

NOTICE AND AGENDA

Regular Meeting of the Board of Trustees

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, IMPROVEMENT DISTRICT NO.1

will be held at **3:00 P.M., Tuesday, October 18, 2022**

In-Person - 1070 Faraday Street, Santa Ynez, CA - Conference Room

OR

VIA TELECONFERENCE

TELECONFERENCE PHONE NUMBER: 1-669-900-9128

MEETING ID: 929 0039 9487#

PARTICIPANT ID No.: 180175#

MEETING PASSCODE: 180175#

Important Notice Regarding Public Participation in This Meeting: For those who may not attend the meeting in person or teleconference but wish to provide public comment on an Agenda Item, please submit any and all comments and written materials to the District via electronic mail at general@syrwd.org. All submittals should indicate **“October 18, 2022 Board Meeting”** in the subject line. Public comments and materials received by the District will become part of the post-meeting Board packet materials available to the public and posted on the District’s website. In the interest of clear reception and efficient administration of the meeting, all persons participating via teleconference are respectfully requested to mute their voices after dialing-in and at all times unless speaking.

1. **CALL TO ORDER AND ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **REPORT BY THE SECRETARY TO THE BOARD REGARDING COMPLIANCE WITH THE REQUIREMENTS FOR POSTING OF THE NOTICE AND AGENDA**
4. **CONSIDERATION OF RESOLUTION NO. 826 – A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Authorizing Remote Teleconference Meetings Under the Ralph M. Brown Act in Accordance with AB 361**
5. **ADDITIONS OR CORRECTIONS, IF ANY, TO THE AGENDA**
6. **PUBLIC COMMENT** - Any member of the public may address the Board relating to any non-agenda matter within the District’s jurisdiction. The total time for all public participation shall not exceed fifteen (15) minutes and the time allotted for each individual shall not exceed three (3) minutes. The District is not responsible for the content or accuracy of statements made by members of the public. No action will be taken by the Board on any public comment item.
7. **CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 20, 2022**
8. **CONSENT AGENDA** - All items listed on the Consent Agenda are considered to be routine and will be approved or rejected in a single motion without separate discussion. Any item placed on the Consent Agenda can be removed and placed on the Regular Agenda for discussion and possible action upon the request of any Trustee.
CA-1. Water Supply and Production Report
CA-2. Central Coast Water Authority Update
9. **MANAGER REPORTS - STATUS, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:**
 - A. **DISTRICT ADMINISTRATION**
 1. Financial Report on Administrative Matters
 - a) Presentation of Monthly Financial Statements – Revenues and Expenses
 - b) Approval of Accounts Payable

- 10. REPORT, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:**
- A. SUSTAINABLE GROUNDWATER MANAGEMENT ACT**
 - 1. Eastern Management Area Update
 - 2. Appointments for District’s SGMA Ad Hoc Committee
 - B. CENTRAL COAST WATER AUTHORITY**
 - 1. Update Regarding CCWA Water Deliveries
 - 2. Aquaterra Water Bank Proposal
 - C. CACHUMA PROJECT**
 - 1. Initial Cachuma Project Allocation for Federal Water Year 2022-2023
- 11. REPORTS BY THE BOARD MEMBERS OR STAFF, QUESTIONS OF STAFF, STATUS REPORTS, ANNOUNCEMENTS, COMMITTEE REPORTS, AND OTHER MATTERS AND/OR COMMUNICATIONS NOT REQUIRING BOARD ACTION**
- 12. CORRESPONDENCE: GENERAL MANAGER RECOMMENDS FILING OF VARIOUS ITEMS**
- 13. REQUESTS FOR ITEMS TO BE INCLUDED ON THE NEXT REGULAR MEETING AGENDA:** Any member of the Board of Trustees may place an item on the meeting Agenda for the next regular meeting. Any member of the public may submit a written request to the General Manager of the District to place an item on a future meeting Agenda, provided that the General Manager and the Board of Trustees retain sole discretion to determine which items to include on meeting Agendas.
- 14. NEXT MEETING OF THE BOARD OF TRUSTEES:** The next Regular Meeting of the Board of Trustees is scheduled for **November 15, 2022 at 3:00 p.m.**
- 15. CLOSED SESSION:**
[To accommodate the teleconferencing component of this meeting, the public access line will be closed for up to sixty \(60\) minutes while the Board of Trustees convenes into closed session. Upon the conclusion of the closed session, the public participation teleconference access will be reopened for the remaining Agenda Items.](#)
- The Board will hold a closed session to discuss the following items:
- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
 [Subdivision (d)(1) of Section 54956.9 of the Government Code – 2 Cases]
 - 1. Name of Case: Adjudicatory proceedings pending before the State Water Resources Control Board regarding Permit 15878 issued on Application 22423 to the City of Solvang, Petitions for Change, and Related Protests
 - 2. Name of Case: Central Coast Water Authority, et al. v. Santa Barbara County Flood Control and Water Conservation District, et al., Santa Barbara County Superior Court Case No. 21CV02432
- 16. RECONVENE INTO OPEN SESSION**
 [Sections 54957.1 and 54957.7 of the Government Code]
- 17. ADJOURNMENT**

This Agenda was posted at 3622 Sagunto Street, Santa Ynez, California, and notice was delivered in accordance with Government Code Section 54950 et seq., specifically Section 54956. This Agenda contains a brief general description of each item to be considered. The Board reserves the right to change the order in which items are heard. Copies of any staff reports or other written documentation relating to each item of business on the Agenda are on file with the District and available for public inspection during normal business hours at 3622 Sagunto Street, Santa Ynez. Such written materials will also be made available on the District's website, subject to staff's ability to post the documents before the regularly scheduled meeting. Questions concerning any of the Agenda items may be directed to the District's General Manager at (805) 688-6015. If a court challenge is brought against any of the Board's decisions related to the Agenda items above, the challenge may be limited to those issues raised by the challenger or someone else during the public meeting or in written correspondence to the District prior to or during the public meeting. In compliance with the Americans with Disabilities Act, any individual needing special assistance to review Agenda materials or participate in this meeting may contact the District Secretary at (805) 688-6015. Notification 72 hours prior to the meeting will best enable the District to make reasonable arrangements to ensure accessibility to this meeting.

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,
 IMPROVEMENT DISTRICT NO.1
SEPTEMBER 20, 2022 REGULAR MEETING MINUTES

A Regular Meeting of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, was held at 3:00 p.m. on Tuesday, September 20, 2022, in-person at 1070 Faraday Street and via teleconference.

Trustees Present: Jeff Clay Michael Burchardi
 Jeff Holzer Brad Joos
 Lori Parker

Trustees Absent: None

Others Present: Paeter Garcia Mary Martone
 Gary Kvistad Karen King
 Loch Dreizler

1. CALL TO ORDER AND ROLL CALL:

President Clay called the meeting to order at 3:00 p.m., he stated that this was a Regular Meeting of the Board of Trustees. Ms. Martone conducted roll call and reported that all Trustees were present.

2. PLEDGE OF ALLEGIANCE:

President Clay led the Pledge of Allegiance.

3. REPORT BY THE SECRETARY TO THE BOARD REGARDING COMPLIANCE WITH THE REQUIREMENTS FOR POSTING OF THE NOTICE AND AGENDA:

Ms. Martone presented the affidavit of posting of the Agenda, along with a true copy of the Agenda for this meeting. She reported that the Agenda was posted in accordance with the California Government Code commencing at Section 54953, as well as District Resolution No. 340. The affidavit was filed as evidence of the posting of the Agenda items contained therein.

4. CONSIDERATION OF RESOLUTION NO. 825: A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Authorizing Remote Teleconference Meetings Under the Ralph M. Brown Act in Accordance with AB 361

Mr. Garcia presented Resolution No. 825 and explained that pursuant to amendments to the Brown Act (Assembly Bill 361), public agencies are authorized to conduct remote meetings via video/teleconference during the COVID-19 pandemic, provided certain conditions exist and findings are made. He stated that in order for the Board to continue to meet under the provisions of AB 361, either remotely or under a hybrid approach of remote and in-person attendance, the Board is required to review and reconsider its determinations at least every 30 days. Mr. Garcia reported that because the State of California remains in a declared state of emergency related to the COVID-19 pandemic and because state and local recommendations remain in place to reduce the transmission of COVID-19, approval of Resolution No. 825 would allow the Board to hold meetings under the provisions of AB 361.

No public comment was provided.

It was MOVED by Trustee Burchardi, seconded by Trustee Joos, to adopt Resolution No. 825, a Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Authorizing Remote Teleconference Meetings Under the Ralph M. Brown Act in Accordance with AB 361.

1 The Resolution was adopted and carried by the following 5-0-0 roll call vote:
2

3 AYES, Trustees: Michael Burchardi
4 Jeff Clay
5 Jeff Holzer
6 Brad Joos
7 Lori Parker
8

9 NOES, Trustees: None
10 ABSTAIN, Trustees: None
11 ABSENT, Trustees: None
12

13 5. ADDITIONS OR CORRECTIONS, IF ANY, TO THE AGENDA:

14 There were no additions or corrections to the Agenda.
15

16 6. PUBLIC COMMENT:

17 President Clay welcomed any members of the public participating remotely and offered time for
18 members of the public to speak and address the Board on matters not on the agenda. Mr. Garcia
19 reported that no written comments were submitted to the District for the meeting.
20

21 Mr. Loch Dreizler, General Manager of the Santa Ynez Community Services District, was present
22 and introduced himself to the Board.
23

24 7. CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF AUGUST 16, 2022:

25 The Regular Meeting Minutes from August 16, 2022 were presented for consideration.
26

27 President Clay asked if there were any changes or additions to the Regular Meeting Minutes of
28 August 16, 2022 as presented. There were no changes or additions requested.
29

30 It was MOVED by Trustee Joos, seconded by Trustee Parker, and carried by a unanimous 5-0-0
31 roll call vote to approve the August 16, 2022 Regular Meeting Minutes as presented.
32

33 8. CONSENT AGENDA:

34 The Consent Agenda Report was provided the Board packet.
35

36 Mr. Garcia reviewed the Consent Agenda materials for the month of August.
37

38 It was MOVED by Trustee Joos, seconded by Trustee Burchardi, and carried by a unanimous 5-0-
39 0 roll call vote to approve the Consent Agenda as presented.
40

41 9. MANAGER REPORTS - STATUS, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING
42 SUBJECTS:

43 A. DISTRICT ADMINISTRATION

44 1. Financial Report on Administrative Matters

45 a) Presentation of Monthly Financial Statements - Revenues and Expenses

46 Ms. Martone announced that the Financial Statements were emailed to the Board
47 members that morning and posted on the District's website in the Board packet
48 materials for any members of the public wishing to follow along or receive a copy.
49

50 Ms. Martone reviewed the Statement of Revenues and Expenses for the month of
51 August. She highlighted various line-items related to revenue and expense
52 transactions that occurred during the month and also referenced the Fiscal-Year-to-
53 Date Statement of Revenues and Expenses that provides a budget to actual snapshot
54 for the month of August. Ms. Martone reported that the District revenues for the

1 month of August exceeded the expenses by \$544,383.18 and the year-to-date net
2 income was \$1,121,204.55.

3
4 b) Approval of Accounts Payable

5 Ms. Martone announced that the Warrant List was emailed to the Board members that
6 morning and posted on the District's website in the Board packet materials for any
7 member of the public wishing to follow along or receive a copy.

8
9 The Board reviewed the Warrant List which covered warrants 24707 through 24769 in
10 the amount of \$478,568.99.

11
12 It was MOVED by Trustee Joos, seconded by Trustee Burchardi, and carried by a
13 unanimous 5-0-0 roll call vote to approve the Warrant List for August 17, 2022 through
14 September 20, 2022.

15
16 2. 2022 Biennial Notice for District's Conflict of Interest Code

17 The Board packet included a copy of the Santa Barbara County 2022 Local Agency
18 Biennial Notice.

19
20 Mr. Garcia reported that in accordance with the Political Reform Act, Government Code
21 Section 81000 et seq., all state and local government agencies must review and/or update
22 their Conflict of Interest Code which identifies all officials and employees within an
23 agency who make governmental decisions based upon the position they hold. He referred
24 to the Board packet materials and stated that management conducted a review of the
25 District's Conflict of Interest Code and reported that there are no changes or updates
26 required at this time. He stated no action is required by the Board and that the forms
27 would be signed by the General Manager and submitted to the Santa Barbara County
28 Clerk of the Board of Supervisors.

29
30 3. County of Santa Barbara Official Candidate List for the November 8, 2022 Election

31 The Board packet included an excerpt from the County of Santa Barbara Elections
32 Division Official Candidate List for the November 8, 2022 General Election and the
33 County of Santa Barbara November 8, 2022 General Election Special District Offices to be
34 Filled.

35
36 Mr. Garcia reported that the District has three seats open for election this November. He
37 referred to the Board packet materials and stated that an excerpt from Official Candidate
38 List for the November 8, 2022 election indicates that the Santa Barbara County Elections
39 Office has deemed three qualified candidates, Mr. Jeff Clay (Division 2), Mr. Nick Urton
40 (Division 3), and Mr. R. Brad Joos (At-Large) will run uncontested and thus be appointed
41 in lieu of an election for the District's Board of Trustees. Mr. Garcia congratulated Trustee
42 Clay and Joos for their continued dedication to the District Board. He stated that Trustee
43 Lori Parker will remain on the Board through November 2022 and expressed his
44 appreciation and compliments to Ms. Parker for her extraordinary representation of the
45 District for the last four years.

46
47 **10. REPORT, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:**

48
49 **A. SUSTAINABLE GROUNDWATER MANAGEMENT ACT**

50 **1. Eastern Management Area Update**

51 The Board packet included a Notice and Agenda for the August 25, 2022 Groundwater
52 Sustainability Agency for the Eastern Management Area in the Santa Ynez River

1 Groundwater Basin and a copy of Assembly Bill 2201 relating to Groundwater
2 Sustainability Agencies.
3

4 Mr. Garcia stated that he and Trustee Joos attended the August 25, 2022 Regular Meeting
5 of the Eastern Management Area (EMA) Groundwater Sustainability Agency (GSA) and
6 reported on the topics discussed, including an update on compliance with Executive
7 Order N-7-22; EMA GSA verification requests received, a consulting contract with GSI, an
8 update on governance for the EMA GSA, and correspondence received from the Santa
9 Ynez Valley Water Group. Mr. Garcia reported that the September GSA meeting was
10 cancelled, and the next Regular Meeting will occur in October. He reported that member
11 agency representatives and respective legal counsel will soon reconvene to continue
12 negotiating the terms of a new Joint Powers Authority structure for the EMA GSA. Mr.
13 Garcia provided an overview of Assembly Bill 2201 that would have codified certain
14 provisions of Executive Order N-7-22 and made other amendments to SGMA. He
15 reported that AB 2201 failed to pass out of the Legislature.
16

17 B. CENTRAL COAST WATER AUTHORITY

18 1. Update Regarding CCWA Water Quality and Deliveries

19 The Board packet included a District Announcement titled "No Health Risks Related to
20 Unusual Taste and Odor in Water," and Central Coast Water Authority correspondence
21 related to taste and odor issues caused by MIB.
22

23 Mr. Garcia reported at the August 16th Board meeting that the District had not taken any
24 supplies from the State Water Project (SWP) due to a nitrification event that had occurred
25 within the CCWA pipeline. He indicated that on August 23rd the District transitioned to
26 using SWP supplies for a portion of its service area. Mr. Garcia then noted that soon after
27 transitioning to SWP supplies, the District received notification from CCWA that high
28 concentrations of MIB had been detected in the SWP supplies being delivered by CCWA.
29 He explained that MIB is a naturally occurring byproduct of blue-green algae which can
30 be more prevalent with high summer temperatures and/or drought conditions, and that
31 MIB in drinking water can create an unusual taste and/or odor concern for certain
32 individuals. Mr. Garcia emphasized that MIB is a naturally occurring compound and
33 does not present any health risks to consumers. He stated that the District has received
34 calls from several customers reporting taste and odor issues with water service to their
35 property. Mr. Garcia explained that CCWA has increased its water monitoring and
36 testing and initiated a powder-activated carbon dosing process to provide additional
37 treatment of the SWP supplies being delivered to the District. He reported that CCWA
38 will continue to provide treatment for MIB until the problem is resolved. Mr. Garcia
39 stated that a Notice explaining the MIB event was prepared and posted on the District
40 website, and that the Notice has been sent to customers who reported the taste and odor
41 issue. Mr. Garcia referred to the Board packet materials which included weekly updates
42 regarding sampling results and water quality. He reported that the District's operations
43 team continues to monitor and evaluate CCWA's weekly reports to determine if
44 transitioning back to groundwater supplies will be necessary to alleviate the current taste
45 and odor issue. Mr. Garcia stated that similar nitrification and MIB issues have occurred
46 over the years which presents an ongoing concern that he is discussing with CCWA
47 management.

1 C. CACHUMA PROJECT

2 1. Cachuma Project Member Units Allocation Request for Federal WY 2022-2023

3 The Board packet included a September 1, 2022 Letter from Santa Barbara County Public
4 Works Department, Flood Control Water Agency to the US Bureau of Reclamation.
5

6 Mr. Garcia reported that the Cachuma Member Units submitted a joint letter dated
7 September 1, 2022 to the Santa Barbara County Water Agency requesting a 14% Cachuma
8 Project allocation for Water Year 2022-2023, while reserving the right to make a midyear
9 allocation request should the winter bring favorable inflow to the Project. He stated that
10 the Water Agency submitted the allocation request to the United States Bureau of
11 Reclamation (USBR) on behalf of the Cachuma Member Units, and that a response from
12 USBR remains pending. Mr. Garcia also reported that discussions may resume among
13 the Cachuma Member Units, USBR, and County Water Agency to address the next long-
14 term Water Supply Contract and/or an extension of the current short-term Contract
15 which is set to expire in September 2023.
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17 11. REPORTS BY THE BOARD MEMBERS OR STAFF, QUESTIONS OF STAFF, STATUS REPORTS,
18 ANNOUNCEMENTS, COMMITTEE REPORTS, AND OTHER MATTERS AND/OR COMMUNICATIONS
19 NOT REQUIRING BOARD ACTION:

20 The Board packet included a September 1, 2022 ACWA Advisory regarding Legislative Matters,
21 and the September 2022 Family Farm Alliance Monthly Briefing.
22

23 12. CORRESPONDENCE: GENERAL MANAGER RECOMMENDS FILING OF VARIOUS ITEMS:

24 The Correspondence List was received by the Board.
25

26 13. REQUESTS FOR ITEMS TO BE INCLUDED ON THE NEXT REGULAR MEETING AGENDA:

27 There were no requests from the Board.
28

29 14. NEXT MEETING OF THE BOARD OF TRUSTEES:

30 President Clay stated that the next Regular Meeting of the Board of Trustees is scheduled for
31 October 18, 2022.
32

33 15. CLOSED SESSION:

34 The Board adjourned to closed session at 4:50 p.m.
35

36 A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

37 [Subdivision (d)(1) of Section 54956.9 of the Government Code - 2 Cases]

38 1. Name of Case: Adjudicatory proceedings pending before the State Water Resources
39 Control Board regarding Permit 15878 issued on Application 22423 to the City of
40 Solvang, Petitions for Change, and Related Protests
41

42 2. Name of Case: Central Coast Water Authority, et al. v. Santa Barbara County Flood
43 Control and Water Conservation District, et al., Santa Barbara County Superior Court
44 Case No. 21CV02432
45

46 16. RECONVENE INTO OPEN SESSION:

47 [Sections 54957.1 and 54957.7 of the Government Code]
48

49 The public participation phone line was re-opened, and the Board reconvened to open session
50 at approximately 5:50 p.m.
51

52 Mr. Garcia announced that the Board met in closed session concerning Agenda Items 15.A.1
53 and 15.A.2, and that there was no reportable action from closed session.

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17. ADJOURNMENT:

Being no further business, it was **MOVED** by Trustee Joos, seconded by Trustee Burchardi, and carried by a 4-0-0 roll call vote, with Trustee Holzer absent at the time of the vote, to adjourn the meeting at approximately 5:57p.m.

RESPECTFULLY SUBMITTED,

DRAFT

Mary Martone, Secretary to the Board

ATTEST:

DRAFT

Jeff Clay, President

MINUTES PREPARED BY:

DRAFT

Karen King, Board Administrative Assistant

RESOLUTION NO. 826

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE SANTA YNEZ RIVER WATER
CONSERVATION DISTRICT, IMPROVEMENT DISTRICT NO.1
AUTHORIZING REMOTE TELECONFERENCE MEETINGS UNDER THE RALPH M.
BROWN ACT IN ACCORDANCE WITH AB 361**

WHEREAS, the Santa Ynez River Water Conservation District, Improvement District No.1 (District) is committed to promoting and preserving complete public access and participation in meetings of the District's Board of Trustees, as required, and set forth by the Ralph M. Brown Act (Gov. Code § 54950 et seq.) (Brown Act); and

WHEREAS, the Brown Act contains special provisions for remote teleconference participation in meetings when the Governor of the State of California has declared a state of emergency pursuant to Government Code section 8625 and either state or local officials have imposed or recommended measures to promote social distancing, or where in-person meetings would present imminent risks to the health and safety of attendees; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom issued a Proclamation of a State of Emergency for the COVID-19 pandemic, which state of emergency has not been rescinded; the County Health Officer for the County of Santa Barbara has issued numerous Health Orders regarding health and safety requirements and protocols since the beginning of and throughout the COVID-19 pandemic, including recent Health Officer Order No. 2022-10.1, effective February 16, 2022, which incorporates guidance issued on February 7, 2022 by the California Department of Public Health (CDPH) requiring unvaccinated persons to wear masks in all indoor public settings, requires universal masking in only specified settings, and recommends continued indoor masking when the risk of COVID-19 transmission is high; and

WHEREAS, on April 20, 2022, CDPH issued updated Guidance for the Use of Face Masks which provides, among other things, that effective March 1, 2022, the requirement that unvaccinated individuals mask in indoor public settings will move to a strong recommendation that all persons, regardless of vaccine status, continue indoor masking, and that universal making shall remain required in specified high-risk settings, and that after March 11, 2022, the universal masking requirement for K-12 and Childcare settings will terminate, and that CDPH strongly recommends that individuals in these settings continue to mask in indoor settings when the universal making requirement lifts; and

WHEREAS, on September 28, 2021 the County Health Officer and County Public Health Director issued a Health Official AB 361 Social Distance Recommendation which states, among other things, that utilizing teleconferencing options for public meetings is an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from COVID-19, and that such recommendation is further intended to satisfy the requirements of the Brown Act which allows local legislative bodies in the County of Santa Barbara to use certain available teleconferencing options set forth in the Brown Act, where such recommendation is also based in part on the increased case rate of the highly transmissible Delta variant of COVID-19 within the nation and the County; and

WHEREAS, the District finds that the current circumstances relating to COVID-19 and variants thereof can cause, and can continue to cause, risks to the health and safety of persons within the County, and therefore the District may conduct its meetings to allow remote teleconference participation in the manner authorized by AB 361, specifically including Government Code section 54953(e); and

WHEREAS, this Resolution is exempt from review under the California Environmental Quality Act (CEQA) pursuant to the exemption set forth under Section 15061(b)(3) of Title 14 of the California Code of Regulations (CEQA Guidelines) because remote teleconference meetings during a declared state of emergency do not have the potential for causing a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, as follows:

1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. The District may conduct its meeting to allow remote teleconference participation in the manner authorized by AB 361, specifically including Government Code Section 54953(e).
3. This Resolution shall take effect immediately upon its adoption and shall remain in effect for up to thirty (30) days as provided in Government Code section 54953(e)(3).

WE, THE UNDERSIGNED, being the duly qualified President and Secretary, respectively, of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, do hereby certify that the above and foregoing Resolution was duly and regularly adopted and passed by the Board of Trustees of said District at a Regular meeting held on October 18, 2022 by the following roll call vote:

Jeff Clay, President

ATTEST:

Mary Martone, Secretary to the Board of Trustees

**BOARD OF TRUSTEES
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,
IMPROVEMENT DISTRICT NO.1
October 18, 2022**

Consent Agenda Report

CA-1. Water Supply and Production Report. Total water production in **September 2022 (453 AF)** was 42 AF less than total production in August (495 AF), very close to the most recent 3-year running average (2019-2021) for the month of **September (459 AF)**, and about 40 AF less than the most recent 10-year running average (2012-2021) for the month of **September (492 AF)**. These recent and long-term averages for the month of **September** illustrate that generally the District's overall demands and total production have been trending well below historic levels for domestic, rural residential, and agricultural water deliveries due to water conservation, changing water use patterns, and private well installations.

For the month of **September**, approximately **146 AF** was produced from the Santa Ynez Upland wells, and **0 AF** was produced from the 4.0 cfs and 6.0 cfs Santa Ynez River well fields (except for routine water sampling). In addition, as reflected in the Monthly Water Deliveries Report from the Central Coast Water Authority (CCWA), the District took approximately **307 AF** of SWP supplies for the month, all of which was allocated as exchange deliveries. Direct diversions to the County Park and USBR were **2.54 AF**.

The USBR Daily Operations Report for Lake Cachuma in **September** (ending September 30, 2022) recorded the end of month lake elevation at **695.65'** with the end of month storage of **65,436 AF**. USBR recorded total precipitation at the lake of **0.02 inches in September**. For the month, reservoir storage was supplemented with **162.3 AF** of SWP deliveries for South Coast entities. Reservoir evaporation in **September** was **739.3 AF**.

Based on the **updated maximum storage capacity of 192,978 AF** (previously 193,305 AF), Cachuma reservoir currently (as of **October 13, 2022**) is at approximately **32.8%** of capacity, with current storage of **63,258 AF** (Santa Barbara County Flood Control District, Rainfall and Reservoir Summary). At a point when reservoir storage exceeds 100,000 AF, the Cachuma Member Units typically have received a full allocation. Conversely, a 20% pro-rata reduction from the full allocation is scheduled to occur in Water Years beginning at less than 100,000 AF, where incremental reductions may occur (and previously have occurred) at other lower storage levels. For the federal WY 2021-2022 (October 1, 2021 through September 30, 2022), the Cachuma Member Units jointly requested an allocation of approximately 83% of the Project's annual operational yield of 25,714 AF. By letter dated September 24, 2021, USBR issued a 70% allocation decision for WY 2021-2022, which equates to 18,000. ID No.1's 10.31% share of this allocation amounts to 1,855 AF (current water year balance is approximately 1,727 AF). In addition to its 2021-2022 allocation, ID No.1 currently holds approximately 2,122 AF of previous years carryover water in the reservoir, subject to evaporation. **By letter dated September 1, 2022, the Cachuma Member Units submitted a joint letter to the County Water Agency and USBR requesting a Cachuma Project allocation of 3,644 AF for federal WY 2022-2023, which would translate to a 14% allocation. By letter dated September 30, 2022, USBR responded with an initial 0% Cachuma Project allocation for WY 2022-2023.**

Water releases for the protection of fish and aquatic habitat are made from Cachuma reservoir to the lower Santa Ynez River pursuant to the 2000 Biological Opinion issued by the National Marine Fisheries Service (NMFS) and the 2019 Water Rights Order (WR 2019-0148) issued by the State Water Resources Control Board (SWRCB). These releases are made to Hilton Creek and to the stilling basin portion of the outlet works at the base of Bradbury Dam. The water releases required under the NMFS 2000 Biological Opinion to avoid jeopardy to steelhead and adverse impacts to its critical habitat are summarized as follows:

NMFS 2000 Biological Opinion

- *When Reservoir Spills and the Spill Amount Exceeds 20,000 AF:*
 - 10 cfs at Hwy 154 Bridge during spill year(s) exceeding 20,000 AF
 - 1.5 cfs at Alisal Bridge when spill amount exceeds 20,000 AF and if steelhead are present at Alisal Reach
 - 1.5 cfs at Alisal Bridge in the year immediately following a spill that exceeded 20,000 AF and if steelhead are present at Alisal Reach
- *When Reservoir Does Not Spill or When Reservoir Spills Less Than 20,000 AF:*
 - 5 cfs at Hwy 154 when Reservoir does not spill and Reservoir storage is above 120,000 AF, or when Reservoir spill is less than 20,000 AF
 - 2.5 cfs at Hwy 154 in all years when Reservoir storage is below 120,000 AF but greater than 30,000 AF
 - 1.5 cfs at Alisal Bridge if the Reservoir spilled in the preceding year and the spill amount exceeded 20,000 AF and if steelhead are present at Alisal Reach
 - 30 AF per month to "refresh the stilling basin and long pool" when Reservoir storage is less than 30,000 AF

The water releases required under the SWRCB Water Rights Order 2019-0148 for the protection of fish and other public trust resources in the lower Santa Ynez River and to prevent the waste and unreasonable use of water are summarized as follows:

SWRCB Order WR 2019-0148

- *During Below Normal, Dry, and Critical Dry water years (October 1 – September 30), releases shall be made in accordance with the requirements of the NMFS 2000 Biological Opinion as set forth above.*
- *During Above Normal and Wet water years, the following minimum flow requirements must be maintained at Hwy 154 and Alisal Bridges:*
 - 48 cfs from February 15 to April 14 for spawning
 - 20 cfs from February 15 to June 1 for incubation and rearing
 - 25 cfs from June 2 to June 9 for emigration, with ramping to 10 cfs by June 30
 - 10 cfs from June 30 to October 1 for rearing and maintenance of resident fish
 - 5 cfs from October 1 to February 15 for resident fish
- *For purposes of SWRCB Order WR 2019-0148, water year classifications are as follows:*
 - Wet is when Cachuma Reservoir inflow is greater than 117,842 AF;
 - Above Normal is when Reservoir inflow is less than or equal to 117,842 AF or greater than 33,707 AF;
 - Below Normal is when Reservoir inflow is less than or equal to 33,707 AF or greater than 15,366 AF;
 - Dry is when Reservoir inflow is less than or equal to 15,366 AF or greater than 4,550 AF
 - Critical Dry is when Reservoir inflow is less than or equal to 4,550 AF

For the month of September, Cachuma Project water releases for fish were approximately 195.9 AF to Hilton Creek and the outlet works. Notably, the remaining water rights releases in September were used conjunctively to satisfy most of the BiOp and State Board Order requirements for fishery protection. As of the end of September 2022, a total of approximately 48,347.2 AF of Cachuma Project water has been released under regulatory requirements for the protection of fish and fish habitat below Bradbury Dam since the year after the last spill in 2011.

CA-2. State Water Project (SWP) and Central Coast Water Authority (CCWA) Updates.

As previously reported, on January 20, 2022, the California Department of Water Resources (DWR) issued a Notice to SWP Contractors that the 2022 SWP Table A allocation was increased from 0 percent to 15 percent.¹ That increased allocation translated to 105 AF for ID No.1's 2022 share of Table A supplies through CCWA. **However, by Notice to SWP Contractors dated March 18, 2022, DWR reduced the Table A allocation from 15 percent down to 5 percent. This decreased allocation equates to 35 AF for ID No.1's share of Table A supplies through CCWA.** The District also holds approximately 181 AF of prior years carryover in San Luis Reservoir.

As reflected in the enclosed Agendas for the September 22, 2022 CCWA Board of Directors meeting and October 13, 2022 CCWA Operating Committee meeting, CCWA remains engaged in a variety of matters relating to the SWP, including but not limited to: SWP supplies and ongoing drought conditions; SWP operations; the 2022 Supplemental Water Purchase Program; the Aquaterra Water Bank proposal; a proposed alternative release point for CCWA mixing with downstream water right releases; and pending litigation against the Santa Barbara County Flood Control and Water Conservation District. CCWA's next Board of Directors meeting is scheduled for October 27, 2022.

¹ By way of background, on December 1, 2021, DWR issued an Initial 2022 SWP Table A allocation stating that DWR would be allocating 2022 SWP available supplies on a basis that ensures the SWP Contractors can meet their outstanding minimum human health and safety demands for water. According to DWR, that initial "Health and Safety" allocation was to be based on minimum unmet water demands for domestic supply, fire protection, and sanitation needs during the year, which the SWRCB has established as not more than 55 gallons per capita per day. Because no CCWA agencies identified unmet health and safety demands, DWR's December 2021 Notice translated to an Initial 0 percent Table A allocation for CCWA and its participants.



— BUREAU OF —
RECLAMATION

Historical Archive and Report Database

Lake Cachuma Daily Operations

Run Date: 10/1/2022

September 2022

DAY	ELEV	STORAGE ACRE-FEET		COMPUTED* INFLOW AF.	CCWA INFLOW AF.	PRECIP ON			RELEASE - AF.			EVAPORATION		PRECIP INCHES
		IN LAKE	CHANGE			RES. SURF. AF.	TUNNEL	HILTON CREEK	OUTLET	SPILLWAY	AF.	INCH		
1	699.67	71,662	-415	10.5	0.0	0.0	76.3	5.8	316.6	0.6	26.2	0.260	0.00	
2	699.42	71,266	-396	35.2	0.0	0.0	75.0	5.8	316.7	0.6	33.1	0.330	0.00	
3	699.18	70,887	-379	11.5	0.0	0.0	76.6	6.0	273.3	0.6	34.0	0.340	0.00	
4	699.00	70,602	-285	41.6	0.0	0.0	62.0	4.7	225.0	0.0	34.9	0.350	0.00	
5	698.85	70,365	-237	52.9	0.0	0.0	43.2	5.1	200.7	0.0	40.9	0.410	0.00	
6	698.70	70,128	-237	17.2	0.0	0.0	42.2	5.7	169.9	0.6	35.8	0.360	0.00	
7	698.57	69,924	-204	36.2	0.0	0.0	54.6	6.6	139.7	0.6	38.7	0.390	0.00	
8	698.43	69,706	-218	25.5	0.0	0.0	66.9	6.7	134.6	0.6	34.7	0.350	0.00	
9	698.28	69,472	-234	9.4	0.0	0.0	73.9	6.6	134.6	0.6	27.7	0.280	0.00	
10	698.13	69,238	-234	0.8	0.0	1.3	73.4	6.7	133.7	0.6	21.7	0.220	0.01	
11	697.99	69,020	-218	5.8	7.4	0.0	71.5	6.7	134.7	0.6	17.7	0.180	0.00	
12	697.87	68,833	-187	15.7	12.3	0.0	55.2	6.8	134.7	0.6	17.7	0.180	0.00	
13	697.74	68,630	-203	12.8	6.2	0.0	55.4	6.9	134.6	0.6	24.5	0.250	0.00	
14	697.60	68,413	-217	-13.9	2.0	0.0	37.5	6.8	134.7	0.6	25.5	0.260	0.00	
15	697.45	68,182	-231	-14.2	0.0	0.0	53.2	6.8	134.7	0.6	21.5	0.220	0.00	
16	697.33	67,998	-184	34.8	0.0	0.0	55.3	6.7	133.8	0.6	22.4	0.230	0.00	
17	697.18	67,767	-231	-34.1	4.6	0.0	54.9	6.9	118.6	0.6	20.5	0.210	0.00	
18	697.07	67,583	-184	8.4	9.4	0.0	59.3	6.8	115.7	0.6	19.4	0.200	0.00	
19	696.95	67,414	-169	9.0	11.3	0.0	48.8	6.9	113.6	0.6	19.4	0.200	0.00	
20	696.83	67,229	-185	-20.2	9.5	0.0	43.4	6.8	115.7	0.6	7.8	0.080	0.00	
21	696.72	67,060	-169	10.8	8.0	0.0	43.4	6.8	114.7	0.6	22.3	0.230	0.00	
22	696.59	66,861	-199	-10.7	1.3	0.0	45.3	6.9	114.6	0.6	22.2	0.230	0.00	
23	696.48	66,694	-167	26.4	0.0	0.0	50.1	6.8	114.7	0.6	21.2	0.220	0.00	
24	696.32	66,452	-242	-21.7	0.0	0.0	73.1	6.8	115.7	0.6	24.1	0.250	0.00	
25	696.19	66,240	-212	5.0	0.0	0.0	73.8	6.8	113.7	0.6	22.1	0.230	0.00	
26	696.06	66,058	-182	32.4	4.5	0.0	77.6	6.8	114.7	0.6	19.2	0.200	0.00	
27	695.95	65,891	-167	23.5	1.3	0.0	49.5	6.8	115.7	0.6	19.2	0.200	0.00	
28	695.82	65,694	-197	-3.6	25.4	0.0	74.8	6.7	113.8	0.6	22.9	0.240	0.00	
29	695.72	65,542	-152	8.3	28.3	0.0	62.7	6.9	93.6	0.6	24.8	0.260	0.00	
30	695.65	65,436	-106	30.0	30.8	1.3	67.8	6.9	75.6	0.6	17.2	0.180	0.01	
TOTALS			-6,641	345.3	162.3	2.6	1,796.7	195.9	4,402.4	16.8	739.3	7.540	0.02	
AVERAGE		68,208												

Comments: *Computed inflow is the sum of change in storage, releases and evaporation minus precip on the reservoir surface and ccwa inflow.
Indicated outlet release includes leakage from outlet valves and spillway gates.
Data based on a 24 hour period ending 0800.



Santa Barbara County - Flood Control District

130 East Victoria Street, Santa Barbara CA 93101 - 805.568.3440 - www.countyofsb.org/pwd

Rainfall and Reservoir Summary

Updated 8am: 10/13/2022

Water Year: 2023

Storm Number: 3

Notes: Daily rainfall amounts are recorded as of 8am for the previous 24 hours. Rainfall units are expressed in inches. All data on this page are from automated sensors, are preliminary, and subject to verification.

*Each Water Year (WY) runs from Sept 1 through Aug 31 and is designated by the calendar year in which it ends
County Real-Time Rainfall and Reservoir Website link: > <http://www.countyofsb.org/hydrology>

Rainfall	ID	24 hrs	Storm 1day(s)	Month	Year*	% to Date	% of Year*	AI
Buellton (Fire Stn)	233	0.00	0.00	0.00	0.20	59%	1%	
Cachuma Dam (USBR)	332	0.00	0.00	0.00	0.00	0%	0%	
Carpinteria (Fire Stn)	208	0.00	0.00	0.00	0.31	81%	2%	
Cuyama (Fire Stn)	436	0.00	0.00	0.00	0.18	54%	2%	
Figueroa Mtn. (USFS Stn)	421	0.01	0.01	0.01	0.77	150%	4%	11.6
Gibraltar Dam (City Facility)	230	0.15	0.15	0.15	0.17	51%	1%	12.0
Goleta (Fire Stn-Los Carneros)	440	0.00	0.00	0.00	0.10	28%	1%	
Lompoc (City Hall)	439	0.00	0.00	0.03	2.31	798%	16%	10.6
Los Alamos (Fire Stn)	204	0.04	0.04	0.04	0.57	185%	4%	
San Marcos Pass (USFS Stn)	212	0.07	0.07	0.07	0.42	68%	1%	
Santa Barbara (County Bldg)	234	0.02	0.02	0.02	0.23	54%	1%	
Santa Maria (City Pub.Works)	380	0.00	0.00	0.00	2.20	661%	17%	
Santa Ynez (Fire Stn /Airport)	218	0.01	0.01	0.02	0.04	14%	0%	
Sisquoc (Fire Stn)	256	0.00	0.00	0.00	1.07	295%	7%	

County-wide percentage of "Normal-to-Date" rainfall : **178%**

County-wide percentage of "Normal Water-Year" rainfall : **4%**

County-wide percentage of "Normal Water-Year" rainfall calculated assuming no more rain through Aug. 31, 2023 (End of WY2023).

AI (Antecedent Index / Soil Wetness)

6.0 and below = Wet (min. = 2.5)
6.1 - 9.0 = Moderate
9.1 and above = Dry (max. = 12.5)

Reservoirs

Reservoir Elevations referenced to NGVD-29.

**Cachuma is full and subject to spilling at elevation 750 ft.

However, the lake is surcharged to 753 ft. for fish release water.

(Cachuma water storage is based on Dec 2013 capacity revision)

Click on Site for Real-Time Readings	Spillway Elev. (ft)	Current Elev. (ft)	Max. Storage (ac-ft)	Current Storage (ac-ft)	Current Capacity (%)	Storage Change Mo.(ac-ft)	Storage Change Year*(ac-ft)
<u>Gibraltar Reservoir</u>	1,400.00	1,378.75	4,693	965	20.6%	-27	-335
<u>Cachuma Reservoir</u>	753.**	694.81	192,978	63,258	32.8%	-1,095	-7,412
<u>Jameson Reservoir</u>	2,224.00	2,203.94	4,848	2,686	55.4%	-39	-140
<u>Twitchell Reservoir</u>	651.50	NA	194,971	NA		NA	NA

[Previous Rainfall and Reservoir Summaries](#)

California Irrigation Management Information System (CIMIS)

CIMIS Daily Report

Rendered in ENGLISH Units.

Thursday, September 1, 2022 - Monday, October 3, 2022

Printed on Tuesday, October 4, 2022

Santa Ynez - Central Coast Valleys - Station 64

Date	ETo (In)	Precip (in)	Sol Rad (Ly/day)	Avg Vap Pres (mBars)	Max Air Temp (°F)	Min Air Temp (°F)	Avg Air Temp (°F)	Max Rel Hum (%)	Min Rel Hum (%)	Avg Rel Hum (%)	Dew Point (°F)	Avg Wind Speed (mph)	Wind Run (miles)	Avg Soil Temp (°F)
9/1/2022	0.23	0.00	582	15.4	100.5	53.6	73.2	100	25	55	56.2	3.0	72.2	82.0 Y
9/2/2022	0.23	0.00	579	15.2	103.7 Y	54.2	75.2 Y	97	22	51 Y	55.7 Y	2.9 Y	69.5 Y	82.2 Y
9/3/2022	0.25 R	0.00	574	13.2	112.0 R	55.6	79.8 R	93	13	- R	- I	2.6 Y	62.9 Y	82.6 Y
9/4/2022	0.23 R	0.00	563	14.2	111.3 R	59.2	- S	74 H	16 H	- Q	- Q	3.0	71.9	83.0 Y
9/5/2022	0.22 R	0.00	561	16.5	112.6 R	63.5 Y	- S	73 H	19 H	- Q	- Q	2.8 Y	68.0 Y	83.7 Y
9/6/2022	0.24 R	0.00	568	17.7	110.0 R	63.7 Y	- S	82 H	21 H	- Q	- Q	2.9	70.1	84.3 Y
9/7/2022	0.23 R	0.00	0 R	19.2	67.9 Y	66.3 Y	66.9	86	21	85	62.3	1.2 R	28.6 R	84.8 Y
9/8/2022	0.21 R	0.00	509	18.3	103.4 Y	60.0	79.8 R	99	24	- R	- I	2.9	69.0	84.9 Y
9/9/2022	0.14 R	0.00	334	19.0	100.1	63.0 Y	80.3 R	93 H	30 H	- R	- I	2.9	68.4	84.9 Y
9/10/2022	0.06 R	0.00	215	22.4 Y	87.6	- S	77.4 R	86 H	46 H	- R	- I	3.1	75.4	84.7 Y
9/11/2022	0.10 R	0.00	299	23.1 Y	91.3	68.7 R	76.5 R	92 H	51 H	- R	- I	2.2 Y	53.8 Y	84.1 Y
9/12/2022	0.18	0.00	494	20.0	90.6	60.5	73.5 Y	98	48	71 Y	63.5 Y	3.3	79.0	83.8 Y
9/13/2022	0.18	0.00	551	16.5	84.8	53.9	66.9	98	45	73	58.1	3.3	79.6	83.7 Y
9/14/2022	0.17	0.00	527	15.0	80.0	54.5	64.5	97	45	72	55.4	3.0	72.1	83.4 Y
9/15/2022	0.18	0.00	549	15.1	80.9	56.7	66.2	92	43	69	55.6	3.3	79.0	83.0 Y
9/16/2022	0.17	0.00	525	15.0	80.3	52.7	64.5	98	45	72	55.5	3.2	76.3	82.7 Y
9/17/2022	0.12	0.00	406	14.4	75.9	49.4	60.9	99	50	79	54.3	2.8	67.9	82.3 Y
9/18/2022	0.16	0.00	479	14.3	76.0	48.1	63.8	99	50	70	54.1	3.7	87.9	81.7 Y
9/19/2022	0.07	0.00	250	17.9	73.9	61.2 Y	66.9	99	66	80	60.4	2.9	69.8	81.3 Y
9/20/2022	0.17	0.00	529	16.6	80.7	51.2	66.8	100	39	74	58.2	2.9	70.0	80.7 Y
9/21/2022	0.17	0.00	528	13.7	82.3	44.7	63.1	100	35	70	53.0	2.6	63.4	80.6 Y
9/22/2022	0.18	0.00	546	14.0	89.5	50.2	66.4	97	25	63	53.5	2.7	65.8	80.4 Y
9/23/2022	0.19	0.00	549 R	11.6	95.0	43.1	66.1	100	15	53	48.4	2.4	58.2	80.4 Y
9/24/2022	0.18	0.00	521	14.1	90.8	44.1	64.8	100	31	67	53.7	2.8	66.7	80.3 Y
9/25/2022	0.16	0.00	478	16.8	86.6	56.3	67.0	100	40	74	58.6	2.9	70.0	80.3 Y
9/26/2022	0.15	0.00	474	16.8	87.6	56.4	65.9	100	41	77	58.5	2.9	69.2	80.3 Y
9/27/2022	0.16	0.00	496	16.5	86.3	53.3	66.3	100	44	75	58.1	3.0	70.9	80.3 Y
9/28/2022	0.17	0.00	501	15.2	93.7	49.6	66.8	100	35	68	55.9	2.6	63.6	80.3 Y
9/29/2022	0.16	0.00	500	16.0	85.7	53.6	65.2	100	39	75	57.2	2.9	69.0	80.3 Y
9/30/2022	0.14	0.00	467	16.9	82.6	55.8	64.5	100	51	82	58.8	2.8	67.6	80.2 Y
Tots/Avgs	5.20	0.00	472	16.4	90.1	55.3	68.9	95	36	71	56.6	2.9	68.5	82.2

Santa Ynez - Central Coast Valleys - Station 64

Date	ETo (in)	Precip (in)	Sol Rad (Ly/day)	Avg Vap Pres (mBars)	Max Air Temp (°F)	Min Air Temp (°F)	Avg Air Temp (°F)	Max Rel Hum (%)	Min Rel Hum (%)	Avg Rel Hum (%)	Dew Point (°F)	Avg Wind Speed (mph)	Wind Run (miles)	Avg Soil Temp (°F)
10/1/2022	0.14	0.00	443	16.1	80.5	51.8	64.3	100	47	78	57.4	2.8	67.8	80.1 Y
10/2/2022	0.11	0.00	367	14.5	80.0	47.2	62.6	98	46	75	54.4	2.4	58.6	79.9 Y
10/3/2022	0.15	0.00	482	13.6	82.9	42.6	60.2	100	43	77	52.8	2.6	62.8	79.4 Y
Tots/Avgs	0.40	0.00	431	14.7	81.1	47.2	62.4	99	45	77	54.9	2.6	63.1	79.8

Flag Legend

A - Historical Average	I - Ignore	R - Far out of normal range
C or N - Not Collected	M - Missing Data	S - Not in service
H - Hourly Missing or Flagged Data	Q - Related Sensor Missing	Y - Moderately out of range
Conversion Factors		
Ly/day/2.065=W/sq.m	inches * 25.4 = mm	(F-32) * 5/9 = c



CENTRAL COAST WATER AUTHORITY

MEMORANDUM

TO: Ray Stokes, Executive Director
Dessi Mladenova, Controller

FROM: Christine Forsyth, Administrative Assistant

SUBJECT: Monthly Water Deliveries

October 4, 2022

According to the CCWA revenue meters at each turnout, the following deliveries were made during the month of September 2022:

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Chorro	182.50
López.....	141.42
Shandon.....	0.00
Guadalupe.....	0.95
Santa Maria.....	276.68
Golden State Water Co.....	0.43
Vandenberg.....	0.00
Buellton	13.69
Solvang	42.23
Santa Ynez ID#1	302.97
Bradbury.....	<u>208.08</u>
TOTAL	1,168.95

In order to reconcile these deliveries with the DWR revenue meter, which read 1,183 acre-feet, the following delivery amounts should be used for billing purposes:

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Chorro	185
López	144
Shandon.....	0
Guadalupe.....	1
Santa Maria.....	264*
Golden State Water Co.....	17*
Vandenberg	0
Buellton	14
Solvang	43
Santa Ynez ID#1	307
Bradbury	<u>208</u>
TOTAL	1,183

*Golden State Water Company delivered 17 acre-feet into its system through the Santa Maria turnout. This delivery is recorded by providing a credit of 17 acre-feet to the City of Santa Maria and a charge in the same amount to the Golden State Water Company.

Notes: Santa Ynez ID#1 water usage is divided into 0 acre-feet of Table A water and 307 acre-feet of exchange water.

The exchange water is allocated as follows

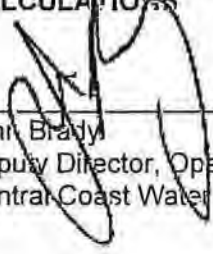
<u>Project Participant</u>	<u>Exchange Amount (acre-feet)</u>
Goleta	110
Santa Barbara	74
Montecito	74
Carpinteria	49
TOTAL	307

Bradbury Deliveries into Lake Cachuma are allocated as follows:

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Carpinteria	0
Goleta	150
La Cumbre	53
Montecito	0
Morehart	5
Santa Barbara	0
Raytheon	0
TOTAL	208

cc: Tom Bunosky, GWD
Mike Babb, Golden State WC
Rebecca Bjork, City of Santa Barbara
Janet Gingras, COMB
Craig Kesler, San Luis Obispo County
Paeter Garcia, Santa Ynez RWCD ID#1
Shad Springer, City of Santa Maria
Shannon Sweeney, City of Guadalupe
Robert MacDonald, Carpinteria Valley WD
Mike Alvarado, La Cumbre Mutual WC
Pernell Rush, Vandenberg AFB
Nick Turner, Montecito WD
Jose Acosta, City of Solvang
Rose Hess, City of Buellton

**REVIEW AND APPROVAL OF
DELIVERY RECORDS AND ASSOCIATED
CALCULATIONS**



John Brady
Deputy Director, Operations and Engineering
Central Coast Water Authority



A Meeting of the

**BOARD OF DIRECTORS
OF THE
CENTRAL COAST WATER AUTHORITY**

will be held at 9:00 a.m., on Thursday, September 22, 2022

Via URL: <https://meetings.ringcentral.com/j/1494171412>
or by dialing 1(623)404-9000 and entering access Code/Meeting ID: 149 417 1412 #

In response to the spread of the COVID-19 virus, Governor Newsom declared a state of emergency which directly impacts the ability of legislative bodies and the public to meet safely in person. To help minimize the potential spread of the COVID-19 virus, the CCWA Board of Directors shall consider whether to hold this public meeting telephonically pursuant to the requirements of Government Code section 54953(e), as amended by Assembly Bill 361 (2021). The CCWA Board of Directors and public will participate in this meeting by video call or telephone.

Public Comment on agenda items may occur via video call or telephonically, or by submission to the Board Secretary via email at lfw@ccwa.com no later than 8:00 a.m. on the day of the meeting. In your email, please specify (1) the meeting date and agenda item (number and title) on which you are providing a comment and (2) that you would like your comment read into the record during the meeting. If you would like your comment read into the record during the meeting (as either general public comment or on a specific agenda item), please limit your comments to no more than 250 words.

Every effort will be made to read comments into the record, but some comments may not be read due to time limitations. Please also note that if you submit a written comment and do not specify that you would like this comment read into the record during the meeting, your comment will be forwarded to Board members for their consideration.

Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available on the CCWA internet web site, accessible at <https://www.ccwa.com>.

Eric Friedman
Chairman

Jeff Clay
Vice Chairman

Ray A. Stokes
Executive Director

Brownstein Hyatt
Farber Schreck
General Counsel

Member Agencies

City of Buellton

Carpinteria Valley
Water District

City of Guadalupe

City of Santa Barbara

City of Santa Maria

Goleta Water District

Montecito Water District

Santa Ynez River Water
Conservation District,
Improvement District #1

Associate Member

La Cumbre Mutual
Water Company

I. Call to Order and Roll Call

- II. * Resolution No. 22-09 of the Board of Directors of the Central Coast Water Authority Authorizing Remote Teleconference Meetings of the Board of Directors And All Subordinate Bodies Under the Ralph M. Brown Act**
Staff Recommendation: Adopt Resolution No. 22-09 of the Board of Directors of the Central Coast Water Authority Authorizing Remote Teleconference Meetings of the Board of Directors and All Subordinate Bodies under the Ralph M. Brown Act.

III. CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code section 54956.9(d) (1)
Name of case: Central Coast Water Authority, et al. v. Santa Barbara County
Flood Control and Water Conservation District, et al. (Case No. 21CV02432)

Agenda Item III, the Closed Session, is anticipated to take 15 minutes. The remainder of the Meeting will start no earlier than 9:15 am.

IV. Return to Open Session

- A. Report on Closed Session Actions (if any)

- V. Public Comment – (Any member of the public may address the Board relating to any matter within the Board's jurisdiction. Individual Speakers may be limited to five minutes; all speakers to a total of fifteen minutes.**

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Buellton, CA 93427
(805) 688-2292
Fax (805) 686-4700
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Continued

* Indicates attachment of document to original agenda packet.

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VI. Consent Calendar

- * A. Minutes of the July 28, 2022 Regular Meeting
 - * B. Bills
 - * C. Controllers Report
 - * D. Operations Report
- Staff Recommendation:* Approve the Consent Calendar

VII. Executive Director's Report

- A. 2022 Supplemental Water Purchase Program Update
Staff Recommendation: Informational item only.
- * B. 2022 Supplemental Water Purchase Program: Purchase of Supplemental Water Supplies from San Geronio Pass Water Agency
Staff Recommendation: Adopt Resolution No. 22-10: A Resolution Of The Board Of Directors Of The Central Coast Water Authority Approving The 2022 Purchase Of Supplemental Water Supplies From San Geronio Pass Water Agency
- * C. Consideration of Resolution No. 22-11 Authorizing Use of Electronic Signatures and Administrative Policy
Staff Recommendation: Adopt Resolution No. 22-11, a "Resolution of the Board of Directors of the Central Coat Water Authority Authorizing the Use of Electronic Signatures and Authorizing Executive Director to Implement the Terms and Conditions of Such Use."
- * D. Consideration of Resolution No. 22-12 for Approval of Alternate Release Point Project and Cost Sharing
Staff Recommendation: Approve the Alternate Release Point Project, subject to receipt of the United States Bureau of Reclamation's approval of the Project and the Parent District's agreement to share equally in the costs of the Project, and Adopt Resolution No. 22-12 Approving Alternate Release Point Project and Cost Sharing.
- * E. CCWA/San Luis Obispo County Transfer Change to Calendar Year 2023
Staff Recommendation: Adopt Resolution No. 22-13 Amending Resolution No. 2022-08 Regarding The Agreement For The Transfer And Treatment Of State Water Project Water Between The Central Coast Water Authority And The San Luis Obispo County Flood Control And Water Conservation District.
- * F. Procurement of Safety Consultant, Estimated Budget \$50,000
Staff Recommendation: Authorize the Executive Director to procure the services of a qualified safety consultant, with an estimated budget of \$50,000 and Authorize the Executive Director to utilize General Ledger Item 5000.10 (Personnel Expenses – Fulltime Regular Wages) to establish a budget to fund the services of the Safety Consultant.
- * G. Request for Approval of Carryover of Project Funds from FY 21/22 to FY 22/23 - \$1,306,454.76
Staff Recommendation: That the Board approve the carryover of project funds from FY 21/22 to FY 22/23 as follows:
Capitalized Project \$1,222,750.68
Expensed Project \$83,704.08
Total: \$1,306,454.76
- H. State Water Contractors Update
Staff Recommendation: Informational item only.
- I. Legislative Report
Staff Recommendation: Informational item only.

VIII. Reports from Board Members for Information Only

IX. Items for Next Regular Meeting Agenda

X. Date of Next Regular Meeting: October 27, 2022

XI. Adjournment



A REGULAR MEETING OF THE OPERATING COMMITTEE of the CENTRAL COAST WATER AUTHORITY

will be held at 9:00 a.m., on Thursday, October 13, 2022

Via URL: https://meetings.ringcentral.com/j/1489466640 or telephone by dialing 1(623)404-9000 and entering code 148 946 6640

In response to the spread of the COVID-19 virus, Governor Newsom declared a state of emergency which directly impacts the ability of legislative bodies and the public to meet safely in person. To help minimize the potential spread of the COVID-19 virus, the CCWA Board of Directors shall consider whether to hold this public meeting telephonically pursuant to the requirements of Government Code section 54953(e), as amended by Assembly Bill 361 (2021). The CCWA Board of Directors and public will participate in this meeting by video call or telephone.

Eric Friedman
Chairman

Jeff Clay
Vice Chairman

Ray A. Stokes
Executive Director

Brownstein Hyatt
Farber Schreck
General Counsel

Member Agencies

City of Buellton

Carpinteria Valley
Water District

City of Guadalupe

City of Santa Barbara

City of Santa Maria

Goleta Water District

Montecito Water District

Santa Ynez River Water
Conservation District,
Improvement District #1

Associate Member

La Cumbre Mutual
Water Company

Public Comment on agenda items may occur via video call or telephonically, or by submission to the Board Secretary via email at lfww@ccwa.com no later than 8:00 a.m. on the day of the meeting. In your email, please specify (1) the meeting date and agenda item (number and title) on which you are providing a comment and (2) that you would like your comment read into the record during the meeting. If you would like your comment read into the record during the meeting (as either general public comment or on a specific agenda item), please limit your comments to no more than 250 words.

Every effort will be made to read comments into the record, but some comments may not be read due to time limitations. Please also note that if you submit a written comment and do not specify that you would like this comment read into the record during the meeting, your comment will be forwarded to Board members for their consideration.

Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available on the CCWA internet web site, accessible at https://www.ccwa.com.

I. Call to Order and Roll Call

II. Public Comment – (Any member of the public may address the Committee relating to any matter within the Committee’s jurisdiction. Individual Speakers may be limited to five minutes; all speakers to a total of fifteen minutes.)

III. * Consent Calendar

- A. Minutes of the July 14, 2022 Operating Committee Meeting
Staff Recommendation: Approve Consent Calendar.

IV. Executive Director’s Report

- A. Operations Update
Staff Recommendation: Informational item only.
B. Water Supply Situation Report
Staff Recommendation: Informational item only.
C. 2022 Supplemental Water Purchase Program Update
Staff Recommendation: Informational item only.
* D. Aquaterra Water Bank Proposal
Staff Recommendation: Informational item only.
E. Planning for a Dry 2023 Water Year: Operational and Water Supply Contingency Plans
Staff Recommendation: Informational item only.
F. Overview of 2022 Water Quality Challenges and Plans to Mitigate Future Water Quality Issues
Staff Recommendation: Informational item only.

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* Indicates attachment of document to agenda packet

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- V. Reports from Committee Members for Information Only
- VI. Date of Next Regular Meeting: January 12, 2023
- VII. Adjournment



Central Coast Water Authority

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OCT
27
2022

Board Meeting

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255 INDUSTRIAL WAY, BUELLTON CA 93427
TELEPHONE (805) 688-2292

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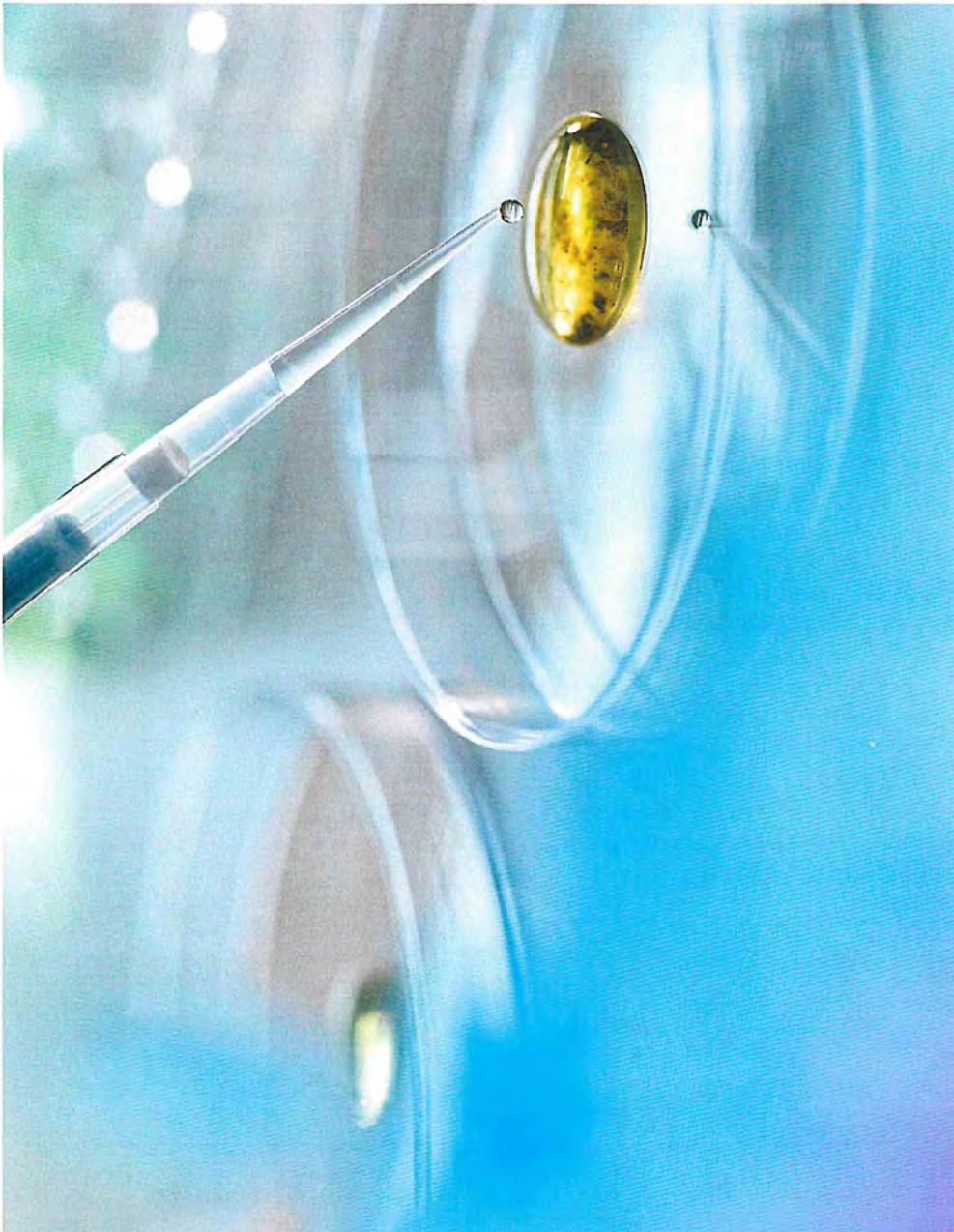
POWERED BY STREAMLINE ([HTTP://WWW.GETSTREAMLINE.COM/](http://www.getstreamline.com/)) | SIGN IN ([HTTPS://WWW.CCWA.COM/USERS/SIGN_IN?DESTINATION=%2F2022-10-27-BOARD-MEETING](https://www.ccwa.com/users/sign_in?destination=%2F2022-10-27-board-meeting))

WATER QUALITY CHALLENGES

JULY TO SEPTEMBER 2022

CCWA OPERATING COMMITTEE

OCTOBER 13, 2022

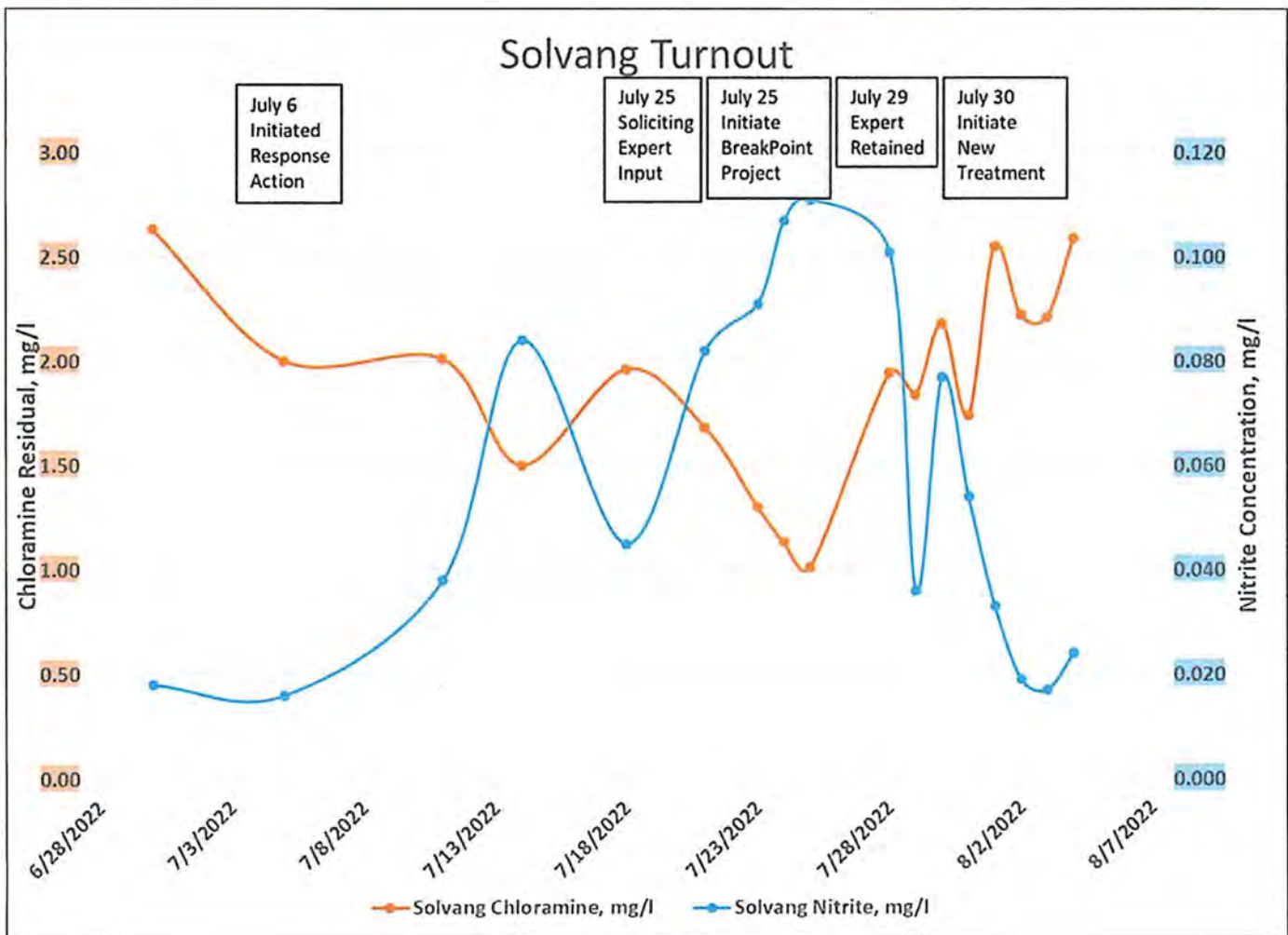




Filter Nozzle Issue

- During filter backwashing procedures, the following occurred
 - Media bed expansion was much lower than normal.
 - Water flowed through the filter underdrain overflow pipe. Water goes back to inlet of filter.
- Investigation found:
 - The nozzle slots were getting plugged by a precipitant – appears to be inorganic.
 - Dissolves in acid, flakes off when dried.
 - GAC “fines” layer observed in filter media.
- Response
 - pH adjustment in trial now. Still working the issue
 - Removed GAC fines, filter bed runs times increased by 50%

Nitrification Event

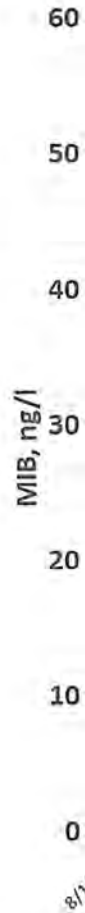




Algae Bloom

- Filter performance declined and effluent turbidities started to rise.
- Aluminum sulfate dosing reached historical levels, including dosing at both initial and intermediate flash mix.
- Issue was SWP system wide, north Edmonton Pumping Plant.
- Experiences were shared widely through MWQI Group.
- No Taste and Odor issues related to this event.
- No algal toxins detected.

MIB/Geosmin Event



- CCWA Normal Monitoring Plan:
 - Observe DWR Check 13 monitoring date and track travel time to WTP.
 - Begin MIB/Geosmin monitoring at WTP when MIB reaches 10 – 15 ng/l range for more than one week at check 13.
 - When MIB/Geosmin is detected at WTP above action level of 10 ng/l, begin sampling in forebay and points upstream.
- Limit on Analytical Capacity.
 - Kern Water Agency limited CCWA to 2 samples per week.
 - Kern Water Agency lab instrument failed.
 - Few commercial labs offer MIB/Geosmin analysis and have long lead time.
- Algal Toxin – Microcystin
 - CCWA uses Water Research Foundation Treatment Estimator.
 - CCWA has capacity to measure Microcystin.
- PAC Treatment
 - CCWA serviced and prepared PAC Unit in advance of the T&O event.
 - Does not removal all MIB
 - Point of diminishing return
 - TM suggests higher level treatment will cost more than 5 times more than PAC (NPV)



From 6:00 PM 9/23/22 Update Notice:

- **Choro Valley and Lopez Turnouts** will draw water from Tank 5 once the Clearwell volume is exhausted. **water supply will run out at approximately 9:45 PM.**
- **Buellton, Santa Ynez ID#1** will draw water from Tank 5 and 7 once the Clearwell volume is exhausted..... **water supply will run out at approximately 11:30 PM.**

Leak at DWR's Polonio Pass Pumping Plant

- On Thursday afternoon 9/22/22, DWR notified CCWA that Polonio Pass Pumping Plant went offline due to a significant leak.
- Friday night at 10:30 PM 9/23/22, the WTP began to supply water to the pipeline at 4.5 MGD.
- Participants reduced demand, with significant assistance from the City of Santa Maria.
- To equalize water supply to Participants after Santa Maria shutdown, water was back-fed to the Santa Maria Valley to provide water to Lopez Turnout.
 - Upon return to normal operation, nitrite concentration of water entering Tank 5 was elevated.
 - Supports theory of this portion of pipeline is generating nitrites.

CONCLUSIONS


- Continue working nozzle issue until resolved.
- Continue the GAC “fines” removal pilot test and modify filter media replacement frequency if appropriate.
- To address nitrification in the future, two projects are recommended:
 - Two new chemical dosing systems on the pipeline
 - Pipeline north of Tank 5 needs to be cleaned or pigged to reduce biofilm.
- Eliminate reliance on outside laboratories for MIB and Geosmin analysis.
 - CCWA will present proposal to the Board to include an instrument for MIB and Geosmin analysis in next year’s budget.



CENTRAL COAST WATER AUTHORITY

MEMORANDUM

September 29, 2022

TO: CCWA Operating Committee
FROM: Ray A. Stokes
Executive Director 
SUBJECT: Aquaterra Water Bank

SUMMARY

At its meeting on May 26, 2022, the CCWA Board of Directors received an informational presentation on a proposed new water bank called the Aquaterra Water Bank. The Aquaterra Water Bank is a project under the McMillian Area Groundwater Sustainability Agency (MAGSA).

The Aquaterra Water Bank is currently in the process of identifying partners to participate in the Water Bank, with the first 800,000 AF having a Priority Phase Storage for both deposits and withdrawals from the bank, once operational. The Bank anticipates executing the Subscription Agreements this fall and into the first quarter of 2023 along with initial deposits of the non-refundable Subscription Fees payable in March 2023 (discussed in more detail below).

The MAGSA General Manager, Matt Hurly, will provide a presentation at the October 13, 2022 Operating Committee meeting. The information included with this report is being provided early to enable each CCWA Project Participant to review the information prior to the Operating Committee Meeting and therefore allow the participants to ask questions of Mr. Hurly at the meeting.

DISCUSSION

CCWA staff believe the Aquaterra Water Bank to be a good option for CCWA Project Participants and is therefore requesting consideration by each Participant. A brief discussion on timing, subscription deposits and other information follows. Again, more detailed questions may be answered by Mr. Hurly at the Operating Committee meeting and again at the CCWA Board meeting on October 27, 2022.

CCWA Participation or Individual CCWA Participant Participation

CCWA could potentially participate in the Bank as one entity for the benefit of all CCWA participants. The value of this is that CCWA could help manage water supplies for all participants and simplifying the water accounting. It is anticipated that if CCWA were to participate as a whole, whatever amount CCWA elects to participate in the Bank would be allocated in proportion to the Table A amounts and thus the costs would be allocated in the same manner.

Alternatively, if some CCWA participants do not wish to participate, CCWA could participate in the Bank for only a subset of CCWA participants in proportion to each participant's elected amount. For example, a CCWA participant may have a Table A amount of 3,000 AF, but wish to participate in the Bank for a total of 4,000 AF. This would allow for customized participation amounts.

Subscription Fee Payments

As described in the attached "Groundwater Banking Priority Phase Storage Subscription Agreement", the first \$25/AF deposit of the estimated total \$900/AF Subscription Fee will be due in March 2023. Then, additional deposits are due each year through 2026, with increases each year up to the estimated total of \$900/AF.

Feasibility Study

MAGSA released the Feasibility Study for the Aquaterra Water Bank in June 2022. The link to that Feasibility Study is shown below:

[2022-0601 Aquaterra Feasibility Study](#)

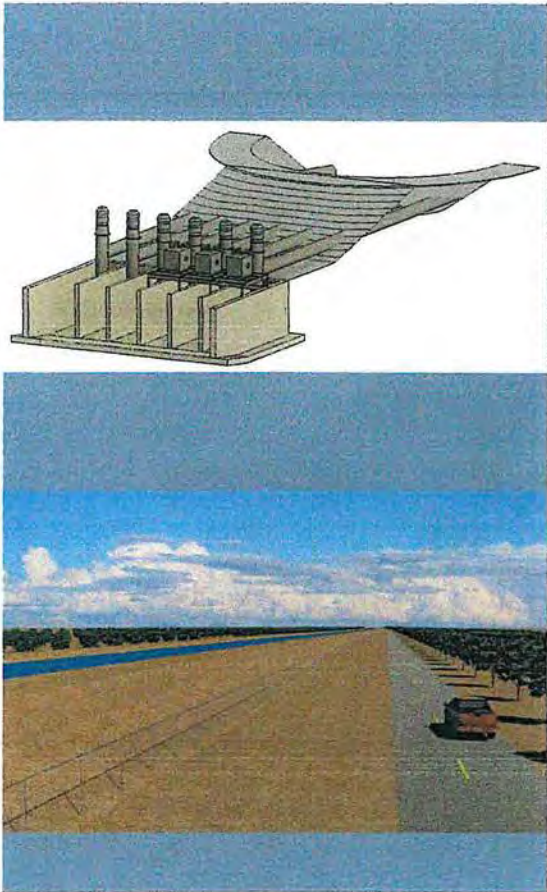
Timing

The information related to the Water Bank and presentations from the MAGSA staff are intended to provide a basis for each CCWA participant to evaluate whether participation in the Water Bank is beneficial for their individual agencies. CCWA staff hope to obtain participation decisions from CCWA participants by the January 26, 2023 CCWA Board meeting.

RAS

Attachments

1. Aquaterra Water Bank Powerpoint Presentation
2. Aquaterra Water Bank Quarterly Spending Projection
3. DRAFT Aquaterra Water Bank Subscription Agreement
4. DRAFT Aquaterra Water Bank Subscription Agreement Exhibit A



AQUATERRA

WATER BANK

MCMULLIN AREA GSA, FRESNO COUNTY

McMullin Area GSA (MAGSA)

- Formed in response to the passing of the Sustainable Groundwater Management Act (SGMA)
- Located in Fresno County, encompassing 120,635 acres
 - 83% permanent and field crops
 - 1.2% rural residential
 - Two ecological reserves
- MAGSA last developed area of Kings Subbasin
 - No Kings River water rights for surface irrigation
 - Agriculture developed based exclusively on groundwater
 - **1.8 Million acre-feet** of available groundwater storage in cone of depression created by local pumping



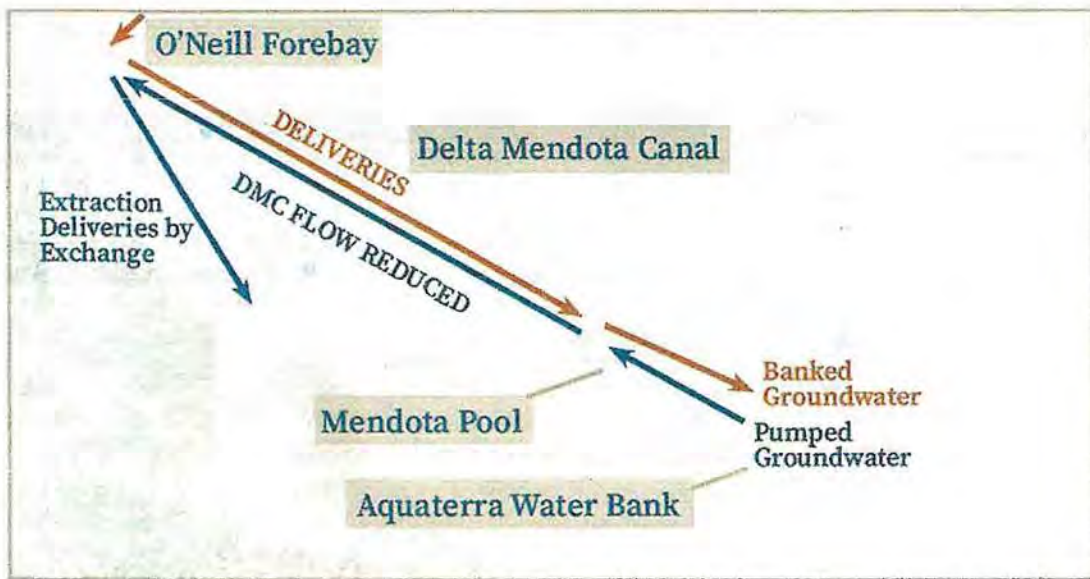
Aquaterra Water Bank

- Situated near major water systems
- Direct connections to water sources.
- Soils suited for water percolation and recovery.
- Partner with Exchange Contractors to facilitate project recovery and their needs





Delivery and Extraction Infrastructure



Aquaterra Water Bank Characteristics

High recharge rates, with ability to capture Article 21 Water

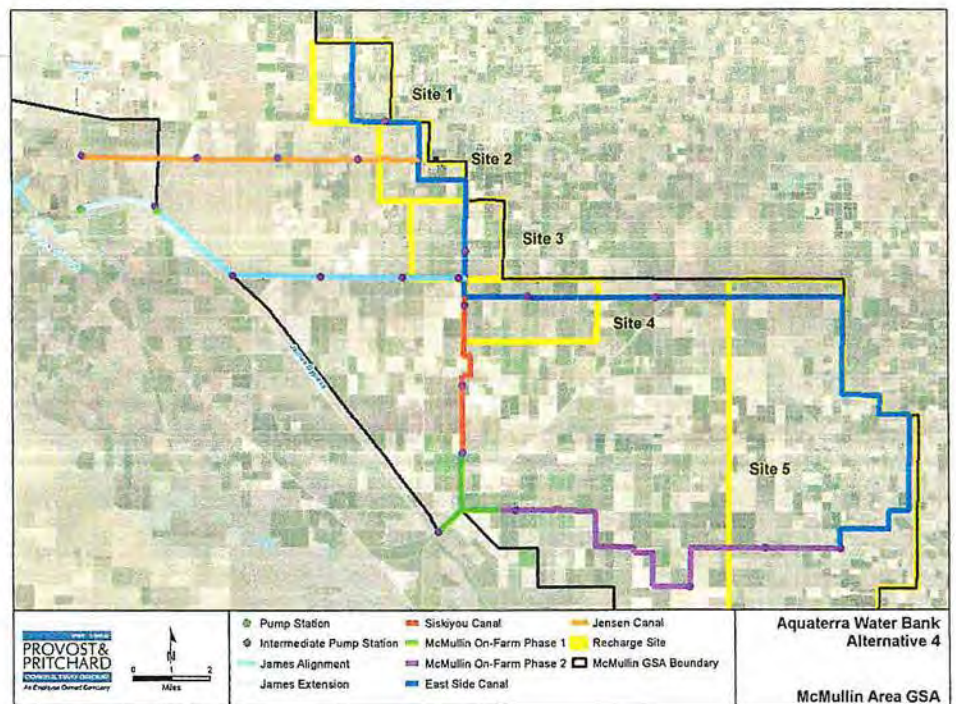
Upstream location on California Aqueduct

- Minimizes potential operational capacity limitations
- Reduced initial costs – Minimal initial pumping costs
- Reduced operational costs – Low energy costs
- Physical connection to the Mendota Pool

Firm Recovery Capability – Extractions exchanged with highest seniority
Delta water user

Project Scale

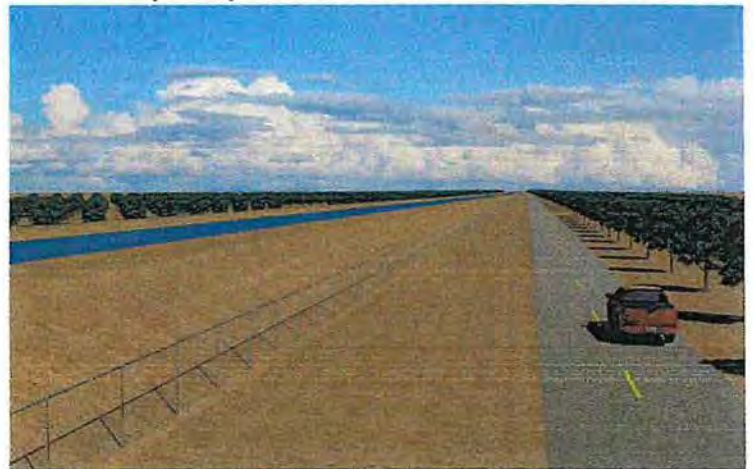
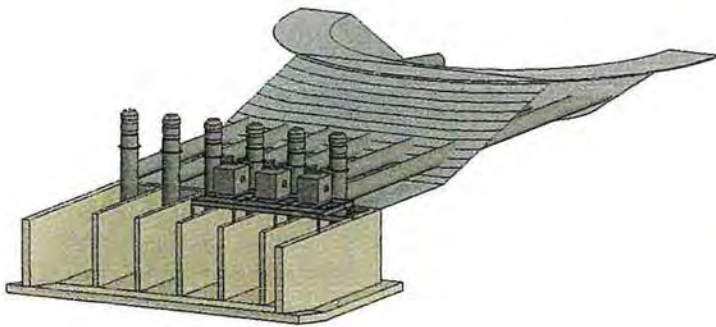
- 800,000 acre-feet groundwater storage capacity
- 208,000 acre-feet annual recharge capacity
- 770 cfs conveyance & spreading
- 146,000 acre-feet per year scheduled extraction capability
- 480 cfs recovery (extraction) capacity
- Two conveyance facilities for recharge & recovery



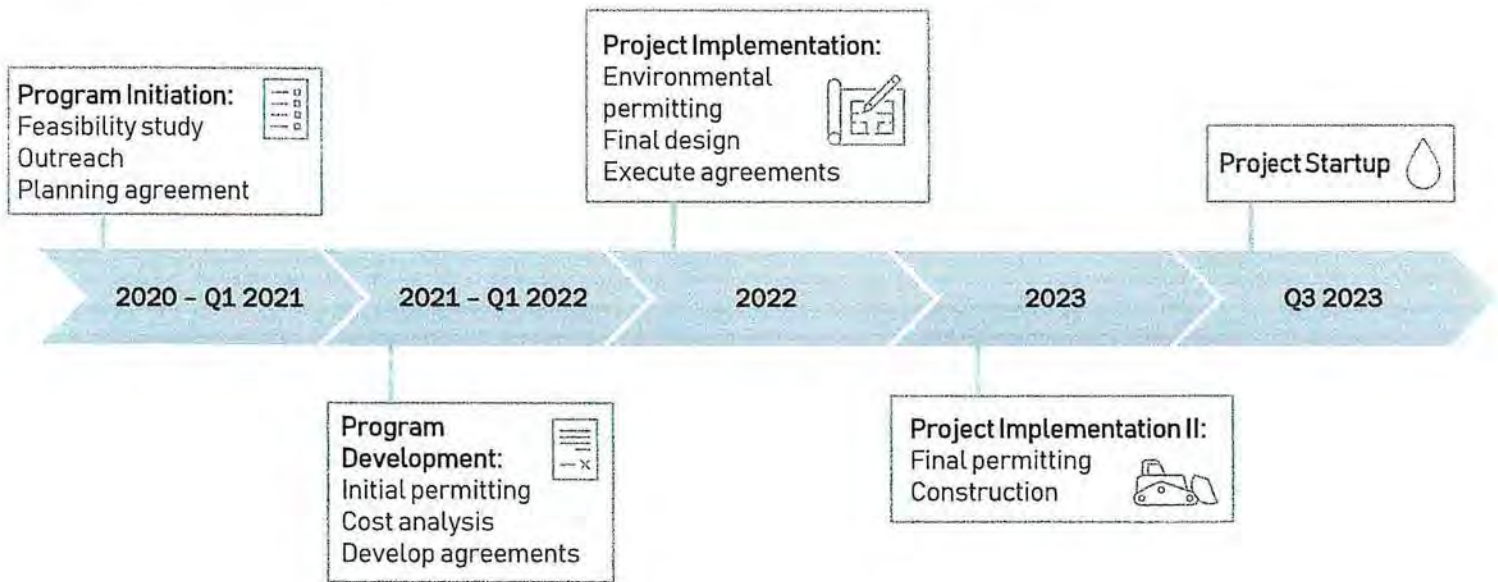
Aquaterra Water Bank Specifications

250 – 500 cfs conveyance canal capacity
3,900 acres of recharge basins
65 miles of bidirectional canals

88 recovery wells
25 pump stations
3 pump stations in Mendota Pool



Aquaterra Water Bank Status

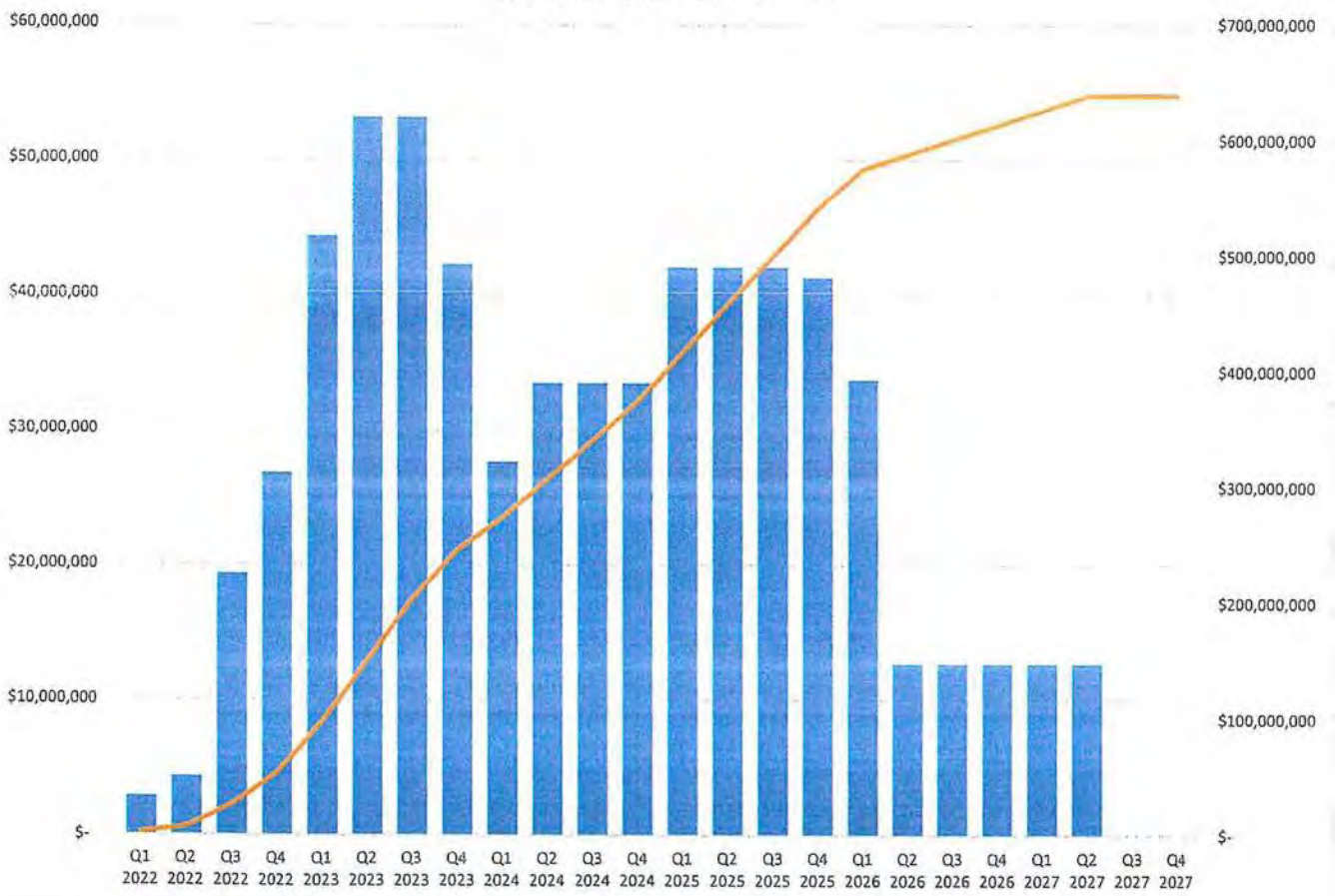


QUESTIONS



AQUATERRA
WATER BANK

Aquaterra Groundwater Bank Quarterly Spending Projection



**GROUNDWATER BANKING PRIORITY PHASE STORAGE
SUBSCRIPTION AGREEMENT**

This Groundwater Banking Priority Phase Storage Subscription Agreement (“**Agreement**”) is entered into as of this _____ day of _____ 2022 between McMullin Area Groundwater Sustainability Agency (“**MAGSA**”) and _____ (“**Account Holder**”). MAGSA and Account Holder may also be referred to herein individually as a “**Party**” or collectively as “**Parties**.”

RECITALS

WHEREAS, MAGSA is a Groundwater Sustainability Agency (“**GSA**”) properly organized pursuant to the Sustainable Groundwater Management Act of 2014 (Water Code §§ 10720, et seq.) (“**SGMA**”);

WHEREAS, due to historical groundwater pumping in excess of the safe yield of the groundwater basin underlying MAGSA’s boundaries, estimated underutilized groundwater storage capacity in excess of one million eight hundred thousand (1,800,000) acre-feet has resulted;

WHEREAS, MAGSA has determined that the operation of water banking facilities will contribute to improved conditions of groundwater overdraft within its boundaries, and will assist in MAGSA’s efforts to enhance, protect, and sustainably manage the water resources within its boundaries pursuant to and consistent with SGMA;

WHEREAS, Account Holder seeks to participate in water banking efforts with MAGSA that will result in beneficial storage, recovery, and exchange opportunities for Account Holder within MAGSA;

WHEREAS, MAGSA intends to develop, construct, and operate groundwater banking facilities within its boundaries as described in **Exhibit A** attached hereto (“**Project**” or “**Aquaterra**”);

WHEREAS, in order to generate capital needed to conduct the requisite environmental review, to complete permitting processes, to obtain necessary fee title ownership to land and/or right-of-way easements, and to develop and construct the Project facilities, MAGSA proposes an investment opportunity consisting of priority access to a portion of the total storage space, for direct or in-lieu recharge and/or access to a broad range of exchange possibilities pursuant to the terms set forth below;

WHEREAS, Account Holder seeks to invest in the development and construction of the Project in exchange for the opportunity to obtain senior priority storage capacity and appurtenant rights upon the construction and operation of the Project.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

AGREEMENT

1. Definitions.

- (a) Anticipated Total Project Storage: MAGSA anticipates that the total water storage available within the Project will be one million eight hundred thousand (1,800,000) acre feet.
- (b) Priority Phase Investor: Those parties that invest in the first eight hundred thousand (800,000) acre-feet of reserved storage space within the Project.
- (c) Priority Phase Storage: The entire first eight hundred thousand (800,000) acre-feet of reserved storage space within the Project, to which each Priority Phase Investor shall share Priority Access.
- (d) Priority Access: The seniority of access to deposits (“puts”) or withdrawals (“takes”) associated with Priority Phase Storage ahead of later phase investors, which shall be in proportion to each Priority Phase Investor’s share of the Phase One Priority Storage in acre feet.
- (e) Subscription Fee: The total amount due to MAGSA to access the Priority Phase Storage as provided herein, which must be paid in five (5) non-refundable installment payments, as detailed in Paragraph 3 below.

2. Purchase of Phase One Priority Storage.

In consideration of the terms and conditions contained in this Agreement and upon receipt of all Subscription Fees, as provided herein, MAGSA shall grant and convey to Account Holder the perpetual right to access _____ acre-feet (the “Subscribed Quantity”) of Priority Phase Storage in the Project pursuant to the terms provided herein.

3. Non-Refundable Subscription Fees and Payment Schedule.

It is MAGSA’s intention to construct the necessary capital improvements and thereafter operate the Project on a cash basis as compared to a bonded or financed basis. Therefore, each Priority Phase Investor shall be responsible for the determination as to what method they might choose to utilize for their required cash contributions set forth below. The aforementioned notwithstanding, MAGSA will do what it can to accommodate minor scheduling and other potentially variable aspects associated with scheduled payments from Priority Phase Investors. As of the date of this Agreement, the total Subscription Fee is estimated to be Nine Hundred Dollars (\$900.00) per acre-foot for Priority Phase Storage (“Estimated Subscription Fee”). This amount accounts for the estimated cost of construction of the capital improvements and all related non-construction related expenses with a twenty percent (20%) contingency factor. The actual total Subscription Fee shall be determined at Project completion and shall be based upon the cost to build and place the Project into full operational mode. As such, determination of the final total Subscription Fee amount shall be ongoing. MAGSA shall provide written updates on the estimated total Subscription Fee to Priority Phase Investors as provided in Paragraph 4, below, but in no event shall the total Subscription Fee payable by Account Holder exceed one hundred and twenty five percent (125%) of the Estimated Subscription Fee as identified herein.

To purchase the right to access Priority Phase Storage, Account Holder shall pay the total Subscription Fee for its Subscribed Quantity pursuant to the following schedule:

- (a) **First Payment:** The first payment shall be equal to \$25.00 per acre-foot of Subscribed Quantity, shall serve as a down payment placeholder for Account Holder's Investment Account, and shall be delivered to MAGSA, as provided herein, on or before March 1, 2023.
- (b) **Second Payment:** The second payment shall be twenty percent (20%) of the outstanding balance of the total Subscription Fee, or an estimated \$175.00 per acre-foot of Subscribed Quantity, and shall be delivered to MAGSA, as provided herein, no later than March 1, 2024.
- (c) **Third Payment:** The third payment shall be thirty percent (30%) of the remaining balance of the total Subscription Fee, or an estimated \$210.00 per acre-foot of Subscribed Quantity, and shall be delivered to MAGSA, as provided herein, no later than March 1, 2025.
- (d) **Fourth Payment:** The fourth payment shall be fifty percent (50%) of the remaining balance of the total Subscription Fee, or an estimated \$245.00 per acre-foot of Subscribed Quantity, and shall be delivered to MAGSA, as provided herein, no later than March 1, 2026.
- (e) **Final Payment:** The final payment shall be the remaining balance of the total Subscription Fee, as adjusted for project construction closeout, and shall be delivered to MAGSA, as provided herein, no later than December 31, 2026.

4. **Notice of Change in Cost**

In order to calculate the amount due for each of the Subscription Fee payments, as set forth above, MAGSA shall provide Account Holder notice, as provided herein, of any change in the total Subscription Fee no later than one hundred twenty (120) days in advance of the payment due dates set forth above. The actual final amount of the per acre foot Subscription Fee shall be determined by actual cost true-up prior to the final installment.

5. **Election Not to Complete Purchase.**

In the event the Account Holder elects at any point not to complete the transaction contemplated herein, any amounts paid to MAGSA pursuant to this Agreement at the time of Account Holder's election not to complete the transaction shall **not** be refunded to Account Holder in whole or in part.

6. **Option to Assign.** Account Holder may, subject to prior approval by MAGSA, which approval will not be unreasonably withheld, assign its rights and responsibilities under this Agreement upon the execution by Account Holder's duly authorized representative and execution by assignee of a Subscription Agreement, in a form similar to this Agreement, modified to reflect the withdrawing Account Holder's position at the time of withdrawal and assignment and acknowledging any and all provisions contained herein as if executed at the origination of the Project.

7. **Covenants of the Parties.**

(a) **Project Status Updates.**

MAGSA shall provide Account Holder quarterly written reports on the status of the construction of the Project, including periodic accounting updates and budget comparisons.

(b) **Notice of Readiness to Accept Water Deposits (“Puts”).**

MAGSA shall notify Account Holder at least thirty (30) days prior to the anticipated partial completion of the Project facilities sufficient to allow Account Holder to make initial water deposits into the water bank (“puts”).

(c) **Notice of Readiness to Accomplish Water Withdrawals (“Takes”).**

MAGSA shall notify Account Holder at least thirty (30) days prior to the anticipated partial completion of the Project facilities sufficient to make initial withdrawals of water from storage (“takes”).

(d) **Operations and Maintenance of the Project Post-Construction.**

Following execution of this Agreement, and upon the “Activating Subscription for Priority Phase Storage” (Payment of the First Installment Payment by Priority Phase Investors holding more than fifty (50%) percent of the Priority Storage), MAGSA shall convene a representative committee of all Priority Phase Storage Account Holders for the purpose of conferring and making recommendations to the MAGSA Board of Directors of anticipated best management practices associated with ongoing Project operations and maintenance, including suggested rules and regulations, fee schedules and cost apportionment formulas for equitable access to and participation in the Project. Thereafter, MAGSA shall prepare and circulate for consideration and concurrence of the Priority Phase Storage Account Holders a Standard Operations and Maintenance Manual, which will serve as the initial Standard Operating Procedures for the Project.

(e) **Access to Project.**

MAGSA shall provide Account Holder reasonable access to the Project and Project facilities.

(f) **Mutual Indemnification, Defense, Hold Harmless.**

The Parties agree to indemnify, defend, and hold the other and its respective officers, directors, shareholders, partners, managers, members, trustees, beneficiaries, employees, contractors, licensees, invitees, representatives, agents, successors, and assigns harmless from and against any and all claims, actions, causes of action, demands, damages, costs, liabilities, losses, judgments, expenses or costs of any kind or nature whatsoever (including, without limitation, attorneys’ fees) by reason of property damage, death, or injury to persons arising from or relating to the construction, improvement, installation, access to, use, inspection, maintenance, repair, or modification of the Project facilities, except to the extent

that such death, injury, or property damage arises from the gross negligence or willful misconduct.

(g) Evaluation of Risk.

Account Holder is managed by and/or staffed with persons who are knowledgeable, sophisticated, and experienced in business and financial matters; has access to information sufficient to conduct appropriate due diligence in relation to this Agreement; is capable of evaluating the merits and risks involved in this Agreement, is prepared to timely provide for scheduled payments, and is able to bear the risk of this Agreement, including a complete loss of its investment.

8. Notices.

Any notice, consent, approval or request for consent required or permitted to be given under this Agreement shall be given in writing and shall be effective: (i) if personally delivered, upon delivery or the recipient's refusal to accept such delivery; or (ii) if mailed, five (5) days after mailing, by United States registered or certified mail, postage pre-paid, return receipt requested, to the applicable address set forth below:

If to MAGSA:

McMullin Area Groundwater Sustainability Agency
275 S. Madera Avenue, Suite 301
Kerman, CA 93630

Attn: General Manager

If to the Account Holder:

Name
Address 1
Address 2

Attn:

The foregoing addresses and addressees may be changed by giving written notice of such change to the other Party in the manner provided for in this section.

9. Partial Invalidity/Severability.

If any one or more of the provisions contained in this Agreement is for any reason held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions of this Agreement, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in this Agreement.

10. Breach.

In the event of an alleged breach of this Agreement, the Party asserting the breach shall promptly advise the other Party of the alleged breach and provide, in writing, a notice to cure within seven (7) business days of the delivery of the written notice. Should the alleged breaching Party dispute

the alleged breach, they must, within that same seven (7) business day period, advise the other Party of the dispute and the basis for their contention.

Should the Party disagree as to whether a breach has occurred, and the alleged breach remains after a period of seven (7) business days, the Parties agree to engage in good-faith negotiations as set forth below.

However, in the event Account Holder breaches the Agreement in a manner that constitutes a violation of the terms of any State, County, or other permit or license by which MAGSA is bound, and Account Holder fails to cure such breach within seven (7) business days of the notice, upon a showing of documentation from a government entity confirming the nature of the violation, MAGSA may immediately terminate this Agreement.

11. **No Refund for Delay and/or Failure to Complete.**

The Parties acknowledge that the Project is still in the design phase and completing the Project will require the acquisition of real property and/or easements, the completion of environmental review, and obtaining various permits and approvals, as well as funding sufficient to complete the Project. The Parties further understand and acknowledge that these processes and any number of unforeseen issues could delay or prevent completion of the Project in whole or in part. In the event that the Project is delayed or that MAGSA is unable to complete the Project, in whole or in part, whether due to inability to obtain approvals, real property, easements, and/or any other reason, Account Holder shall not be entitled to a refund of any amounts paid.

12. **Impact to Water Supply/Storage.**

The Parties acknowledge that the Project is subject to changes as a result of climate and/or geologic activities. As a result, the Parties agree that MAGSA provides no assurance that the capacity, conveyance rates and the priority space will not change from that which is understood at this time. As a result, restrictions may be imposed on the Account Holder's use of the Project, including, but not limited to, limits or restrictions on: allowable recharge rates, allowable recovery rates, and/or the time between recharge and recovery.

13. **Negotiation, Mediation, and Mandatory Binding Arbitration.**

The Parties agree that, should any controversy or claim arise out of or in relation to this Agreement, including any alleged breach of the Agreement, the Parties shall promptly make good faith efforts to negotiate a written voluntary resolution of the matter directly between themselves.

With the exception of the limited circumstance that allows for immediate termination set forth above, if any dispute that relates to this Agreement remains unsettled for fifteen (15) days after notification that a dispute exists, the Parties shall immediately and jointly retain a mutually-agreed upon neutral mediator and participate in confidential mediation to continue attempting to work out a written voluntary settlement. The costs of the mediation shall be born equally by the Parties. If any Party(ies) files any legal or administrative action to which this clause applies, without first having attempted to resolve the dispute through neutral mediation, then that filing Party(ies) shall be responsible for all legal fees and costs, including reasonable attorneys' fees, of the other Party(ies), regardless of the outcome of the case.

Should mediation efforts fail, any controversy or claim arising out of or relating to this Agreement, or breach thereof, shall be settled by binding arbitration administered by one neutral, agreed upon

by the Parties, from the American Arbitration Association, JAMS, or similar organization, under their Commercial Arbitration Rules. Any such arbitration shall be conducted in Fresno County and judgment on the award rendered may be entered in any court having jurisdiction thereof.

14. **Binding Effect.**

This Agreement and all covenants and restrictions contained herein shall, to the fullest extent permitted by law and equity and without regard to technical classifications or designations, be binding upon and inure to the benefit of the Parties hereto.

15. **Governing Law.**

This Agreement shall be governed and construed in accordance with the laws of the State of California.

16. **Attorneys' Fees.**

In the event of any controversy, claim or dispute relating to or arising out of this Agreement, except as specifically set forth within paragraph 13, the prevailing party shall be entitled to recover from the non-prevailing party all reasonable costs and expenses including, without limitation, attorneys' fees.

17. **Entire Agreement.**

This Agreement, including the recitals and **Exhibits A** through ___ attached hereto, all of which are incorporated herein by this reference, constitutes the entire agreement between the Parties and set out all the covenants, promises, warranties, representations, conditions, understandings and agreements between the Parties concerning the subject matter of this Agreement and supersede any and all prior agreements, understandings, negotiations and discussions, whether oral or written. There are no covenants, promises, warranties, representations, conditions, understandings or other agreements, oral or written, express, implied or collateral between the Parties in connection with the subject matter of this Agreement except as specifically set forth in this Agreement.

18. **Amendments.**

This Agreement may be amended, modified or supplemented only by a written document executed by all of the parties hereto (or their successors-in-title).

19. **Assignments.**

Neither this Agreement nor any of the rights, interests or obligations hereunder shall be assigned by any of the Parties hereto (whether by operation of law or otherwise) without the prior written consent of the other Party. Upon an assignment pursuant to this provision, this Agreement will be binding upon, inure to the benefit of, and be enforceable by the Parties, which shall include any agreed-upon successors and assigns.

20. **No Third-Party Beneficiaries.**

This Agreement is only among and for the benefit of the Parties hereto and their successors-in-title. No other person or entity or property shall be entitled to rely hereon, receive any benefit from

this Agreement or enforce any provision of this Agreement against any other Party to this Agreement.

21. **Counterparts.**

This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS THEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

**EXHIBIT “A” TO GROUNDWATER BANKING PRIORITY PHASE STORAGE
SUBSCRIPTION AGREEMENT**

The overall Project (hereinafter “Aquaterra”) includes construction and operation of an approximately 146,000-acre-foot per year dry-year return water bank. During wet year operations, up to 208,000 acre-feet of water could be recharged. There is approximately 1.8 million acre-feet of available storage under MAGSA’s boundaries in the unconfined aquifer above the E-Clay (Corcoran Clay). The Project as it specifically relates to Priority Phase Storage, includes the following elements:

- 1) Approximately 4,000 acres of new dedicated recharge basins,
- 2) A well field of up to 90 dedicated recovery wells located generally within the area of the recharge basins,
- 3) Up to three new lift pump stations in, or within the vicinity of, the Mendota Pool,
- 4) Approximately 70 miles of bi-directional high capacity conveyance canals,
- 5) Approximately twenty five (25) canal lift pumping stations with individual flow top-end capacities between 300 and 500 cubic feet per second,
- 6) Federal Acknowledgement as a Groundwater Bank to accommodate storage and return, as well as exchange, of federal contract water supply, and
- 8) The creation of a Groundwater Monitoring Committee to assist and advise MAGSA in establishment and oversight of on-going Standard Operations policies and procedures.

Location: The Aquaterra facilities would be located west of SR-99 and east of the James Bypass on the north fork of the Kings River within an agricultural region of the mid-northern portion of Fresno County, CA contained within the boundaries of MAGSA.

Operation and Maintenance:

The Groundwater Monitoring Committee will assist and advise in ensuring that operation of Aquaterra will not adversely affect the groundwater pumping conditions of any property owners in close proximity to the Aquaterra facilities.

MAGSA anticipates utilization of Supervisory Control and Data Acquisition (“SCADA”) or other telemetry equipment and full metering that would allow MAGSA, if it so desires, to remotely operate and monitor Aquaterra well and pump facilities. Occasionally, service employees may be required to be on-site for scheduled, preventive maintenance or unscheduled service. Site maintenance is anticipated to include levee maintenance, weed abatement, trash removal, periodic sediment removal and water-control structure adjustments and maintenance.

Construction:

Construction activity for Aquaterra would commence in late 2022 or early 2023, with recharge basin site preparation and grading and construction of conveyance canals. Construction of recharge basin infrastructure, pump stations and conveyance canal construction is expected to begin in 2023 and will be ongoing until fully complete. Construction of the conveyance canals and recharge basins would continue into 2025. Recovery well and pipeline construction is anticipated to begin in 2024 and continue into 2026.

Paeter Garcia

From: JACKSON, MICHAEL P. <MJackson@usbr.gov>
Sent: Friday, September 30, 2022 6:55 PM
To: Young, Matthew; Paeter Garcia; 'John McInnes'; Joshua Haggmark; Nicholas Turner; Bob McDonald; Janet Gingras; Rubalcava, Walter
Cc: Leal, Erma O; Hyatt, David E; Emerson, Rain L; Cavanaugh, Daniel J; Lee, Issac; Inthavong, Michael T
Subject: Re: [EXTERNAL] Cachuma WY 2022-23 Allocation Request
Attachments: Cachuma_Allocation-WY22-23_USBR-Letter_Signed_9-30-2022.pdf

WARNING: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Evening Ladies & Gentlemen,

I apologize for My delay in getting You our attached subject Allocation Letter which formally provides our contractual allocation notice of zero percent (0%) for the WY 2022 - 2023 period.

We will keep our fingers cross for a smooth rainy winter.

Be Well,



Bengal Tiger Owl
Michael Paul Jackson, P.E.
 South-Central California Area Office
 559-262-0300 (Office)
 559-260-8714 (Mobile)
 mjackson@usbr.gov
 1243 "N" Street
 Fresno, California 93721

From: Young, Matthew <mcyoung@countyofsb.org>
Sent: Thursday, September 1, 2022 4:25 PM
To: JACKSON, MICHAEL P. <MJackson@usbr.gov>
Cc: Paeter Garcia (pgarcia@syrwd.org) <pgarcia@syrwd.org>; John McInnes <JMInnes@goletawater.com>; Joshua Haggmark <JHaggmark@SantaBarbaraCA.gov>; 'Nicholas Turner' <nturner@montecitowater.com>; Robert McDonald <bob@cvwd.net>; Janet Gingras <jgingras@cachuma-board.org>; Hyatt, David E <dhyatt@usbr.gov>; Rubalcava, Walter <wrubalc@countyofsb.org>
Subject: [EXTERNAL] Cachuma WY 2022-23 Allocation Request

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Mr. Jackson,

Attached please find the WY 2022-23 Cachuma Project allocation request on behalf of the Cachuma Member Units. Please feel free to contact me with any questions.

Thank you,
Matt



Matt Young

Santa Barbara County Water Agency Manager
130 E. Victoria St., Suite 200
Santa Barbara, CA 93101
(805) 568-3546
[Water Agency Website: WaterWiseSB.org](http://WaterWiseSB.org)



United States Department of the Interior

BUREAU OF RECLAMATION
South-Central California Area Office
1243 N Street
Fresno, CA 93721-1813



IN REPLY REFER TO:

SCC-440
2.2.4.23

VIA ELECTRONIC AND U.S. MAIL

Mr. Matthew Young
Deputy Public Works Director
Santa Barbara County Water Agency
130 East Victoria Street, Suite 200
Santa Barbara, CA 93101
mcyoung@countyofsb.org

Subject: Cachuma Project Allocation for Water Year 2023 (WY 2023) (October 1, 2022 through September 30, 2023) – Contract No. I75r-1802RA (Contract) – Cachuma Project, California

Dear Mr. Young:

I apologize for my delay in responding to your letter dated September 1, 2022, regarding the Santa Barbara County Water Agency's (Water Agency) "Cachuma Project Water Year 2022-23 Allocation Request," which also enclosed the Cachuma Project Member Units (Member Units) letter of the same date.

The Member Units letter request an allocation of 3,644 acre-feet that they determined to be available as of August 24, 2022, and the Water Agency indicated in its letter it would like to reserve its right to make a midyear allocation request should the winter bring inflow that yields project water.

Reclamation utilized the intervening time to update our model and to review information and modeling prepared by the Cachuma Operation and Maintenance Board and Member Units. As previously shared with both the Water Agency and Member Units on September 22, 2022, the results of Reclamation's modeling for the next two water years indicates available water supplies will be exhausted prior to the end of the 2024 calendar year.

Pursuant to Article 3(b) of the Contract, this letter serves as notice of the WY 2023 Cachuma Project allocation and based upon current reservoir levels, existing project water demands, existing carryover balances, and forecast data, the WY 2023 Allocation is **0%** of your contract total.

INTERIOR REGION 10 • CALIFORNIA-GREAT BASIN

CALIFORNIA*, NEVADA*, OREGON*

* PARTIAL

If you have questions, please contact Erma Leal, Contracts Branch Chief at (559) 262-0350, via email at eleal@usbr.gov or for the hearing impaired at TDD (800) 877-8339.

Sincerely,

Michael P. Jackson, P.E.

MICHAEL Digitally signed by
MICHAEL JACKSON

JACKSON Date: 2022.09.30
18:48:14 -07'00'

Michael P. Jackson, P.E.
Area Manager

cc: Ms. Janet Gingras
Cachuma Operation and Maintenance Board
3301 Laurel Canyon Road
Santa Barbara, CA 93105
jgingras@cachuma-board.org

Mr. Robert McDonald
Carpinteria Valley Water District
1301 Santa Ynez Avenue
Carpinteria, CA 93013
bob@cvwd.net

Mr. John McInnes
Goleta Water District
4699 Hollister Avenue
Goleta, CA 93110
jmcinnes@goletawater.com

Mr. Nicholas Turner
Montecito Water District
583 Ysidro Road
Montecito, CA 93150
nturner@montecitowater.com

Mr. Joshua Haggmark
City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93102
JHaggmark@SantaBarbaraCA.gov

Mr. Paeter Garcia
Santa Ynez River Water Conversation
District Improvement District No. 1
P.O. Box 157
Santa Ynez, CA 93460
pgarcia@syrwd.org



Santa Barbara County Public Works Department

Flood Control * Water Agency * Project Clean Water
130 E. Victoria Street, Suite 200, Santa Barbara, CA 93101
PH (805) 568-3440 FAX (805) 568-3434
<http://cosb.countyofsb.org/pwd/water>

SCOTT D. MCGOLPIN
Director

WALTER RUBALCAVA
Deputy Director

September 1, 2022

Mr. Michael Jackson, P.E., Area Manager
South-Central California Area Office
United States Bureau of Reclamation
1243 "N" Street
Fresno, CA 93721-1813

RE: Cachuma Project Water Year 2022-23 Allocation Request

Dear Mr. Jackson,

Pursuant to Article 3 of the Cachuma Water Service Contract I75r-1802R, as amended by Amendatory Contract No. I75r-1802RA, the Santa Barbara County Water Agency (Water Agency) is to submit a yearly allocation request on behalf of the Cachuma Member Units. Enclosed please find a letter from the Member Units dated September 1, 2022 requesting an allocation of 3,644 acre-feet for Water Year 2022-23.

As has been done in past years (1991, 2004, 2017, 2019), we would like to reserve our right to make a midyear allocation request should the winter bring inflow that yields project water. The Water Agency recognizes this is a departure from past procedures, however we are in unprecedented times and as such flexibility is imperative to meet public water supply needs.

If you have any questions regarding this request, please contact me at 805-568-3546.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew C. Young".

Matthew C. Young
Water Agency Manager

Enclosure: Notice on Behalf of All Cachuma Member Units Specifying Total Quantity of Available Supply Requested for Water Year 2022-23.

CC: Mr. Paeter Garcia, SYRWCD ID#1
Mr. John McInnis, Goleta Water District
Mr. Joshua Haggmark, City of Santa Barbara
Mr. Nicholas Turner, Montecito Water District
Mr. Robert McDonald, Carpinteria Valley Water District
Ms. Janet Gingras, Cachuma Operation and Maintenance Board



The Cachuma Project Member Units

Goleta Water District

City of Santa Barbara

Montecito Water District

Carpinteria Valley Water District

Santa Ynez River Water Conservation District, Improvement District No. 1

September 1, 2022

Matthew Young
Santa Barbara County Water Agency, Manager
130 E. Victoria St., Suite 200
Santa Barbara, CA 93101

RE: Notice on Behalf of All Cachuma Member Units Specifying Total Quantity of Available Supply Requested for Water Year 2022-23

Dear Mr. Young:

Pursuant to Section 3(a) of the April 14, 1996 Contract Between the United States and Santa Barbara County Water Agency (SBCWA) Providing for Water Service from the Project, Contract No. 175r-1802R (as amended by Amendatory Contract No. 175r-1802RA (September 28, 2020) ("Master Contract")), the Cachuma Project Member Units acting jointly hereby provide Notice to the Santa Barbara County Water Agency requesting allocation of all Available Supply from the United States Bureau of Reclamation (USBR) during Water Year 2022-23, commencing October 1, 2022.

Pursuant to section 1(a):

'Available Supply' shall mean the maximum quantity of Project Water the Contracting Officer is authorized by Federal law, State law, and the Project Water Rights to make available to the Cachuma Member Units during each Water Year pursuant to this contract. The Available Supply in each Water Year does not include the quantity of water the Contracting Officer is required by Federal law, State law, Project Water Rights, and any agreements to which the Contracting Officer and all of the Cachuma Member Units are parties to release from Cachuma Reservoir other than to make Project Water available to the Cachuma Member Units pursuant to this contract.

As of August 24, 2022, there is 3,644 acre-feet (AF) of Available Supply for USBR to make available to the Cachuma Member Units. This amount of water available is consistent with a full accounting of water in the Cachuma Project prepared by the Cachuma Operation and Maintenance Board (COMB) that includes the "minimum pool," water reserved to meet fish release requirements, ANA/BNA stored water for downstream releases, and the Cachuma Member Units' stored water. The accounting also assumes no significant inflow to Cachuma in the winter of 2022-23, and applies losses to evaporation consistent with the Master Contract.

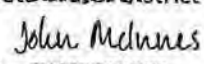
On June 22, 2022, COMB provided USBR with documentation of its accounting of water and USBR subsequently requested that the Cachuma Member Units delay submittal of their allocation request for the upcoming Water Year to provide USBR with additional time to review COMB's information; as memorialized in a letter sent to you by the Cachuma Member Units on June 24, 2022.

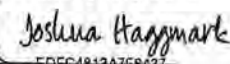
With only 30 days left before the start of the 2022-23 Water Year, neither the Cachuma Member Units nor COMB have received any questions or requests for further clarification from USBR on COMB's accounting of Available Supply. Recognizing USBR's discretion in allocating water, the Cachuma Member Units hereby respectfully request that USBR allocate 3,644 AF as Available Supply for the 22-23 Water Year. Should the Cachuma Project experience significant inflow this upcoming winter, the Member Units reserve the right to submit a revised allocation request at such time to account for any increased water availability in the Cachuma Project.

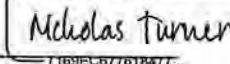
Finally, this request includes the attached delivery schedules for each respective agency over Water Year 2022-23 and estimate of projected water deliveries (Attachment 1) required by section 3(a) the Master Contract. All such water can and will be put to reasonable and beneficial irrigation, municipal, domestic, and industrial uses within the Member Units' respective service areas.


Sincerely,

[Signatures to follow on next page]

John McInnes
General Manager
Goleta Water District
By: 
70AC7FE9CD5C48D

Joshua Haggmark
Water Resources Manager
City of Santa Barbara
By: 
EDFC4812A7F8437...

Nicholas Turner
General Manager
Montecito Water District
By: 
7169ECC671618477...

Robert McDonald
General Manager
Carpinteria Valley Water District
By: 
83E955853F85424...

Paeter Garcia
General Manager
Santa Ynez River Water Conservation District, Improvement District No. 1
By: 
EUC604TABCT1409...

Cc: Michael Jackson, PE, Area Manager, South-Central California Area Office, United States Bureau of Reclamation

Enclosures:

Attachment 1— Cachuma Member Unit M&I and Agricultural Water Delivery

Attachment 1— Cachuma Member Unit M&I
and Agricultural Water Delivery

ENTITLEMENT REQUEST BREAKDOWN - AG / M & I
2023 WATER YEAR: 1ST PERIOD REQUEST (10/01/22-3/31/23)
CACHUMA PROJECT, CONTRACT I75r-1802R

MEMBER UNIT	Classification	TOTAL AF Ordered
Goleta Water District	M & I	353
	Irrigation	78
	Total	<u>431</u>
City of Santa Barbara	M & I	584
	Total	<u>584</u>
Montecito Water District	M & I	135
	Irrigation	14
	Total	<u>149</u>
Carpinteria Valley Water District	M & I	99
	Irrigation	99
	Total	<u>198</u>
SYRWCD-ID#1	M & I	48
	Irrigation	44
	Total	<u>92</u>
U.S.B.R. TOTALS		<u><u>1,454</u></u>

Breakdown is based on the percentages defined in the Renewal Master Contract, dated April 14, 1996.
 Pursuant to Bureau of Reclamation letter to Santa Barbara County Water Agency dated August 10, 1981, it is required to
 use whole acre-feet, commencing Water Year 1982-83.

ENTITLEMENT REQUEST BREAKDOWN - AG / M & I
2023 WATER YEAR: 2nd PERIOD REQUEST (4/01/23-9/30/23)
CACHUMA PROJECT, CONTRACT I75r-1802R

MEMBER UNIT	Classification	TOTAL AF Ordered
Goleta Water District	M & I	499
	Irrigation	391
	Total	890
City of Santa Barbara	M & I	589
	Total	589
Montecito Water District	M & I	193
	Irrigation	35
	Total	228
Carpinteria Valley Water District	M & I	100
	Irrigation	100
	Total	200
SYRWCD-ID#1	M & I	146
	Irrigation	137
	Total	283
U.S.B.R. TOTALS		2,190

Breakdown is based on the percentages defined in the Renewal Master Contract, dated April 14, 1996.
 Pursuant to Bureau of Reclamation letter to Santa Barbara County Water Agency dated August 10, 1981, it is required to use whole acre-feet, commencing Water Year 1982-83.

2023 WATER YEAR CACHUMA ENTITLEMENT OBLIGATION - WATER DELIVERY SCHEDULE
 (All figures are in Acre Feet)

Month	Carpinteria VWD	Goleta WD	Montecito WD	City of Santa Barbara	SYRWCD ID#1	TOTALS
October, 2022	33	92	67	173	65	430
November	33	111	29	119	8	300
December	33	56	6	83	7	185
January, 2023	33	46	0	62	0	141
February	33	54	10	49	0	146
March	33	72	37	98	12	252
SUB-TOTAL	198	431	149	584	92	1454
April	33	64	23	78	19	217
May	33	90	35	90	24	272
June	33	118	37	88	44	320
July	33	124	47	110	53	367
August	35	246	45	116	74	516
September	33	248	41	107	69	498
SUB-TOTAL	200	890	228	589	283	2190
TOTAL Entitlement						3644
Entitlement Request	<u>398</u>	<u>1321</u>	<u>377</u>	<u>1173</u>	<u>375</u>	<u>3644</u>
Entitlement %						14.00
TOTAL	398	1321	377	1173	375	3644



AquaPulse Chemicals, LLC

1230 E. 5th Street

Oxnard, CA 93030

Phone: (805) 366-3980

Email: mcapiral@aquapulsechemicals.com

Aquapulse – Pricing Notice

To our valued customer,

Due to multiple increases in raw materials cost this year alone, we need to increase your delivered per gallon price effective 10/01/2022.

AquaChlor/Sodium Hypochlorite 12.5% Minibulk to:

Santa Ynez River Water: \$4.37/gal + 2.1% EPA charge

Please do not hesitate to contact me should you have any questions.

Kind regards,

A handwritten signature in black ink, appearing to read "Marc Capiral". The signature is fluid and cursive, with a long horizontal stroke at the end.

Marc Capiral
Aquapulse Chemicals, LLC

S.Y.R.W.C.D. ID.#1

SEP 26 2022

RECEIVED

Paeter Garcia

From: ACWA <acwabox@acwa.com>
Sent: Thursday, September 22, 2022 12:51 PM
To: Paeter Garcia
Subject: Legal Advisory: California Supreme Court Declines to Review Case that Classifies Bees as Fish Under CESA

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[Click here to view it in your browser.](#)

ACWA ADVISORY

LEGAL
Sept. 22, 2022

California Supreme Court Declines to Review Case that Classifies Bees as Fish Under CESA

The California Supreme Court yesterday declined to review a controversial appellate court decision that extended protections under the state's endangered species law to bumblebees and other insects. By allowing the ruling to stand, this case opens the door to listing any invertebrate under the California Endangered Species Act (CESA) and may ultimately result in increased regulatory requirements and compliance costs for ACWA's member agencies.

The case, *Almond Alliance of California v. Fish and Game Commission*, has hinged on whether bees and other terrestrial invertebrates should be defined as fish for purposes of CESA. Fish are eligible for listing under CESA. Section 45 of the Fish and Game Code, which predates CESA but has been applied to the Act, defines fish as "a wild fish, mollusk, crustacean, *invertebrate*, amphibian, or part, spawn, or ovum of any of those animals" (emphasis added). While the court acknowledged that the statutory definition was ambiguous and that the fish classification is commonly understood to refer to aquatic species, it ultimately reached the conclusion that the Legislature intended the definition to encompass any invertebrate, including terrestrial insects, such as bumblebees. The court then concluded that Section 45's definition of fish applied to CESA.

The plaintiffs in the case - comprised of a coalition of farming groups - requested the California Supreme Court review the appellate court decision. ACWA filed a letter with the high court in support of the petition for review. In seeking California Supreme Court review, ACWA argued that the lower court's decision "upends the wide-held, decades-old understanding that CESA does not apply to terrestrial invertebrates, including insects." ACWA noted the broad implications that case would have for its members as it greatly expands the number of species that may be listed as endangered or threatened.

Water agencies and their water users would be required to seek certain permits for infrastructure, agricultural and conservation activities that will include strict measures to address potential adverse impacts. ACWA noted that this will add time and expense to efforts to remain in compliance with CESA, and increase the likelihood of projects and activities being curtailed or prohibited altogether.

Background

In June 2019, the California Fish and Game Commission (Commission) accepted petitions to list four subspecies of native California bees for protection under CESA. This decision resulted in the bumblebee subspecies being designated a candidate species, thereby receiving full protection under CESA, while the Commission determined whether to permanently list the subspecies' as endangered or threatened.

A group of agricultural trade associations challenged that decision by filing a petition for writ of mandate in Sacramento Superior Court, arguing that CESA does not authorize the

Commission to designate insects, such as bumblebees, as endangered, threatened, or candidate species.

While the trial court sided with the agricultural interests and ordered the Commission to rescind its decision, the Third District Court of Appeal reversed the lower court's decision, finding that insects can be listed as an endangered, threatened, or candidate species under CESA.

The agricultural interests argued that even if Section 45 applied to CESA, the term invertebrate only covers aquatic invertebrates and not terrestrial invertebrates, given that fish are connected to aquatic environments. The court rejected this argument, as well, noting that CESA's legislative history supported a liberal interpretation of the term.

ACWA provides assistance on legal matters of significance to member agencies and their counsel, including amicus support and referrals to specialists. Requests for Assistance are reviewed by ACWA's Legal Affairs Committee, which makes a recommendation to the Board of Directors.

Questions

For questions or to submit a Request for Assistance, please contact ACWA Legislative Advocate Kristopher Anderson, who is the staff liaison to the Legal Affairs Committee, at (916) 441-4545.

Disclaimer: ACWA's Legal Advisories are prepared for general information purposes only and offer you the opportunity to learn more about current events impacting ACWA members. The information presented is not legal advice, is not to be acted on as such, may not be current, and is subject to change without notice. Readers should consult with legal counsel for specific advice.

Monthly Briefing

A Summary of the Alliance's Recent and Upcoming Activities and Important Water News

Farmer Lobbyists Return to D.C. *First Alliance Fly-in Since 2019*

Thirty farmers, ranchers, water managers and association leaders departed the dry, dusty West and descended on Washington, D.C. late last month, sharing their stories and engaging federal lawmakers and policy leaders on critical water issues.

The 2022 farmer lobbyist trip marked the first return to Washington since September 2019, prior to the COVID-19 pandemic that restricted access to the nation's capital.

A "virtual" lobbyist trip was conducted in 2020.

The high level of the Alliance's virtual engagement with Congressional offices in

2021 leading up to the passage of the Infrastructure Investment and Jobs Act (IIJA) last November drove the decision not to conduct a farmer lobbyist trip last year.

"It was good and important to be back in D.C. this year," said Alliance President Patrick O'Toole, whose family runs a sheep and cattle ranch in Wyoming. "Our farmer lobbyist trip is one of the cornerstone programs of our organization. It was created to allow farmers, ranchers and water managers to interact directly with elected officials and other policymakers in Washington, D.C."

This year's farmer lobbyist trip once again presented a unique opportunity for Alliance members to share with

Members of Congress and the Administration the important issues that impact Western irrigated agriculture.

Thirty farmer lobbyists from six Western states engaged directly with high-level Biden Administration officials, Congressional Members and committee staff, and gained insight into what lawmakers and policymakers are saying about the issues impacting Western irrigated agriculture.

"The farmer lobbyist meetings once again allowed us to deliver the diverse but unified voice of irrigated agriculture champions in Washington, D.C.," said Alliance Executive Director Dan Keppen.

The farmer lobbyists engaged in over twenty meetings in a 2 ½ day period across Capitol Hill and with agency leaders in downtown Washington.

"Our team did a tremendous job telling personal and impactful stories about producer and water manager efforts during the drought," said Mr. Keppen. "They really underscored the importance of irrigated agriculture to our food supply chain and national security."

Key topics of discussion with Congressional agriculture and water committees included positions on current water legislation and the 2023 Farm Bill.



The 2022 farmer lobbyist contingent: Capitol Visitors Center.

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Farmer Lobbyists Return to D.C. (Cont'd from Pg. 1)

Meetings also took place with USDA Under Secretary Robert Bonnie, Sara Gonzalez-Rothi (Director for Water Policy at the White House Council on Environmental Quality), and leaders at the Department of Interior, Bureau of Reclamation, and the U.S. Forest Service.

The visit culminated with two overlapping events on the morning of September 29: an Alliance-led Western drought briefing and a Senate committee hearing on forestry legislation, where Mr. O'Toole testified on behalf of the Alliance.

Western Drought Briefing

The Alliance's Western Drought Briefing for Congressional staff took place in a conference room at the Capitol Visitors Center. The drought briefing featured brief presentations by farmers and ranchers from Oregon, California, and the Upper and Lower Colorado River Basins.

"This in-person event allowed Congressional staff an opportunity to hear directly from the Western producers and water managers who are literally at Ground Zero dealing with the challenges of one of the worst droughts for the Western U.S. in modern history," said Alliance Executive Director Dan Keppen.

Congressman Cliff Bentz (R-OR) kicked off the event with opening remarks. He also met earlier in the week with the farmer lobbyists in the hearing room of the House Resources Committee.

Following Rep. Bentz's welcoming comments, water managers and farmers from California, Oregon, and the Colorado River Basin described the challenges they are facing, the drivers behind those challenges, and what can be done to help.

"The drought of the last two years clearly shows that improved water infrastructure is needed to protect future water supply reliability," said William Bourdeau, an Alliance director who manages Harris Farms in California's Central Valley. "The system has not been able to keep up with all the natural hydrologic changes, let alone man-made like statutory and regulatory changes."

Mr. Bourdeau outlined the regulatory constraints that farmers and ranchers served by the federal Central Valley Project. Much of California's massive plumbing system was built in the 1930s and 1960s. However, around 1980, the implementation of federal and state environmental laws began to affect Central Valley water supplies.

"While I'd love to say that as a result of these regulations, the ecosystem and watershed are healthy and thriving, unfortunately, I cannot," said Mr. Bourdeau. "There have been no measurable benefits to the environment and at-risk species continue to suffer."

Alliance Advisory Committee Member April Snell, who runs the Oregon Water Resources Congress, also discussed how the "regulatory" nature of the drought and how federal management of water to meet federal Endangered Species Act (ESA) requirements is hurting producers, with no apparent benefit to the targeted species, like spotted frogs in Central Oregon and suckers and salmon in the Klamath River system.

"Flow-centric management that focuses on ESA single species management creates tremendous inflexibility for irrigation water management," said Ms. Snell.

Fierce Western wildfire disasters are also becoming an annual occurrence during drought. While Pat O'Toole was addressing forest health issues before the Senate committee, his son Eamon described the tinderbox conditions of federal forests along the Continental Divide to Congressional staffers.

"Agencies like the Forest Service need to use the tools and flexibility they already have to better manage the land and tackle critical challenges like wildfire, insects, and disease," said the younger O'Toole.

Arizona Agribusiness and Water Council executive director Chris Udall discussed how the prolonged drought could impact food production in the Lower Colorado River region.

"The Colorado River is in crisis," said Mr. Udall. "There is an emergency need of 2 to 4 million acre-feet of water in storage to save the river. The 23-year mega drought on the river brings us to an unprecedented but expected Tier 2b shortage declaration for 2023."

During the winter of 2023-24 leafy green vegetables, normally abundantly available, will not be as available, Mr. Udall reported. This 1-acre-foot decrease has been estimated to have a potential economic loss of around \$340,000,000 to Yuma County, Arizona agriculture.

Further underscoring the "Family" element of the Family Farm Alliance, Mark Schnepf and his daughter McCall briefed the staffers on the grim conditions farmers are facing in the Lower Colorado River Basin. Mr. Schnepf - a Central Arizona Project (CAP) producer and board member of the New Magma Irrigation District and Electrical District #6 - outlined the challenges facing CAP irrigators at the September 29 drought briefing.

"We recognize that reacting to and stabilizing levels at Lakes Powell and Mead are important, as is the role of senior water rights holders in Yuma and the Imperial Valley" he told the assembled Congressional staffers. "However, we need to see drought relief funding funneled to places like Pinal County, which is already feeling the pain from water curtailments."

The 75-minute event concluded with a question-and-answer session.

"Solving the water challenges of our day will require everybody working together in a bipartisan fashion," said William Bourdeau, a California producer and Alliance Board member. "Everyone will benefit when we solve these challenges."

Senate ENR Legislative Hearing

Elsewhere on Capitol Hill, Alliance President Patrick O'Toole was one of four witnesses who testified before the Senate Energy and Natural Resources (ENR) Committee, which conducted a legislative hearing on several pending bills, including the Promoting Effective Forest Management Act of 2022 (S. 4904). This bipartisan legislation - introduced by ENR Committee Chairman Joe Manchin (D-WV) and Ranking Member John Barrasso (R-WYOMING) would reduce cata-

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Senate ENR Committee Legislative Hearing (Cont'd from Pg. 2)

strophic wildfire risk and improve forest health.

"We are facing brutal wildfires across the West that threaten Wyoming's forests and communities," said Ranking Member Barrasso. "Our bipartisan bill will fight back against wildfire risk. It directs the Forest Service and the Bureau of Land Management to cut red tape and dramatically increase their wildfire mitigation projects. I'm thankful to Chairman Manchin for working with me on this important legislation."

Mr. O'Toole's testimony outlined the dire conditions of Western forests and explained why S.4904 is an important step towards improving their future health.

"The revival of Colorado River and other Western watershed forests is crucial to combating the effects of climate change," said Mr. O'Toole, whose family operates a sheep and cattle ranch in Wyoming. "By bringing together changemakers and working collaboratively, we can change the paradigm of forest management. Success will mean healthier forests, healthier wildlife populations, more prosperous and dynamic local communities, and much-needed security in our water supplies."

Mr. O'Toole's appearance before the Senate Energy and Natural Resources Committee was picked up by several media sources, and the one-hour drought briefing attracted nearly 20 Congressional staffers.

"We definitely generated some visibility for the Family Farm Alliance that morning," said Mark Limbaugh with The Ferguson Group, the Alliance's representative in Washington.

Farmer Lobbyists Share Drought Stories, Offer Solutions

Much of the Western U.S. is facing a second consecutive year of crippling drought. The current drought crisis underscored some key concerns that were advanced by this year's farmer lobbyists.

The Western drought also demonstrates that areas where collaboration-driven efforts are underway fare better than regions characterized by strife and conflict. Alliance Director Marc Thalacker, who manages Three Sisters Irrigation District in Oregon, explained to multiple audiences how collaborative piping projects in his area – where 62 of 65 miles of open canal have been replaced with high-diameter, pressurize pipe – stretched water supplies while neighboring districts faced early curtailments.

"Our irrigation modernization efforts of the last 25 years have now put our district in a position of being drought-proof," he said.

Urban Eberhart, the general manager of Kittitas Reclamation District in Washington's Yakima Basin, pointed to the Integrated Plan developed for his region as a template for success in other areas of the drought-stricken West.

"We are now ten years into our plan, and we have tens of millions of dollars' worth of projects up and down the river, including canal lining and other improvements in irrigation efficiency, increasing reservoir storage, and removing barriers to fish," said Mr. Eberhart. "We're providing a resilient and reliable water supply for farmers, communities and natural habitats for fish."

Several of this year's farmer lobbyists acknowledged that the only silver lining in this unprecedented drought crisis is that it is drawing public and political attention to Western agriculture's critical role in

providing a safe and reliable food supply.

Food Security Spotlighted

Driven by concerns with rising food prices and the Russian invasion of Ukraine, the Family Farm Alliance board at its meetings in Reno last February directed contractors to work with others in an effort to improve communications on what rising inflation and the Ukraine crisis means to American consumers.

In April, the Alliance partnered with California Farm Water Coalition and Klamath Basin producers to place a full-page ad in the *Wall Street Journal* warning of the consequences if State and federal officials ignore the need for reliable water supplies and a stable, affordable, domestic food supply.

"Our fly-in to D.C. provided a great opportunity to advance our efforts to educate the public and policy makers, as global realization of the looming food crisis grows every day," said Mr. Keppen.

"Once in a Generation" Funding for Western Water

The Alliance – along with the Association of California Water Agencies, California Farm Bureau, National Water Re-



Alliance President Pat O'Toole testifies on forestry legislation before the Senate Energy and Natural Resources Committee, September 29, 2022. Photo courtesy of Senate Energy and Natural Resources Committee.

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“Once in a Generation” Water Funding (*Cont’d from Pg. 3*)

sources Association and Western Growers – formed a steering committee for a 230-member Western water coalition that led the effort in 2021 to secure \$8.3 billion of Bipartisan Infrastructure Law (BIL) funding for Bureau of Reclamation infrastructure projects and hundreds of millions of dollars for USDA forest health and rural infrastructure projects.

The Alliance continues to work with this coalition and the Western Agriculture and Conservation Coalition to engage with USDA and the Interior Department to ensure that BIL funds are efficiently applied for their intended purposes.

“On each day of our D.C. trip, we expressed our support for the congressional action and Administration efforts to administer the \$12.3 billion in the BIL and Inflation Reduction Act,” said Chris Udall, an Alliance Advisory Council member and executive director of the Arizona Agribusiness and Water Council. “This needs to be done in an efficient manner that achieves the desired outcomes of improved water supply reliability.”

The Bureau of Reclamation on September 30 conducted a listening session to seek input and feedback from stakeholders on the implementation of the IRA. Reclamation officials reported that the \$4 billion funding will be spread across four years and divided into two buckets.

The first bucket will be for short term water conservation “bridging actions” such as paying users to leave water in Lake Mead each year for the next 4 years.

The second bucket will fund long-term “System Efficiency” projects.

“This will most likely focus on infrastructure, but there are still not a lot of details,” said Mr. Keppen.

Applications for both buckets can be submitted this month.

The Family Farm Alliance in August helped lead a letter signed by 7 other regional agricultural organizations which offered support, assistance and counsel for the immediate implementation of drought funding from the IRA in a letter sent to Interior Secretary Deb Haaland and Commissioner Touton. The letter identified some key principles, including a recommendation that Reclamation should quickly release a Notice of Funding Availability with guidance to water managers currently developing drought response proposals and urgently deploy that funding to address the most critical needs.

The Alliance was asked by the Commissioner’s office to provide some opening remarks at the September 30 listening session. Alliance Advisory Committee Tina Shields from California’s Imperial Irrigation District stood in for Mr. Keppen, who was returning home from the farmer lobby trip that day.

“We urge the Biden Administration to move quickly to implement the Inflation Reduction Act and other available drought funding mechanisms to assist irrigation districts and growers with tangible benefits sooner rather than later,” Ms.

Shields said at the listening session. “To result in meaningful progress, it is essential for the Department to identify and share the criteria and key factors to be used in its funding decision-making.” The listening session was recorded and is available at <https://www.usbr.gov/inflation-reduction-act>.

Colorado River Challenges

The Colorado River drought crisis was a topic of discussion at virtually every meeting the farmer lobbyists attended in Washington, D.C.

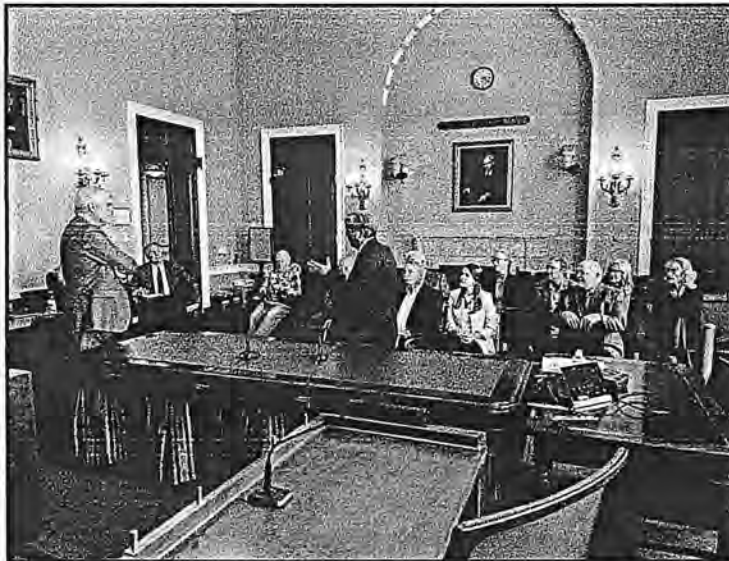
At a conference in Santa Fe (NEW MEXICO) the previous week, federal officials outlined steps they are taking to respond to critically low reservoirs in the Colorado River basin.

Reclamation Commissioner Camille Touton said the agency was releasing even less water from Lake Powell than anticipated in 2023. According to the latest 2023 operating guidelines, 7-million acre-feet will flow out of the reservoir in 2023. If water levels recede to the point that hydropower generation is endangered, Interior could throttle back those releases, as it did this year.

“Interior is also studying structural modifications at Glen Canyon Dam that would allow for the release of water from Lake Powell when the reservoir is low,” said Mr. Limbaugh.

While the farmer lobbyists were in D.C., House Natural Resources Chair Raúl Grijalva (D-ARIZONA) told Interior Secretary Deb Haaland in a letter to use the Department’s existing authorities to drastically cut water deliveries in the drought-stricken Colorado River Basin.

Without the voluntary cutbacks in water deliveries that have yet to be agreed to by the Colorado River Basin states, the Chairman said the Department should require 2- to 4-million acre-feet of water to be conserved in the Basin to protect the system from collapse. Chairman Grijalva also pointed to \$4 billion Reclamation was allotted under the IRA for the



Family Farm Alliance Executive Director Dan Keppen and farmer lobbyists describe concerns of Colorado River water users to Rep. Cliff Bentz (R-OR) in the hearing room of the House Natural Resources Committee on September 27.

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Colorado River Challenges (Cont'd from Pg. 4)

ongoing drought, to include paying for long-term, multiyear water delivery reduction measures.

"It is important that the Department make significant use of this authority to advance long-term solutions that will address the worsening supply-demand imbalance across the Basin," wrote Rep. Grijalva. "Funding short-term or single-year reductions in water use without assurances of ongoing conservation measures will do nothing to deliver enduring climate solutions for the Basin."

Meanwhile, a group of Colorado and New Mexico Democrats recently called on Reclamation to direct the IRA funding for permanent solutions.

The Alliance board of directors last March formally adopted a policy brief that sets forth Colorado River principles developed in collaboration with key agricultural interests in the upper and lower Basins. The Alliance last summer worked with Western Senators as the Inflation Reduction Act (IRA) was being negotiated, pushing for Western drought provisions that materialized in the form of \$4 billion funding, prioritized for short-term Colorado River demand reduction measures intended to prevent the reservoir levels behind Hoover Dam (Lake Mead) and Glen Canyon Dam (Lake Powell) from crashing.

Many believe the burden for meeting these short-term measures will fall on agricultural water users with senior rights near Yuma and in the Imperial Valley. Family Farm Alliance members in those areas want to ensure that the full spectrum of impacts – not just direct impacts, but also impacts to national security, food supply, rural communities, the Salton Sea, and third-party stakeholders – are properly assessed.

"Agriculture cannot be decimated by short-term measures," said Mr. Keppen. "We need to find ways to keep the agricultural infrastructure working when the water comes back. This short-term emergency will require long-term mitigation. In the meantime, long-term solutions need to be kick-started in parallel with the emergency short-term plan."

Federal Water Legislation

The Alliance works closely with Congressional committees on other Western water legislation, providing recommendations, review and witnesses to testify on Capitol Hill.

"Many of our meetings with Members of Congress and their staff focused on current water legislation and the upcoming Farm Bill," said Mr. Keppen. "We continue to work to influence the development of Congressional West-wide water bills consistent with Alliance priorities and policy positions."

The Alliance has actively advocated for and contributed to the development of several West-wide bills that have primarily moved through the Senate Energy and Natural Resources Committee. The Committee is considering another markup, possibly in September, to tackle some bills that were left out of the July committee markup.

Committee Democrats think a markup is on the table, but other Senate Democrats are not so sure. Republicans on the committee are skeptical.

"There is no set game plan for this, yet," said Mr. Limbaugh. We think there will be a markup some time before the end of the year. The package could move in the lame duck and would involve a negotiation with the House, or it could be set up for reintroduction in the next Congress."

The Alliance has advocated for roughly one dozen Western water bills in the Senate, including the STREAM Act, Senator Feinstein's bill that includes a number of storage and conveyance provisions that could be helpful to Alliance members, if enacted. Another

Alliance priority has been Oregon Senator Ron Wyden's "Watershed Results Act" (WRA), which requires the Secretary of the Interior to work in coordination with the Secretary of Agriculture and the Administrator of the EPA to establish two to five watershed restoration pilot programs across the country.

"The difference from the federal status quo is that WRA would require pilot watersheds to be assessed for priority projects using advanced analytics," said Joe Whitworth, President of the Freshwater Trust, who the Alliance is partnering with to advance the legislation. "In this way, we can maximize every dollar invested and promote a results-oriented approach."

Other bills advocated for by the farmer lobbyist included efforts to reauthorize fish recovery programs in the Upper Colorado and San Juan River Basins; repair portions of California's massive water conveyance system; address risks of potential urban canal failure; modify the eligibility requirements for small water storage and groundwater storage projects; and



Putting the "Family" in the Family Farm Alliance farmer lobbyist trip: Madison Schnepf, her father Mark Schnepf, Pat O'Toole and his wife, Sharon on Capitol Hill.

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C.R. Passed During D.C. Fly-in (Cont'd from Pg. 5)

address the recovery of hydropower generation costs with respect to Reclamation facilities in the Colorado River Basin, and for other purposes.

The farmer lobbyists also shared concerns expressed by other agricultural producers in the West regarding the Open Access Evapotranspiration Data Act (H.R. 4832), which would inject major funding into the OpenET program.

"We have proposed alternative language to the Senate sponsors of this legislation, which would scale down the scope, remove the linkage to federal conservation program compliance programs, and address concerns raised by farm groups through the use of pilot projects," said Mr. Keppen.

Improving Permitting Processes

The farmer lobbyists also addressed government red tape in their meetings.

In their meetings on Capitol Hill, Alliance representatives explained the need for federal agencies to report on their environmental review activities and expedite environmental review and permitting processes.

"If we are serious about building infrastructure, improving forest health, and promoting American agriculture, then Congress must pass real, meaningful solutions that expedite federal permitting processes," said Mr. O'Toole.

The 2022 farmer lobbyists also explained Alliance efforts to engage with the Biden Administration on rule-making actions that impact Western irrigated agriculture, including environmental review of water development and forest management activities.

For example, the Environmental Protection Agency (EPA) and the Army Corps of Engineers (Corps) last month sent to the White House Office of Management and Budget (OMB) for pre-publication review their final, interim definition of waters of the United States (WOTUS).

"We have been deeply engaged in the two-step WOTUS process underway with EPA and the Army Corps of Engineers," said Mr. Keppen.

This controversial rulemaking could be finalized before the Supreme Court rules in the *Sackett v. EPA* case challenging one of the traditional WOTUS tests. A Supreme Court decision could essentially define WOTUS once and for all making any previous rulemakings moot.

"The Family Farm Alliance is part of a large national agricultural coalition that submitted an amicus brief to the Supreme Court earlier this year," said Mr. Keppen.

OMB received the interim rule on September 12 and will take about 90-days to review the rule.

The proposed rule interprets WOTUS to mean the waters defined by a collection of Corps and EPA regulations referred to as the "1986 regulations," with amendments to reflect the agencies' interpretation of the statutory limits on the scope of WOTUS as informed by Supreme Court decisions, including *Rapanos v. United States*, essentially recodifying the 1986 regulations.

Republicans in Congress have called for the agencies to stop the rulemaking ahead of the Supreme Court decision,

while Democrats have asked the agencies to speed up their work on the regulation.

Meanwhile, as fires continued to burn in parts of the West, the farmer lobbyists discussed the need for the Forest Service to maximize its capacity and streamline ways to start healthy forest restoration projects at scale.

"We need to expedite forest management projects in order to reduce catastrophic wildfires and associated carbon emissions and protect wildlife habitat and watersheds," said Pat O'Toole.

2023 Farm Bill

While in Washington, farmer lobbyists heard criticisms from Republicans about the Biden administration's climate-focused agriculture spending. Earlier in the month, USDA pumped \$2.8 billion into "climate-smart commodities," projects aimed at improving the environment through agriculture.

Republicans like Rep. Glenn Thompson (PA) are raising concerns that this "spending spree" could become a party-line issue of contention when Congress takes up the 2023 Farm Bill next year. It could "endanger bipartisan support for this title" in next year's farm bill negotiations, he said at an agriculture committee hearing earlier in the month.

The IRA contains massive funds for climate-smart agriculture, using existing Farm Bill conservation programs. The 2022 farmer lobbyists are concerned that the carbon-centric focus of some policy makers could endanger projects that also address broader matters.

"Climate mitigation should not just focus on carbon and assume that planting more carbon-sequestering trees will solve the problem," said Mr. Keppen. "Projects that help producers and water managers adapt to the impacts of climate change must also be encouraged."

The Alliance since 2012 has engaged in Farm Bill negotiation primarily through its involvement with the Western Agriculture and Conservation Coalition (WACC).

"We co-founded the WACC, in an effort to support the common interests of agriculture, conservation, and other interests tied to resources on behalf of a viable and sustainable rural West," said Mr. Keppen. "Water is the core resource concern we want the government to address more effectively."

While in Washington, Alliance members involved with the WACC split off for a handful of meetings with House and Senate agriculture committee staff, where the topic of discussion was Farm Bill conservation title programs. The WACC strives for USDA prioritization of project proposals that deliver cross-sector benefits to farming and ranching and conservation.

"We want to see emphasis on project proposals that deliver measurable conservation outcomes," said WACC Coordinator Jeff Eisenberg. "Successful projects are ones that deliver benefits to significant portions of land in a watershed."

The WACC is also striving to find ways to simplify pro-

*Ryan Jacobsen, Fresno County, California
Farm Bureau Chief Executive Officer.
Photo courtesy of Fresno County Farm Bureau.*

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Record Hunger on the Rise (Cont'd from Pg. 2)

gram delivery without harming environmental interests or program integrity.

“Conservation program management should emphasize a stronger role for state and local decision-making,” said Mr. Keppen. “NRCS state conservationists should be viewed as ‘the CEOs’ in these matters.”

Political Backdrop

The House on September 30th passed the Senate Amendment to the stopgap bill (a Continuing Resolution “CR”), by a vote of 230-201, funding the government’s federal agencies through Friday, December 16, 2022. The President signed the bill into law later that day. The Senate passed the CR by a vote of 72-25 the day before, sending it to the House on the day of the deadline to avert a shut-down of most government agencies.

In addition to extending government operations at enacted FY22 funding levels, the CR also included other provisions, such as \$2 billion for domestic disaster relief for communities impacted by natural disasters in 2021 and 2022, and \$2.5 billion for New Mexico wildfires from the Hermit’s Peak/Calf Canyon fire.

Left out of the CR was Senator Joe Manchin’s (D-WV) permitting reform bill, which was initially included and would have streamlined energy and minerals projects.

Senate Majority Leader Chuck Schumer (D-NY) said on the Senate floor that he and Senator Manchin would “continue to have conversations about the best way” to move forward on the permitting effort before the end of the year. Senate Minority Leader Mitch McConnell had encouraged Senate Republicans to take down Manchin’s effort in an earlier floor speech, saying that adding Senator Manchin’s permitting plan to the bill amounted to a “poison pill” (*POLITICO*).

Also, the CR did not include the Biden Administration’s request for COVID-19 and monkeypox aid.

Congress will return following the November 8 midterm elections with the hopes of completing the fiscal year 2023 Omnibus by mid-December.

Reflections from this year’s farmer lobbyists

One of the key objectives of the 2022 Farmer Lobbyist

Trip was to provide opportunities for producers and water managers to tell their stories about the impact federal policies and Mother Nature are having on their operations and families.

By all accounts, this year’s D.C. fly-in was a success.

“This was an excellent trip,” said Paul Arrington, executive director of the Idaho Water Users Association. “For me, I intend to make this a more regular part of my annual plans.”

Many participants were relieved to be able to resume face-to-face meetings after the pandemic and security-related concerns limited travel and engagement in Washington.

“It was incredibly rewarding to get back to the in-person meetings and to represent irrigated agriculture at the US Capitol,” said Mr. Eberhart. “Everyone on the team was able to quickly pick up where we left off three years ago and get right back into the swing of things. There is no substitute for the personal interactions that can occur when we are together in the same room talking about our projects.”

The farmer lobbyist week in D.C. also highlighted how essential water security is for food security.

“There is only one clear priority for all the farmers, ranchers, and agriculture reps that participated in the meetings this week: water,” said Shelley Cartwright, Deputy General Manager of Westlands Water District in California. “Water is essential for growing food, and we need to better prepare for drought- both regulatory and hydrologic - to better protect our domestic food supply. During our conversations with elected representatives, appointed officials, and career staff in DC, participants provided insightful perspectives and creative solutions that can improve water reliability for farmers today and in the future.”

Farmer lobbyists had nothing but words of praise for the planning and “herding” provided by Mark Limbaugh, Lane Dickson, Zach Israel and Tina Dykstra with The Ferguson Group, the Alliance’s representatives in Washington, D.C.

“Great job to the Ferguson group team for putting this schedule together,” said Mr. Arrington.

Mr. Keppen believes this year’s farmer lobbyists did an admirable job conveying their personal experiences to some very influential officials in Washington

“They provided a great service in helping lawmakers and policy makers visualize why it is important to continue to offer resources from the federal government to address these issues,” he said.



“I am encouraged by the success of this week’s work and the professionalism of all the Family Farm Alliance members. We must continue getting the message out that irrigated agriculture with a consistent and adequate water supply in the United States is a key element of our Nation’s security.”

Urban Eberhart, Kittitas Reclamation District GM and Alliance Advisory Committee Member

Ninth Circuit Restricts Irrigators' Rights to Seek Judicial Review Project Operational Decisions *By Richard S. Deitchman, Somach, Simmons and Dunn*

On September 8, 2022, the United States Court of Appeals for the Ninth Circuit (Ninth Circuit) issued its decision in *Klamath Irrigation District et al. v. United States et al.*, Case No. 20-36009, affirming the United States District Court for the District of Oregon's dismissal of two actions filed by various Klamath Project (Project) irrigation parties challenging United States Bureau of Reclamation's (Reclamation) operating procedures for the Project.

In April 2019, Project irrigation parties, including the Klamath Irrigation District (KID) and a group that included the Klamath Water Users Association (KWUA) and several Project districts and individual farmers filed two complaints challenging Reclamation's 2019-2024 operating plans or procedures for the Project in the District Court. KWUA's Administrative Procedure Act (APA) complaint sought to address outstanding legal issues relating to the operation of the Project and relied on in the operating procedures, including the scope of Reclamation's Section 7 Endangered Species Act discretion as it relates to Project operations, and other issues. KID's complaint emphasized that Reclamation's operations were unlawful in light of Oregon's enforceable final order determining water rights in the administrative phase of the Klamath Basin Adjudication (KBA).

The Hoopa Valley Tribe and the Klamath Tribes (collectively, "Tribes") intervened for the limited purpose of filing motions to dismiss claiming that they were necessary parties to the two actions who could not be joined as a result of sovereign immunity. The District Court dismissed both actions on those grounds.

In its September 8, 2022, decision, the Ninth Circuit applied a two-step procedure set forth in Federal Rule of Civil Procedure 19. The appellate court first examined whether the tribal parties must be joined under Rule 19(a), and upon determining that joinder was unfeasible as a result of sovereign immunity, addressed whether in "equity and good conscience" the case may still proceed. Accepting the arguments of the federal government and the Tribes, the Ninth Circuit found that both complaints "implicate[] the Tribes' long-established reserved water rights," even though the Hoopa Valley Tribes' federal reserved rights are unquantified, and

the Klamath Tribes do not presently have an enforceable water right as it relates to Project irrigators due to a stipulation in the ongoing KBA proceeding.

The Ninth Circuit further concluded that under its own recent precedent, "Reclamation's and the Tribes' interests, though overlapping, are not so aligned as to make Reclamation an adequate representative of the Tribes." Although the two dismissed cases challenged Reclamation's decision and actions only, and the United acts as trustee for the federal reserved fishing and water rights of Native American tribes, the Ninth Circuit found that Reclamation is not an adequate representative for the Tribes, so they are required parties to the suit.

The Ninth Circuit rejected KID's argument that the suit should proceed because the McCarran Amendment waives the Tribes' sovereign immunity and concluded that the lawsuit was not an administration of previously determined rights under the McCarran Amendment, but it is an APA challenge to federal agency action. Finally, the Ninth Circuit applied the "equity and good conscience" factors and found that there was no way for the cases to proceed in the absence of the Tribes.

Failing any further judicial review, the opinion virtually closes all courthouses in the Ninth Circuit to irrigators pursuing APA judicial review of federal decision making regarding the Klamath Project that they believe are illegal. This has major implications for irrigators seeking to protect their interests in water and has potential application to other basins where tribal interests are present. In the meantime, the court has identified no similar limits on rights of other parties to challenge Reclamation decisions, meaning that other parties remain free to challenge Reclamation's actions with the goal of reducing irrigators' water supply.

For more information on this case, please contact Rich Deitchman at (916) 446-7979 or rdeitchman@somachlaw.com.

Somach Simmons & Dunn represents Klamath Basin clients who are parties in the consolidated action and among the plaintiffs/appellants who filed the action captioned Shasta View Irrigation District et al. v. United States Bureau of Reclamation et al.

EPA: Denying Environmental Permits Under 'Civil Rights' Law

In a significant step, EPA's External Civil Rights Compliance Office (ECRCO) has provided details on how permit writers should assess cumulative impacts and, in what could be a first, the option of denying a permit under civil rights law, even if it meets all environmental requirements.

"From day one, the president and EPA have been committed to not just making progress on environmental justice and civil rights, but to ensure that environmental justice and civil rights are at the center of everything we do, that we enshrine it in a way that outlasts any of us," Michael Regan told the *New York Times* last month.

EPA's recently released "Frequently Asked Questions" (FAQ) document that details the options and compiles existing information about how EPA will integrate environmental justice (EJ) and civil rights into the permitting process. However, the FAQ stresses that compliance with civil rights law is a separate obligation from compliance with environmental laws.

ECRCO is now working on separate guidance that will set a legal standard for considering civil rights in permitting decisions, including cumulative disparate impacts, that should be released for comment sometime next year.

Interior Announces Assistance for Water Conservation Field Services Program

The Department of the Interior has announced the FY 2023-2024 Water Conservation Field Services Program: Financial Assistance. The purpose of this program is to provide funding for the planning, prioritizing, demonstrating technology/projects, and design of projects that conserve and use water more efficiently; mitigate conflict risk in areas at a high risk of future water conflict; and accomplish other benefits that contribute to sustainability in the Western U.S.

The program aims to leverage existing funding and resources by cost-sharing water conservation planning activities with Reclamation to make more efficient use of existing water supplies. Projects should address one of the following task component areas:

- Water Management and Conservation Planning
- System Optimization Review
- Designing Water Management Improvements
- Demonstrating Conservation Project Technologies

Eligible applicants are states, Indian tribes, irrigation districts, water districts, and other organizations with water or power delivery authority located within the Lower Colorado Basin including southern California, Nevada, and Arizona, or the State of Hawaii, American Samoa, Guam, and the Northern Mariana Islands.

Funding: In FY 2023, an estimated \$1,659,000 in funding is available to support approximately 6-12 awards of up to \$100,000 through this program. Funding amounts for FY 2024 will be finalized when the FY 2024 appropriations process is complete.

Applicants must be capable of cost sharing 50 percent or more of the total project costs. Cost share may be made through cash, costs contributed by the applicant, or third-party in-kind contributions. The project period for this program is two years.

Round 1 applications are due November 18, 2022 and round 2 applications are due October 13, 2023.

Reclamation Announces \$20 Million for Small Water Storage Projects

The Department of Interior's Bureau of Reclamation has announced an FY 2023 funding opportunity for \$20 million in 25% cost shared grants through the Infrastructure Investment and Jobs Act (IIJA) for small surface and groundwater storage projects between 2,000 and 30,000 acre-feet in size.

"The limited supplies of water in the West make it essential that we find ways to store more water," said Interior Department Assistant Secretary for Water and Science Tanya Trujillo. "These new storage projects will increase resilience to climate change providing water managers flexibility in their water management decisions."

The IIJA allocated \$8.3 billion for Reclamation water infrastructure projects over the next five years. The \$20 million FOA is part of \$100 million in the IIJA for small surface and groundwater storage grants located in the Western states.

Applications for these small storage grants are due December 9, 2022. However, a completed feasibility study must first be submitted to Reclamation no later than October 31 to determine project eligibility under this funding opportunity, which is available on www.grants.gov by searching for funding opportunity number R23AS00019.

Irrigation Show
and Education Week

LAS VEGAS
DEC. 5-9, 2022

DISCOVER
unlimited
possibilities.



The Irrigation Show and Education Week is the largest show solely focused on irrigation. In 2022, the exhibit hall will feature hundreds of exhibitors, the 20th anniversary of the new product contest, a special area for tech startups, live presentations and a Craft Brewfest. For education, IA University returns to offer the core curriculum for irrigation professionals. Other 2022 features include a selection of seminars and presentations on today's trends and best practices, the return of the General Session, and numerous unique social and networking opportunities.

A Big Thank You to Our New and Supporting Members!

JULY-AUGUST 2022
CHAMPION (\$10,000 and Above)

Washington State Potato Commission

ADVOCATE (\$5,000 - \$9,999)

Wellton-Mohawk Irrigation District (ARIZONA)

DEFENDER (\$1000-\$4999)

Association of California Water Agencies Bowles Farming Co, Inc. (CA)
Electrical District #8 (AZ) Klamath Basin Improvement District (OR)
Klamath Drainage District (OR) Madera Irrigation District (CA)
Patterson Irrigation District (CA) San Luis Canal Co. (CA)

PARTNER (\$500-\$999)

Gering-Fort Laramie Irrigation District (NE) Glide Water District (CA)
Kanawha Water District (CA) Little Snake River Conservation District (WY)
Ochoco Irrigation District (OR)

SUPPORTER (\$250—\$499)

Mark Hansen (WA)

DONOR SUPPORT

Make your tax-deductible gift to the Alliance today! Grassroots membership is vital to our organization. Thank you in advance for your loyal support.

If you have questions, please call our fundraising coordinator, Jane Townsend, at (916)206-7186 OR EMAIL jane@familyfarmalliance.org

OR EMAIL jane@familyfarmalliance.org



**Contributions can also be mailed directly to:
Family Farm Alliance
P.O. Box 1705
Clearlake Oaks, CA 95423**

Tom Fayram, President
Brad Ross, Vice-President
Mike Arme, Director
Tom Nelson, Director
Lisa Palmer, Director



Revised Zoom
Information
10/11/2022

**LOS OLIVOS COMMUNITY SERVICES DISTRICT
REGULAR MEETING**

Posted: 10-7-2022

October 12, 2022, 6:00 PM

**St Mark's in the Valley Episcopal Church, Stacy Hall
2901 Nojoqui Ave, Los Olivos CA 93441**

Please observe decorum and instructions from the President

This meeting will be held both in-person and electronically via Zoom meetings. In-person the meeting will be held at the following location:

St Mark's in the Valley Episcopal Church, Stacy Hall - 2901 Nojoqui Ave, Los Olivos CA 93441

The public will also be able to hear and participate electronically by using the following links:

On Zoom:

<https://us06web.zoom.us/j/82515801920?pwd=VHhQd1VDZUVucFZkZEVEdVlzVjhkOT09>

By Phone:

Meeting ID: 825 1580 1920 Passcode: 378600

One tap mobile +16694449171,,82515801920#,,,,*378600# US

The Los Olivos Community Services District is committed to ensuring equal access to meetings. In compliance with the American Disabilities Act, if you need special assistance to participate in the meeting or need this agenda provided in a disability-related alternative format, please call 805.500.4098 or email to losolivoscsd@gmail.com. Any public records, which are distributed less than 72 hours prior to this meeting to all, or a majority of all, of the District's Board members in connection with any agenda item (other than closed sessions) will be available for public inspection at the time of such distribution at a location to be determined in Los Olivos, California 93441.

MEETING AGENDA

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. PUBLIC COMMENTS

Members of the public may address the Committee on any items of interest within the subject matter and jurisdiction of the Committee but not on the agenda today (Gov. Code - 54954.3). Speakers are limited to 3 minutes. Due to the requirements of the Ralph M. Brown Act, the District cannot take action today on any matter not on the agenda, but a matter raised during Public Comments can be referred to District staff for discussion and possible action at a future meeting.

5. COMMENTS

The Directors, General Manager, and District Engineer will provide comments and report on activities related to District business. Comments are informational only, no action will be taken, and public comment not received.

A. DIRECTORS COMMENTS

Directors will give reports on any meetings that they attended on behalf of the Board and/or choose to comment on various District-related activities.

B. GENERAL MANAGER AND DISTRICT ENGINEER COMMENTS

The GM and DE will give reports on any meetings that they attended on behalf of the District, comment on various District-related activities and/or provide status on projects. The GM may also review Budget Reports (see packet).

Los Olivos Community Services District, P.O. Box 345, Los Olivos, CA 93441, (805) 500-4098

losolivoscsd@gmail.com, www.losolivoscsd.com

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OCT 11 2022
S.Y.R.W.C.D.I.D.#1

6. ADMINISTRATIVE AGENDA

All matters listed hereunder constitute a consent agenda and will be acted upon by a single vote of the Board. Matters listed on the Administrative Agenda will be read only on the request of a member of the Board, in which event the matter may be removed from the Administrative Agenda and considered as a separate item.

A. APPROVAL OF MEETING MINUTES

Regular Meeting Minutes of September 14, 2022.

B. REVIEW AND APPROVE PAYMENT OF INVOICES RECEIVED BY SEPTEMBER 30, 2022.

Note that invoices are usually reviewed by the Finance Committee prior to being placed on the agenda. However, given the timing of the Finance Committee and Regular Board meetings in October, the invoices are included in the agenda, but not yet recommended for approval by the Finance Committee.

No.	Invoice Date	Invoice #	Provider	Amount
1.	September 9, 2022	815121	Aleshire & Wynder – Legal Services August	\$ 860.00
2.	September 23, 2022	1981736	Stantec – 30% Design / Loading Study	\$ 5,948.00
3.	September 29, 2022	292283	NV5 – Assessment Engineering Services	\$ 12,225.00
4.	September 30, 2022	220930	Savage – GM Services	\$ 4050.00

7. BUSINESS ITEMS

A. CONSIDERATION OF A CONTRACT WITH PADRE ASSOCIATES, INC. FOR ENVIRONMENTAL SERVICES

Proposals from Stantec, Rincon, and Padre were reviewed by an ad hoc committee appointed by President Fayram in May 2022. The ad hoc committee consisted of President Fayram, Vice-President Ross, and General Manager Savage. Following review of the proposals a decision was made to recommend Padre Associates, Inc. as the District’s Environmental Services Consultant to the full Board. Padre Associates, Inc. estimates the Environmental Impact Review process to cost \$109,880 (2021 billing schedule). The actual costs will be based on tasks assigned by the General Manager following direction from your Board. The District’s FY 2022-23 budget contains \$50,000 for Environmental Services. Authority is being sought for the President and/or General Manager to sign a District Counsel approved contract with Padre Associates, Inc. for Environmental Services in an amount not-to-exceed \$109,880.

B. CONSIDERATION OF A CONTRACT WITH BC2 FOR GROUNDWATER MONITORING WELL DRILLING SERVICES

The District’s hydrogeological consultant GSI, recommends that the District directly contract with BC2 for groundwater monitoring well drillings services. GSI will still oversee the installation of the well. The General Manager sought bids from two other drilling firms. The BC2 quote is consistent with the other bids provided. The District’s FY 2022-23 budget contains \$50,000 for groundwater well drilling and monitoring activities. Authority is being sought for the President and/or General Manager to sign a District Counsel approved contract with BC2 for well drilling services in an amount not-to-exceed \$23,715.

C. GENERAL MANAGER’S SIX-MONTH REPORT

The General Manager, Guy Savage, was hired effective April 1, 2022. As he has now been supporting the District for six months, he will provide an overview and recommendations on items he has noticed while serving in his role.

8. ADJOURNMENT

CORRESPONDENCE LIST**OCTOBER 2022**

1. September 16, 2022 – Public Records Act request received from FirmoGraphs, LLC.
2. September 21, 2022 – Notice and Agenda received from Cachuma Operations & Maintenance Board for the September 26, 2022 Regular Board Meeting
3. September 23, 2022 – Transmittal from District to Santa Barbara County regarding submittal of 2022 Local Agency Biennial Conflict of Interest Code Review
4. September 23, 2022 – Final Can & Will Serve Letter - New SFR, new Detached ADU, and Private Fire Protection - APN 141-211-068
5. September 23, 2022 – District response to FirmoGraphs, LLC. Public Records Act request
6. September 23, 2022 – Public Records Act Request received from Center for Contract Compliance
7. September 27, 2022 – Four Letters sent to Electrical Contractors – Return of Bid Bonds for Motor Control Upgrades – Phase 2 project
8. September 27, 2022 – Letter from District regarding temporary water service to APN 135-330-003
9. September 28, 2022 – Letter received from County of Santa Barbara Public Works Department regarding Santa Barbara County Project - N. Refugio Path
10. September 29, 2022 – Letter from District to County of Santa Barbara Public Works Department regarding response to N. Refugio Path
11. September 29, 2022 – Letter from County of Santa Barbara Public Works Department Transportation Division – Notice of Countywide Pavement Rehabilitation Project – Request for information from Utilities (Santa Ynez Roads)
12. October 3, 2022 – Letter response to Santa Barbara County Public Works Department regarding Countywide Pavement Rehabilitation Project
13. October 3, 2022 – Letter received from County of Santa Barbara Office of the Auditor-Controller regarding 2022-2023 Property Tax Allocations
14. October 3, 2022 – Notice and Agenda received from City of Solvang for the October 5, 2022 Special City Council Meeting
15. October 3, 2022 – District Email in response to Center for Contract Compliance Public Records Act request
16. October 4, 2022 – Water Service Requirements Letter for ADU – APN 143-312-010
17. October 4, 2022 – Letter from District to Carpinteria Valley Water District regarding customer letter of good standing

18. October 5, 2022 - Additional District Email Response to Center for Contract Compliance regarding Public Records Act Request
19. October 5, 2022 - Letter from District to four customers regarding past due balance on water service accounts
20. October 7, 2022 - Notice and Agenda received from the Los Olivos Community Services District for the October 10, 2022 Finance Committee Meeting
21. October 7, 2022 - Notice and Agenda received from the Los Olivos Community Services District for the October 12, 2022 Regular Board Meeting
22. October 7, 2022 - Letter from District sent to twenty-two customers regarding backflow testing requirements
23. October 10, 2022 - Board packet materials received from the Los Olivos Community Services District for the October 12, 2022 Regular Board Meeting
24. October 11, 2022 - Water Service Requirements Letter sent regarding APN 141-060-017
25. October 11, 2022 - Amended Notice and Agenda received from the Los Olivos Community Services District for the October 12, 2022 Regular Board Meeting