

Santa Ynez River

WATER CONSERVATION DISTRICT

JULY 2022 NEWSLETTER

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Adoption of FY 2022-23 Groundwater Charge Rates Consistent with New Court Decision

Since 1979, the Santa Ynez River Water Conservation District (District) has calculated groundwater charge rates consistent with the mandates of Water Code section 75594. Consistent with section 75594's mandated differences in rates by water user classification, the District has charged Municipal and Industrial (M&I) groundwater producers, classed as "Other," a rate of about 3.5 times the rate it charged Agricultural producers and a rate of about two times as much for the irrigation producers, classed as Special Irrigation. However, on May 26, 2022, the Court of Appeal for the Second Appellate District, Division 6, issued a published decision in *City of San Buenaventura v United Water Conservation District* (2022) 79 Cal.App.5th 110, invalidating section 75594 as unconstitutional. As result of the Court of Appeal's decision, the District can no longer rely upon section 75594's mandated differences in rates by water user classification and District's groundwater charge rates must be consistent with the cost of service requirements of Proposition 26 (California Constitution, Art. XIII C, § 1). To that end, the District immediately commissioned preparation of a Rate Study by a professional rate study consulting firm (Raftelis) to determine Proposition 26 compliant groundwater charge rates – as required by the Court Decision.

At its June 28, 2022 special board meeting, the District's Board of Directors discussed and considered, among other things, the Rate Study Report and public comments, and unanimously adopted Resolution No. 714 levying a groundwater charge of \$14.14 per acre-foot for all water producer types in all zones within the District, as the groundwater charge rates for the 2022-23 fiscal year. The new rates will be effective and applied to all groundwater that is produced for the 12 months from July 1st, 2022 through June 30th, 2023. The first semi-annual payment at the new rates will be due on January 31st, 2023.

Managing Water Supplies for User Benefit

Cachuma Reservoir last spilled in 2011. During spill years, groundwater aquifers along the river are recharged, including the Lompoc Plain. During dry periods, such as the 11 years since 2011, the SYRWCD makes releases of stored water from the reservoir that are earmarked for water users below Bradbury Dam. During this extended dry year period, releases to the river have occurred every summer since 2013, with the exception of 2019. With river aquifers still at low levels due to prolonged dry conditions, the SYRWCD may call for a water- rights release from the Lake Cachuma Reservoir sometime this summer or fall. At this time, it is estimated that a total of about 10,000 acre-feet will be released. Visit **SYRWCD.com** for updates.

Sustainable Groundwater Management Act (SGMA)

The Sustainable Groundwater Management Act (SGMA) is

being implemented at the local level by three Groundwater Sustainability Agencies (GSAs). With the issuance of Executive Order N-7-22 on March 28, 2022 by the Governor, the three GSAs in the Santa Ynez River Valley Basin will need to consider requests for written verification for any new (non-exempt) wells within their jurisdiction that: 1) the groundwater extraction of the proposed new well would not be inconsistent with any sustainable groundwater program established in any applicable GSP adopted by that GSA; and 2) the groundwater extraction of the proposed new well would not decrease the likelihood of achieving a sustainability goal for the basin covered by such GSP. Domestic wells that produce less than 2 acre-feet per year and public supply wells are exempt from the new Executive Order. Santa Barbara County's new well permitting ordinance adopted by the County Board of Supervisors on May 24, 2022, acknowledges the role of the GSAs in administering new well verifications requests under the Executive Order, and the District as a party to the three GSAs has worked with representatives of the County and other parties to the GSAs to develop a process for administering new well verification requests.

For information about the new Santa Barbara County EHS well permit requirements please visit: **<https://www.countyofsb.org/2277/Water-Wells-Drinking-Water>** and for GSA well verification process, SGMA, and on-going GSP activities please visit **SantaYnezWater.org** or call Bill Buelow at the District office at 805-693-1156.

Protecting Your Water Rights

The Santa Ynez River Water Conservation District (SYRWCD) was formed in 1939 in response to a third new large dam on the Santa Ynez River designed to store and divert flow out of the river to the communities of the south coast. At that time, users of the river were concerned about preserving and protecting the historic and potential future uses of water within the watershed.

Since 1939 and continuing today, the SYRWCD advocates for and is an active protector of your water rights in the Santa Ynez and Lompoc Valleys.

Office Location

Our office is located at 3669 Sagunto Street, Suite 101, Santa Ynez, CA 93460.

Water users in the Santa Ynez - Solvang - Los Olivos area should not confuse this District with the Improvement District No. 1 (ID1) by the same name. ID1 is a separate district formed many years ago to acquire and serve water in the aforementioned area.

We appreciate any comments or suggestions you may have. If you have any questions regarding District activities, please contact Kevin Walsh, General Manager, at 805-693-1156.