

**SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,
IMPROVEMENT DISTRICT NO.1
OCTOBER 18, 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, October 18, 2022, in-person at 1070 Faraday Street and via teleconference.

Trustees Present: Jeff Clay Michael Burchardi
 Brad Joos Lori Parker

Trustees Absent: Jeff Holzer

Others Present: Paeter Garcia Mary Martone
 Gary Kvistad Karen King
 Eric Tambini

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 four Trustees were present, and Trustee Holzer was absent.

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. 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

Mr. Garcia presented Resolution No. 826 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. 826 would allow the Board to hold meetings under the provisions of AB 361.

No public comment was provided.

It was **MOVED** by Trustee Joos, seconded by Trustee Burchardi, to adopt 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.

The Resolution was adopted and carried by the following 4-0-0 roll call vote:

AYES, Trustees: Michael Burchardi
Jeff Clay
Brad Joos
Lori Parker

NOES, Trustees: None
ABSTAIN, Trustees: None
ABSENT, Trustees: Jeff Holzer

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

There were no additions or corrections to the Agenda.

6. **PUBLIC COMMENT:**

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

7. **CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 20, 2022:**

The Regular Meeting Minutes from September 20, 2022 were presented for consideration.

President Clay asked if there were any changes or additions to the Regular Meeting Minutes of September 20, 2022 as presented. There were no changes or additions requested.

It was **MOVED** by Trustee Joos, seconded by Trustee Burchardi, and carried by a unanimous 4-0-0 roll call vote, with Trustee Holzer absent, to approve the September 20, 2022 Minutes as presented.

8. **CONSENT AGENDA:**

The Consent Agenda Report was provided the Board packet.

Mr. Garcia reviewed the Consent Agenda materials for the month of September.

It was **MOVED** by Trustee Joos, seconded by Trustee Clay, and carried by a unanimous 4-0-0 roll call vote, with Trustee Holzer absent, to approve the Consent Agenda as presented.

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

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

Ms. Martone reviewed the Statement of Revenues and Expenses for the month of September. She highlighted various line-items related to revenue and expense transactions that occurred during the month and also referenced the Fiscal-Year-to-Date Statement of Revenues and Expenses that provides a budget to actual snapshot from July through September. Ms. Martone reported that the District revenues for the

month of September exceeded the expenses by \$443,767.96 and the year-to-date net income was \$1,534,616.86, which will be earmarked and utilized for the District's annual State Water Project which is due in June 2023.

b) Approval of Accounts Payable

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

The Board reviewed the Warrant List which covered warrants 24770 through 24822 in the amount of \$416,540.20.

It was **MOVED** by Trustee Joos, seconded by Trustee Burchardi, and carried by a 4-0-0 roll call vote, with Trustee Holzer absent, to approve the Warrant List for September 20, 2022 through October 18, 2022.

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

A. SUSTAINABLE GROUNDWATER MANAGEMENT ACT

1. Eastern Management Area Update

Mr. Garcia reported that the Eastern Management Area (EMA) Groundwater Sustainability Agency (GSA) October meeting was cancelled. He updated the Board on other activities that took place during the month, including staff members from the respective agencies reviewing well permit applications that have been filed with the County of Santa Barbara in relation to the GSA's evaluation of whether proposed new and replacement wells are consistent with the sustainability goal and programs adopted under the EMA Groundwater Sustainability Plan (GSP). Mr. Garcia also indicated that staff and legal counsel for the respective agencies have reconvened meetings to negotiate terms of a new Joint Powers Authority structure for the EMA GSA. He reported that progress continues, although several issues still need to be addressed. Mr. Garcia explained that a new voting structure should be negotiated because currently some agencies have weighted votes that would give them more decision-making power than agencies like ID No.1 and the City of Solvang who have water rights in the basin and who actually serve our local communities. He explained that the GSA will soon make very important decisions regarding groundwater issues, such as how much to charge for groundwater production and what projects may be required, and thus a governance structure that gives each agency an equal vote promotes equal representation, fairness, and protection of ID No.1 customers. He stated that further information would be provided as it becomes available.

2. Appointments for District's SGMA Ad Hoc Committee

Mr. Garcia reported that the current SGMA Ad Hoc Committee consists of Trustees Joos and Holzer. He explained that due to the increase in activities related to SGMA, there will be a need for increased Ad Hoc Committee representation. Mr. Garcia reported that he discussed the increased time demands with Trustee Holzer, who indicated that his current schedule may conflict with the monthly SGMA meetings and other commitments that may be needed from the Ad Hoc Committee. Mr. Garcia stated that Trustee Holzer was open to the idea of the Board making an adjustment to the SGMA Ad Hoc Committee by appointing another Trustee who has more time available to attend SGMA-related meetings as needed.

Discussion ensued and Trustee Burchardi volunteered to be the new alternate for the SGMA Ad Hoc Committee.

It was MOVED by Trustee Joos, seconded by Trustee Parker, and carried by a 4-0-0 roll call vote, with Trustee Holzer absent, to appoint Trustee Mike Burchardi as the alternate to the SGMA Ad Hoc Committee.

B. CENTRAL COAST WATER AUTHORITY

1. Update Regarding CCWA Water Deliveries

The Board packet included excerpts from the CCWA October 13, 2022 PowerPoint presentation regarding Water Quality Challenges.

Mr. Garcia referred to the Board packet materials which included a September 13, 2022 CCWA PowerPoint presentation regarding a series of water quality issues affecting State Water Project (SWP) deliveries that began in July of this year. Those issues included ongoing nitrification within CCWA's coastal branch pipeline, a prolonged MIB event, and a mechanical breakdown that temporarily interrupted deliveries from the Department of Water Resources (DWR) to the Polonio Pass Treatment Plant. Mr. Garcia reported that the water quality issues involving nitrification and MIB have seriously impacted ID No.1's ability to take SWP deliveries, and that he has met several times with Ray Stokes and John Brady of CCWA to address these matters and explore solutions. He also praised the CCWA team for their extraordinary efforts in responding to the interruption of service from DWR.

2. Aquaterra Water Bank Proposal

The Board packet included a September 29, 2022 CCWA Staff Report, Aquaterra Water Bank Presentation, and Draft Aquaterra Water Bank Subscription Agreement.

Mr. Garcia referred to the Board packet materials and discussed a new water banking program called the Aquaterra Water Bank, which has been introduced to CCWA by CCWA's consultant Provost and Prichard and the McMillian Area Groundwater Sustainability Agency. He indicated that the Aquaterra Water Bank is in the process of identifying potential participants in the project and that all CCWA participants will have an opportunity to review the details of the program and determine if they are interested. Board discussion ensued related to potential pros and cons of participating in this type of water banking program.

Mr. Garcia stated that an additional presentation of the Aquaterra Water Bank will be provided at the CCWA Board meeting on October 27, 2022, and that CCWA member agencies who are interested in participating may need to make initial commitments in the early months of 2023.

C. CACHUMA PROJECT

1. Initial Cachuma Project Allocation for Federal Water Year 2022-2023

The Board packet included correspondence from the United States Bureau of Reclamation (USBR) regarding the Cachuma Project Allocation for Water Year 2022-2023

Mr. Garcia reported that the Cachuma Project Member Units recently received a response to their joint letter requesting at 14 percent Cachuma Project allocation for federal Water Year 2022-2023. He indicated that by letter dated September 1, 2022, USBR has issued an initial zero percent Cachuma Project allocation for the 2022-2023 water year which began

October 1, 2022. Mr. Garcia stated that the allocation is based on very conservative modeling assumptions by USBR and that the allocation could be adjusted upward if favorable hydrologic and reservoir conditions materialize in the coming winter months.

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:

The Board packet included a September letter from Aquapulse regarding their notice of price increase in chemical costs, a September ACWA Advisory regarding a recent decision by the California Supreme Court under the California Endangered Species Act, an October 12, 2022 Los Olivos Community Services District Meeting Agenda, and the October 2022 Family Farm Alliance Monthly Briefing.

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

The Correspondence List was received by the Board.

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

There were no requests from the Board.

14. NEXT MEETING OF THE BOARD OF TRUSTEES:

President Clay stated that the next Regular Meeting of the Board of Trustees is scheduled for November 15, 2022 at 3:00 p.m.

15. CLOSED SESSION:

The Board adjourned to closed session at 5:06 p.m.

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]

The public participation phone line was re-opened, and the Board reconvened to open session at approximately 5:42 p.m.

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

17. ADJOURNMENT

Being no further business, it was **MOVED** by Trustee Joos, seconded by Trustee Burchardi, and carried by a 3-0-0 roll call vote, with Trustees Holzer and Parker absent at the time of the vote, to adjourn the meeting at approximately 5:43 p.m.

THE OCTOBER 18, 2022 REGULAR MEETING MINUTES WERE APPROVED AT THE NOVEMBER 15, 2022 MEETING.