motives for the opinions expressed by others;
- 7.1.10 Members shall avoid adopting right-wrong paradigms.

## **Article 8 MEETINGS**

- 8.1 Meetings of the GSPAC shall be open to the public and shall comply with the Brown Act, including but not limited to its accessibility, notice and posting requirements.
- 8.2 Meetings of the GSPAC shall be held at a location within the jurisdictional limits of the Agency on dates and times designated by the Board, with input from the GSPAC concerning member availability.
- 8.3 A majority of currently-appointed GSPAC members shall constitute a quorum. In the absence of a quorum, no business may be transacted beyond the adjournment of a meeting by the GSPAC members who are present.
- 8.4 In accordance with the Agency's Bylaws, the Chair of the GSPAC shall be a Board member. The Chair shall exercise impartiality toward the content of the issues under discussion, and will work with the members and Facilitator (see below) to ensure discussion remains balanced and effective.
- 8.5 GSPAC meetings may be facilitated by a Facilitator selected by the Board and Agency staff. The Facilitator shall convene the meeting, establish the existence of a quorum and oversee the meeting to ensure the timely completion of the published agenda. If for any reason the Facilitator cannot facilitate at a particular meeting, the Chair (or a member of the Technical Team) shall fill the role of the Facilitator.
- 8.6 The Agency shall assign staff to record the minutes of all GSPAC meetings, maintain a list of all active representatives, handle committee correspondence and keep records of actions as they occur at each meeting. It shall be the responsibility of assigned Agency staff to ensure compliance with records, notice and posting requirements of the Brown Act and Section 8.1.

## **Article 9 RECOMMENDATIONS**

- 9.1 To inform the decision-making of the Board, the GSPAC will provide written recommendations on subjects the Agency assigns to the GSPAC.
- 9.2 The GSPAC is a consensus-seeking body. The GSPAC will strive to reach consensus on its recommendations. The definition of consensus spans the range from strong support to neutrality, to abstention, to "I can live with it," to "I will let this go forward." When unable to

reach consensus on recommendations, the GSPAC will outline the areas of agreement and disagreement, providing explanation to inform the Board's decision-making. Then, the GSPAC will forward this summary via Agency staff to the Board. The position of each GSPAC member on the points of consensus or summary will be noted in the Committee's records.

9.3 The GSPAC may request that one or more members present its recommendations to the Board, including areas of agreement and disagreement, consistent with GSPAC deliberations.

## **Article 10 COMMUNICATION AND MEDIA**

10.1 Communications among members of the GSPAC are subject to the limitations of the Brown Act. GSPAC members are prohibited from using serial communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any GSPAC-related business outside of a public meeting.

10.2 Agency staff will serve as primary contacts for all communication, outreach and media. At the request of the Board, or staff, the GSPAC may advise on outreach and community engagement.

10.3 GSPAC members reserve freedom to express their own opinions in their individual capacities to media representatives, but not the opinions of others including the GSPAC, individual GSPAC members, Board and staff. The temptation to discuss someone else's statements or position should be avoided. Participants shall refer media inquiries to Agency staff.

10.4 If contacted by the press or an external party concerning the discussions, participants are required to: (1) state that they are not speaking on behalf of the GSPAC, unless specifically authorized by the GSPAC to do so; (2) present their individual views only and conscientiously refrain from expressing, characterizing, or judging the views of others including the GSPAC, individual GSPAC members, Board and Agency staff; and (3) avoid using the press as a vehicle for negotiation. Participants shall refer media inquiries to Agency staff.

## **Article 11 RESOURCES**

The Agency will provide support for the GSPAC as needed, authorized and directed by the Board.

## **Article 12 AMENDMENTS**

Amendments, changes, revisions and supplements to these Bylaws may be made in writing by the Board at its sole discretion.



**Article 13**  
**CONFLICT OF INTEREST**

All members of the GSPAC with respect to any work performed as a member of the GSPAC, must avoid conflicts of interest and act in the best interests of the Agency, and not in the service of personal interests. GSPAC members, as a non-legislative advisory body, are not public servants enumerated under Government Code section 87200 and/or designated employees under the Agency Conflict of Interest Code. However, GSPAC members shall not be financially interested in any contract entered into by the Agency, which includes both direct and indirect interests. In the event that a GSPAC member determines that member holds a financial interest in any contract entered into, or to be entered into by the Agency, the GSPAC member shall disclose that interest to other GSPAC members and to the Board. The Board will evaluate the disclosure and may take appropriate action, including but not limited to disqualification of that member from consideration of particular issues, or dismissal of that member from the GSPAC.

**Article 14**  
**COMPENSATION**

Members of the GSPAC shall serve without compensation, reimbursement, salary, stipend or any other remuneration. Members of the GSPAC shall not accept anything of value, from any individual and/or entity related to their service and/or work on the GSPAC.