



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: General Services
Department No.: 063
For Agenda Of: January 10, 2023
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department George Chapjian, Community Services Director (805) 568-2485
Directors Janette Pell, General Services Director, (805) 568-2625
Contact Info: Jeff Lindgren, Community Services Assistant Director (805) 686-5076
Skip Grey, General Services Assistant Director (805) 568-3083

SUBJECT: Temporary Right of Entry and Well License Agreement with the Montecito Groundwater Sustainability Agency for the Installation, Operation and Maintenance of Four Groundwater Wells in Santa Barbara County Manning Park (RP #004037); District 1

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair of the Board of Supervisors to execute the original and duplicate original Temporary Right of Entry and Well License Agreement between the County of Santa Barbara and the Montecito Groundwater Sustainability Agency (“Montecito GSA”) for the installation, operation and maintenance of one (1) groundwater monitoring well and three (3) associated observation wells at Santa Barbara County Manning Park, which is owned by the County of Santa Barbara and identified as Assessor Parcel Numbers 009-060-050, 009-060-051, 009-060-055 and 007-220-001; and
- b) Accept the determination by Montecito GSA, acting as the project applicant and lead agency, that the project activities are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15303 [*New Construction or Conversion of Small Structures*], 15304 [*Minor Alterations to Land*], and 15306 [*Information Collection*] of Title 14 of the California Code of Regulations, and further accept the Notice of Exemption filed on October 8, 2022, with the Santa Barbara County Clerk of the Board of Supervisors.

Summary Text:

The Board's actions to approve and authorize the Chair to execute the Temporary Right of Entry and Well License Agreement ("Agreement") (Attachment 1) will allow Montecito GSA to install, operate and maintain, for an initial period of ten (10) years with options to extend the term for two extension periods of ten (10) years each, one (1) groundwater monitoring well up to a depth of three hundred feet (300'), and three (3) associated observation wells, each up to a depth of one hundred and fifty feet (150') (the monitoring well and observation wells, collectively, the "Wells"), in Santa Barbara County Manning Park, which is owned by the County of Santa Barbara and identified as Assessor Parcel Numbers 009-060-050, 009-060-051, 009-060-055 and 007-220-001 ("Property"), for the collection of geologic and groundwater data from the Montecito Groundwater Basin ("Basin").

Background:

Montecito GSA was established in 2018 by the Montecito Water District, with approval from the California Department of Water Resources (DWR), to assess and manage the condition of the Basin in accordance with the Sustainable Groundwater Management Act as set forth in Water Code §§ 10720-10737.8. In March 2020, DWR issued a grant award to Montecito GSA for the construction of two monitoring wells in Basin areas with known data gaps. Montecito GSA subsequently identified the Property as a suitable location to collect data on the inland area of the Basin.

The Wells will provide data on the geologic characteristics of the Property, which is located in an area where few wells currently exist. A portion of the Property is also bound by two faults that play a role in groundwater hydraulics, and the Wells will provide Montecito GSA with an additional understanding of fault influence. The Wells will also help Montecito GSA better understand the hydraulic conductivity of the area, and provide additional long-term monitoring points for groundwater levels in the area.

Montecito GSA hired Rincon Consultants, Inc. ("Rincon") to design the Wells and assist staff in the preparation and issuance of a Request for Proposal (RFP) to select a contractor to drill one monitoring well on the Property, and a second monitoring well on coastal property owned by the Montecito Sanitary District and located at 910 Channel Drive. On October 11, 2022, the Montecito GSA Board of Directors approved the contractor selection and authorized staff to execute a services contract with Gregg Drilling, Inc., which provides that the monitoring well may be drilled up to a maximum depth of three hundred feet (300') with up to a six-inch (6") diameter PVC casing, and each of the three observation wells may be drilled up to a depth of one hundred and fifty feet (150') with a two-inch (2") diameter PVC casing. The top-of-well casings will be flush-mounted and equipped with a lockable, watertight cover, unless otherwise authorized in writing by County.

The Agreement grants to Montecito GSA a personal, revocable, and non-assignable right to enter, move workers, equipment and materials over, within and upon portions of the Property to construct, install and operate the Wells in designated areas of the Property. In return, Montecito GSA must act in accordance with the terms and conditions of the Agreement and perform the following duties:

- Identify subsurface utilities in the area surrounding construction and notify Underground Services Alert ("USA"), or its successor organization, at least 48 hours prior to ground disturbance;
- Reserve those areas of the Property that will be impacted by construction activities, as determined by County Parks, and pay all associated reservation fees;
- Notify nearby property owners and occupants at least 48 hours prior to construction activities;
- Label each Well in the field so that it is readily identifiable;

- Hire a licensed land surveyor to survey the locations and top-of-casing elevations of each Well site and identify each location on a site map;
- Keep work areas in a safe condition, free of debris and obstructions except as authorized by County;
- Obtain all necessary permits and authorizations; and
- Repair any damage to the Property caused by the construction, operation or removal activities, and restore the Property upon termination to nearly the same condition as it existed prior to the excavation and installation of each Well.

Rincon analyzed the potential environmental impacts to the Property from the proposed activities and determined that they will not have a significant effect on the environment. Rincon then prepared a CEQA Categorical Exemption Memorandum and, on October 8, 2022, Montecito GSA filed a Notice of Exemption with the County of Santa Barbara Clerk of the Board of Supervisors (Attachment 2).

Performance Measure: Montecito GSA will use the data collected from the Wells to assess and manage the condition of the Basin, and will prepare and provide a written report (“Report”) to County at the time any option to extend is exercised, or within ninety (90) days after the expiration or earlier termination, abandonment, or surrender of the Agreement. The Report shall include the following information: the status of each Well on the Property; the dates of all site visits; all maintenance and repairs performed on each Well; and an annual summary of the data collected from the Wells.

Fiscal and Facilities Impacts:

Budgeted: None

Staffing Impacts: None

Special Instructions: After Board action, please distribute as follows:

1. Return the original and duplicate original Agreement to Real Property/General Services, Attn: Susan Freebourn.
2. Forward a copy of the Minute Order to: sfreebourn@countyofsb.org.

Attachments:

1. Temporary Right of Entry and Well License Agreement
2. CEQA Categorical Exemption Memorandum and Notice of Exemption (filed October 8, 2022)

Authored by: S. Freebourn